

Policy: 4.15

Conflict of Interest

Purpose: To ensure that employees identify and disclose potential conflicts of interest and conduct themselves in a manner that will not compromise the integrity of the College.

Scope: This policy includes all Kansas City Kansas Community College (KCKCC) employees.

Definitions

Conflict of Interest - An actual Conflict of Interest occurs when financial or personal considerations compromise an individual's objectivity, professional judgment, professional integrity and/or ability to perform his/her responsibilities for the College. A perceived or potential Conflict of Interest can occur when, although there is no actual Conflict of Interest, the circumstances are such that a reasonable person might question whether a decision maker is biased in carrying out his/her professional responsibilities for the College. The following non-exclusive list provides examples of situations that often give rise to an actual or potential Conflict of Interest.

An employee ...

- has an ownership interest in an entity with which the College does business;
- receives significant salary or other compensation from an entity/individual with which/whom the College does business;
- receives individual gifts or individual discounts from an entity/individual with which/whom the College does business, when the donor's intent is to influence such individual in the performance of his/her official College duties;
- is an administrator, director or other key decision maker for an entity with which the College does business;
- receives significant commissions or fees as part of an outside business from a customer/client with which the College also does business; or
- has a Family Member or close personal relationship with someone who fits into one of the categories described above.

Policy Statement

Employees of Kansas City Kansas Community College (KCKCC) have an obligation to uphold the public trust, protect and advance the College's integrity and act in the best interests of the College while carrying out their official College duties.

Disclosure of Interests

Administrators of Kansas City Kansas Community College, its Board of Trustees, all employees Coordinator level and above, and all employees with the responsibility of maintaining financial records, shall submit a completed *Annual Conflict of Interest Disclosure Form*. If changes in circumstances arise that (a) create a new Conflict of Interest or (b) change or eliminate a Conflict of Interest previously disclosed, an updated disclosure is required. It is the responsibility of the employee to resubmit and updated disclosure form. The process of disclosure includes the following actions:

- Submission of an *Annual Conflict of Interest Disclosure Form* to the Human Resources Department.
- Review of the disclosure by supervisor and the Chief Financial Officer or Chief Human

Resources Officer. These officials will determine whether a Conflict of Interest exists and what conditions or restrictions, if any, should be imposed to manage, reduce or eliminate the Conflict of Interest.

Agreements, Contracts and Purchases

College employees shall not knowingly promote and/or enter into any agreement, contract or other binding business relationship on behalf of the College when a Conflict of Interest exists. Please see Purchasing and Procurement Policy 5.05 for details.

Gifts

College employees who participate in selecting vendors, products and contractors and/or participate in forming Business Agreements must avoid accepting individual gifts and individual discounts from outside individuals with an approximate value of \$25.00 or more. Occasional meals, beverages and other non-extravagant gifts are acceptable as long as they are not conditioned upon the employee taking official action on behalf of the College. An employee who believes he/she may have accepted a gift giving rise to an actual or perceived Conflict of Interest, should notify his/her supervisor pursuant to this Policy. Employees are encouraged to consider donation of any gifts and/or proceeds for the benefit of the College or Foundation. A gift received because of a purchase made by the College will typically be deemed as a gift to the College and not any individual employee, unless the College determines otherwise.

Restraint on Participation

With respect to a particular transaction or item of business, if a supervisor deems an employee to have an actual or significant perceived Conflict of Interest, that employee shall not participate in the decision for which he/she has the Conflict of Interest. Decisions related to that transaction or item of business shall be made solely by disinterested employees. In determining whether an employee shall be required to refrain from participation, the supervisor should consider all relevant facts and circumstances, including whether the contract price is fixed by law or whether the transaction will be entered into solely and exclusively on the basis of the competitive bidding process, in which case, an employee with a potential Conflict of Interest may still be allowed to participate in some parts of the process.

Board Approved: 04/21/2020