



Policies and Procedures Manual

Title: Conflict of Interest for Administrators Policy
Policy Administrator: Director Administrative Services
Effective Date: Dec-15-2009
Approved by: General Counsel

Purpose:

This statement sets forth the policy and procedures of the College of the Holy Cross regarding conflicts of interest as they apply to administrators of the College.

Principles for recognizing conflicts of interest, procedures for disclosing conflicts and guidelines for determining the appropriate course of action in the event of a conflict are identified. As this policy cannot possibly cover all conflict of interest contingencies, administrators must keep in focus both the letter and spirit of this policy.

The College and the individuals representing it must conduct their affairs according to the highest possible ethical and moral standards. Administrators must conduct their affairs so as to avoid situations which may cause the College to be legally, or otherwise, vulnerable to criticism, embarrassment, or litigation in the opinion of its various constituencies. Any administrator who questions whether a situation will give rise to a conflict of interest, must address the matter promptly and as advised within these guidelines.

Policy:

1.0 Application of the Policy

The policy applies to: 1) all individuals who have the authority to bind the College; and 2) all individuals designated as the primary or secondary manager/supervisor of a College department or unit other than an academic department. An administrator who is also a member of the full-time teaching faculty should refer to the procedures and guidelines set forth in The Statutes of the Faculty of the College of the Holy Cross.

2.0 Conflicts of Interest

Generally, a conflict of interest occurs when an administrator either 1) has an existing or potential financial interest in proposed contracts or transactions in which

the College may be a party to or may be involved with; or 2) may receive a financial or other benefit from knowledge or information confidential to the College. An administrator may be personally involved, because of an employment or investment relationship, or indirectly involved, as a result of a family relationship.

While conflicts of interest are most readily apparent when there is a financial interest at stake, a conflict can exist even when there is no tangible personal benefit. Thus, a conflict may exist for an administrator who has access to information which could lead to personal profit, even though the administrator has no immediate remuneration in regard to access.

2.1 *Disclosure*

To help identify possible conflicts of interest, the College has developed a disclosure form that administrators must complete and update annually.

The College asks administrators to recognize that the disclosure form cannot address every conflict situation that may arise. Administrators must assume responsibility to update the disclosure form during interim periods if there is any material change in the information requested on the form.

A list of vendors with whom the College conducts a significant amount of business is available from the purchasing department for review.

2.2 *Definitions and Disclosure*

The disclosure form, designed to help the College identify possible conflicts of interest, is distributed by the Director Administrative Services to administrators as required in accordance with the terms of this policy. The following definitions are provided to assist administrators in determining whether to include information on the disclosure form:

- **Family Member:** A spouse, parent, sibling, child or member of the Administrator's household.
- **Significant Financial Interest:** An ownership interest as a partner, shareholder or beneficiary of 5% or more in an organization or entity with which the College transacts substantial business or in which the College invests or maintains funds in excess of \$10,000.00 annually.
- **Significant Management Function:** Service as a director, trustee, general manager or principal officer for an organization or entity with which the College transacts substantial business.
- **Substantial Business:** Dealings with the College whereby the College expends an annual amount on goods or services in excess of \$10,000.00.

Procedures

All conflicts of interest must be disclosed to the Director Administrative Services.

Administrators who have the authority to bind the College on a contractual basis must complete the disclosure form annually. If any event, activity, service or any other situation develops before the scheduled completion of the next annual disclosure statement, an administrator must file and resubmit a new disclosure form.

Upon disclosure of a conflict, the Director Administrative Services will review the conflict and make an initial determination regarding resolution of the conflict situation. The Director Administrative Services may consult with the President or others at the College, and if warranted, may make a recommendation that the Board of Trustees review the matter.

1.0 Decisions

The presence of a conflict of interest does not always mean that the College cannot enter into the transaction or take a position with respect to a particular issue, or that an individual involved in a conflict situation cannot continue with those activities.

Following the disclosure of the conflict, those reviewing the situation must consider the nature of the conflict, the role of the administrator in relation to the conflict, and what safeguards are available to protect the interest of the College. The College may need to obtain advice from counsel or other independent advisors in particular instances.

Forms:

Title	Conflict of Interest Disclosure Form
URL	

Related Information:

Title	The Statutes of the Faculty of the College of the Holy Cross
Title	Vendor List

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