Purpose: Employees serve a public-interest role and thus have a clear obligation to conduct the business of the College in a manner consistent with that concept. Potential conflicts of interest should be disclosed and business affairs conducted in such a manner so no conflict of interest could be reasonably construed. Where potential conflict of interest is possible, all decisions in this area should be made on the basis of a desire to promote the best interest of the College.

Applies to: All Employees
For issues concerning Academic Freedom and Intellectual Property Rights see the Faculty Handbook

Policy: Employees are to conduct all business affairs in such a manner and with such ethics and integrity that no conflict of interest, real or implied, could be construed. A conflict of interest shall be deemed to exist whenever a representative of Tusculum College, his/her immediate family (spouse, parent, brother, sister, in-laws or such, or lineal descendants), friends, associates colleagues or etc. has a financial interest, direct or indirect, in a student, vendor or other principal dealing with the College, and that interest is of such extent or nature that it might reasonably affect his/her judgment or decisions exercised on behalf of the College or its entities.

The following are types of conflicts of interest that should be avoided and if observed, disclosed. This list is not considered all inclusive.
A. The College encourages employees to patronize any individuals engaged in legitimate professional or business activities; however, no attempt should ever be made to use for personal advantage information obtained through the employee’s connection with the College in order to obtain special terms or price concessions.
B. No Employee should accept fees or gifts in values that exceed $25 from others including commissions, special discounts, or other forms of compensation, or from any contracted agencies, attorneys, insurance and real estate agents, vendors, or others who offer such a gratuity for giving or referring College business to them.
C. No Employee should speculate in securities or real estate in anticipation of realizing a profit where the information used was considered strictly confidential and was gained by reason of their employment
Policy continued:

D. No Employee should engage directly or indirectly in any business transactions or private arrangements for profit that accrue from or are based upon his/her position of authority with the College.

E. When writing personal letters, articles to be published, and when participating in public affairs, an employee is considered in special position within the community which imposes special obligations. The public might judge the profession or the College by the employee’s words or writings. Hence an employee should at all times be accurate, exercise appropriate restraint and show respect for the opinions of others. Tusculum College supports and subscribes to the AAUP statement on academic freedom (AAUP Policy Documents and Reports, 2001 Edition, pp. 3 and 4).

F. Personal letters should not be written on College letterhead nor information contained in the personal letters be written or construed as in the College interest.

G. No Employee should participate in the negotiation of or decision to award contracts, settle any claims or charges in any contracts, make loans, or establish rates, guarantees or other things of value with or for any entity in which he/she has a financial or personal interest.

H. No Employee should use or disclose any information obtained as a result of employment which is not generally available to the public for his/her personal gain or the gain of others.

I. No employee shall use College equipment, supplies or properties for the purposes other than those designated and authorized by the College.

J. Use of the name, seal or logo of the College and its various departments and programs for other than approved purposes is prohibited.

K. An employee should ensure that the activities of students or support staff are not exploited for the benefit of any external activity of the employee without prior approval. Prior to assigning any such non-institutionally related task to a student or member of the support staff, an employee shall disclose such proposed activities and obtain approval.

L. An employee should disclose all inventions and copyrightable works which may be reasonably expected to have commercial value which they have jointly or solely developed or created using College resources or while working on College time.
Management Responsibility:
Management and supervisors should remain alert to situations and conditions providing the potential for conflict of interest and report it immediately to a Vice President or Director of Personnel Services (Form 1.00 Complaint Resolution). Managers are also responsible for communicating this and all policies to their employees.

Disclosure or Complaint Procedure:
Employees who believe that a conflict of interest may exist either personally or with respect to another employee covered by this policy shall disclose the facts and circumstances surrounding the situation. Verbal disclosure is acceptable during a committee meeting or prior to a decision being made and documented in the minutes. A written disclosure of the facts and circumstances must be filed with the Director of Personnel Services or Vice President of the affected area if no other documentation exists like the minutes of the meeting (Form 10.00 Disclosure Statement or Form 1.00 Complaint Resolution as required).

Students: Students should report any conflict of interest with regards to an employee to the Vice President of Student Affairs or the Provost. The student will be asked to provide a statement in writing (Form 1.00 Complaint Resolution) outlining the facts supporting the issue.

There will be no retaliation against any student who files in good faith.

Staff: An employee is required to disclose any conflict of interest to his/her Vice President or the Director of Personnel Services (see Form 10.00 Disclosure Statement). If an employee witnesses a conflict of interest or has reason to believe a conflict of interest has occurred, the employee is to report this to his/her Vice President or the Director of Personnel Services. The employee will be asked to provide a statement in writing outlining the facts supporting the issue (Form 1.00 Complaint Resolution) to the Director of Personnel Services or someone designated by the College President.

All issues by a staff member or involving a staff member will be investigated promptly, impartially, and as discreetly as possible by the Director of Personnel Services or someone designated by the College President.
Faculty members are required to report any conflict of interest to the Faculty Affairs Committee, Provost or Director of Personnel Services (Form 10.00 Disclosure Statement). If a faculty member witnesses any conflict of interest or believes that a conflict of interest has occurred, the faculty member is to report this to the Faculty Affairs Committee, Provost or the Director of Personnel Services. Within three (3) business day the Chair of the Faculty Affairs Committee will appoint a member (Investigator) to work in conjunction with the Director of Personnel Services. The employee will be asked to provide a statement in writing outlining the facts supporting the complaint (Form 1.00 Complaint Resolution) to the Faculty Affairs Committee. A reminder that the privacy, discretion and confidentiality must be maintained as possible by all involved in the complaint, investigation, notes thereof and any action taken.

All issues by Faculty or involving Faculty will be investigated promptly, impartially, and as discreetly as possible by an appointed member of the Faculty Affairs Committee (Investigator) and the Director of Personnel Services. Investigation will normally be conducted within four (4) working days and presented to the Faculty Affairs Committee and the Provost who will recommend an action to the President. If the investigation is not proceeding with diligence then the College President will require the Faculty Affairs Committee to designate another appropriate person to finalize the investigation and recommend what action is to be taken. Director of Personnel Service should receive copies of all information.

All employees: There will be no retaliation against any Faculty/Staff member who files in good faith.

If the investigation reveals that no conflict of interest has taken place, the parties involved will be so advised. If the investigation is unable to determine whether a conflict of interest has occurred, the College may still elect to proceed with reasonable corrective action designed to prevent any further issues or appearance of issues from occurring in the future. If the investigation reveals that a conflict of interest exists or probably has taken place, the College will take reasonable action designed to eliminate the issues and prevent it from occurring in the future. In addition, if any Faculty/Staff member is found to have committed an act designating a conflict of interest against the College and in violation of this policy, appropriate disciplinary action will be taken. This could range from a disciplinary warning up to and including termination or expulsion. Any disciplinary action taken against an Employee or a Student will be taken in accordance with the process provided by the College for disciplinary action and documented on Form 10.00 Disclosure Statement or Form 1.00 Complaint Resolution.

Any disciplinary action taken against a faculty member will be completed in accordance with the process provided by the College for disciplinary action as outlined in the faculty handbook.