

College Related Party/Conflict of Interest Disclosure Policy

Policy Background

Persons with fiduciary responsibilities are expected to review their professional activities to determine if conflicts of interest may exist, and to avoid activities that entail or create a conflict of interest. The University has delegated responsibility for dissemination, collection, review and maintenance of conflict of interest information to the College.

Policy

Faculty and staff members should be aware that they are subject to various provisions of Ohio law governing ethics and conflicts of interest in public employment. Per OHR Policy 1.30 – Conflict of Interest and Work Outside the University “staff shall not engage in any activities or outside employment that may result in a conflict of interest. A conflict of interest exists if financial interests or other opportunities for personal benefit may exert a substantial and improper influence upon an employee’s professional judgment in exercising any University duty or responsibility.” A university employee may not accept compensation for the performance of his or her university duties from any person or entity other than the university. Finally, the Ohio Ethics Law prohibits university employees from accepting anything of value that will exert a substantial and improper influence upon them with respect to their university duties.

For example, as a general rule, a university employee may not have an interest in a contract involving the university. In addition, an employee may not use his or her authority or influence to obtain a contract between the university and a family member or business associate of the employee.

Process

The designated Compliance Officer is the College Senior Fiscal Officer.

The University designates that the following groups of individuals must receive and respond to the Related Party/Conflict of Interest Disclosure Statement. This applies to all employees in these roles.

Deans*
Associate/Assistant Deans
Chairs, School Directors and Section Heads
Senior Fiscal Officers
Departmental Fiscal Officers
Associate/Assistant Vice Presidents
Directors
Delegated Buyers
Purchasing Agents
Persons who handle cash (locally designated as those individuals with general ledger deposit role, access to point of sale terminals, check acceptance, and/or those handling petty cash)
and
Any other persons who have fiduciary responsibilities as deemed appropriate by the College Compliance Officer
(For the FY 05 reporting period only, this will include Procurement Cardholders and Department Procurement Card Managers)

- Conflict of Interest Disclosure statements letters will be sent annually by August 31 to the home address of those individuals meeting the criteria listed above. *Note: Internal Audit will disseminate and collect the disclosure statement for Deans.

- The Conflict of Interest Disclosure statements are to be returned to the Compliance Officer by September 30 (pre-addressed return envelopes are included in the mailing).
- Employees not responding to the request to return the Conflict of Interest Disclosure statement will be contacted by the Compliance Officer and asked to respond immediately to the request. A second copy of the Disclosure statement will be provided at that time. Continued lack of response will result in fiduciary responsibilities being suspended and access to University Procurement and/or General Ledger systems being revoked until compliance can be documented.
- The Compliance Officer will review the completed statements for where conflicts exist, how they were managed or resolved.
- No later than November 1, a summary report of Conflict of Interest Disclosure statement response, conflicts, management and resolutions will be reported to the Leadership Team by the Compliance Officer.
- The Compliance Officer will maintain the Conflict of Interest Disclosure statements for review by Internal Audit.

Guiding Policies

- Ohio Ethics Law for public officials and state employees (Chapter 102 and Section 2921.42 of the Ohio Revised Code).
<http://ethics.ohio.gov/OhioEthicsLaw.html>
 - Ohio Revised Code Section 102.03 “Disclosure of income and gifts”
 - Ohio Revised Code Section 2921.42 “Having an unlawful interest in a public contract”
 - Ohio Revised Code Section 2921.43 “Soliciting or receiving improper compensation”
- HR Policy 1.30 “Conflict of Interest and Work Outside the University.”
<http://hr.osu.edu/policy/policy130.pdf>
- American Institute of Certified Public Accountants’ Statement of Auditing Standards No. 45

Questions

Compliance Officer – College Senior Fiscal Officer
OSU Legal Affairs