

## **Professional Ethics and Conflict of Interest**

The University expects all faculty and staff members to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the University and should avoid any situation that involves, or may involve, a conflict between their personal interest and the interest of the University.

Employees of St. Thomas University shall not hold any employment or hold any contractual relationship with any business entity that will create a continuing or frequently recurring conflict between their private interests and the performance of their duties as employees of the University or that would impede the full and faithful discharge of their duties as employees of the University.

The University recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, employees must disclose any possible conflicts so the University may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the University's business dealings. The University's reputation and integrity are two of its most valuable assets, and are directly related to the conduct of its faculty and staff employees. Therefore, employees must never use his/her position with STU or any of its students for private gain, to advance personal interests, or to obtain favors or benefits for themselves, members of his/her family, or any other individuals, corporations, or business entities.

A violation of this policy will result in immediate and appropriate corrective action, up to and including termination.

## **Conflict of Commitment**

Faculty members and administrators at St. Thomas University make a primary commitment to the University. Therefore they must arrange their outside obligations, employment and activities so as not to interfere with their primary obligation and overriding commitment to the University and its mission. The University expects faculty members and administrators to acknowledge any conflicts with their primary obligation, to disclose them in writing upon realization of the conflict, and to review them annually with the appropriate supervising administrator.

Although the University encourages external activities that enhance the employees' value to the University, it expects its employees to assess the possible adverse effects of external employment or activities on their duties to the University. In case of doubt as to whether acceptance of an outside appointment or participation in an outside activity would be in conflict with one's University responsibilities, the employee will disclose the opportunity for or current appointment or participation in writing, and will request in writing from his or her director or dean, as appropriate, a determination as to whether a conflict exists.

## Outside Employment

If you are employed by STU in a full-time position, the University will expect that your position here is your primary employment. Any outside remunerative activity must not adversely affect the business interest or reputation of STU or interfere with your ability to properly perform your job duties by creating a conflict of commitment.

In general, outside work activities are considered a conflict of interest and are not allowed when they:

- ◆ prevent the employee from fully performing work for which he or she is employed at the University, including overtime assignments;
- ◆ involve organizations that are doing or seek to do business with the University, including actual or potential vendors or students; or
- ◆ violate provisions of law or the University's policies or rules.

On occasion, University employees may be required to work beyond their normally scheduled hours, and employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to STU must be given priority.

If you are thinking of taking on a second job, it would be wise to notify management immediately to ensure that it will not interfere with your position at STU, nor pose a conflict of interest.

## Staff Teaching as Adjunct Faculty

Full-time non-faculty St. Thomas employees with the appropriate academic credentials may apply to teach as an adjunct faculty member with the permission of their supervisor. They are expected to follow the same policies and procedures as other adjunct faculty members. A full-time St. Thomas employee may not teach more than one course in any 16-week reporting period (fall, spring, or summer).

**All University Trustees, Officers, Faculty and Administrators will be expected to abide by the St. Thomas University Conflict of Interest Policy and will be required to sign a Conflict of Interest Statement, at the beginning of every academic year, to be maintained in their personnel files in the Office of Human Resources.**

**ST. THOMAS UNIVERSITY**  
**CONFLICT OF INTEREST POLICY**  
*Approved by President's Cabinet on 1/20/2017*

**WHEREAS**, St. Thomas University ("University"), a not-for-profit corporation, is committed to teach and prepare its students in a setting where directors, officers, faculty, administrators and students can work under Roman Catholic auspices with competence, objectivity and respect for academic freedom; and

**WHEREAS**, there exists between the trustees, officers, faculty and administration of the University, a fiduciary relationship which carries with it a strict duty of loyalty and fidelity; and

**WHEREAS**, it is the responsibility of the trustees, officers, faculty and administration of the University to make full disclosure of any interest on their part which might conflict with that of the University; and

**WHEREAS**, it is deemed to be timely and appropriate to adopt a conflict of interest policy for the guidance of trustees, officers, faculty and administration.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Trustees, officers, faculty and administration should exercise the utmost good faith in all activities touching upon the University and its property. They shall not use their positions or knowledge, directly or indirectly, so that a conflict might arise between the University's interest and the individual's personal interest. They shall not accept gifts or gratuities, excessive or unusual, directly or indirectly, which might tend to influence judgment or actions concerning the activities of the University.

All acts of trustees, officers, faculty and administration shall be for the benefit of the University.

Any contract and/or transaction between the University and one or more of its trustees, officers, faculty and administration or between the University and a corporation, firm, association, or other entity in which one or more of the University's trustees, officers, faculty and administration (hereinafter "interested person") are directors, officers, partners or employees, or have a substantial financial interest, shall be void or voidable, unless each of the following conditions are met:

1. The material facts as to such interested person's interest are fully known to the Finance Committee of the Board of Trustees; and,
2. The Administration has exercised due diligence by exploring the availability of goods or services comparable to the goods or services the interested person seeks to provide; including, but not limited to, obtaining competitive bids, when available; and,
3. The Finance Committee has reviewed and approved the interested relationship and the due diligence findings made by the Administration and has made a recommendation to the Board of Trustees to that effect if required under the Board's general policy as to contract approval; and,

4. If required under its general policy as to contract approval, the Board of Trustees, upon recommendation of the Finance Committee, has authorized the contract or transaction by a vote of a majority of a quorum of the Board of Trustees.

Interested persons may be counted in determining the presence of a quorum at a meeting of the Board of Trustees or of a Committee, which authorizes the contract or transaction by a vote, but may not vote.

Each trustee, officer, faculty or administrator shall be required to annually file with the Board of Trustees a statement of conflict of interest disclosing any interest, which would fall within the scope of the above policy, which shall thereafter be maintained in the minutes of the Board of Trustee's meetings.

A new trustee, officer, faculty or administrator shall file such statement upon assumption of his or her responsibilities.

For the purpose of this policy, members of the interested person's family include a spouse, parent, sibling, child, cousin, aunt, uncle and any other relative, including in-laws.

The failure of St. Thomas University faculty members or administrative staff members to accurately and fully complete the Conflict of Interest Policy Statement shall result in termination of employment. Prior to any such termination, St. Thomas University faculty members and administrative staff shall be provided with advance written notice of non-compliance and a reasonable opportunity to accurately and fully comply with the Conflict of Interest Policy.

## **Examples of Outside Activities to be Reported:**

- A. Outside employment unrelated to Faculty member's STU responsibilities, including teaching for another institution, providing pro-bono services, conducting research projects, etc.
- B. Serving on the Board of a company or entity that does similar business as STU or competes with STU for students.
- C. Participation, directly or indirectly, in any arrangement, investment, or other activity with any vendor, supplier, or other party doing business with STU which would result in personal benefit to the STU employee.
- D. Ownership or material interest in a business or entity that could result in a conflict of interest with STU.
- E. Non-financial interests that may result in benefit or advantage, including, but not limited to, direct or indirect enhancement of an individual's career, education or gain to immediate family (or a person with whom the employee has a close personal relationship).
- F. Any other outside professional activity which you should reasonably conclude may create a conflict of interest, including a conflict or time commitment.

**ST THOMAS UNIVERSITY**  
**CONFLICT OF INTEREST POLICY STATEMENT**

I have read and am familiar with the Conflict of Interest Policy, ratified by the University Board of Trustees of St. Thomas University in 2007, and referenced in the Faculty and Employee Handbooks, as well as the Code of Ethics Policy referenced in the Employee and Faculty Handbooks.

I have not undertaken an interest, involvement or activity which would contravene such Resolution.

I have engaged in activities that could be classified as a Conflict of Interest. A detailed explanation is attached.

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Signature  
St. THOMAS UNIVERSITY

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Date

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Name Typed or Printed

<input type="checkbox"/>	Trustee
<input type="checkbox"/>	Officer
<input type="checkbox"/>	Faculty
<input type="checkbox"/>	Administrator