

AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Policy Number: 5:056	Supersedes Policy Number: 5:056
Date: March 22, 1993	Dated: July 9, 1992
Subject: Conflict of Interest	
Initiating Authority: Vice President for Finance and Administration	TBR Policy/Guideline Reference: 1:02:03:10
Approved:  President	

1. Public Interest

All Austin Peay State University employees serve a public interest role and thus have a clear obligation to conduct all affairs of the University and the TN Board of Regents in a manner consistent with this concept. All decisions of APSU administrators are to be based on promoting the best interests of APSU, the TBR System, and the public good.

2. Scope

- A. This policy applies to all persons employed by APSU. Employees shall report any activity which constitutes a potential conflict of interest to the senior level administrator over the area in which the employee works.
- B. In addition, formal disclosure statements must be filed by all coaches, assistant coaches and employees of the Athletic Department who are exempt from the provisions of the Fair Labor Standards Act, the President, those employees who report directly to the President, deans, and administrative department heads.

3. General Policy Statement

In addition to the specific circumstances prohibited by state law, a conflict of interest exists and must be eliminated in the following situations:

- A. when an employee or "immediate family" member has a direct or indirect financial interest in a contract or transaction involving vendor services with APSU;

- B. when the job related actions of an employee involve the obtaining of personal gain or advantage;
- C. when an adverse effect or impact on APSU's interest occurs for the personal gain of an employee or "immediate family" member; and
- D. when an employee obtains or assists in obtaining for a third party improper gain from, or unfair advantage of APSU.

The term "immediate family" means parent, spouse, sibling, or child of an employee. Disclosure of any situation in doubt should be made in order to protect APSU and the employee.

4. Disclosure

- A. This policy requires an employee to disclose instances where he/she must consider any transaction for APSU which also involves:

- (1) any employee or a member of his or her immediate family, or
- (2) an organization with which an employee is affiliated.

At the first knowledge of the transaction, the employee shall disclose fully the precise nature of the interest or involvement.

- B. Disclosure is further required of those individuals listed in 2B above of all relationships and business affiliations that reasonably could give rise to a conflict of interest involving APSU. The responsibility to disclose is continuous. For the purpose of this policy, affiliation is understood to exist if the employee or member of the "immediate family":

- (1) is an officer, director, trustee, partner, employee or agent of such organization; or
- (2) is either the actual or beneficial owner of more than four percent (4%) of the voting stock or controlling interest of such an organization; or
- (3) has any other direct or indirect dealings with such organization from which he or she knowingly materially benefits (e.g., through receipt directly or indirectly of cash or other property in excess of \$4,000 a year, exclusive of dividends or interest).

- C. Disclosure of all conflicts described in 4A and 4B above concerning employees shall be reported to the APSU President. Any employee who is uncertain about a possible conflict of interest in any matter may request the President to make a determination.

5. Financial Reporting

Employees listed in Section 2B above shall, within one month of initial appointment and annually in January, file a financial disclosure form issued by the Chancellor. This form is prescribed by the Registry of Election Finance for use by State officials under T.C.A. 8-50-501 et seq and is available at the Personnel Office. The Personnel Office will issue financial disclosure forms on a timely basis to employees required to complete them. Forms must be filed with the President's Office according to the schedule set forth above.