



Ohio Administrative Code Rule 3358:5-3-20 Conflict of interest policy.

Effective: February 20, 2024

The purpose of this conflict of interest and commitment policy is to ensure that employees conduct themselves in a manner that fosters public confidence in the integrity of the college and commitment of its employees, and to ensure compliance with Ohio's ethics laws.

"General Standards of Ethical Conduct and Duty to Avoid Conflicts of Interest"

All Clark state college employees are expected to comply with Ohio's ethics laws and avoid improper conflicts, as found in Chapters 102. and 2921. of the Revised Code. The guiding principle of Ohio's ethics laws is to prevent a public employee, including college faculty, administrators and staff, from participating in matters that involve the public employees own financial interest or those of the employees family or business associates. College employees must therefore conduct themselves in a manner that avoids favoritism, bias, and the appearance of impropriety. As such, no college employee, by virtue of his or her employment, may receive special treatments or favors from others who do business with the college. Nor may employees use their college position for their personal benefit or for the documents/policies and procedures/conflict of interest and commitment policy benefit of a family member, as defined by this policy, or non-college business associate.

"College Commitment"

All Clark state college employees are expected to devote their work activities to functions of the college during college work hours. Employees may not engage in external work or any activities, paid or unpaid, that could result in a conflict of interest or could interfere with their overriding commitment to the college or to the performance of their duties and responsibilities to the college. This prohibition also applies to political activities and non-college governmental work (elected or appointed office). Employees who engage in external work or activities are expected to perform such work or activity during non-college work time, without utilizing college property or resources.

If external work or activity is performed during assigned college work time, employees must use



vacation time that has been pre-approved by the supervisor.

Any employee who is elected or appointed to public office must promptly notify his or her area vice president or dean upon the election or appointment.

"Soliciting, Accepting or Using Authority for Anything of Value"

Employees may not solicit or accept "anything of value" from anyone who does business with the college, is seeking to do business with the college, is regulated by the college, or is interested in matters before the college. Nor may employees use the authority of their college position to secure "anything of value" from anyone who does business with the college, is seeking to do business with the College, is regulated by the College, or is interested in matters before the College. Such actions are considered "misuse of official position" under Chapter 102. of the Revised Code.

If an unsolicited gift is received, the employee should immediately notify the supervisor. The supervisor should consult with the director of human resources to determine an appropriate course of action, which could include disposal, return or, as an example a food item that can be broadly distributed, sharing the gift.

The prohibitions under this section do not apply to items of nominal value. Examples include conference trinkets, a meal at a fast food or family restaurant, a promotional item, so long as they are not viewed as having a substantial or improper influence over the employee.

"Honorariums"

Employees, except for non-administrative faculty, as expressly authorized in division (H) of section 102.03 of the Revised Code, are prohibited from soliciting or accepting an honorarium, as defined by this policy.

"Public Contracts"

As directed by section 2921.43 of the Revised Code, employees are prohibited from authorizing, approving, recommending, or in any manner influencing others to secure a college contract in which



the employee or family-member or non-college business associate has a financial or personal interest. In order to avoid even the appearance of impropriety, employees may not participate in any college decision-making process, formally or informally, regarding a college contract that could provide a personal benefit.

Employees, their family members and/or non-college business associates are specifically prohibited from having an interest in the profits or benefits of a college contract that has not been competitively bid.

"Ohio's Ethics Laws"

It should be realized that every type or source of conflict of interest cannot possibly be outlined in this policy. Ohio laws concerning conflicts of interest, namely Chapter 102. of the Revised Code and sections 2921.42 and 2921.43 of the Revised Code, must be adhered to in the conduct of any duties related to employment with the college. A summary of Ohio's ethics laws and guidance from the Ohio ethics commission can be found at www.ethics.ohio.gov.

"Disclosing Conflicts and Reporting Violations"

Clark state college will require all staff members in a management level position to complete an annual conflict of interest statement of disclosure form. However, to avoid conflicts of interest and violations of this policy, circumstances actually or potentially involving such conflict should be promptly and fully disclosed to the college's director of human resources if not already addressed in the annual conflict of interest statement of disclosure form. Such consultation should, of course, occur before, not after, the taking of any action that might raise ethical issues. Known or suspected violations of this policy should also be reported to the director of human resources.

"Discipline and Other Sanctions"

Failure to abide by this policy and/or Ohio's ethics laws may result in college discipline up to and including termination. Known violations may also be referred to the Ohio ethics commission and local prosecutor for possible civil and criminal sanctions.



"Definitions"

"Anything of value": The Ethics Law prohibits a public official from soliciting or accepting anything of value, if the thing of value could have a substantial and improper influence on him in the performance of public duties. Anything of value is defined in state law to essentially include anything with any monetary value. Items that are considered nominal are not prohibited.

"Family member": spouse, parent, stepparent, child, stepchild, grandparent, grandchild, sibling, and any other individual related to the employee by blood or marriage if that individual lives in the same household with the employee.

"Honorarium": any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant or nominal monetary value.