

3364-1-06 Avoidance of conflict of interest for members of the board of trustees.

(A) Policy statement

It is policy of the university board of trustees ~~of the university~~ to carry out its mission in accordance with the strictest ethical guidelines and to ensure that trustees and employees conduct themselves in a manner that fosters public confidence in the integrity of the university board of trustees, its processes, and its accomplishments.

(B) General standards of ethical conduct

Trustees and employees of the university of Toledo, and members of advisory boards to the university, including, but not limited to members of the UTH board, as provided in section 3364-1-12 of the Administrative Code, must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102. and 2921. of the Ohio Revised Code, and as interpreted by the Ohio ethics commission and Ohio courts. (A copy of these laws is provided by the university board of trustees, and receipt acknowledged, as required in division (D) of section 102.09 of the Revised Code.) Trustees and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety. While restrictions or obligations set forth in Chapter 102. of the Ohio Revised Code, section 2921.42. of the Ohio Revised Code and section 2921.43. of the Ohio Revised Code may only apply to the university trustees and ex-officio members of the UTH board who are employees of the university, all members of the UTH board, including public members and the appointed members of any and all UTH board committees, have a duty of loyalty and fidelity to the university, and they must govern their affairs honestly, exercising their best care, skill and judgment for the benefit of the university so as to avoid conflicts of interest and the appearance of impropriety.

While the terms of the statutes and interpretations of the Ohio ethics commission are the binding standard, a general summary of the restraints upon the conduct of all trustees and employees of the university includes, but is not limited to, those listed below. No university trustee or employee, nor any member of an advisory board to the university, including, but not limited to, the UTH board, will:

- (1) Solicit or accept anything of value from anyone doing business with the university;

- (2) Solicit or accept employment from anyone doing business with the university, unless the official or employee completely withdraws from university activity regarding the party offering employment, and the university approves the withdrawal;
- (3) Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- (4) Unless a statutory exception applies, be paid or accept any form of compensation for personal services rendered on a matter before, or sells goods or services to, the university;
- (5) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, any state agency other than the university, unless the trustee or employee first discloses the services or sales and withdraws from matters before the university that directly affect officials and employees of the other state agency, as directed in section_102.04 of the Revised Code;
- (6) Hold or benefit from a contract with, authorized by, or approved by, the university, (the ethics law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under section 2921.42 of the Revised Code are met);
- (7) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a university contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- (8) Solicit or accept honoraria (see division (H) of section 102.01 and division (H) of section 102.03 of the Revised Code);
- (9) During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the university;

- (10) Use or disclose confidential information protected by law, unless appropriately authorized; or
 - (11) Use, or authorize the use of, his or her title, the name “The University of Toledo,” “University of Toledo Medical Center”, or “UToledo Health”, or the university board of trustees’ or the university’s logo in a manner that suggests impropriety, favoritism, or bias by the university board of trustees or the official, ~~or~~ employee, or advisory board member.
- (C) For purposes of this rule:
- (1) “Anything of value” includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than de minimis or nominal.
 - (2) “Anyone doing business with the university board of trustees includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the university board of trustees.
- (D) Compensation and financial disclosure

Members of the university board of trustees are to receive no compensation for their services but will be paid their reasonable necessary expenses while engaged in the discharge of their official duties.

Every university board of trustees' member or employee required to file a financial disclosure statement must file a complete and accurate statement with the ethics commission by April fifteenth of each year, which is then in turn provided in summary to the university. Any trustees or employee appointed, or employed to a filing position after February fifteenth and required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

(E) Assistance

The ethics commission is available to provide advice and assistance regarding the application of the ethics law and related statutes. The commission may be contacted by phone or via the internet.

(F) Penalties

Failure of any trustee or employee to abide by this ethics bylaw, or to comply with the ethics law and related statutes, may result in reporting as well as any resulting potential civil or criminal sanctions under the law, or for employees sanctioning or discipline, which may include dismissal.

(G) University policies

Employees, where applicable, are also subject to other university conflict of interest policies, as well as other university policies with conflict of interest provisions contained therein.

(H) Changes

This bylaw may be amended per rule 3364-1-02 of the Administrative Code.

Effective: 2/28/2023

CERTIFIED ELECTRONICALLY

Certification

02/17/2023

Date

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