

**3344-2-04 Conflict of interest statement.**

Trustees, faculty and staff of Cleveland state university shall abide by Ohio's ethics laws, and avoid any situation that creates a real or perceived conflict between their personal interests and interests of the university. This rule applies to all trustees, faculty and staff and is supplemented by other conflict of interest policies that address specific circumstances, such as sponsored research or procurement activities. Employees who are members of a bargaining unit should also consult their appropriate collective bargaining agreements for specific guidance regarding conflict of interest and extramural employment rules.

- (A) Definitions. For the purpose of this rule:
- (1) "Anything of substantial value" includes anything that has a substantial monetary value, including, but not limited to, any of the following, or the promise or offer of any of the following: money, gifts, food or beverages, social event tickets and expenses, travel expenses, consulting fees, employment compensation, stocks, or interests in property.
  - (2) "Appropriate university authority" means the board of trustees when the official is a trustee or the president and means the official's supervisor for all other faculty and staff members.
  - (3) "Business associate" means a person with whom an official is engaged in an on-going business enterprise, such as a partner in a partnership, a co-owner of a business or an outside private employer.
  - (4) "Family member" means spouse, parent, grandparent, child, grandchild, brother or sister.
  - (5) "Honoraria" means 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. It does not include ceremonial gifts or awards or other items of insignificant monetary value.

- (6) “Non-administrative faculty” means any professor or instructor who has no administrative or supervisory authority.
- (7) “Official” means any trustee, faculty member or staff person.
- (8) “Public agency” means any state or local governmental entity, including the general assembly, the courts and state retirement systems.

(B) No official shall:

- (1) Solicit or accept anything of substantial value from anyone doing business with the university;
- (2) Use the official’s authority or influence with the university to obtain anything of substantial value for the official or for a family member or business associate of the official;
- (3) Use the official’s authority or influence with the university to hire or secure the hiring of a family member of the official;
- (4) Solicit or accept employment from anyone doing business with the university, unless the official completely withdraws from all matters related to the employer and the appropriate university authority provides prior documented approval of the withdrawal;
- (5) During the official’s service to the university and for a year thereafter, hold an ownership interest of more than five per cent in a private corporation that has a contract with the university, unless the contract meets the conditions set forth in section (B)(6) of this rule.
- (6) Sell goods or services to the university, unless all of the following are true:
  - (a) The university purchasing agent determines that the purchase is necessary;

- (b) The goods or services are unobtainable elsewhere for the same or lower cost, or are furnished pursuant to a contract entered into prior to the official's service to the university;
  - (c) The services provided to the university are the same as or better than the services provided to other clients or customers;
  - (d) The official does not participate in the decision to enter into the contract and the contract is an arms' length transaction; and
  - (e) The appropriate university authority is aware of the official's interest in the contract.
- (7) Sell goods or services to any other public agency, except the courts, other than through competitive bidding, unless, prior to making such sale, the official files a statement with the Ohio ethics commission, the university and the other public agency and, with the approval of the appropriate university authority, withdraws from university business related to the other public agency. Non-administrative faculty are only required to file a statement with their immediate supervisors;
- (8) Personally provide services to any person (other than the university) in a matter before any other public agency, except the courts, unless, prior to providing such services, the official files a statement with the Ohio ethics commission, the university and the other public agency and, with the approval of the appropriate university authority, withdraws from university business related to the other public agency. Non-administrative faculty are only required to file a statement with their immediate supervisors;
- (9) During or after the official's service to the university, represent any person, in any fashion, before any public agency, with respect to a matter in which the official

personally participated as part of the official's service to the university;

- (10) Other than non-administrative faculty, solicit or accept honoraria, except as expressly authorized pursuant to division (H) of section 102.03 of the Revised Code. Officials may accept travel, meals, lodging or expenses in connection with conferences, seminars and similar events so long as such travel, meals, lodging or expenses are not of such nature that they could create a substantial or improper influence over the official; and
  - (11) Use or disclose any confidential information obtained during the official's service to the university, unless authorized to do so by the office of general counsel.
- (C) Standard. In any situation not described in section (B) of this rule, if reasonable observers, having knowledge of all the relevant circumstances, would conclude that an official has an actual or apparent conflict of interest in a matter related to the university, the conflicted official should not participate on behalf of the university in that matter.
- (D) Guidance. Any official with a concern about whether a conflict of interest exists shall contact the office of university compliance or the office of general counsel prior to engaging in any activity related to the potential conflict. Officials may also contact the Ohio ethics commission, [www.ethics.ohio.gov](http://www.ethics.ohio.gov).
- (E) Penalties. Violations of this rule may result in disciplinary action, as well as civil or criminal penalties.

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