

3354 1-11.04 Conflict of Interest Policy

- (A) This policy applies to all Cuyahoga Community College (the College) trustees, officers, and employees, as well as other College representatives.
- (B) Trustees, officers, employees, and other representatives of the College serve the public trust and are required to fulfill their responsibilities with care and loyalty. All decisions and actions of the board and the administration are to be made for the sole purpose of advancing the best interests of the institution and the public good. The integrity of the College must be protected at all times, and the fiduciary relationship of trustees, officers, employees, and other representatives to the College must be respected in both actuality and appearance.
- (C) A conflict of interest exists when a College representative's direct or indirect personal interests are inconsistent with or interfere in any way with the best interests of the College or other opportunities for personal benefit may exert a substantial and improper influence upon an employee's professional judgment in exercising any College duty or responsibility. This includes all matters concerning the public trust, up to and including, hiring, management and termination decisions
- (D) Staff shall not use their positions to secure anything of value, financial gain, or personal benefit that would not ordinarily accrue to them in the performance of their official duties. Nor shall they accept any compensation from any other agency or individual for work performed in the course of their employment by the College, except under the limited circumstances permitted in a formal conflict of interest management agreement.
- (E) Through this policy, the Board of Trustees intends to implement the highest possible ethical standards and to establish that the College will not permit conflicts of interest. The Board, through its Office of General Counsel, will administer this policy, with transparency, and in accordance with the following principles:
 - (1) No business or financial relationship between the College and any trustee or officer, or a member of his or her immediate family, or any entity with which a trustee or officer or a member of his or her immediate family is affiliated, will be permitted unless it has been reviewed and considered by the Office of General Counsel and has been found to be of clear benefit to the College.
 - (2) No trustee or officer, or member of his or her immediate family, may knowingly invest directly in any Affiliate Organization. Affiliate Organization is defined as an organization where the trustee, family member or officer is an officer, director, trustee, partner, employee, or agent of an organization involved in, or being considered for, a business relationship with the College or is the actual or beneficial owner of more than five percent (5%) of the voting equity or

controlling interest of such organization; or has any other direct or indirect dealings with such an organization giving rise to a financial or fiduciary duty.

- (3) Any proposed business or financial relationship between the College and an employee or other representative, or a member of his or her immediate family, or any entity with which the employee or other representative or a member of his or her immediate family is affiliated, is subject to the prior review and written approval of the Office of General Counsel or such other persons as may be appointed by the President.
- (4) Any offer of full-time employment to a member of the immediate family of a trustee or officer, or a successful candidate/new hire or other representative, is subject to section 3354:1-40-02 Employment of relatives' policy and Ohio Administrative Code Rule 337-40-107.
- (5) Any trustee, officer, employee, or other representative who serves at the College's request and represents the College as a director, officer, employee, or other agent of another organization shall turn over to the College any compensation received from such other organization for such service. Personal participation in outside organizations shall be disclosed for conflict of interest (including conflict of duty and loyalty) assessment in the Conflict of Interest Disclosure Form, but no indemnification will be provided by the College for such participation unless the College has specifically requested such service as its designated representative.

(F) Administrative Policy Related to Conflicts of Interest in Sponsored Projects

- (1) Any faculty serving as an investigator, in connection with a National Institute of Health ("NIH"), grant working on behalf of the College must disclose all significant financial interests that may present an actual or potential conflict of interest in relation to a sponsored project, as defined in rule 3342-10-03.1 of the Administrative Code. Sponsored projects for the purpose of this policy includes all direct awards and subawards.
 - i. Investigator for purposes of this section is defined as the principal investigator/project director, and co-principal investigator. "Investigator" also means any other person who is responsible for or involved in the design, conduct, or reporting of research, instructional or service activities funded, or proposed for funding, by an external sponsor. For the purposes of the requirement relating to financial interests, investigator includes spouses and dependent children.
 - ii. Project for the purpose of this section is defined as any externally funded scholarly activity such as basic, applied, or developmental research, instructional or curricular activities, student aid, career development, or other activity conducted by faculty or staff members on behalf of the university.

- iii. Significant Financial Interest (non-PHS), is defined as a financial interest consisting of one or more of the following interests of the investigator (and those of the investigator's family members) that reasonably appears to be related to the investigator's institutional responsibilities:
 - 1. Any equity interest in a non-publicly traded entity or any financial remuneration received from the entity in the twelve (12) months preceding the disclosure that, when aggregated, exceeds \$10,000;
 - 2. An equity interest in a publicly traded company that is 5% or greater or any financial remuneration received from the entity in the twelve (12) months preceding the disclosure that, when aggregated, exceeds \$10,000; and
 - 3. Intellectual property rights and interests upon receipt of income related to those rights and interests. The above terms do not include the following types of financial interests: Salary, royalties, or other remuneration paid by the institution to the investigator, if the investigator is currently employed or otherwise appointed by the institution. The term also does not apply to diversified mutual funds in which the shareholder has no control over the equities held by the fund.
- iv. The terms also do not include income from seminars, lectures or teaching engagements sponsored by a federal, state or local government agency, an accredited U.S. college or university, a U.S. academic health center, or a U.S. research institution that is formally affiliated with a U.S. college or university.
- v. The terms do not include income from serving on advisory committees or review panels for a federal, state or local government agency, an accredited U.S. college or university, a U.S. academic health center, or a U.S. research institution that is formally affiliated with a U.S. college or university.
- vi. Significant Financial Interest (PHS only), is defined as federal regulations which require a lower financial threshold for financial interests of investigators who work on research funded by Public Health Service Agencies. As a result, significant financial interests involving PHS-funded research consist of one or more of the following interests of the investigator (and those of the investigator's family members) that reasonably appears to be related to the investigator's institutional responsibilities:

1. Any equity interest in a non-publicly traded entity; or any financial remuneration received from the entity in the twelve (12) months preceding the disclosure that, when aggregated, exceeds \$5,000;
2. An equity interest in a publicly traded company that is 5% or greater or any financial remuneration received from the entity in the twelve (12) months preceding the disclosure that, when aggregated, exceeds \$5,000; and
3. Intellectual property rights and interests upon receipt of income related to those rights and interests.
4. The above terms do not include the following types of financial interests: Salary, royalties, or other remuneration paid by the institution to the investigator, if the investigator is currently employed or otherwise appointed by the institution.
5. The term also does not apply to diversified mutual funds in which the shareholder has no control over the equities held by the fund. The terms also do not include income from seminars, lectures or teaching engagements sponsored by a federal, state or local government agency, an accredited U.S. college or university, a U.S. academic health center, or a U.S. research institution that is formally affiliated with a U.S. college or university.
6. The terms do not include income from serving on advisory committees or review panels for a federal, state or local government agency, an accredited U.S. college or university, a U.S. academic health center, or a U.S. research institution that is formally affiliated with a U.S. college or university

Effective Date: January 27, 2022