

Conflict of Interest Committee

I. Purpose

The purpose of this policy is to describe the process for identifying, evaluating and managing conflicts of interest.

II. Scope

Administrative staff and faculty members of Dyersburg State Community College (DSCC) are required to fulfill their responsibilities with care and loyalty. All decisions and actions are to be made for the sole purpose of advancing the best interests of the institution and the public good. Therefore, this policy applies to all persons employed (either as full-time, part-time, or temporary employees) at DSCC.

III. Policy

Employees should avoid circumstances where the self-interests of the employee diverge from the best interests of the institution. Situations in which an employee can influence or appear to influence an institutionally-related decision whereby that person or a member of that person's family stands to realize a personal financial benefit is self-dealing and constitutes a conflict of interest.

Employees who believe that a conflict of interest may exist either personally or with respect to another person covered by this policy shall make a written disclosure of the facts and circumstances surrounding the situation and submit it to the Director of Human Resources. No particular format is required, but the disclosure should adequately describe the pertinent facts and circumstances.

Employees required to file a Conflict-of-Interest Disclosure form should do so within one month of their initial appointment and annually thereafter in January. The form, available in the MyDSCC Employee tab in the HR Info channel under DSCC Employee Forms, should be submitted to the Director of Human Resources.

Situations Which Require Disclosure

1. **Personal interests inconsistent** with the employee's professional obligations to and the best interests of the institution or that provide a financial benefit to the employee or employee's family member.
2. **Use of Students or Support Staff:** Employees shall ensure that the activities of students or support staff are not exploited for the benefit of any external activity of the employee. An employee shall disclose such proposed activities and obtain approval prior to assigning any such non-institutionally related task (which is more than incidental and is not insignificant in nature) to a student or member of the support staff.
3. **Use of State Owned Facilities or Equipment:** Employees may not make significant use of State owned facilities, equipment, materials or other resources, not otherwise available to the public, in the course of activities which are not related to the institution and which are intended for personal benefit, without prior disclosure and approval.

4. **Intellectual Property:** DSCC Policy 11:04:03:00 governs the rights and responsibilities which persons affiliated with the institution have regarding intellectual property developed during the term of their affiliation with DSCC. Among the responsibilities enumerated in the policy is that of disclosure of inventions and those copyrightable works which may be reasonably expected to have commercial value which they have jointly or solely developed or created during their affiliation with DSCC and the Tennessee Board of Regents (TBR).

Employees Required to Disclose

1. President
2. Members of the President's Staff
3. Coaches and assistant coaches
4. Athletic department employees who are exempt from the provisions of the Fair Labor Standards Act

Additionally, the President must annually file disclosures regarding financial and business interests to the Registry of Election Finance. These disclosures are made on the Statement of Interests - Non-General Assembly Members form and is due by January 1st.

Review Committee - DSCC has established a Conflict-of-Interest Disclosure Review Committee (hereafter, Committee) to receive and evaluate disclosures, pursuant to TBR Policy 1:02:03:10. The Committee is selected by the President and is comprised of no fewer than three persons. The general responsibilities of this Committee are defined in TBR Policy 1:02:03:10. Additional details associated with the Committee are defined herein. This committee shall meet as frequently as necessary to conduct its business, but no less than once per semester.

As described in TBR Policy 1:02:03:10, the committee shall evaluate conflict of interest disclosures and make determinations regarding what action may be required to manage, reduce or eliminate conflicts of interests. All disclosure forms received by the Director of Human Resources will be forwarded to the Committee chairperson who will convene a meeting for Committee review.

Following an evaluation of a disclosure, the Committee shall render a decision regarding the issue(s) presented by the disclosure.

- a. Where the potential detriment to the institution is at most minor and inconsequential, and the conflict does not indicate a violation of Federal or State law, regulation, or policy, the Committee should allow the activity to proceed without interference.
- b. Where the potential detriment to the institution is deemed consequential, the Committee shall notify the employee of their evaluation and recommendation. The employee shall be given an opportunity to appear before that Committee.
- c. Any disclosure which indicates an actual violation of law shall be forwarded to the President along with the Committee's findings.

IV. Compliance

All DSCC employees are responsible for adhering to this policy. Failure to observe any restrictions imposed as a result of Committee review or a knowing failure to disclose a conflict of interest may result in disciplinary proceedings under DSCC and TBR policy.

V. Definitions

Conflict of Interest - occurs when the personal interests, financial or otherwise, of a person who owes a duty to the College actually or potentially diverge with the person's professional obligations to and the best interests of DSCC.

Conflict of commitment - occurs when the personal or other non-work-related activities of an employee of the TBR and its constituent Institutions impair the ability of that employee to meet their commitments of time and energy to the TBR and its Institutions.

Conflicting Party – A person or entity that has or is seeking to obtain contractual or other business or financial relations with the institution in which the individual is employed or has interests that may be substantially affected by the performance or nonperformance of the employee.

Immediate family – for purposes of this policy means spouse or minor child living with the employee.

VI. Revision History

Policy created March 2007. Policy revised November 2012; approved by Administrative Council on 11/30/2012. Policy revised April 2024 to reflect changes to TBR Policy 1.02.03.10. Reviewed and approved by Administrative Council on 4/25/2024.