



**RESOLUTION TO MODIFY
CONFLICTS OF INTEREST AND CONFLICTS OF COMMITMENT POLICY,
3356-7-01**

WHEREAS, University Policies are being reviewed and reconceptualized on an ongoing basis;
and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Policy stated above and attached hereto.

**Board of Trustees Meeting
September 19, 2024
YR 2025-13**

3356-7-01 Conflicts of interest.

Responsible Division/Office: Controller's Office
Responsible Officer: VP for Finance and Business Operations
Revision History: August 1997; December 2010; September 2012;
 March 2018; December 2019; September 2024
Board Committee: University Affairs
Effective Date: **September 19, 2024**
Next Review: 2029

- (A) Policy statement. All university officials and employees have a fundamental responsibility to act in the best interests of Youngstown state university ("YSU or university") and are to avoid conflicts of interest in the conduct of university business. As part of this responsibility, the university expects all university officials and employees to apply their time and effort appropriately and to avoid any situation which conflicts with or gives the appearance of conflict in objectivity or job performance.
- (B) Purpose. To educate university officials and employees about conflicts of interest and to provide guidance on addressing, managing and disclosing such conflict.
- (C) Guidelines.
 - (1) A conflict of interest typically exists when financial, professional, or other personal considerations directly or indirectly affect or benefit, or have the appearance of affecting or benefiting, an employee or the employee's family or business associates. Employees are expected to avoid participating in decisions or actions on behalf of the university which may result in or appear to result in such benefit.
 - (2) Ohio ethics laws and related statutes.
 - (a) Section 102.03 of the Revised Code prohibits employees from soliciting, accepting or influencing one to give anything of value when it comes from a party who is interested in a pending matter or doing or seeking to do business with the university.

- (b) Sections 2921.42 and 2921.43 of the Revised Code prohibit public employees from having an unlawful interest in a public contract and from accepting payment from another entity for the performance of one's YSU duties.
 - (i) These statutes also prohibit a public employee's family and business associates from having an unlawful interest in a public contract.
 - (ii) The Revised Code provides certain exceptions to these prohibitions; however, all exceptions must be approved in advance through procurement services (the office of contract compliance).
- (c) An employee must report any potential conflict on the conflict of interest certification form ("form"). The following procedures are designed to ensure integrity in the conduct of university business.

(D) Procedures.

- (1) All employees:
 - (a) Authorized to sign for expenditures;
 - (b) Involved in making or influencing purchasing decisions on behalf of the university; or
 - (c) Whose family or business associates or oneself is doing business with the university shall annually complete the form.
- (2) The office of procurement is responsible for sending the form to the employees referenced in (a) and (b) above. The employees referenced in (c) above have an ongoing duty to report as needed.
- (3) Employees must disclose the names of all current and potential vendors with whom the university does or may do business with and with whom the employee, the employee's family member or the employee's business associate(s) has a financial or fiduciary interest, regardless of whether the employee makes the purchase or

not.

- (4) Employees must disclose if they received gifts or entertainment of more than nominal value from suppliers of goods or services or from persons associated or seeking association with the university.
- (5) Employees shall submit the completed form to their immediate supervisor for review and signature. If disclosures are made on the form, then each reviewer shall forward to the next level. This process continues until the form is reviewed and signed by the appropriate vice president/provost. Completed forms shall be forwarded to procurement services.
- (6) The director of procurement services will review the completed forms and make any determinations necessary. The office of procurement services will share the forms with other officers as appropriate and maintain the forms and information in accordance with university retention schedules.
- (7) Employees are under a continuing obligation to update information on the form as circumstances change.

(E) Additional Types of Conflicts of Interest:

- (1) Use of university resources. University resources are to be used only in the interest of the university. Employees may not use university resources, facilities, personnel, equipment or confidential information as part of their outside consulting activities or for any other non-university purpose (see university policy, rule 3356-4-19 of the Administrative Code, "Use of university equipment").
- (2) Outside consulting/employment. Refer to university policies 3356-7-18, "Outside consulting/employment services – faculty" and 3356-7-34, "Outside consulting services/employment by full-time university employees").
- (3) Faculty self-authored materials. Refer to university policy 3356-7-18, "Outside consulting/employment services – faculty").

(F) An employee unsure of the applicability of this policy should consult with the office of procurement. The office of procurement may refer an

employee to human resources to complete an outside employment/consulting form or for further actions.

- (G) Policy violations. Failure to adhere to this policy, including but not limited to failure to disclose required information or the knowing submission of an incomplete, erroneous, or misleading form may result in corrective action/discipline up to and including termination.