

Policy on Conflict of Interest and Commitment

Any circumstance that could cast doubt or the appearance of doubt upon an employee's ability to act with total objectivity with regard to the College's interests presents a potential conflict of interest situation. Set forth below, both descriptively and by way of example, are the kinds of conflict situations each employee should avoid and guidelines for dealing with them.

Given the complexity and diversity of the College it is not possible for a single statement to be all-inclusive and by the same token any generalization may be overly broad. Anyone who has any question about whether a particular activity or transaction is permitted or prohibited by this policy statement should seek clarification from the Office of the Provost or the appropriate Vice President.

1. **Self-Dealing Conflict** - The possibility of a self-dealing conflict typically occurs where an employee has a significant personal interest in a transaction to which the College is a party, coupled with some degree of influence or control over the outcome. In such an instance the employee is vulnerable to the charge that his or her influence within the College might be used to advance this private interest or benefit.

There are numerous situations where potentially self-dealing conflicts may arise; the following examples are illustrative, not exhaustive:

- a. An employee who has responsibility for or influence over the College's purchase of goods or services influences a direct purchase from an organization in which he, she, or a member of his or her family has an interest;
- b. An employee accepts gratuities or special favors from any organization doing business with the College where the offering or acceptance of such gratuities or special favors could be viewed as potentially interfering with the employee's proper discharge of his or her responsibilities to the College; and
- c. An employee seeks to purchase property, which the College has offered for sale to the general public without disclosing the intended purchase to the College and obtaining the College's prior written approval.

There are certain potentially self-dealing situations that must be specifically regulated. Acquisitions by the College by purchase or lease of materials or services from any entity in which a College employee has a significant proprietary interest are prohibited. An exception to this policy will only be granted upon application in writing, with full disclosure of the background facts, to the Provost for academic personnel, or to the Vice President for Finance and Administration for all other employees, as appropriate.

2. **Conflict of Commitment** - The primary professional obligations of full-time administrative staff are to the College. Consequently, a full-time administrative employee normally may not undertake any outside employment except after consultation with his or her department head or supervisor.

3. **Use of College Name or College Resources** - Barnard College's name, reputation and resources are important assets of the College. The College, therefore, has an interest in ensuring that its name, seal, and other insignias are used in a manner that furthers its mission and is

consistent with its institutional interests, and that its resources are used for legitimate College purposes.

A situation in which a conflict may arise because of an employee's outside activities, affiliations, or concerns is when the employee seeks to use the College's name or the College's resources, such as its facilities or equipment, to advance his or her own private interests. The College's name, facilities, and equipment are to be used for the furtherance of College goals and not for the benefit of, or to imply the College's support of, a non-College activity. An example of the inappropriate use of the College's resources is the use of College equipment at an employee's disposal in pursuit of research for a private firm.

a. Use of College Name. In connection with their outside activities, faculty, administrators and other employees may identify themselves as affiliated with Barnard College by listing their College titles. They should, however, be careful not to imply that Barnard College supports, sponsors or endorses those activities.

Beyond denoting an affiliation with Barnard, no employee shall use the official title of the College, or any of its parts, in whatever forms that title may appear except in connection with legitimate College purposes. For example, neither the name of the College nor its letterhead may be used by any employee in sponsoring or recommending any commercial service or product regardless of whether that employee has any interest in the promotion. An employee may not use the College's name and address on stationery in connection with an outside organization that he or she established or of which he or she is a director unless the employee's participation in that organization is at the request of the College or is otherwise a part of the employee's normal College duties.

b. Use of College Facilities and Equipment. College materials, supplies, facilities, or personnel must not be diverted by an employee to promote an outside activity or interest of his or her own. The College may grant permission to an employee, in his or her pursuit of outside activities or interests, or to an employee of another institution or entity to use College facilities, but only where there is evidence that the work of such an employee, supported by College resources, will be of significant benefit to the College.

4. Use of Confidential Information - A conflict may occur between an employee's obligations to the College and his or her personal interests where there could be a misuse of privileged information for private gain. This conflict arises, for example, where an employee uses confidential information acquired in connection with his or her College-related activities for personal gain or for other unauthorized purposes. An employee who transmits to others outside the legitimate College community confidential information obtained in the course of College-sponsored activities is in breach of his or her duty of loyalty which demands use of such information for the College's credit and the benefit of its students.

An employee must not disclose confidential information acquired by reason of his or her College position or use such information for his or her or another's gain or benefit. An employee should not accept employment or engage in any business or outside activity that he or she might expect would require or induce him or her to disclose confidential information acquired by reason of his or her College position.

6. Disclosure and Consultation - In addition to those Trustees and employees who are required to make periodic disclosures of outside interests, employees are expected to comply with the

College's policy of disclosure and consultation where there exists a possibility that a conflict of interest could arise. The policy requires voluntarily and expeditiously disclosing his or her degree of involvement in such outside activities by consulting with his or her Dean, Department Chair, Project Director, or supervisor before such outside professional activity is considered. An employee has an obligation not to mislead the College about the amount of time or effort he or she must devote to outside activities and interests. If an employee is in doubt as to whether he or she is confronted with a potential conflict of interest, the employee should consult with his or her Dean, Department Chair, Project Director, or supervisor to determine if disclosure is warranted.

Deans, Department Chairs, Project Directors, or supervisors, being charged with the duty of maintaining the integrity of institutional standards of instruction, research, or management within their respective spheres of responsibility, are obliged to notify the appropriate Vice President or the Provost, of any potential violations of the College's policies on conflicts of interest. Compliance with these policies is essential if the primary goals of the College, its commitment to excellence in the realm of both teaching and research, are to be achieved.

Administration

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