

UNIVERSITY OF  
**NORTHERN COLORADO**

**BOARD OF TRUSTEES AGENDA ITEM**

Meeting Date: January 25, 2019

☒ Action Item    ☐ Discussion Item    ☐ Information Item

<b>Name of Item:</b>	<b>Senate Action #1162: 1-1-502 Conflict of Interest, 1-1-503 Amorous Relationships, 1-1-504 Nepotism</b>
----------------------	---

Responsible Staff Member: Theo Kalikow

**Summary of Issue:** Recommended amendments to Conflict of Interest and Nepotism sections of Board Policy Manual as attached.

Recommended Action by BOT:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
----------------------------	--

Change to Board Policy Manual:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
--------------------------------	--

If yes, Section: 1-1-502 and 1-1-504
--------------------------------------

**Administrative Recommendation (Motion):**

  
\_\_\_\_\_  
Signature of Vice President

1/18/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of President

1/18/19  
\_\_\_\_\_  
Date

## Attachment to Senate Action 1162

Approved by the Faculty Senate

January 14, 2019

---

### 1-1-502 Conflict of Interest.

**1-1-502(1)** Purpose: In the course and scope of their employment, University employees must exercise independent judgment in the best interests of the University. The purpose of this policy is to guide employees to identify and avoid acting in situations in which their ability to exercise such independent judgment is, or may be, compromised.

#### **1-1-502 (2) Definitions.**

**I. Amorous Relationship:** A consensual relationship between individuals that is romantic or sexual in nature. See 1-1-503 Amorous Relationships.

**II. Conflict of Interest:** An interest of, or relationship maintained by, an employee, that prohibits or inhibits, or has the potential to prohibit or inhibit the employee from exercising independent judgment in the best interests of the University.

Conflicts of interest can occur as a result of an interest of, or relationship maintained by, an employee irrespective of the employee's title, position, or duties and responsibilities with the University. Conflicts of interest may arise as a result of an interest of, or relationship maintained by, an employee with relatives, dependents, spouse, any other person who is a member of the employee's household, a person with whom the employee has an amorous relationship, or a person or organization with whom the employee has a business or financial interest.

**III. Dependent:** A "dependent" of an employee is defined as in the Internal Revenue Code, as such definition may be amended.

**IV. Personnel Decision:** An action relating to employment or compensation that includes, but is not limited to, hiring, evaluation, promotion, demotion, tenure, discipline, grievance, termination, sabbatical leave, matters regarding grants or sponsored programs, professional development, and/or travel. Personnel decisions do not extend to day to day operational issues such as scheduling and room assignments.

**V. Relative:** A person within five degrees of consanguinity of an employee of the University.

#### **1-1-502 (3) Types of Conflict of Interest.**

##### **(a) Non-Personnel Decisions.**

A University employee shall disclose to ~~his or her~~ **their** immediate supervisor all facts and circumstances related to any University transactions, activities, contracts or other dealings in which they are involved or may become involved on behalf of the University ~~which that~~ might ~~cause directly or indirectly involve them in a duality or~~ a conflict of interest ~~to arise~~. Such disclosure shall be made in writing as soon as is reasonable after the ~~employee becomes aware of the circumstances causing the conflict of interest or potential conflict comes to the knowledge of the employee.~~ A duality or conflict of interest shall be deemed to exist at any time ~~when an interest held by the employee, or relationship maintained, prohibits or inhibits, or potentially prohibits or inhibits, the employee from exercising independent judgment in the best interests of the University.~~ A duality or conflict of interest shall exist whenever an employee is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any non-governmental entity participating in a transaction with



the University. The immediate supervisor to whom a report of a ~~duality or~~ conflict of interest of ~~potential duality or conflict of interest is submitted~~ given shall directly forward the report the matter to the supervisor's jurisdictional vice president who shall have the authority to determine any steps they deem necessary administer to protect the interests of the University. in the situation The determination of the vice president is subject to the superintendence and pre-emption of review by the President, who may modify the determination of the vice president as deemed necessary to protect the interests of the University. and the BOT.

**(b) Personnel Decisions.**

An employee shall not participate in a personnel decision where a conflict of interest would arise.

**1-1-503 Amorous Relationships.**

Members of the University Community, whether faculty members, students, supervisors, or supervisees put academic and professional trust and ethics at risk when they engage in an amorous romantic/sexual relationship with persons whom they have a direct evaluative relationship. Because these relationships may give rise to the perception on the part of others that there is favoritism or bias in academic or employment decisions, the university discourages such relationships. The atmosphere created by such appearances of bias or favoritism has the potential to undermine the spirit of trust and mutual respect essential to a healthy work and academic environment. Even when the parties have initially consented to such relationships, they can render the parties and the institution vulnerable to possible later allegations of sexual harassment in light of the power differential that may exist. All members of the University Community are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias. When an amorous romantic/sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision of the student or employee. Failure to take such steps shall constitute a violation of BOT Policy 1-1-502, Conflict of Interest.

**1-1-504 Nepotism. See 1-1-502 Conflict of Interest.**

It shall be deemed to be a conflict of interest for an employee to serve in a supervisory capacity over a relative or dependent. For the purposes of this policy "relative" shall be deemed to be any person within the 5th degree of consanguinity and "dependent" shall be defined in the Internal Revenue Code.