



POLICY STATEMENT Conflicts of Interest

Purpose:

The Board of Trustees of Juniata College and its employees are committed to conducting themselves with the highest standards of integrity. Such high standards are critical to ensure public trust and confidence in Juniata College (“Juniata”), as Juniata does rely heavily on the benevolence of public and private entities. The collective reputation of the college is an irreplaceable foundation for that generosity.

It is the purpose of this policy statement to set forth the principles for identification, review and management of potential conflicts of interest so as to maintain those high standards of integrity. It is therefore essential to the institution and its employees that the possibility or appearance of conflicts of interest be disclosed, considered, and approved, minimized or eliminated.

Scope:

This Policy applies to all employees of Juniata College (hereinafter called “individual”) who have responsibilities for budgets, major purchases, and grant-funded projects. This policy shall also apply to any member of a committee that has delegated powers of the institution to commit funds of the institution.

Definitions:

Employees of Juniata include all full or part-time faculty, staff, administrators or consultants (those failing to meet the IRS definition of “outside” consultants).

A *potential conflict of interest* occurs when there is a divergence between the individual and their professional responsibility to Juniata, such that a reasonable person might reasonably question that the individual’s actions or decisions are determined by consideration of personal gain (financial or otherwise), or the gain of any family member or any associated entity as they may relate to College programs, use of facilities, research or use of external and internal funds.

A ***conflict of interest*** exists when it is reasonable to conclude that a significant personal financial interest could affect the design, content, conduct, reporting, participation and/or outcomes of an individual's action or decision.

An individual has a significant personal financial interest if the individual has knowledge, directly or indirectly, through business, investment or immediate family:

1. An ownership or investment interest of \$5,000 or greater in an external entity (including investment funds such as mutual funds and retirement accounts) or an ownership or investment interest exceeding 5% of the total interest in an external entity.
2. Any compensation arrangement with an external entity including any intellectual property rights such as patents, copyrights and royalties from such rights.
3. A potential ownership, investment or compensation arrangement with an external entity.

Some individuals may be asked to ***disclose*** potential conflicts of interest annually. Others may be asked to provide ***disclosure*** when assigned to a specific project or activity. In all cases, disclosure shall be made at any time that a potential for conflict of interest arises. Such disclosure shall be made in writing to the President of Juniata College or his/her assignees. A certification form is provided as an attachment and may be used in lieu of a letter/statement.

For purposes of this policy an ***immediate family member*** includes spouses, children, parents, grandparents, grandchildren, brothers and sisters. "Spouse" includes those employees with a legal marriage relationship as well as those involved in a relationship that is characterized by co-habitation, permanence, duration, and stability.

General Guidelines for Potential Conflicts of Interest:

A potential conflict of interest must be fully disclosed when an individual becomes aware of an actual or potential conflict of interest.

Each officer or employee is required to disclose any significant financial interest as defined that may appear to be affected by external relationships.

The individual has a two-fold responsibility: to disclose the potential conflict of interest and to voluntarily refrain (individually or a member of a committee) from participation in the discussion, action or decisions in the consideration of the proposed transaction, unless requested. If requested, the individual may participate in the discussion and provide analysis. Examples of actions the individual could not participate in include signing contracts, engaging in negotiations or participating in the decision-making process.

Any potential conflict(s) of interest must be disclosed with the "Grants and Contracts Approval" form and prior to the time that a proposal is submitted to any external funding source.

If no potential conflict of interest statement/letter is provided, Juniata will assume that there is no conflict of interest for the employee, until or unless evidence or reasonable questions suggesting otherwise are provided.

All federal, state, and local laws, and the guidelines, policies or regulations for specific grants and contracts must also be considered and met. For example, The National Science Foundation (NSF), National Institutes of Health (NIH), Department of Health and Human Services (DHHS) and other federal agencies require potential conflicts of interest be stated in a format consistent with the agency and provide copies of the forms. Program specific forms must also be completed by faculty, staff and/or administrator involved in a particular grant or contract.

Use of college property, facilities, services and equipment for private teaching, consulting and like activities for personal gain is prohibited except when such use is specifically approved in writing by the President or the President's duly authorized designee or authorized as a part of a project that is similarly allowed. Otherwise, the use of facilities, services and equipment can be arranged on a fee basis. Any request for the use of such property, facilities, services and equipment that is not consistent with the purpose and mission of Juniata will be denied.

Collaborators, sub-recipients and /or subcontractors from other institutions involved in projects of Juniata must also comply with the Conflict of Interest policy or provide a certification that they are in compliance with the policies of their institutions.

Juniata encourages conflict of interest training for all individuals responsible for managing grant funded projects and for individuals who are responsible for the design, conduct or reporting of supported research. This tutorial can be found at:

- Office of Extramural Research, Financial Conflict of Interest Tutorial
<http://grants.nih.gov/grants/policy/coi/index.htm>

Procedures:

Any potential conflict of interest must be reported to the President (or his/her assignees) in writing using the Conflict of Interest Certification form (copies are available on the P drive in the Human Resource file). A letter or written statement with appropriate supporting documentation outlining the specific nature of the possible conflict of interest will suffice, but a Conflict of Interest "Certification" form is also available, attached and may be used in lieu of a letter or statement.

The President will respond in one of the following fashions:

1. A letter of approval to proceed noting "no significant conflict of interest",
2. A conditional approval to proceed with conditions provided as a memo of understanding and/or resolution plan. This conditional approval can include participation in discussion and/or providing analysis but cannot include involvement in actions or decisions.
3. A letter prohibiting the participation of the officer or employee in the specific actions or decisions due to the existence or appearance of a conflict of interest.

The President will consult at least with the Provost and Chief Financial Officer of Juniata College and may at the President's discretion, consult with others or assign an individual or committee to make recommendations as determined to be appropriate.

The President does not, however, give up the authority to take any and all actions that he/she determines to be appropriate and consistent with this policy.

If the President is the individual involved in the potential conflict of interest, the President shall report the potential conflict to the Chair of the Juniata Board of Trustees (in writing) and the Chair of the Board of Trustees shall preside in the documentation, discussion and resolution of the potential conflict of interest.

Examples of a potential conflict of interest:

The following are examples to illustrate *a potential conflict of interest*.

1. Assigning of student or post-doctoral researchers to a project in which the individual may have a financial interest.
2. Acquiring a financial interest, in excess of 5% or \$5,000 or greater of the total interest, in any firm that provides goods or services to Juniata.
3. Individually entering into a business relationship or compensation relationship with an organization that provides goods or service to Juniata.
4. Hiring of own children or immediate family members to work in a department supervised directly or indirectly by the individual.

Neutral Conflict of Interest

The following example does not usually represent a conflict of interest and is therefore a neutral activity. However, disclosing such interests is recommended.

1. Serving as directors or advisory committee members of public and private not-for-profit organizations, community based organizations and/or units of local governments.

Examples of NO Conflict of Interest:

The following examples represent *no conflict of interest* and therefore, do not need to be disclosed in order to comply with this policy.

1. Salaries, wages, fringe benefits or other remuneration from Juniata.
2. Income (honoraria) from lectures, seminars or external teaching engagements for public or non-profit organizations.
3. Income (honoraria) from serving as a reviewer for an academic, non-profit or public entity.
4. Royalties and other honoraria from published works, scholarly writings and scholarly lectures.
5. Investments in mutual funds whose stock may include equity in publicly traded companies such that the individual's pro rata holdings are greater than \$5,000, but where the individual does not have knowledge that their individual pro rata holdings in a company have a value of \$5,000 or greater.
6. Gifts, free samples, favors, or other consideration of less than an aggregate value of \$250 per fiscal year.
7. Hospitality of less than \$1,000 per fiscal year.



Certification
**Compliance with the Conflict of Interest Policy
of Juniata College**

I hereby certify that I have read Juniata College’s Conflict of Interest Policy dated October 2012, and I am in compliance with that policy statement, except as set forth in the space provided below.

Except as noted, neither I nor, to the best of my knowledge, any member of my immediate family has any interest or is engaged in any activity which might be interpreted as a violation of the policy.

I understand that, unless and until I am advised in writing to the contrary, any interest or activity reported herein shall not constitute a violation of the Juniata College Conflict of Interest Policy.

Signature

Print Name

Title

Date

Possible Exceptions to the Policy (Disclosure):
