

CONFLICT OF INTEREST AND ETHICS POLICY

Mississippi law requires employees of Mississippi Valley State University to abide by certain conflict of interest and ethical standards as public employees. University employees have both a legal and ethical obligation to comply with all applicable ethics in government laws ("ethics laws"). See, e.g. Miss. Code Ann. §§ 25-4-101 et seq. (1972); § 109, Miss. Const. of 1890.

Specifically, University employees may not use his or her position at the University to obtain or attempt to obtain a financial benefit for his/herself (other than the employee's compensation as a University employee), a family member, or any business with which the employee or a family member is associated. Subject to certain limited exceptions, a conflict of interest would include, without limitation, the following:

1. An employee that has direct or indirect involvement in the procurement of goods or services on behalf of the University and the employee or his/her relative has a financial interest in the procurement.
2. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business in which the employee or the employee's relative has a material financial interest.
3. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business or person with whom the employee or a relative is negotiating or has arranged prospective employment.
4. An employee procuring goods or services from the University at an auction or at a sale when the goods or services are not offered to the general public at a uniform price.

In addition, no employee may intentionally use or disclose information gained through his/her employment at the University that could result in financial benefit to the employee, a relative of the employee, or any other person, if the information has not been communicated to the public or is not public information.

The above general prohibitions do not include all prohibitions under Mississippi ethics laws. However, they do set the tone for University employees in complying with applicable ethics laws. University employees should also be mindful of other University policies that pertain to ethics in procurement and contracting.

A violation of state ethics laws could result in repayment of funds by the employee, civil fines, and/or criminal prosecution. An employee who violates state ethics laws may also be subject to disciplinary action that include termination.

DISCLOSURES OF CONFLICT OF INTEREST

Where any actual or potential conflict of interest exists for a staff member and cannot be avoided, the staff member will disclose it to their supervisor as soon as reasonably practicable after becoming aware of it.

If the staff member's supervisor has a conflict of interest in the matter, then the staff member will disclose the conflict of interest to the next higher level of authority.

There may be occasions when a conflict becomes known after the fact of a decision or determination being made which may have been improperly influenced by that conflict of interest. In these cases, as soon as the conflict becomes evident it must be reported to the supervisor. The University may decide to investigate the circumstances of the decision or determination, including whether a different decision or determination ought to be made. The

University may also decide that an investigation should be undertaken to determine whether misconduct has occurred.

MANAGING A CONFLICT OF INTEREST

Employees who are uncertain as to whether an activity is prohibited by state ethics laws are encouraged to ask for additional information through the appropriate administrative channels. Employees also are encouraged to seek private consultation/advice from their personal attorney.

Supervisors who receive inquiries from employees or who have concerns regarding whether an employee's activity complies with applicable ethics laws should forward any such inquiries/concerns through the proper administrative channels to the appropriate Vice-President, who in turn should contact the Chief Operating Officer/Executive Vice President.

RESPONSIBILITIES OF SUPERVISORS AND MANAGERS

Supervisors and managers should facilitate the compliance of those they supervise by:

- Being aware of the risks of conflicts inherent in the work of the staff they manage;
- Making staff aware of the policy and procedures regarding conflict of interest;
- Advising staff about appropriate ways to manage conflicts;
- Ensuring that conflicts of interest involving their staff members are managed appropriately;
- Assisting staff who disclose conflicts in preparing resolution strategies;
- Reviewing and endorsing plans to manage any conflicts of interest; and
- Monitoring the work of staff and the risk exposure.

Reporting Suspected Fraud

Acts of fraud, waste, and abuse negatively impact the resources of MVSU. When employees have information about dishonest, unethical or criminal activities, it is their responsibility to report that information. To report suspected fraud, waste and abuse, you may notify your supervisor; the Director of Internal Audit or an anonymous report through the MVSU Ethics Hotline. State law and University policy prohibit retaliation against any employee who, in good faith, reports an instance of suspected wrongdoing or participates in an investigation pertaining to allegations of wrongdoing.

ETHICS RELATED POLICIES

- Outside Employment Policy
- Employment of Relatives (Nepotism)
- Employee Work Guidelines and Personal Conduct
- Whistleblower Policy
- Political Activities
- Honor Code Council Procedure (*A revision of the University's Academic Integrity is being conducted to replace the following policy contained in the 2013 Faculty Handbook. The new policy recommendation is attached*).
- Ethical Standards for Faculty and Instructional Personnel (*Section 2.3.2 Code of Ethics" of the Faculty Handbook defines the ethical standards expected of faculty and instructional personnel*).
- Attendance at Classes: Teaching Faculty (Policies concerning class attendance are found in section 2.13 FACULTY ROLES AND RESPONSIBILITIES of the Faculty Handbook).
- Federally Sponsored Programs (*MVSU policies and procedures related to Sponsored programs are located on the web at <https://www.mvsu.edu/osp/policies>*).

- A specific section devoted to research related to the IRB is located at:
(<https://www.mvsu.edu/sites/default/files/Institutional%20Review%20Board%20Guidebook2AB.pdf>)

REVIEW

This policy will be reviewed by the Office of Human Resources at least every three years.