

Procedure

Procedure # 3.02.15

Effective Date: 1/28/98

<p><i>(Impact Area - Dept Name)</i></p> <p>Employees</p>	<p><i>(General Subject Area)</i></p> <p>Conditions of Employment</p>	<p><i>(Specific Subject Area)</i></p> <p>Conflict of Interest</p>
	<p>Author:</p> <p>Steven Schenk</p>	<p>Supersedes Procedure #</p> <p>3.02.15</p>
<p>Relates to Policy #</p> <p>3.02.15</p>	<p>Impact:</p>	
<p>Legal Citation (if any): Idaho Code Sections 73-507, 97-702 through 97-705</p>		
<p><i>North Idaho College</i></p>		

Procedure Narrative

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In cases where a conflict of interest or the potential for conflict of interest is believed to exist, the Trustee, employee, or consultant (which are hereafter referred to as "public officers") involved shall prepare a written statement describing the nature of the conflict of interest and deliver it to the College President. The President may obtain an advisory opinion from legal counsel. During the period when an advisory opinion is being sought, the public officer will take no official action, make no formal decision, and make no recommendation for action or decision making, and shall remove himself/herself from all discussions pertaining to matters in any way related to the potential conflict of interest.

If there is a determination that no conflict of interest exists, the public officer may resume all activities associated with his/her normal duties. If it is determined that a conflict of interest does exist or that there is a potential for a conflict of interest, the public officer shall make additional disclosures to all persons or organizations involved or affected, remove herself/himself from all actions, recommendations, and discussions as described elsewhere in this policy/procedure, and the President shall delegate all responsibilities and activities involved to someone for whom no conflict of interest exists.

Disclosure of a conflict of interest does not affect a public officer's authority to be counted for purposes of a quorum. Any public officer who intentionally fails to disclose a conflict of interest shall be subject to the penalties provided in Idaho law, which include a fine not to exceed \$500, as well as any further discipline as may be determined by the Board of Trustees.

The following definitions apply to Policy No. 3.02.15, "Conflict of Interest," and to its related procedure.

Definitions:

"Conflict of Interest" - means any official action or any decision or recommendation by a person acting in a capacity as a public officer, the effect of which would result in a pecuniary benefit to that public official or to members of that person's family, household, or a business with which that public official or a member of that official's family or household is associated.

"Public Officer" - means any person holding public office as an elected official, an appointed official, or any person employed by a public entity including a person employed by a public entity on a consulting basis.

"Business" - means any undertaking operated for economic gain, including but not limited to a corporation, partnership, trust, proprietorship, firm, association, or joint venture of which the public officer or member of his/her family or household is a director, officer, owner, partner, employee, agent or holder of stock valued at \$5,000 or more.

"Action" - means any decision, proposal, consideration, enactment, discussion, defeat, or failure to act by a public officer including Trustees, employees, committees or consultants.

"Family Member/Household Member" - means parent, grandparent, sister, brother, spouse, children, aunt, uncle or other close relative.

"Material Benefit" - means any valuable consideration including but not limited to cash, real estate, other tangible property, and the use or enjoyment of services, facilities or properties with an estimated value in excess of \$100.