

**Section Title:** Other Policies

**Policy Title:** Conflict of Interest Disclosure Policy for Commission Executive Staff

**Policy Number:** O5.2

Conflict of Interest Disclosure Policy for Commission Executive Staff

- 5.2.10
- (1) It shall be inappropriate for a Commission Executive Staff member to have a direct interest in any contract the Commission has entered into for goods or services as a result of a bid process or any other business transaction with the Commission. Additionally, it shall be inappropriate for Commission Executive Staff to be indirectly interested in any such contract or business transaction unless the Commission Executive Staff member publicly acknowledges his/her interest.
  - (2) Commission Executive Staff shall disclose any of the following interests:
    - (a) Any indirect interest in any contract or other business transaction with the Commission;
    - (b) Any interest, direct or indirect, in any contract or other business transaction with any higher education institution which is coordinated by, contracted by, contracted with, or authorized by the Commission; and
    - (c) Any indirect interest created by a relative who has (to the extent Commission Executive Staff is aware) any contract or business transaction with the Commission or with any higher education institution which is coordinated by, contracted by, contracted with, or authorized by the Commission.
  - (3) “Direct interest” means any contract for goods or services as a result of a bid process with:
    - (a) Commission Executive Staff ;
    - (b) a relative of Commission Executive Staff ; or
    - (c) a business in which Commission Executive Staff or a relative is an officer, director or equity owner having an ownership interest greater than one percent.

The phrase shall also mean any other business transaction with:

    - (a) Commission Executive Staff ; or
    - (b) a business in which Commission Executive Staff is:
      - (i) the sole proprietor;
      - (ii) a partner; or
      - (iii) the person having the controlling ownership or control of the largest numbers of outstanding shares owned by any single individual or corporation.
  - (4) “Indirect interest” means any contract in which Commission Executive Staff is interested but not directly so, but includes contracts where Commission Executive Staff is directly interested but is the sole

supplier of goods or services.

- (5) “Relative” includes spouse, parents, siblings, or children.
- (6) In the event a Commission Executive Staff member identifies any conflict covered by this policy, he/she shall immediately notify the Executive Director. The Executive Director may determine that such Commission Executive Staff member should not work on material related to such interests. Such interests shall be disclosed to the Commission regardless of whether the Commission Executive Staff member is relieved of working on the matters in question.
- (7) The basic underlying principle in conflict of interest is that Commission Executive Staff members should disclose any activity, investment, or interest that might reflect unfavorably upon the Commission, using the disclosure form. Because of the sensitive nature of the Commission’s relationship with all of the postsecondary institutions, as well as the General Assembly, it is important that members resolve questions of conflict of interest by disclosure.
- (8) The conflict of interest form must be filed within thirty (30) days after the Commission’s regular Spring meeting, but in no case shall it be filed later than June 1. In the case of a member appointed to the Commission after the Spring meeting, the newly appointed member shall file a conflict of interest statement no later than thirty (30) days after the first Commission meeting following his/her appointment.
- (9) Commission Executive Staff shall amend his/her disclosure because of termination or acquisition of interests of which disclosure is required.

**Approved:** January 31, 1992

**Revised:** \_\_\_\_\_, 2003

**TENNESSEE HIGHER EDUCATION COMMISSION**  
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TENNESSEE HIGHER EDUCATION COMMISSION  
DISCLOSURE STATEMENT FOR INDIRECT INTERESTS  
OF COMMISSION EXECUTIVE STAFF

I, the undersigned member of the Tennessee Higher Education Commission, in order to assure that any appearance of conflict of interest is avoided, and in order to assure that any indirect interests are publicly acknowledged, hereby make the following statements and assurances:

1. I am related to the following employees of the Tennessee Higher Education Commission or any official of any corporation, partnership, sole proprietorship, association, institution of higher education or other entities which do business with, are licensed by, or are otherwise involved with the Tennessee Higher Education Commission:

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2. I am employed or professionally affiliated with the following corporation, partnerships, sole proprietorships, associations, institutions of higher education or any other entities which do business with or are licensed by the Tennessee Higher Education Commission:

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3. I have an ownership interest in or serve on the Board of the following corporations, partnerships, sole proprietorships, associations, institutions of higher education or other entities which either do business with the Tennessee Higher Education Commission or, to my knowledge, do business with postsecondary institutions coordinated or licensed by the Tennessee Higher Education Commission:

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4. In my household and among my dependents, to my knowledge, the following individuals have an ownership interest as stated in Number 3 above:

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5. I am currently the recipient of the following grants administered by the Tennessee Higher Education Commission:

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6. I hereby certify that if, during my tenure this year on the Tennessee Higher Education Commission staff, I become directly or indirectly interested as an owner, employee or affiliated as described in Number 1-5 above, or if there is any change in the information provided in this statement, I shall immediately disclose such information to the Tennessee Higher Education Commission. The accuracy of this statement will be reviewed within thirty (30) days after the Commission's regular Spring meeting, but no later than June 1.

By my signature below, I affirm that all of the above statements are true to the best of my knowledge and belief.

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(Signature)

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(Date)

