

**DRAFT**

**Skidmore College Standards of Business Conduct Policy**

Skidmore College is committed to the highest standards of excellence and integrity in carrying out its educational mission and all aspects of its operations. As one particular aspect of that commitment, every member of the campus community who is engaged in activities



7. **Compliance with applicable College policies and procedures.** The College has established policies and procedures for managing its business and other operations. Some policies and procedures are required by law; some reflect institutional standards or commitments that go beyond the law; some are prudential; and some are managerial, designed to promote smooth and coordinated business operations. Community members are expected to inform themselves about and comply with all applicable College policies and procedures posted on the College's website or otherwise promulgated by the College, including but not limited to those set forth in the *Faculty Handbook* and the *Exempt and Non-Exempt Employee Handbook*.
8. **Compliance with contractual, grant, and other formal obligations.** In the course of its operations, the College frequently undertakes contractual and other formal obligations to outside entities. These obligations are embodied, for example, in commercial contracts for the purchase of goods or services, software licenses, grant award instruments, research agreements and subcontracts, material transfer and other intellectual property agreements, gift indentures, memoranda of understanding with other organizations, and similar instruments. Skidmore community members are expected to adhere to and act in good faith with regard to all applicable obligations assumed by the College. Community members also are expected to follow applicable laws, regulations, and College processes regarding the delegation of and/or authority to enter into such agreements on behalf of the College.
9. **Stewardship of property and funds.** As stewards of College property and funds with a responsibility to contributors to the College (including private individuals and entities as well as federal, state, and local agencies), Skidmore community members are expected to treat College property with due care appropriate to the property in use, and must expend College funds prudently and in accordance with the terms of any applicable funding agreement. Campus community members are expected to use College property responsibly and consistent with the tax-exempt status conferred on the College in light of its educational mission. They must avoid waste and improper use and must not use College funds, property, or facilities for their personal benefit or for the benefit of a non-College organization without prior approval by an appropriately authorized institutional official.
10. **Appropriate treatment of confidential information.** In their various capacities, Skidmore community members may become privy to confidential information of many different types. Examples of such information include but are not limited to information concerning students, employees, or research sponsors; proprietary information of an enterprise licensing Skidmore intellectual property; or other information subject to contractual or legislated obligations of confidentiality. Individuals are expected to inform themselves about applicable obligations and to maintain the confidentiality of such information, safeguarding it and using it only as any applicable restrictions permit.

11.

15. **Confidential reporting of concerns.** Community members may submit good faith, confidential reports concerning possible improper conduct or violations of Skidmore policies to 1-888-828-7002 or [www.skidmore.ethicspoint.com](http://www.skidmore.ethicspoint.com). (See Attachment C: Skidmore's Whistleblower Policy.)

Confidential reports may also be made, in good faith, to the appropriate federal agency or other external body with responsibility for overseeing a particular grant, research agreement, or other obligation.

16. **Consequences of violation.** Violations of these Standards, of laws and regulations, or of related College policies and procedures may result in disciplinary consequences, up to and including dismissal from the College.
17. **Further guidance on this policy.** Individuals with questions about the meaning or applicability of this policy, about the propriety of a proposed course of action, or about their work-related legal or other obligations should seek advice. Individuals who could provide advice include the individual's immediate supervisor, department chair, program director, Dean of the Faculty/Vice President for Academic Affairs, the Office of the Vice President for Finance & Administration and Treasurer, or other appropriate College official.

Questions regarding the recording, allocating, and charging of costs and effort associated with grants and other external funding should be directed to the Office of Sponsored Research or to the Office of the Vice President for Finance and Administration.

*Skidmore College is grateful to Yale University for its leadership in developing a guideline for the Standards of Business Conduct, upon which this statement is based and used with permission.*

## **ATTACHMENT A**

### **SKIDMORE COLLEGE CONFLICT OF INTEREST POLICY**

#### **I. PRINCIPLES**

Skidmore College is committed to the highest standards of excellence and integrity in carrying out its educational mission. Consistent with that commitment, each member of the Skidmore community is obligated to conduct the affairs of the College in the best interest of the College and in furtherance of the College's mission, and must not permit outside activities or outside financial interests to interfere with those obligations.

As part of its commitment to excellence, the College has adopted the following principles:

considers vital. It is sometimes difficult to recognize the possibility for conflicts between the responsibilities of an individual to Skidmore and to external organizations. Under these conditions, the possibility of a perceived or real conflict of interest is significantly heightened.<sup>1</sup>

In pursuit of its own mission, and consistent with the requirements of external agencies, particularly the federal government, Skidmore College has formulated the following policy to identify and address potential, actual, and apparent conflicts of interest. This policy is intended to increase the awareness of all members of the Skidmore College community to the potential for conflicts of interest and to establish procedures whereby such conflicts may be avoided or resolved appropriately.

## **II. CONFLICT OF INTEREST DEFINED**

### **A. Recognizing a Conflict of Interest**

Typically, a conflict of interest has the potential to arise when an individual has the opportunity to influence the College's business, administrative, academic, or other decisions in ways that could lead to personal gain or advantage of any kind. Such a conflict may exist if a Skidmore community member (or a member of the community member's Family or a Related Person) has an external financial interest or fiduciary or other legal obligation that reasonably could be seen as creating an incentive for the individual to modify the conduct of his or her College activities or to influence the conduct of others. Conflicts of interest may arise from stock ownership, board memberships, consulting relationships, and any activity from which the individual derives legal obligations or expects to receive pecuniary or non-pecuniary benefits from an entity outside the College.

Conflicts of interest may arise from many ordinary and appropriate activities, and the existence of a conflict does not necessarily imply wrongdoing on anyone's part. Individuals should be cognizant of the potential for conflicts of interest; when conflicts do arise, they must be identified, disclosed, and either eliminated or resolved appropriately. Some relationships may create an appearance of conflict; those, too, should be identified, disclosed, and resolved or eliminated so that

research as well as College financial decisions and calling into question the integrity of an individual or the College or both. For this reason, it is important for an individual, in evaluating a potential conflict of interest, to consider how others might perceive it. Apparent conflicts must be recognized and avoided.

**C. Examples of Activities Not Requiring Disclosure and of Potential Conflicts of Interest**

Examples of activities not requiring disclosure and of activities that suggest a potential conflict of interest appear at the end of this policy.

**III. PROCEDURES FOR DISCLOSING AND RESOLVING CONFLICTS OF INTEREST**

The responsibility for avoiding conflicts of interest rests, in the first instance, with the individual. An essential step in addressing an actual or apparent conflict of interest is for the individual involved to make full disclosure of relevant information to the appropriate individuals are required to make regular, annual disclosures, with updates as needed; others need only disclose on an ad hoc basis.



President, appropriate Cabinet member, or designee is responsible for

are required, however, on an ad hoc basis, to disclose actual or apparent conflicts of interest relating generally to any grant, contract, or other agreement in the College extramural research portfolio, College financial decisions, and other matters whenever they arise. If there is any doubt about the existence of an actual or apparent conflict of interest, the individual should submit a disclosure form for review by the appropriate supervisor or administrator.

3. Individuals receiving grants from external sources must comply with all disclosure requirements of the granting agency.

The confidentiality of the disclosures will be respected as far as possible. In particular, the information on the forms will not be shared except with those who have a need to know.

## **B. Reviewing and Resolving Conflicts of Interest**

In the event that there are unresolved disagreements between a Skidmore community member and the responsible reviewing Cabinet member concerning the application of this policy, such disagreements shall be referred for final resolution to the President.

The Cabinet member and the disclosing individual each will submit a written summary of the issues and relevant facts to the President for review and consideration. The President may request meetings with relevant individuals and may review additional materials necessary to understand the potential conflict. Such materials may include, but are not limited to, appropriate financial information, grant applications, human or animal

## **CONSEQUENCES OF VIOLATION**

Violations of this policy may result in disciplinary consequences, up to and including dismissal of the College, in accordance with *Faculty Handbook*, the *Exempt and Non-Exempt Employee Handbook*, and other employee contracts. .

potential conflicts of interest that must be disclosed and either eliminated or resolved appropriately include but are not limited to the following:

1. Using College resources to conduct research that is sponsored by an entity in which the individual, his or her Family members, or a Related Person holds a material financial interest.
2. Serving in an executive or

## **ATTACHMENT B**

### **SKIDMORE COLLEGE CONFLICT OF COMMITMENT POLICY**

Skidmore College is committed to excellence both within and beyond the Skidmore community. As part of that commitment, the College e i