

Title: Conflict of Interest

Effective Date: 9/14/22

Board members, employees, and volunteers of Reading Area Community College shall not use their position as a means for private benefit or inurement and shall avoid all conflicts of interest and the appearance of any conflict of interest. A conflict of interest occurs in any situation in which one is potentially not able to remain impartial or maintain objectivity in choosing between the interests of the College and one's personal interests or the interests of affiliated parties. RACC prohibits conduct by Board Members, administration, and employees which constitutes a "conflict of interest" under the Pennsylvania Ethics Act. Such conduct is defined in Section 102 of the Ethics Act as follows:

Use by a public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or a business with which he or a member of his immediate family is associated.

To avoid the appearance of a conflict of interest, a Board member, employee or volunteer shall not participate in the making of any decision or recommendation concerning a matter which may result in any benefit or financial gain, either directly or indirectly, to the Board member, employee or volunteer or a member of her/his immediate family. In addition, full disclosure of the pertinent facts regarding the potential conflict of interest should be provided by the Board member, employee or volunteer.

If a matter arises with respect to which a Board member, employee or volunteer has reason to believe that he or she may have a conflict of interest, it shall be promptly disclosed to the Senior Vice-President for Finance and Administrative Services/College Treasurer. The Senior Vice-President for Finance and Administrative Services/College Treasurer will have the responsibility of informing the President of the College, Chair of the Board or other appropriate persons and properly documenting the disclosure. The Board member, employee or volunteer shall further disclose any reason known to him or her why the proposed action may or may not be in the best interest of the College, except as such disclosure shall violate confidentiality agreements with his or her employer. Except for such disclosures, the Board member, employee or volunteer shall not participate in by vote or otherwise, any decision or consideration of the proposed action. His/Her abstention and the reason for it shall be recorded in the minutes.

A copy of this policy will be distributed to each Board member at the beginning of their association with the College. Additionally, board members receive the "State Ethics Commission – Statement of Financial Interests" form annually.

A summary of the policy is located in the employee handbook, with reference to the full policy. The employee handbook is located in the portal. Employees are required to sign the Employee Handbook Acknowledgment at the beginning of employment.

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This policy supplements the Pennsylvania Public Official and Employee Ethics Act which applies to all matters involving conflicts of interest and ethics as they affect College employees, officials, board members and others. The actual law referred to above shall control any issues of ambiguity between the law and this policy. The law may be found at 65 Pa.C.S. §1101-1113 and 65 P.S. §410.

SOURCE/LEGAL REFERENCE: F-22-02

RELATED POLICIES/REGULATIONS:

BOARD OF TRUSTEES HAS REVIEWED AND REAFFIRMS: 9/14/22

SUPERCEDES:	F-21-16	DATE: 5/11/22
	<u>F-17-18</u>	<u>4/11/18</u>
	<u>E-03-07</u>	<u>1/14/04</u>