

**FSU Policy 2-4**

Title of Policy: Board Conflict Of Interest  
Responsible Executive: President  
Approving Official: Provost  
Effective Date: May 1, 2013  
Revision History: New May 1, 2013

**Purpose:**

To identify the applicable conflict of interest provisions governing members of the Florida State University Board of Trustees.

**Policy Statement:**

It is the policy of the Florida State University that the Florida Ethics Code, as further expanded by the Florida State University Board of Trustees in its Ethics Policy, shall apply to members of the Florida State University Board of Trustees.

For reference, the Florida State University Board of Trustees Ethics Policy is restated below.

This Policy shall be reviewed and, as appropriate, revised by the President every seven years.

**Legal Support and Justification:**

The Florida State University is subject to Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employers (“Florida Ethics Code”) on several legal grounds. The Florida Ethics Code as it relates to standards of conduct applies to university boards of trustees as they are considered “public officers” under section 112.212(1), Florida Statutes. Further, the Florida Ethics Code financial disclosure requirements apply to university boards of trustees as provided in section 112.3145(1) (c) 3, Florida Statutes. The Florida Board of Governors has reiterated the applicability of the Florida Ethics Code in Florida Board of Governors Regulation 1.001(2) (a). Finally, the Board of Trustees has, through its own action, expanded upon the minimum requirements of the Florida Ethics Code by prohibiting the university from conducting any business with the relative of a trustee, rather than just a business where a family member holds in excess of 5% interest, as is provided in the Florida Code of Ethics.

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Florida State University Board of Trustees Ethics Policy

Preamble

The Florida State University Board of Trustees is the governing board for The Florida State University; as such it is obligated to serve the public trust. As a member of the Board, each Trustee agrees to keep the welfare of the University at all times paramount, putting aside any and all personal, parochial, and business conflicts of interests thereby assuring that a Trustee's independence of judgment is not compromised, that the public's and the University's confidence and respect in the integrity of the Board are preserved, and that The Florida State University's public mission is protected and well served.

Trustees shall be governed by the requirements of the Florida Code of Ethics in Sections 112.311-112.326, Florida Statutes. Particular adherence is required to the requirements in Section 112.313, Florida Statutes, as it relates to: solicitation or acceptance of gifts; doing business with one's agency; unauthorized compensation; salary and expense; misuse of public position; conflicting employment or contractual relationship; and disclosure or use of certain information. It is the purpose of this policy to supplement and implement these statutory requirements. Hence, if there is a conflict between any provision of this policy and the Code, the Code shall control.

#### Conflicting Interest

Trustees shall use proper channels when dealing with conflicts of interest, use of official authority, hiring of employees, in handling grievances/complaints of students, staff, faculty or citizens, and handling special interest groups. The Board of Trustees has the legal authority to give direction to only one employee – the President of The Florida State University. Unless specifically referred by the President, Trustees should not intervene in relations with other administrators, faculty, staff or students. Complaints made to any Trustee should be referred directly to the President.

A Trustee has a conflict of interest whenever the Trustee, a Trustee's family member or a business associated with a Trustee or a Trustee's family member has an existing or potential financial/personal interest in a matter pending before the Board of Trustees or the University. Any potential conflicts of interest or uncertainty regarding a conflict shall be brought to the immediate attention of the Chairman of the Board of Trustees.

(1) Family Member includes: spouse, parents, siblings, aunts/uncles, children, domestic partner, and any person residing in a Trustee's household.

(2) Business Associated with a Trustee means an organization, corporation, partnership, joint venture, proprietorship or other entity or associate(s) with respect to which either the Trustee or a member of the Trustee's family:

(a) Receives compensation or has any contractual right to future income (excluding compensation from the University), or any governmental source, investment or savings income, retirement or insurance benefits, rents or alimony, or non-financial consideration and benefits;

(b) Serves as an officer, director, partner, or employee; or

(c) Holds a foreseeable financial interest, which may result from a Trustee's official authority as a member of the Board of Trustees.

Other Issues

(1) A Trustee shall not use the authority, title, influence, or prestige of his or her position to solicit business for others or otherwise obtain a private financial, social, or political benefit, which in any manner would be inconsistent with the interest and mission of the University, nor shall a Trustee disclose confidential information gained by reason of the Trustee's position for personal gain, benefit or to secure special privileges or exemption for him or herself or others.


(2) Except for the hiring of the President, no Trustee shall attempt to influence the hiring decision of other University employees.

(3) Complaints and issues received directly from students, staff, faculty, or citizens should be referred directly to the President.

(4) A Trustee's first and foremost obligation when confronted with issues supported by special groups (including but not limited to unions, economic groups, geographical areas, racial groups and political parties) is to represent and act only in the best interests of the University.

Adopted January 24, 2003

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 5/1/13 (signature of Approving Authority, date)