President Rose Ellen Davis-Gross called the meeting to order.

1. Approval of Minutes: Tina White moved to approve the minutes of the July 27, 2010 Staff Senate Executive Committee meeting as submitted. Dave Crockett seconded the motion and the vote was unanimous.

2. Announcements from the President
   A. Academic Council - The Council met on August 30th. Items approved by the committee were a reduced course load for students with disabilities, Canada Center, and a new summer school calendar.
   B. Board of Trustees - The report from the Staff Senate is due to the CFO by September 21st. Ideas regarding content must be submitted to Rose Ellen by September 13th for consideration. The next Board meeting is scheduled for the second week of October.

3. Financial Update, Jonathan Wylie. A report was submitted and reviewed with the group (Attachment A). Tina White moved to accept the report as submitted. Deb Charles seconded the motion and the vote was unanimous.

4. Committees
   A. Standing
      1) Activities, Negar Edwards. Recent committee meetings have been devoted to brainstorming sessions with the Scholarship Committee to identify new fundraising opportunities. Activities will begin planning in September for the upcoming holiday drive.
      2) Communications, Dave Crockett. The Benefits Fair is October 5th from 9 a.m. until 2 p.m. at Littlejohn Coliseum. Annual Giving has asked for their booth to be positioned closely to the Senate booth to promote payroll deduction. Employees that sign up to donate to Clemson via payroll deduction, or are currently enrolled in payroll deduction, will receive a gift. This will be handled and funded by Annual Giving.
      3) Membership, Karen Erickson. Pam Hawthorne resigned from the Senate and Laurie Haughey is leaving the University. Rose Ellen appointed Tim Drake to serve out the remainder of the year as chair of Policy and Welfare. Additionally, the committee is working on content for the website, timeline for elections, and ways to promote being a Senator at the Benefits Fair.
      4) Policy and Welfare, Tim Drake. Items referred to P&W for consideration are a joint Faculty and Staff meeting at ICAR and a fact finding mission regarding University employment demographics. Issues of concern are temporary employees and retirees.
      5) Scholarship, Reggie Hawthorne. Wendy’s has volunteered to host the first “Family and Friends Night” to benefit the Staff Senate Scholarship Endowment. See item 6F below for additional information.
B. Ad hoc
   1) Bylaws, Chris Sober. A revised version of the bylaws was discussed in detail (Attachment B). The group should review the document thoroughly and send suggestions to Chris.

5. Unfinished Business
   A. Staff Senate Liaison to the Board of Trustees, Rose Ellen Davis-Gross. A meeting is scheduled with Angie Leidinger for September 14th.
   B. State of the University Address, Rose Ellen Davis-Gross. John Gouch has agreed to serve as moderator/reader for the comments and questions received via e-mail.
   C. Parking RFP, Rose Ellen Davis-Gross. No report.
   D. Faculty/Staff Gathering, Rose Ellen Davis-Gross. The social hosted by the Faculty and Staff Senates is Thursday, September 23rd from 4:30 p.m. until 6:00 p.m. at the Madren Conference Center. Michelle Piekutowski is collecting door prizes, Mandy Wright is handling event logistics, Cathie Sturkie is in charge of the food order, and Rose Ellen is making arrangements for an electronic sign-in for guests. A cash bar will be available.

6. New Business
   A. PawPrints Policy, Rose Ellen Davis-Gross. This will be a topic for discussion during the joint meeting with the Faculty Senate on September 14th.
   B. Conflict of Interest, Rose Ellen Davis-Gross. The document will be added to the September Senate agenda and Policy and Welfare will act as the point of contact for feedback (Attachment C.)
   C. TERI Rehires, Rose Ellen Davis-Gross. Referred to Policy and Welfare. See item 5 under section 4A, Standing Committees.
   D. Capital Campaign, Rose Ellen Davis-Gross. Comments received regarding the picnic and announcement were forwarded to Robin Denny.
   E. Financial Aid Meeting, Rose Ellen Davis-Gross. After a discussion with Deborah Towery regarding the agreements for the Staff Senate Annual Scholarship and the Staff Senate Scholarship Endowment (Attachment D), requirements of scholarship recipients are limited. The application process may be changed to better serve the needs of the Senate. This will be researched. Furthermore, all of the scholarships were not awarded for this semester because of the low amount of applications. A better job of promoting the scholarships must be done in the future.
   F. Staff Appreciation Night (Wendy’s), Reggie Hawthorne and Dave Crockett. Communications is working on banners and text to use in communicating the event. Rose Ellen has requested the Clemson Tiger mascot, and Mandy Wright is working out logistics with Wendy’s. Wendy’s restaurant on Tiger Boulevard will donate a portion of the proceeds on all purchases to the Staff Senate Scholarship Endowment on Tuesday, September 21st from 5:00 p.m. until 8 p.m.
   G. Dining Services / Clemson House, Rose Ellen Davis-Gross. A complaint was received regarding the one price, buffet style meal service at Clemson House. Reggie Hawthorne explained that the facility houses freshman on a meal plan and that the fee structure is in line with other dining halls on campus. Rose Ellen will follow-up with the staff member that voiced the concern.

7. Announcements
   A. Reggie Hawthorne informed the group that Housekeeping Appreciation Week begins September 13th.

8. Adjournment: There being no further business to discuss, the meeting adjourned.

Next Meeting: Tuesday, September 28, 2010, 8:30 a.m., 801 University Union
Staff Senate Financial Update
Presented by Jonathan Wylie
August 31, 2010

Education & General Fund
   Travel Account--$1,000.00
   Other (Operating cost)--$ 4,592.00

Vending (Unrestricted Monies)
   $10,000.00

Staff Development Program
   $15,000.00

Endowment
   2100077 (Annual Fund, Scholarship are taken from here)--$ 16,441.97
   5790091 (Spending Account)--$32,453.00
   6690091 ()--$236,387.46
   6090091 ()--$29,441.79

Total Endowment
   Ending balance June 30, 2008 - $330,513.13
   Ending balance June 30, 2009 - $263,870.24
   Ending balance June 30, 2010 - $323,946.08 (Projected)

Fund 49
   Holding--$0.00

Scholarships
   10 @ $1,150: Totaling $11,500 (Committed for FY10-11)

Payroll Deduction
   April 2009 - $812
   May 2009 - $812
   Projection for calendar year $9,744
CLEMSON UNIVERSITY
STAFF SENATE
BYLAWS

(Amended and Approved April 13, 2010)

TABLE OF CONTENTS

Article I - Name

Article II - Responsibilities & Functions

Article III - Membership
   Section 1. Representation
   Section 2. Elections
   Section 3. Terms
   Section 4. Absences
   Section 5. Vacancies
   Section 6. Ex-officio Nonvoting Members

Article IV - Officers
   Section 1. Duties
   Section 2. Election Procedures
   Section 3. Vacancies

Article V - Executive Committee
   Section 1. Membership
   Section 2. Responsibilities

Article VI - Committees
   Section 1. Standing Committees
   Section 2. Ad Hoc Committees
   Section 3. University Committees/Councils
   Section 4. Committee Responsibilities
   Section 5. Staff Ombudsman Evaluation Committee

Article VII - Parliamentary Authority

Article VIII - Amendment of Bylaws

Standing Rules
   Section 1. Meetings
   Section 2. Administrative Assistant
   Section 3. Operational Guidelines for Introduction of New or Revised Policy
Article I - Name

The full name of this organization is the Clemson University Staff Senate, hereinafter referred to as the "Senate".

Article II - Responsibilities and Functions

Wherever used in these Bylaws, the term "employee" or "staff employee" shall mean a Clemson University permanent staff employee.

Study staff concerns and create a forum for two-way communication of ideas and concerns, which specifically relate to staff employees and the university mission.

Consider specifically the development of job and supervisory skills, compensation, benefits and welfare of staff employees, not to exclude other areas of concern, which are brought to the Senate's attention.

Formulate and recommend to the President's Cabinet university-wide policies and procedures related to staff employees.

Develop a systematic means for communicating to all staff employees existing university policies, specific actions, and feedback concerning all matters considered by the Senate.

Article III - Membership

Section 1. Representation

The Senate is composed of voting members chosen and appointed using the following criteria.

A. Representation on the Senate will follow Budget Centers. Representation will be based on a 1:50 ratio of employees within a Budget Center. The representative numbers will be computed every year or as appropriate using February 2007 as the base year.

B. The incumbent may run for re-election if eligible under Section 3.A.

C. In the case of areas for which representation cannot be found (e.g., the majority of personnel are located off campus and unable or unwilling to travel to campus for meetings, or whose job duties do not permit them to serve as a Senator) the Executive Committee, at the recommendation of the Membership Committee, may appoint a Senator-at-large to represent that area.

   1. The appointed Senator-at-large must demonstrate a willingness to actively serve as Senator for that area. Ideally, this person should have a connection to the area, either in physical location, a former employee of that area, a former Senator, etc.
   2. The appointment will be for a three-year term, or in the case of a resignation, for the remainder of the existing term.
   3. This option should be exercised only after an exhaustive search has failed to identify a staff employee who could serve as Senator.

D. All nominees must be employees in good standing with Clemson University.
Section 2. Elections

A. Elections shall be held in March of each year for the Senator positions whose terms have expired and for any vacant Senator positions. The terms of office shall begin with the May meeting of the Senate. Each year the Membership Committee will notify those voting, call for nominations, prepare ballots, and handle the election. The details of the elections shall be contained in a separate document, Election Procedures, to be reviewed and updated as appropriate by the Membership Committee with final approval by the Executive Committee.

B. If the number of vacancies equals or is more than the number of candidates in a designated budget center area, then those candidates are elected by appointment of the Executive Committee.

C. The Executive Committee will forward to the President of the University the name(s) of the individual(s) chosen by the above process to fill the vacant positions on the Senate. The President of the University will then officially recognize those individuals elected to the Senate.

D. A letter from the Senate will be sent to new Senators informing them of their election to the Senate and inviting them to attend the first meeting of their term. At the annual new Senator orientation, copies of the Roster and the Bylaws will be made available.

E. If an area is not represented by a Senator for a period of two months, the Executive Committee may appoint a Senator from the staff at-large to represent this area.

Section 3. Terms

A. Senators shall serve a three-year term beginning at the April May meeting of the Senate. A maximum of two consecutive terms (6 years) may be served. A one year interval is necessary before being eligible to serve again.

Section 4. Absences

A. If in a term year (April-March) (May-April), a Senator accumulates a combined total of seven (7) absences from regularly scheduled monthly meetings and/or regularly scheduled committee meetings, the Senator may be dismissed from the Staff Senate. If a Senator realizes that their schedule or any other reason (with the exception of an approved FMLA) will not allow them to adhere to this policy, it is strongly recommended that their resignation letter be submitted to the Staff Senate office and/or Staff Senate President before a dismissal action is deemed necessary by the Senate Executive Committee.

B. If it is determined by the Executive Committee that a dismissal action should be initiated, then a notification letter from the President of the Senate will be sent to the Senator informing her/him of the committee’s recommendation.

C. Any current Senator who receives a dismissal notification letter has ten (10) days upon receipt of notice to respond to the letter explaining why he/she has exceeded the allotted absences.

D. If an appeal is received, a special Executive Committee Session will be called to determine the Senator’s standing. No more than ten (10) days from the appeal receipt will pass before a response will be given to the appealing member.
E. If the appeal is denied by the Executive Committee, a formal letter of dismissal will be sent to the Senator and her/his supervisor informing them of the Senator's status and the committee's action.

F. If after the ten (10) days of allowable time to appeal has passed and no appeal is received, a formal letter of dismissal will be sent to the Senator and her/his supervisor informing them of the Senator's status and the committee's action.

G. If the dismissal takes place before September 30, the Membership Committee will fill the remaining term with a special election. If the dismissal takes place after September 30, the term will remain vacant until regular elections in March of the following year.

Section 5. Vacancies

A. Vacancies occur due to resignation from the Senate, transfer from area represented, dismissal by the Executive Committee, or termination of employment. If Senator transfers outside the area he/she was elected to represent, but remains a staff employee, he/she may exercise the option to serve out the remainder of the term, subject to Executive Committee approval. Otherwise, vacancies may be filled by the person who received the next highest number of votes in the previous regular election or by appointment of the Executive Committee. When a vacancy is filled, the expiration of the term remains the same. For purposes of re-election, a new member who serves more than eighteen months shall be considered to have served one term. If the position is one that rotates through several colleges/divisions and it was due to rotate out, it will continue that rotation.

Section 6. Ex-officio Nonvoting Members

The Senate will include as an ex-officio nonvoting member, the director from Human Resources.

Article IV - Officers

Officers are elected by the Senate members and serve for a period of one year. The retiring officers shall serve through the end of the April meeting and the new officers shall take office immediately following the April meeting.

Section 1. Duties

A. President - shall be responsible for scheduling and conducting all Senate meetings and shall serve as a member of the University President's Cabinet and on all other University wide committees as directed by the President of the University or until the committee is terminated. The President has the right to appoint current members as her/his representative to sit on any committee as approved by the Executive Committee. The President will select a current Senator to chair the Scholarship Committee, Membership Committee, Communications Committee, Policy and Welfare Committee, Activities Committee, and any ad hoc committees. The President's selections shall be presented to the elected officers for confirmation. If the committee chair is unable to fulfill their responsibilities, the President may select a replacement.

B. Vice President - shall be the President Elect for the next year, and shall assist the President and perform the duties of the President in his/her absence.

C. Secretary - shall work with the Administrative Assistant to provide necessary secretarial services including reviewing minutes, maintaining records, and
distributing information. Shall ensure that mailings are sent to the membership before each regularly scheduled meeting.

D. Parliamentarian - shall ensure that meetings are conducted according to Robert’s Rules of Order Newly Revised and shall ensure adherence to the Bylaws. Shall review any changes or additions pertaining to the Bylaws.

E. Treasurer - Shall be responsible for disbursing funds, preparing annual financial report and budget, and all other financial affairs of the organization.

Section 2. Election Procedures

A. Membership Committee will conduct officer elections and maintain officer approval forms.

B. At the January meeting, an announcement will be made by the President that nominations will be accepted at the February and March meetings.

C. Candidates are eligible to be nominated for one office only.

D. At the February and March meetings, nominations will be accepted from the members for each office. Only current Senate members will be eligible for nomination to any office; ex-officio members are not eligible. Nominations are not valid until the Senate member has received approval from his/her supervisor.

E. The deadline to submit nominations is the March meeting. Candidates will have the option to give a brief speech to the Senate at the March meeting in support of their candidacy.

F. Elections will take place either by online voting prior to or by paper ballot at the April meeting by vote of the currently serving Senators.

G. If the term of the Vice President expires, he/she may remain on the Senate for a fourth year to serve as President.

H. An officer who transfers outside the area he/she was elected to represent, but who remains a staff employee, may exercise the option to serve out the remainder of his/her term of office, with full voting privileges, subject to Executive Committee approval. If an office is vacated, an election by majority vote to select a replacement to serve for the remainder of the term of office will be held at the next regularly scheduled meeting.

Section 3. Vacancies

A. If the Presidency is vacated for any reason, the vacancy will be filled by the President Ex Officio, if the vacancy occurs before the second Tuesday in October at noon. If the vacancy occurs after 12:01 p.m. on October 1, then the Vice President of the Senate will assume the role of President for the remainder of the term, plus their original elected term. Nominations of current members to replace the Vice President will occur at the next regular meeting. If the President Ex Officio is unwilling or unable to assume the role of President, then the Vice President will assume the role of the Presidency.

B. An officer can be removed from service by a simple majority vote by the Senate. If the President is removed, Section 3A applies. If the Vice President is removed, then nominations for a replacement will occur at the next regular meeting.

All officers have the right to appeal in writing to the Executive Committee within sixty (60) days of the Senate vote.

Article V - Executive Committee

Section 1. Membership
The Executive Committee will consist of the President, Vice President, Secretary, Parliamentarian, Treasurer, the immediate Past-President of the Senate and chairpersons from the standing committees. Guests may only attend if invited by the President and only for the meeting(s) their presence is requested.

Section 2. Responsibilities

The Committee's purpose shall be to propose the annual agenda and to consider and possibly refer items, including items submitted by staff, to the appropriate committees for their review and subsequent recommendation to the Senate. The Executive Committee shall have general supervision of the affairs of the Senate between meetings, make recommendations to the Senate, and perform other duties as specified in these bylaws.

The Executive Committee shall be subject to the orders of the Senate, and none of its acts shall conflict with action taken by the Senate.

Article VI - Committees

Section 1. Standing Committees

All Senators will serve on a Standing Committee. Senators may rank their top 3 committee preferences; however the Executive Committee will make final committee assignments. Once Committee chairs are selected, (no later than the first Executive Committee meeting in April), committee meeting dates/times will be established and provided to the Senators.

A. Membership Committee
   The purpose of the Membership Committee is to conduct all Senate representative elections, officer elections, evaluate representation in each of the constituent areas, implement new member orientation and publish the Senate roster.

B. Communications Committee
   The purpose of the Communications Committee is to develop a systematic means for communicating to all staff employees existing University policy, specific actions, and feedback concerning all matters considered by this Senate.

C. Policy and Welfare Committee
   The purpose of the Policy and Welfare Committee is to consider the development of job and supervisory skills, compensation, benefits, and welfare of staff employees not to exclude other areas of concern that are brought to the Senate's attention. The Committee will formulate and recommend university-wide policies and procedures related to employees.

D. Scholarship Committee
   The purpose of the Scholarship Committee is to serve as the fund raising arm of the Senate. The money raised is used to support the scholarships awarded each year to the dependents of staff and to increase the scholarship endowment. The Committee will set yearly goals for its fund raising campaigns and seek new and creative methods to enhance these efforts.

E. Activities Committee
   The purpose of the Activities Committee is to coordinate activities of the Senate. This includes the organization of the following events: the Awards Luncheon, the Benefits Fair, the Fall Fundraiser, and provide assistance with the Annual Golf Tournament and the new Senator Orientation as delegated by the Standing Committee Chairs. The Activities Committee may be asked to organize other events as appropriate.
Section 2. Ad Hoc Committees

Ad Hoc committees shall be created and disbanded as deemed necessary by the Senate President. The committee can consist of both current and former Senate members but must be chaired by a current member of the Senate.

Section 3. University Committees/Councils

The Senate President shall appoint a member of the Senate or an employee from the staff to represent the Senate on University committees/councils when necessary, taking into account the expertise of the member and his/her area of representation. Outgoing members will be asked if they wish to remain part of a communications and resource network. Those wishing to participate will be considered as a potential resource for service on committees. If the appointee is unable to attend meetings and provide activity reports to the Senate, the President may choose a replacement.

Section 4. Committee Responsibilities

A. A written copy of all formal resolutions and committee reports should be submitted to the Executive Committee prior to presentation at the full Senate meeting. Each committee should prepare a report to be presented at the full Senate meeting.
B. Maintain a committee notebook containing: current assignments and letters, completed assignments and letters, minutes of committee meetings, members' attendance at meetings, and a committee members' list.
C. Work on letters and agenda items as assigned.
D. Make recommendations to the Senate. Any material to be included in the Secretary's mailings will be sent to the Secretary (7) seven calendar days before the scheduled meeting.
E. Hold a transition meeting with incoming and outgoing committee members before the June meeting.

Section 5. Staff Ombudsman Evaluation Committee

The Staff Ombudsman is evaluated by a (five) member Ombudsman Evaluation Committee, comprised of 4 (four) members of the Senate and 1 (one) staff member appointed by the Staff Ombudsman. These members are as follows:

- The Immediate Past President (serves as chairperson for the committee)
- The President
- The President Elect
- An elected Senator – 1 (one) Senator elected annually by the Staff Senate.
- An appointed member – 1 (one) staff member appointed annually by the Staff Ombudsman.

All members of the committee should be identified no later than April 30 annually. If the Staff Ombudsman fails to appoint a staff member on his behalf by April 30, then one may be appointed for him by the Chairperson.

The Staff Ombudsman will not be expected to reveal any conversations as a part of the evaluation process.
Article VII - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Senate may adopt.

Article VIII - Amendment of Bylaws

These bylaws may be amended at any regular meeting of the Senate by a simple majority vote of the Senate members, provided that the amendment has been submitted in writing at the previous regular meeting and approved by the Executive Committee.

Standing Rules

Section 1. Meetings

A. Senate Meetings

Meeting Schedule: The Senate shall meet on the second Tuesday of each month at 10:30 a.m. Visitors are welcome at all meetings except when items are considered in executive session.

Agenda: The Presiding Officer shall include on the agenda any item of business submitted in writing to the President at least seven working days before the regularly scheduled meeting. Items sent should indicate expected amount of time needed to present and discuss.

A. Approval of Minutes
B. Special Order of the Day (if any)
   Open Commentary (each speaker is limited to five (5) minutes)
C. President's Report
D. Treasurer's Report
E. Committee Reports
   1. Standing Committees
   2. Ad Hoc Committees
   3. University Committees/Councils
F. Unfinished Business
G. New Business
H. Announcements
I. Adjournments

Executive Session: The President may call a Senate executive session when items to be discussed are considered to be a confidential nature.

B. Executive Committee Meetings

Meeting Schedule: Regular meetings of the Executive Committee shall be held on the last Tuesday of each month. Special meetings of the Executive Committee may be called by the President or shall be called upon the written request of three members of the Board of Executive Committee.

Section 2. Administrative Assistant

A. Purpose: Under general supervision of the President of the Staff Senate, plans, organizes, coordinates, and directs the administrative activities of the Clemson University
Senate. Carries out the directives of the Staff Senate as it represents the Staff in its relations with the University Administration.

B. Position Description: The Administrative Assistant is a paid support staff position, appointed via the usual classified recruitment process. A copy of the administrative assistant position description is on file in the Clemson University Human Resource office. The President of the Staff Senate has the responsibility of annually evaluating this position.

Section 3. Operational Guidelines for Introduction of New or Revised Policy

A. Introduction of Policy: Any Senator may propose a new or revised policy by way of a motion to the floor during the discussion of New Business agenda items. Once a motion is made and approved by the Senate, the President will then assign the issue to the proper standing committee or establish an ad hoc committee if appropriate.

B. Communications: The committee chair will examine the issue with full disclosure to the Senator who introduced the issue and to the Executive Committee.

1. Policy Revision: The committee chair will provide copies of the present policy along with copies of the proposed revised policy to each member of the Senate one month in advance of the vote.

2. New Policy: The committee chair will provide copies of the proposed policy to all members of the Senate one month in advance of the vote.

C. Forwarding the Policy: If the Senate approves the new or revised policy, the proposed policy and a supporting resolution shall be forwarded to the Chief Human Resources Officer for introduction to the Administrative Council. A copy of the resolution will also be forwarded to the President of the University. The Chief Human Resources Officer will provide written notification of the resolve of the Administrative Council to the President of the Senate in an expeditious manner.
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

As a steward of public funds, Clemson University has a responsibility to ensure that all its activities reflect its primary goals of education, scholarly inquiry, public service, and economic development. The public has endowed the University with certain privileges and entrusted it with resources in the expectation that no single party will derive sole benefit or be unjustly enriched from its investment in the University. The public should be confident that Clemson University is a place of rigorous and open inquiry, unencumbered by potential conflicts of commitment or interest (COCI) that might affect the sound judgment of university employees, including faculty and administrators.

Expectations
All Clemson University Employees are expected to:
1. fully and continually disclose professional and relevant personal activities and relationships that create a conflict of commitment or interest or have the appearance of creating a conflict of commitment or interest as required by Clemson University,
2. remedy conflicts of commitment or interest or comply with any management or monitoring plan prescribed by Clemson University,
3. remain aware of the potential for conflicts of commitment or interest, and
4. take initiative to manage, disclose, or resolve conflicts of commitment or interest as appropriate.

All senior administrators have the responsibility to understand and implement this policy, including, as necessary, the adoption of specific procedures for their respective units in furtherance of and in accordance with this policy. It is the responsibility of all managers to facilitate the disclosure, review, and conflict management process. All employees must abide by the conflict of commitment or interest policy or the consequences could be termination or, in some instances, legal action.

Core Values
This policy reflects the following core values:
1. Objectivity and integrity in decision-making: Clemson University’s employees are obligated to make decisions that are in the best interest of the institution, free from any conflict that might place personal interests ahead of the public interest. In particular, Clemson University employees are obligated to make appropriate use of University funds by conducting financial and contractual transactions in the best interest of the institution, free from any conflict that might place personal financial interests ahead of the public interest.
2. Fulfillment of obligations to students: The student-faculty relationship lies at the heart of the academic enterprise. Insulating that relationship from inappropriate pressures is vital to the educational welfare of individual students and to the quality of teaching that the institution provides.
3. Transparency in relationships with external communities: Partnerships with outside enterprises and other economic activities of the University itself should be constituted so as to maintain public confidence in the University as an institution committed to the pursuit of truth and advancement of knowledge. Universities depend on the goodwill and steady support of their alumni, community and government leaders, and many members of the public, who rely on the institutions to uphold standards of academic integrity.
4. Commitment to oversight and management: The University’s leadership and administration must be aware of and deal appropriately with potential conflict of commitment or interest situations, both real and perceived, which may arise in connection with outside professional activities. All Clemson University employees are obligated to disclose potential conflicts and the university is then
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

responsible for providing a conflict of commitment and interest management process that protects the interests of both employees, the University and the public.

Managing Conflicts of Commitment and Conflicts of Interest
Clemson University employs a Conflict of Commitment or Interest (COCI) Management Process intended to protect the interests of employees, the public, and Clemson University. The COCI Management Process is coordinated by the COCI Management Group, which reports to the General Counsel’s office.

COCI Examples in Particular Contexts
Conflicts of commitment or interest are likely to surface during the normal course of University operations and are particularly common in the domain areas noted below. Appendices V through XI provide introductions to typical COCI issues and a discussion of any unique considerations pertinent to that domain. In all domains, potential conflicts must be disclosed.

Violations and Sanctions
No employee may accept any work or compensation that could be reasonably construed as a conflict of commitment or interest. Acceptance of work assignment or compensation without proper prior approval of that is found to be a conflict of commitment or interest may result in disciplinary action including, but not limited to, termination.

Appendices
Appendix I – Conflicts of Commitment or Interest Policy Committee Membership
Appendix II – Definitions
Appendix III – Conflict of Commitment or Interest Affirmation Form
Appendix IV – Managing Conflicts of Commitment or interest
Appendix V – Conflicts of Commitment or Interest in Research and Technology Transfer
Appendix VI – Conflicts of Commitment or Interest in Procurement
Appendix VII – Conflicts of Commitment or Interest in Human Resources
Appendix VIII – Conflicts of Commitment or Interest in Athletic Endorsements and Sponsorships
Appendix IX – Conflicts of Commitment or Interest in Running for and Holding Political Office
Appendix X – Conflicts of Commitment or Interest in Serving on Public, Private, and Institutional Boards and Economic Development Activities
Appendix XI – Conflicts of Commitment or Interest in Outside Professional Activities
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix I - Conflicts of Commitment or Interest Policy Committee Membership

Ms. Vincie Albritton
Associate Director, Clemson University Research Foundation (CURF) and Special Assistant to the Vice President for Research and Economic Development for Business Innovation and Technology Transfer

Ms. Tracy Arwood
Director of Research Compliance and Research Integrity Officer

Dr. George Askew
Chief Operating Officer, Experiment Station, Public Service & Agriculture

Dr. John Ballato (Co-Chair)
Associate Vice President for Research and Economic Development Professor, School of Materials Science and Engineering, College of Engineering and Science

Ms. JoAnna Floyd
Assistant Director of Licensing and Contracts, Clemson University Research Foundation (CURF)

Ms. Katie Hill
Senior Associate Athletic Director

Mr. Michael Nebesky
Director, Procurement Services

Dr. Neil Ogg
Associate Vice President, Public Service & Agriculture

Ms. Michelle Piekutowski
Associate Chief Human Resources Officer

Dr. Caron St. John (Co-Chair)
Associate Dean for Research & Graduate Programs, College of Business & Behavioral Science

Mr. Clayton Steadman
General Counsel
Conflict of Commitment relates to an individual's distribution of effort between obligations to his or her Clemson University employment and participation in activities outside of Clemson University employment. The latter may include such generally encouraged extensions of professional expertise as professional consulting. A conflict of commitment occurs when the pursuit of such outside professional activities involves an investment of time that interferes with the employee's duties and responsibilities. Whenever an individual's outside activities exceed approved time limits or whenever a full-time faculty member's primary professional loyalty is not to Clemson University, a conflict of commitment exists.

Conflict of Interest refers to a situation in which an individual's financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, an individual's professional judgment in exercising any Clemson University duty or responsibility, including the conduct or reporting of research. Typically, a conflict of interest may arise when an individual has the opportunity or appears to have the opportunity to influence the University's business, administrative, academic, research, or other decisions in ways that could lead to financial, professional, or personal gain or advantage of any kind. A conflict of interest exists when an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. A conflict of interest depends on the situation, and not on the character or actions of the individual.

Family means an employee's spouse, an employee's child (including step-child), and any person related to the employee and who either lives at the same address as the employee or who the employee claims as a dependent on the employee's state or federal income tax return.

Federal political office refers to any elected or appointed office or position in any branch, department or unit of the government of the United States of America. This would include but is not limited to: the U.S. House of Representatives, the U.S. Senate and the Federal Judiciary. The term does not include service on an appointed board, commission, study group or advisory committee which is (1) not a full-time appointment and (2) does not provide for compensation or remuneration beyond reimbursement for travel, meals and accommodations associated with service on such board, commission, group or committee.

Financial Interest refers to any current or pending ownership interests (including shares, partnership stake, or derivative interests such as stock options) in a privately-held entity (e.g., in a "start up" company); any current or pending ownership interests (including shares, partnership stake, or derivative interests such as stock options) in a publicly-traded entity, amounting to at least one-half percent (0.5%) of that entity's equity or at least $10,000 in ownership interests (except when the ownership interest is managed by a third party such as a mutual fund); or any income amounting to at least $10,000 per year (other than from employment, consulting, or ownership interests as covered above) -- including for example honoraria, licensing or royalty income.

Full-time employee refers to an employee who works at least .75 FTE and a minimum of 30 hours per week.

Inappropriate use or exploitation of University resources means the un-reimbursed use, for other than University employment responsibilities, of facilities, equipment, supplies or personnel, which members
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

of the public may not use for free. Faculty may not use University resources, including facilities, personnel, equipment, or confidential information, except in a purely incidental way as part of their outside consulting activities or for any other non-University purposes. Inappropriate use of University resources includes the following:

1. Assigning the faculty member’s students, staff or postdoctoral scholars University tasks for purposes of potential or real financial gain of the faculty member rather than the advancement of the scholarly field or the students’ educational needs.

2. Involvement of the faculty member’s students or staff in his or her outside professional activities or business activities without prior approval of the department chair, school director, or dean.

3. Granting access to external entities to Clemson University resources or services for purposes outside the University’s missions, or offering inappropriate favors to outside entities in an attempt to unduly influence them in their dealings with the University.

4. Using for personal gain, or granting unauthorized access to others, of confidential information acquired through conduct of University business or research activities. Confidential information includes, but is not limited to, medical, personnel, student education, or security records of individuals; proprietary knowledge about corporate anticipated material requirements or price actions; and proprietary knowledge of possible new sites for government operations or information about forthcoming programs or selection of contractors or subcontractors in advance of official announcements.

5. Providing preferential access to research results, materials or products generated from University teaching or research activities to an outside entity for personal financial gain. (This would not preclude appropriate licensing arrangements for inventions, or consulting on the basis of sponsored project results where there is significant additional work or expertise involved.)

Institutional Conflict of Interest refers to a financial relationship between Clemson University and an external entity compromising the integrity of institutional decision-making. Such conflicts may arise in situations where Clemson University enters into a financial or business relationship at the institutional level with an external entity that may bring financial gain to the institution or any of its units.

Investigator is defined as the principal investigator, co-principal investigator, or any other individual responsible for the design, conduct, or reporting of the proposed or funded research activities.

Local political office refers to any elected or appointed office or position in any branch, department or unit of a municipal or county government. This would include any local, municipal or county authority.

Outside Professional Activities (OPA) are professional activities performed outside University auspices that are substantively related to a faculty or staff member’s professional knowledge, i.e., area of expertise and duties at the University. OPAs do not include activities that do not relate to a faculty or staff member’s professional knowledge or duties at the University. Included is OPA for a company owned by oneself or by a member of one’s immediate family. Note there can be a conflict of commitment from an employee’s non-compensated professional activity, e.g., volunteering in one’s professional area, etc. When in doubt, the employee must discuss the potential conflict with his or her unit head and/or request permission.

OPA is an activity that is: 1) not within one’s Official Capacity (this term is defined below and is from the ethics portion of state statute); 2) performed for any entity, public or private, other than the University employer; 3) undertaken with or without compensation, including an equity interest in an external
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

entity; and 4) based upon the professional knowledge, experience and abilities of the employee for which that person is employed by the University

OPA is encouraged provided such activities:
1. Present no conflict of interest and are kept within reasonable bounds.
2. Have advanced approval to ensure that the activity is beneficial to Clemson University in that no conflict of interest exists, no conflict with University duties and responsibilities is present, and the total amount of consulting does not interfere with the obligation of the individual to carry out all primary University duties in a timely and effective manner.
3. Do not involve inappropriate use or exploitation of University resources.
4. Do not make use of the name of Clemson University or any of its constituent units/institutions for any purpose other than professional identification.
5. Do not interfere or compete with the University’s mission, or with the employee’s ability or willingness to perform his or her job responsibilities.
6. Do not claim, explicitly or implicitly, any University or institutional responsibility for the conduct or outcome of such activities, including any testimony given as an OPA expert witness. Personal consulting contracts must not imply that the consultant is an agent of Clemson University. In this regard, Clemson University letterhead stationery or similar indicators of University affiliation must not be used when transacting consulting activities.

a. University employment responsibilities consist of those duties assigned to the employee by the University, including but not limited to any specific duties outlined in the employee’s letter of appointment, any applicable policies, the employee’s written job description, and any additional assignments made by the employee’s supervisors.

b. Official Capacity will be as defined in the current appropriate section of the SC Code of Laws dealing with ethics, currently Section 8-13-100 (30) where “Official Capacity” means activities which:
   i. arise because of the position held by the public official, public member, or public employee;
   ii. involve matters which fall within the official responsibility of the agency, the public official, the public member, or the public employee; and
   iii. are services the agency would normally provide and for which the public official, public member, or public employee would be subject to expense reimbursement by the agency with which the public official, public member, or public employee is associated.

iv. Unit head refers to the person with administrative responsibility for the unit in which the employee resides, whether in an academic or non-academic department or other administrative unit.

v. Inappropriate use or exploitation of University resources means the un-reimbursed use, for other than University employment responsibilities, of facilities, equipment, supplies or personnel which members of the general public may not freely use.

Part-time employee refers to an employee who works less than .75 FTE and less than 30 hours per week.

Significant Financial Interest refers to salary or other payments for services such as consulting fees or honoraria; equity, interests, such as stock and stock options; and intellectual property rights, such as patents, copyrights, and royalties from such rights, that:
1. In the case of salary, royalties (including those distributed to the individual through the University), or other payments, including consulting fees or honoraria, when aggregated from a single entity for the employee and his or her family, are expected to exceed $10,000 over the next twelve months; or

2. In the case of equity interest in publicly-traded entities, when aggregated for the employee and his or her family, meets either of the following tests: exceeds $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value or represents more than a (5%) ownership interest in any single entity; or

3. In the case of entities that are not publicly traded, consists of any equity interest held by the employee or his or her family.

**State-wide political office** refers to any elected or appointed office or position in any branch, department or unit of state government of any state. This would include but is not limited to: the General Assembly, any Constitutional office, and any statewide department or agency. This term does not include service on an appointed board, commission, study group or committee which is [1] not a full-time appointment and [2] does not provide for compensation or remuneration beyond reimbursement for travel, meals and accommodations associated with service on such board, commission, group or committee.
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix III – Conflict of Commitment or Interest Affirmation Form

I, ________________________________, acknowledge that I have read and understand Clemson University’s Conflict of Commitment or Interest Policy and I hereby agree that I will abide by the terms of this Policy during my employment at the University.

I understand that the University’s Conflict of Commitment or Interest Policy incorporates a number of other University policies and procedures and by signing this document, I represent that I will abide by the terms and conditions of this policy, which include but are not limited to:

- Institutional Conflict of Commitment or Interest Policy
- Conflicts of Commitment or Interest in Procurement (see: Appendix VI)
- Conflicts of Commitment or Interest in Outside Professional Activities (see: Appendix XI)
- Conflicts of Commitment or Interest in Research and Technology Transfer (see: Appendix V)
- Conflicts of Commitment or Interest in Running for and Holding Political Office (see: Appendix IX)

My signature below acknowledges that I am in compliance with the terms of these policies and I agree to promptly disclose any future facts or situations that are required to be disclosed or approved according to the terms of these policies.

Signature: _______________________________________

Name: __________________________________________

Date: ___________________________________________
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix IV – Managing Conflicts of Commitment or Interest

Clemson University employs a **Conflict of Commitment or Interest (COCI) Management Process** intended to protect the interests of employees, the public, and Clemson University. The COCI Management Process is coordinated by the **COCI Management Group**, which reports to the General Counsel’s office. The ex officio members of the COCI Management Group include General Counsel, the Director of Technology Transfer, the Director of Research Compliance, the Vice President for Research, the Vice President for Academic Affairs, the Vice President for Economic Development, and the Chief Human Resources Officer, or their designees. Ad hoc representatives to the committee, depending upon the circumstances, may include the Associate Deans of Research, elected members of grievance committees, or representatives from the Staff, Faculty, and Extension Senates. The Chair of the COCI Management Group shall be appointed by General Counsel. The Chair, in consultation with other group members, will determine the composition of any particular meeting called to address a COCI management plan issue.

The Clemson University COCI Management Process requires the following:

1. All employees shall sign a "COCI Affirmation Form" at least annually, on or before January 1 of each year. The completed Form shall be forwarded to the appropriate Vice President. The Vice President shall be responsible for ensuring that all employees have completed their annual COCI Affirmation Form and copies of the annual Form shall be maintained by that Vice President for a minimum of five years.

2. All employees shall be required to complete a "COCI Disclosure Form" prior to the employee or a member of their family (see definition) engaging in any activity creating a conflict of commitment or conflict of interest (see definition). Forms shall be submitted for approval to the appropriate dean or division director. Any change in the information contained in the COCI Disclosure Form requires a new Form be filled out and submitted within 15 days of the change.

3. Disclosure Forms and Management Plans, if required, shall be submitted to the appropriate dean or unit head for review and approval. The dean or unit head shall provide written notice of approval or disapproval to the employee no less than 15 days from receipt of a properly completed Disclosure Form. The employee and his or her unit head or dean shall develop any necessary COCI Management Plan. Any Management Plan must be approved by the dean or unit head and the dean or unit head shall be responsible for monitoring compliance with the approved Plan. A copy of the written approval or disapproval, and any approved Management Plans, shall be forwarded to the COCI Management Group. Disclosure Forms and Management Plans for a Dean, Division Director or Vice President shall be submitted directly to the COCI Management Group for review and approval. The COCI Management Group shall audit Disclosure Forms and Management Plans for compliance and consistency and shall have the right to reverse a decision or amend a Management Plan on the grounds of nonconformance with the University’s COCI policies.

4. In the event an activity creating a potential conflict of commitment or conflict of interest is not approved by the dean or unit head, the employee shall have the right to appeal the disapproval to the COCI Management Group. Appeals shall be submitted to the Group by delivering a written letter of appeal, stating the basis for the appeal, to the Office of General Counsel no less than 7 working days before the next regularly scheduled meeting of the Group to ensure consideration. The Group will review the appeal and may either uphold or reverse the disapproval.

5. The COCI Management Group shall meet regularly and shall post notice of its meetings.

6. The COCI Management Group will provide advice on the management of any potential conflict of commitment or conflict of interest. A dean, unit head or employee may submit a request for
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

management of a potential conflict of commitment or conflict of interest to the Group for consideration. Requests should be submitted to the Group no less than 7 days in advance of the next regularly scheduled meeting to ensure consideration at that meeting.

7. Employees are responsible for disclosing potential conflicts of commitment or conflicts of interest and for complying with any COCI Management Plans. The COCI Management Group shall report failure to comply with a COCI Management Plan, or failure to submit a Disclosure Form or Affirmation Form in an accurate and timely manner, to the appropriate Vice President (See, Paragraph 3, above). The responsible Vice President shall determine what, if any, disciplinary action may be necessary. In the event of a failure to report or comply on the part of a Vice President, the COCI Management Group shall report such violation to the President for appropriate action. Penalties for failure to comply with the requirements related to Disclosure Forms, Affirmation Forms, and Management Plans shall be the same as for any other violation of University policy and may range from a verbal reprimand to dismissal based upon the facts and circumstances of each case.
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix V - Conflict of Commitment or Interest in Research and Technology Transfer

University policies and procedures and federal regulations require disclosure and management of actual or apparent conflicts of interests and/or commitment related to research or scholarly activities. This policy applies to all Clemson University employees and any individual, regardless of employment type or status, involved in research including the design, conduct or reporting of such research.

Activities that may involve conflicts of commitment or interest can be categorized under four general headings: first, those that are allowable and do not need to be reported because, although they appear to involve such a conflict, they in fact do not; second, those that are questionable and must be reported, but that may be allowable with administrative approval provided the activity meets the requirements of Outside Professional Activities (Appendix XI); third, those that generally are not allowable because they have the potential for diminishing the public trust in the objectivity of state employees; and fourth, those that are prohibited by state law.

Examples of Activities that are Generally Allowed Without Review
The examples cited below involve activities external to University employment which may appear to create a conflict, but do not have the potential for affecting the objectivity of the employee's performance of University responsibilities.

1. An employee receiving royalties from the publication of books or as an inventor under Clemson University IP policy.
2. An employee receiving nominal compensation, in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review panels, presentation of scholarly works, and participation in accreditation reviews.

It is important to note that any of the above situations might give rise to a conflict of commitment if the employee is not fulfilling his or her university employment responsibilities.

Examples of Activities that are Generally Allowed With Review
The examples cited below suggest possibilities of conflicting loyalties that can impair objectivity, but disclosure and resulting analysis of relationships may render the activity permissible, or the activity will be permissible with an appropriate plan for managing and/or monitoring the activity.

1. An employee having an equity interest in a corporation, the exclusive function of which is to accommodate the employee's external consulting activities.
2. An employee serving on the board of directors or advisory board of an enterprise that provides financial support for the employee or a member of his or her immediate family to conduct University research.
3. An employee serving in an executive position in a for-profit or not-for-profit business which conducts research or other activities in an area related to the University duties of the employee.
4. An employee having Significant Financial Interest in a for-profit business which conducts research or other activities in an area related to the employee's University duties.
5. An employee having a Significant Financial Interest in a company that competes with the University for corporate and/or governmental research contracts and grants.

Examples of Activities that are Generally Not Allowed, but may be allowed with proper review and an explicit management plan
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

The examples cited below involve situations that are not generally permissible, because they involve potential conflicts of commitment or interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. Before proceeding with such an endeavor, the employee would have to have an approved management plan that overcomes the presumption of conflict by demonstrating that the apparent conflict can in fact be managed so that his/her objectivity is not affected and University interests will not be damaged.

1. An employee participating in University research involving a technology owned by or contractually obligated to (by license or exercise of an option to license, or otherwise) a business in which the individual or a member of his or her family has a consulting relationship, has a Significant Financial Interest, or holds an executive position.

2. An employee serving as an expert witness for pay in litigation which requires the disclosure of research data, compromising the ability to publish.

3. An employee assigning students, post-doctoral fellows or other trainees to University research projects sponsored by a business in which the individual or a member of his or her family has a Significant Financial Interest. Students may perform research at Clemson University benefiting a company in which an employee holds an ownership interest only pursuant to a sponsored research agreement. In such case, students may not be assigned to the project unless they are informed in writing by their supervisor that
   a. their research is conducted on behalf of the University and not the company sponsor, and
   b. the students report to and take direction from their supervisor and not the company.

4. A student employed by a company in which a Clemson University employee has a financial interest and that employee
   a. teaches a course in which the student is enrolled; or
   b. is a member of the student’s thesis or dissertation committee; or
   c. is the student’s advisor or the director of the student’s thesis or dissertation research; or
   d. is in a position to affect the student’s curricular or extra-curricular activities.

5. An employee making referrals of business which is ordinarily performed by the University to an external enterprise in which the individual or a member of his or her immediate family has a Significant Financial Interest.

6. An employee referring his/her students to an external business or enterprise in which the individual or a member of his or her family has a Significant Financial Interest.

7. An employee consulting for a company with regard to the same subject matter for which he or she also acts as an investigator under a research agreement sponsored by the company. This activity should not be allowed ordinarily, but there may be circumstances where it would be necessary, such as where a licensee of University intellectual property sponsors further research on the technology licensed, but also requires the services of the inventor/investigator to "teach" or demonstrate to licensee employees a method or use of the licensed technology. In such cases, the activity may be allowed with the appropriate management plan.

8. Due to the high level of fiduciary duty that an officer of a corporation owes the corporation, a full-time employee should not be involved at an executive level in the management of a company that has a contract, a research or license agreement for example, with the University. In the case of a new company formed to commercialize a Clemson University invention, however, it may be necessary for the faculty inventor/entrepreneur to hold a management position in the new company temporarily until such time as investors are brought in and professional management retained. In that situation, the employee’s management responsibilities should decrease over time and cease altogether as soon as possible. In the alternative, the employee must seek to decrease his
or her University appointment commensurate with the time that will be devoted to employment duties with the company.

9. Management of an outside company may give rise to a conflict of commitment, even when the company has no contract with the University; and involvement in management must be disclosed and may be permitted only when the activity does not interfere with the employee's University duties.

Federal Conflicts of Interest Compliance
In addition to the procedures for reporting external activities for pay and general conflicts of interest and commitment set forth in this policy, Federal funding agencies require that the University manage, reduce, or eliminate any actual or potential conflicts of interest that may exist in relation to instruction, research, and service activities funded by the Federal government. The primary purpose of the Federal regulations is to prevent bias in the design, conduct, and reporting of federally funded research. This policy is designed to address those concerns and to comply with Federal research policies, such as those of the National Science Foundation, National Institutes of Health, and the U.S. Department of Health and Human Services. It is the policy of Clemson University to comply with the rules applicable to federally funded projects for all externally funded research.

Any investigator submitting a grant or contract proposal for external funding through the University, or conducting research or other activities pursuant to such a Federal grant or contract, must report any Significant Financial Interest that would reasonably appear to affect the proposed or funded research activities. Under the Federal regulations, if a Significant Financial Interest may directly and significantly affect the design, conduct, or reporting of the research, a conflict will be deemed to exist.

Additionally, when the project or proposed project requires the use of human subjects and approval from the Institutional Review Board, the investigator must disclose any amount of payment and any equity holding by the employee or his or her family to the Institutional Review Board as well as the COCI Management Group.

Significant Financial Interests must be disclosed by the employee annually and at the time of the submission of a research proposal in accordance with procedures set forth in Appendix IV of this Clemson University policy. The Office of Sponsored Programs or College will not submit a proposal to a funding agency if it does not have on file a Conflict of Interest Affirmation form for all project investigators. The Investigator’s Disclosure Statement must be updated by each individual annually during an award period and at any time new Significant Financial Interests arise.

Clemson University will not execute award documents or allow expenditures of research or service funds from external sponsors if the employee’s Conflict of Interest Disclosure form required by this policy is not completed or if the review and resolution of any conflicts is not yet completed and approved. Conflicts which cannot be satisfactorily managed, reduced, or eliminated will be disclosed to the sponsoring Federal agency.

Human Subjects Research
Absent compelling circumstances, an employee who has a Significant Financial Interest in a company sponsoring human subjects research may not conduct such research.
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix VI - Conflicts of Commitment or Interest in Procurement

This section covers the conflict of commitment or interest that arise in procurement/contracting. This pertains to any contract, agreement, or payment made between Clemson University and a vendor, contractor, subcontractor, or anyone being paid by the University that is not being paid as an employee of the University.

A University employee has a procurement related conflict of commitment or interest when he or she, or any member of the employee’s family, has a personal interest in an activity that affects, or has the appearance of affecting, the objectivity of the employee’s decision making with respect to the employee’s university responsibilities related to the dealings of any vendor, contractor, of the University. Any activity related to contracting with these vendors, either formally or informally, is not allowed.

Actual or apparent conflicts of commitment or interest in procurement that must be disclosed include:
1. Conducting business with an individual or entity in which you or your family has a personal, managerial or financial interest;
2. Maintaining an external consulting or other business or employment relationship (including all arrangements made in which you are compensated in any way) with a supplier, vendor or competitor of the University, which a reasonable person would expect to impair, or which appear to impair, your independence of judgment in the performance of your University duties;
3. Competing with the University, or competing with other external vendors for University business, whether as an individual, as an employee of another organization, or through a separate entity owned or operated by you or your family that exists outside of your professional obligations to the University;
4. Accepting personal gifts or special favors from individuals or entities that provide, or seek to provide, services or supplies to the University. This does not include occasional gifts of nominal or modest value (less than $25.00 in value or isolated invitations to lunch or dinner);

Actual or apparent conflicts that cannot be adequately managed are not acceptable and are prohibited under this policy include:
1. Conditioning any actual or potential business relationship with the University on a charitable gift or contribution to the University;
2. Participating in any way in any negotiation or transaction between the University and a business entity in which you or your family has a personal, managerial or substantial financial interest;
3. Soliciting personal gifts or special favors from individuals or entities that provide, or seek to provide, services or supplies to the University;

Procedures for Conflicts of commitment or Interest Involving Business Practices:
In addition to the procedures for completing the COCI Affirmation and COCI Disclosure forms, Procurement may also require additional documentation and/or affirmation that no conflicts exist when registering a new vendor or as part of awarding any contract with a value >$10,000. Procurement also may identify actual or apparent conflicts of commitment or interest in the course of performing their duties. In the event situation arises that is, or appears to be, a conflict of commitment or interest, Procurement will request that a disclosure be made under this policy. In the event that such situation arises during the term of an existing contract or during an ongoing procurement, Procurement may
prohibit or suspend the contract, procurement or any payment until the apparent conflict is resolved/managed in accordance with this policy and the terms of such contract.
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix VII - Conflicts of Commitment or Interest in Human Resources

Nepotism:
Clemson University adheres to the State of South Carolina’s Ethics Act, SC Statutes Annotated § 8-13-700 et seq., which states that no public employee may cause the employment, appointment, promotion, reassignment, transfer, or advancement of a family member to a State or local office or position over which the public employee has supervisory or managerial authority and prohibits public employees from participating in an action relating to the discipline of the employee’s family member. Violations of the SC Ethics Act may also be investigated and sanctioned by the State of South Carolina Ethics Commission and the South Carolina Attorney General; SC Statutes Annotated § 8-13-780.

Employees in supervisory or managerial positions that are in conflict with the above statement must develop a management plan to be approved by their Dean or Vice President.

Dual Career Employment:
Dual Career employment refers to job searches for faculty and staff spouses or family members. Persons related to each other may be employed at Clemson University, including the same college or department (budget unit). However, each individual must be hired on his or her own merits and not simply because the individual is related to a person that the University wishes to recruit. Hiring officials must determine that all individuals chosen for employment are qualified and suitable hires for the appropriate position within the University.

Employees should remember that the State of South Carolina Ethics Act prohibits a public employee from knowingly using his or her position to obtain an economic interest for him- or herself or a member of his or her family or to cause the employment, appointment, transfer, promotion or advancement of a family member (SC Statutes Annotated § 8-13-700 et seq.). Therefore, an employee should be careful not use his or her position as a University employee in an employment decision related to a spouse or family member.
In addition to compliance with all Clemson University policies and procedures related to conflict of interest or conflict of commitment, members of the athletic department must be in compliance with related rules from the National Collegiate Athletic Association (NCAA) related to sponsorships and non-University compensation related to their association with athletics. Following are specific citations from the NCAA (Section 11.2.2 of the By-Laws of the NCAA).

Athletically-Related Income

"Contractual agreements, including letters of appointment, between a full-time or part-time athletics department staff member (excluding secretarial or clerical personnel) and an institution shall include the stipulation that the staff member is required to provide a written detailed account annually to the president or chancellor for all athletically-related income and benefits from sources outside the institution. In addition, the approval of all athletically related income and benefits shall be consistent with the institution's policy related to outside income and benefits applicable to all full-time or part-time employees. Sources of such income shall include, but are not limited to, the following: (Revised: 1/10/92, 1/11/94, 1/10/95, 4/26/01 effective 8/1/01, 3/8/06): income from annuities; Sports camps; Housing benefits (including preferential housing arrangements); Country club memberships; Complimentary ticket sales; Television and radio programs; and Endorsement or consultation contracts with athletics shoe, apparel or equipment manufacturers."

Clemson University administers these rules by inclusion of key requirements in its coaches’ contracts and through annual reporting. Following are examples of contract language.

1. University Endorsements: Coach understands that the University has entered into one or more endorsement agreements for goods and services, including but not limited to those for apparel and may enter into agreements with such providers and other providers in the future. Coach agrees to abide by and perform the roles required by the provider in all such existing agreements and all such agreements that the University may enter into in the future and agrees to accept the benefits as agreed by the University with the provider.

2. Other Endorsements: Coach may enter into endorsement agreements not covered by (6) above and retain all income derived therefrom; provided that all such endorsement agreements are in writing, do not conflict with existing athletic department agreements or any other existing University contracts, do not discredit or embarrass the University, do not extend beyond the term of this Employment Agreement, would be coterminous with Coach’s termination of employment as Head Coach at the University, and are subject to the University’s trademark licensing program, and the prior approval of the University’s Athletics Director.

3. On-Campus Camp: Coach may conduct youth camps so long as he/she is employed as Head Coach at Clemson provided he/she strictly complies with all policies related to the conduct of camps at Clemson University, including those for facility use, payment of expenses, and schedule and reporting.

4. Other Endorsements: Coach may enter into endorsement agreements not covered by subparagraph (3) above and may retain all income derived there from; provided, however, that all such endorsement requests must be in writing, must not conflict with existing Athletics Department or University agreements, must not discredit or embarrass the University, must not extend beyond the Term of this Agreement, must be coterminous with Coach’s termination of employment as Head Football Coach at the University, must be subject to the University’s trademark licensing program, and must be subject to the prior approval of the Athletics Director.
Clemson University
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

A declaration is to be completed and submitted at least annually by all full-time members of the athletic department. The purpose is declaration, which is available through the Athletic Department, is to both make a request for prospective athletically-related earnings and to declare past earnings.
Institutional Policy on Conflicts of Commitment or Conflicts of Interest

Appendix IX - Conflicts of Commitment or Interest in Running for and Holding Political Office

All full-time and part-time employees of Clemson University are expected to discharge all duties and responsibilities of their employment. Serving in elected and/or appointed positions in Federal, State or local government can impinge on an employee's ability to devote appropriate time and energy to their employment. Therefore, the University has defined certain activities which are permissible and those activities that are not. These are described as follows:

1. **Full-time employees seeking state-wide office**: A full-time employee may seek state-wide office provided they have the recommendation of their immediate supervisor and the prior, written approval of their respective Vice President, Chief or Division Director. Approval shall be withheld if the Vice President, Chief or Division Director determines that activities related to running for office cannot be conducted without unreasonably interfering with the employee's University responsibilities. Supervisors have the authority, but are not required, to adjust work schedules or approve personal leave in order to allow an employee to run for state-wide office. Employees may not use University time, resources or personnel in support of any campaign for state-wide office.

2. **Full-time employees holding state-wide office**: A full-time employee may not hold state-wide political office. In the event a full-time employee has run for and won state-wide office, that employee must take one of the following actions prior to assuming office: [1] resign from full-time employment with the University; [2] accept part-time employment with the University, upon the recommendation of the employee's immediate supervisor and with the approval of the appropriate Vice President, Chief or Division Director; or [3] take leave or sabbatical for the period of time when the employee will be holding state-wide office, provided such leave or sabbatical is approved by the University. An employee who does not take one of these three actions will be terminated immediately upon assumption of any state-wide office.

3. **Part-time employees holding political office**: Part-time employees may seek and/or hold Federal, state or local political office upon the recommendation of their immediate supervisor and with the prior, written approval of their respective Vice President, Chief or Division Director. Approval shall be withheld if, in the opinion of the supervisor, holding such office will [1] unreasonably interfere with the employee's ability to carry out the duties and responsibilities of their employment by Clemson or [2] create an unmanageable conflict of commitment or interest. Employees may not use University time, resources or personnel in support of any campaign for political office.

4. **Employees seeking and/or holding local political office**: Part-time and full-time employees may seek and/or hold local political office upon the recommendation of their immediate supervisor and with the prior, written approval of their Vice President, Chief or Division Director. Approval shall be withheld if, in the opinion of the Vice President, Chief or Division Director, holding such office will [1] unreasonably interfere with the employee's ability to carry out the duties and responsibilities of their employment by Clemson or [2] create an unmanageable conflict of commitment or interest. Employees may not use University time, resources or personnel in support of any campaign for local political office.

5. **Full-time employees seeking and/or holding federal political office**: A full-time employee may seek federal office upon the recommendation of their immediate supervisor and with the prior, written approval of their Vice President, Chief or Division Director. Approval shall be withheld if the Vice President, Chief or Division Director determines that activities related to running for office cannot be conducted without unreasonably interfering with the employee's University responsibilities. Supervisors have the authority, but are not required, to adjust work schedules or approve personal leave in order to allow an employee to run for federal office. Employees may not use University time, resources or personnel in support of any campaign for federal office. A full-time employee...
OPA Approval Form must be used. This form may be revised by appropriate University authorities from time to time, and employees should consult with their unit head to ensure they are using the current form.

The OPA request must be submitted at least 15 working days prior to the activity and dean, school director, or unit head shall render final approval or disapproval of a request no later than 15 working days from the date of receipt of the request.

Non-compensated consulting (i.e., public service in one's area of professional expertise) must also receive prior approval whenever the potential for a conflict of commitment or a conflict of interest exists. It is the employee's responsibility to assess whether the potential for a conflict of commitment or a conflict of interest in non-compensated consulting exists. When in doubt permission should be requested.

Prior approval must be obtained for use of University equipment or facilities, or the employment of University faculty, staff or students in connection with any OPA or consulting activity. The inconsequential use of office-based computing equipment and telephone equipment (e.g. the exchange of e-mails or local telephone calls with a consulting client) is permitted without prior approval. If University resources are to be used, the employee will have to pay the fair market value for the use of such equipment and or services.

The OPA Approval Form must be submitted and approved for each proposed consulting arrangement each fiscal year (July 1 through June 30). The number of days of the proposed consultancy must be provided on the form. Any changes to the OPA require and submission of an updated OPA Approval Form and additional approvals.

Ownership (by an employee, her/his spouse, and any dependent children or any children occupying the same residence), as a principal, officer, director, partner or other like status, of an interest in a business relating to one's profession must be disclosed to the unit head. This disclosure must provide the full details of one's relationship to the business, one's obligations to the business, how the relationship might impact one's teaching and research obligations to Clemson University, what potential conflict of commitment or conflict of interest could exist, how conflict of commitment or conflict of interest will be avoided, etc.

If an OPA agreement involves an employee assigning rights in intellectual property to the client, and if the subject area or field of such intellectual property is closely related to or the same as a field of research being actively pursued by the employee as part of his/her University responsibilities, or logically anticipated as part of such responsibilities, the employee must inform the University, i.e., unit head, dean or director in detail of such potential assignment and notify or authorize the University to notify the client of possible vested interests in such property held by Clemson University.
The Staff Senate shall deliver an amount to be specified annually to Clemson University to support the fund named above. The level of funding in any given year depends upon the level specified annually on the commitment for that year.

The purpose of the fund is to recognize and provide financial assistance to children of currently employed full-time Clemson University staff members. The student applicants will be required to provide supplemental documentation defining their eligibility to participate. An even number of scholarships will be awarded each year. Of every two scholarships, one scholarship will be awarded based on academic achievement, and a second will be awarded to students demonstrating financial need. The scholarships are not automatically renewable and the students must reapply each year.

This revision changes the name of the endowment from Classified Staff Senate Annual Scholarship to Staff Senate Annual Scholarship – Revised, and supersedes the fund agreement dated 7/16/91, the addendum dated 9/22/92, and the revision dated 1/13/2001.

This program will be administered in accordance with established Clemson University Policies for Administering Annual Scholarships, Awards, and Grants-in-Aid.

Jennifer J. Peay
Scholarship Committee

A. Neill Cameron, Jr.
Clemson University Foundation

4/5/07
Date
Originally established by the Classified Staff Commission in 1992. The endowment income governed through Clemson University Foundation policies and procedures will recognize and provide financial assistance to children of currently employed full-time Clemson University staff members. The student applicants will be required to provide supplemental documentation defining their eligibility to participate. An even number of scholarships will be awarded each year. Of every two scholarships, one scholarship will be awarded based on academic achievement, and a second will be awarded to students demonstrating financial need. The scholarships are not automatically renewable and the students must reapply each year.

This revision changes the name of the endowment from the *Classified Staff Senate Endowed Scholarship* to *Staff Senate Endowed Scholarship*, and supersedes the fund agreement dated 9/30/92 and the revision dated 6/13/01.

Thomas Green Clemson believed that one person could make a difference. An endowment is the foundation upon which Clemson University was built and will help Clemson continue to provide quality education in perpetuity.

Jennifer J. Peay  
Scholarship Committee  

A. Neill Cameron, Jr.  
Clemson University Foundation  

4/11/07  
Date