

**University of Arkansas System Division of Agriculture  
Conflict of Interest Policy**

This University of Arkansas System Division of Agriculture (“Division”) Conflict of Interest Policy is established pursuant to University of Arkansas Board Policy 330.1, which states “The President shall assure that each campus of the University, including the Division of Agriculture, the Arkansas Archeological Survey, the Criminal Justice Institute and the University of Arkansas System Office establish conflict of interest policies applicable to employees at the campus, division or unit ...” This policy is intended to assure adequate disclosure of conflicts of interest and to provide a method for resolving such conflicts.

Conflicts of interest are not necessarily unwarranted, unethical, or illegal. Furthermore, conflicts of interest are not always avoidable.

On an annual basis, every employee of the Division, whether administration, faculty, or staff, shall complete the Disclosure of Potential Conflict of Interest form. The employee should identify on the form any relationships or activities that might give rise to a conflict, or the appearance thereof, with their duties, responsibilities, or obligations to the Division.

If an event occurs during the year that could create the potential for an actual conflict or the appearance of a conflict of interest, e.g., an employee receives an offer of a trip (in-state or out) paid for by an outside public/private business entity/individual or an offer of outside employment, this Disclosure of Potential Conflict of Interest form is required to be completed and approved or disapproved by the Associate Vice President/Dean before the activity takes place.

This Disclosure of Potential Conflict of Interest form must be completed in addition to any travel or outside employment form that is required. To be clear, the Disclosure of Potential Conflict of Interest form does not take the place of the required travel or outside employment form.

**Acceptance of Gifts Prohibited.** The University of Arkansas System Division of Agriculture is considered a “governmental body” and all employees are considered “public employees.” Under Arkansas law, Ark. Code Ann. §21-8-801, public employees are prohibited from accepting “gifts” for the performance of the duties and responsibilities of his or her office or position. The Arkansas Ethics Commission’s “Rules on Gifts” provides additional guidance on “gifts” and can be found at this link:

[www.arkansasethics.com/rules/2017%20draft%20rules/FINAL%20Rules%20on%20Gifts02.pdf](http://www.arkansasethics.com/rules/2017%20draft%20rules/FINAL%20Rules%20on%20Gifts02.pdf)

A gift means anything valued at more than \$100, which includes, but is not limited to, any payment, entertainment, advance, or services. The giving or receiving of food, lodging, or travel which bears a relationship to the employee’s office and when the employee is appearing in an official capacity, is not considered a gift. However, depending upon who is paying for the food, lodging and travel, a potential conflict of interest may be created and would require the completion of the disclosure form and approval prior to the acceptance of the food, lodging and travel.

A trip taken on behalf of the Division of Agriculture in an employee's official capacity as a Division employee and paid for by the Division would not require a disclosure form to be filed. However, entertainment offered during that trip and paid for by a public/private business entity/individual could create the potential for a conflict of interest, such that a disclosure form would need to be filed and the entertainment approved prior accepting the offer for entertainment.

Disclosures should be made as early as possible to enable those reviewing them to consider what action, if any, needs to be taken regarding any potential conflicts of interest. The failure to disclose situations that have the potential for or involve actual conflicts of interest may be unethical and/or illegal.

**Conflict of Interest.** A conflict of interest exists when an employee may have the opportunity, directly, or indirectly, to secure personal gain or financial benefit to self or others, give improper advantage to self or others, or interfere with objective preservation, generation, or public dissemination of knowledge through influencing administrative, business or academic decisions of the Division.

The following list provides examples of situations, which may involve conflicts of interest and must be disclosed. This list is not exhaustive. Any situation that has the appearance of or potential for a conflict of interest must be disclosed.

- Employee or employee's immediate family member (spouse, children, sister, brother, parents, grandparents) has an ownership, management, or other relationship with an organization or entity doing business with the Division of Agriculture;
- Fees and/or travel provided to an employee for professional services including consulting, speaking, reviewing projects/programs, or expert testimony except for time serving on review panels for competitive grants, outside reviews or accreditations for other institutions, or invited addresses and workshops with other universities and professional societies with printed agendas;
- Influencing Division decisions or purchases to obtain personal benefit or benefit for others;
- Participation in outside business activities including personal commercial enterprises (also requires use of annual leave if done during business hours);
- Teaching courses, seminars, or workshops not for the Division of Agriculture outside of defined appointment;
- Accepting private payment, income, gifts, royalties, or other benefits associated with Division of Agriculture research;
- Income from and ownership of intellectual property; and/or
- Acceptance of gifts, gratuities, travel expenses or transportation (including but not limited to plane, bus, train, or car), entertainment, expeditions, or special favors offered because of employee's Division of Agriculture position.

**Disclosure.** Every employee shall complete the Disclosure of Potential Conflict of Interest form attached to this policy on an annual basis. Copies shall be maintained in the employee's personnel file.

In addition to completing the disclosure form annually, anytime that an employee desires to participate in an activity in which a potential or actual conflict of interest exists, that employee shall submit to his/her

immediate supervisor the Disclosure of Potential Conflict of Interest form along with a report detailing the circumstances creating the potential or actual conflict. The form should be submitted a minimum of 30 working days prior to the activity in which the employee wishes to participate.

Within ten (10) working days after this submission the immediate supervisor shall consult with the employee, determine whether an actual or potential conflict of interest exists, and submit the form, the employee's detailed report of the activity and the immediate supervisor's determination to the Center/Station/Unit/District supervisor.

The immediate supervisor will approve the activity if no conflict is found to exist and submit the form to the Center/Station/Unit/District supervisor. If a conflict is found to exist the immediate supervisor will submit the form and the detailed report to the Center/Station/Unit/District supervisor with either the immediate supervisor's disapproval of the activity or, depending upon the consequences for the Division of Agriculture, the immediate supervisor's approval of the activity along with a management plan with detailed measures to mitigate the conflict.

A conflict of interest management plan would be required when a conflict of interest may exist, but the activity is within the best interest of the Division of Agriculture, and measures could be taken to mitigate the conflict of interest. The management plan may include, but is not limited to, the following actions:

1. Monitoring of an employee's responsibilities, duties, or tasks;
2. Modification of an employee's responsibilities, duties, or tasks;
3. Public disclosure of the conflict of interest;
4. Divestiture of a financial interest creating a conflict of interest; or
5. Severance of the relationship creating the conflict of interest.

Within ten (10) working days of receipt of the recommendation from the immediate supervisor the Center/Station/Unit/District supervisor will review and either: approve; approve with a management plan; or disapprove. This recommendation will be sent to the Associate Vice President/Dean who, within ten (10) additional working days, will review and either approve or disapprove and send the original of the approved/disapproved form to the Affirmative Action/Civil Rights Compliance Officer and a copy to the Center/Station/Unit/District supervisor. Within three (3) additional working days the Center/Station/Unit/District supervisor will return a copy of the approved/disapproved Disclosure of Potential Conflict of Interest form to the immediate supervisor and a copy to the employee.

Division of Agriculture employees may appeal any adverse decision to the Vice President for Agriculture or his/her designee through the Affirmative Action/Civil Rights Compliance Officer. The decision of the Vice President for Agriculture or his/her designee is final.

No agreements may be entered into between Division of Agriculture employees and outside entities or trips taken by Division of Agriculture employees that are funded by an outside entity until such time as the Disclosure of Potential Conflict of Interest form giving approval to engage in the activities constituting a potential conflict of interest is received.