

## MEMORANDUM OF ADMINISTRATIVE POLICY

SECTION: Human Resources

Number: 02.A.09

AREA: General

<b>SUBJECT: Conflict of Interest</b>
--------------------------------------

### I. PURPOSE

Although the University of Houston - Clear Lake depends upon the integrity and discretion of its staff with respect to actual or apparent conflict of interest, all University of Houston - Clear Lake employees are expected to obey all federal, state and local laws. This administrative memorandum presents requirements to avoid conflicts of interest in accordance with Texas Government Code [Section 572.051](#), [Texas Education Code 51.9337](#), Board of Regents Policies, including [57.01](#), [57.02](#), [57.04](#), [57.05](#) and [57.08](#) and the University of Houston System Administrative Memorandum.

### II. POLICY

- 2.1. Conflict of interest is the use of one's University of Houston - Clear Lake employment to obtain unauthorized privileges, benefits, or things of value for oneself or others.
- 2.2. Guidelines to avoid conflict of interest include the following:
  - 2.2.1 No employee shall solicit, accept, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence or powers as an employee except as is allowed by law.
  - 2.2.2 No employee shall accept any privilege, benefit or thing of value that might tend to influence him or her in the discharge of his or her duties as an employee.
  - 2.2.3 No employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.
  - 2.2.4 No employee may be an officer, agent, employee, or member of, or own an interest in a professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his/her University of Houston Clear Lake position.
  - 2.2.5 No employee shall accept employment or engage in any business or professional activity which foreseeably might require or induce him or her to disclose confidential information acquired by reason of his/her University of Houston Clear Lake position.

- 2.2.6 No employee shall disclose confidential information gained by reason of his or her university position, nor shall he or she otherwise use such information for his or her personal gain or benefit.
- 2.2.7 No employee shall transact any business for the University of Houston Clear Lake with any entity of which he or she is an officer, agent, employee, or member, or in which he or she has a direct or indirect financial or other interest.
- 2.2.8 No employee shall make personal investments in any enterprise which foreseeably might create a substantial conflict between his or her private interests and the University of Houston - Clear Lake's interests.
- 2.2.9 No employee shall accept other employment which might impair his or her independence or judgment in the performance of his or her University of Houston Clear Lake duties.
- 2.2.10 No employee shall receive any compensation for his or her services to the University of Houston Clear Lake from any source other than the State of Texas except as is allowed by law.
- 2.2.11 No employee who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions shall solicit, accept or agree to accept any benefit from a person or entity the employee knows, or should know, is or is likely to become financially interested in such transactions.
- 2.2.12 No employee shall ask the University to accept a gift, grant, donation, or other consideration to be used as a salary supplement without the prior written approval of the recipient's immediate superior, the office of the general counsel and the president, and written authorization of the internal auditor, who shall report the necessary information to the State Auditor.
- 2.2.13 No employee shall knowingly solicit, accept, or agree to accept any benefit for having exercised the employee's official powers or performed the employee's official duties in favor of another.
- 2.2.14 Each employee who is involved in procurement or in contract management shall disclose to the agency any potential conflict of interest specified by state law or University policy that is known by the employee with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor with the University.
- 2.2.15 No employee shall have a direct or indirect financial or other interest, shall engage in a business transaction or professional activity, or shall incur any obligation, that is in substantial conflict with the proper discharge of the employee's duties for the institution.

2.2.16 No employee shall act as an agent for another person in the negotiation of the terms of an agreement relating to the provision of money, services, or property to the institution.

2.2.17 Each employee shall use the resources of the University of Houston Clear Lake only in accordance with university policies and applicable law.

2.2.18 Any employee who is an officer, agent, employee or member of, or owns a direct or indirect financial or other interest in any entity doing business with any component university of the University of Houston System must disclose such relationship in writing to his or her immediate superior.

2.3. Failure of an employee to comply with the foregoing or with applicable law shall constitute grounds for disciplinary action, up to and including termination of employment.

### III. REVIEW AND RESPONSIBILITIES

Responsible Party: Executive Director for Human Resources

Review: Every five years on or before June 1

### IV. APPROVAL

Mark Denney

*Mark Denney*

Vice President for Administration and Finance

Dr. Ira Blake

*Ira K. Blake*

President

Date: 6/18/2021

### V. REVISION LOG

Revision Number	Approved Date	Description of Changes
1	6/18/2021	UH System Policy adopted and placed in UHCL Standardized MAP Template. Procedures previously documented in the UHCL policy are documented in the HR Handbook.

**VI. REFERENCES**

[Section 572.051, Texas Education Code 51.9337,](#)

**Board of Regents Policies Personnel Code of Ethics**

Sections: [57.01, 57.02, 57.04, 57.05](#) and [57.08](#).