



Conflict of Interest Policy

Policy Statement

Santa Clara University is committed to upholding the highest ethical standards with respect to its operations, activities, and programs. In furtherance of that commitment, all University employees are expected to perform their institutional responsibilities honestly, in good faith, and in a manner that advances the University's mission and best interests.

Employees are required to avoid conflicts of interest, or the appearance of conflicts of interest, between their external interests and the interests of the University. Employees should refrain from activities that may give the appearance of impropriety in the performance of their duties or the perception that they may be using their position or knowledge gained from their employment to inappropriately influence decisions to their advantage or to the advantage of their family or household members, or that compromise their ability to carry out their primary commitment to the University. An employee who has an actual or perceived conflict of interest is required to disclose the conflict pursuant to this policy so that the University can evaluate how to avoid or manage the conflict of interest.

This policy applies to all employees of the University, including all full-time and part-time faculty, staff, and student employees.

Definitions

For the purpose of this policy, the following definitions apply:

- A “conflict of interest” is a situation in which (1) an employee's external interest may affect, or may reasonably have the appearance of affecting, the employee's judgment in performing a University-related responsibility, (2) the employee has the opportunity, or appears to have the opportunity, to influence University decisions in ways that could lead to personal advantage to the employee or the employee's family or household member; or (3) an employee's external interest or external commitment may affect, or may reasonably have the appearance of affecting, the employee's primary commitment to the University.
- An “external interest” is broadly construed to mean an employee's personal, financial, business, investment, professional, or other interest or relationship with a person or entity other than the University.
- A “family member” includes an employee's spouse, domestic partner, a person with whom the employee has an intimate or romantic relationship, and persons related by blood,

adoption, or marriage (including children, grandchildren, parents, grandparents, siblings, aunts, uncles, cousins, nieces, and nephews).

- A “financial interest” means serving as an employee, paid consultant, contractor, or board member; being entitled to receive income, royalties, or other payments; or having a significant investment or ownership interest.
- A “household member” includes any individual living with the employee, whether or not that individual is a family member.
- A “significant” investment or ownership interest means a total equity interest held by the employee and any family member that exceeds \$10,000 in fair market value or represents more than a five percent ownership interest in any single entity.

Conflicts of Interest

Whether or not an actual or perceived conflict of interest exists will depend on the specific facts and circumstances of the situation. While it is not possible to identify all possible situations that could give rise to an actual or perceived conflict of interest that requires disclosure, the following are examples:

- ***Business Decisions.*** Employees shall not make or influence business decisions from which they or a family or household member may personally benefit. Employees must not participate in a University business transaction with themselves, with a family member or household member, or with an entity in which the employee or the employee’s family or household member has a financial interest, without the prior disclosure of the matter pursuant to this policy and compliance with any management plan implemented.
- ***Conflicts of Commitment.*** A conflict of commitment arises when an employee undertakes external commitments that may burden or interfere with their primary obligations and commitments to the University. The University expects that all employees will take appropriate steps to prevent external activities and commitments from having an adverse impact on the performance of their University duties and obligations. For more information, please see the policies on Consulting and Other Paid Professional Activity and Teaching Appointments at Other Universities included in the Faculty Handbook and the policy on Outside Consulting by Employees applicable to staff (see links below).
- ***Use of University Resources, Facilities, and Personnel.*** Employees may not use, and may not allow third parties to use, University resources, facilities, or personnel as part of their external activities or for other personal purposes.
- ***Workplace Decisions and Evaluations.*** Employees shall not participate in personnel or financial decisions regarding or personnel evaluations of their family members, household members, or individuals with whom they are in or have been in a romantic relationship. Examples include, but are not limited to, hiring decisions; compensation or bonus decisions; work assignments; performance evaluations; teaching assignments; awards, scholarships, or stipends; or travel. In the case of the enrollment in a faculty member’s

course of a family member or household member, it is presumed that faculty will act professionally. However, given the possible appearance of a conflict of interest, the faculty member will disclose the relationship to their chair and dean as soon as the professor is made aware that such a person is enrolled in their class, and the conflict will be addressed pursuant to this policy. For more information, please see the policies on Conflict of Interest in Evaluation for Promotion and Tenure (applicable to tenured and tenure-track faculty), Conflict of Interest in Evaluation (applicable to non-tenure-track faculty), and Consensual Relations Between Employees and included in the Faculty Handbook and the policy on Employment of Family Members applicable to staff (see links below).

- ***Gifts and Entertainment.*** Employees are prohibited from accepting personal gifts and favors from a donor; a current or prospective student or parent; or other external parties with whom there is a potential or existing University-related business or professional relationship, except as follows:
 - Gifts of promotional items of nominal value that are routinely distributed by vendors to clients may be accepted (e.g. pens, notebooks, shirts, tote bags).
 - Discounts or non-monetary and customary gifts exchanged at an official University event where the giving and receiving of the discount(s) or gift(s) is conducted on behalf of the University is acceptable. Gifts received are University property and not a personal gift.
 - Modest gift baskets or nominal food items that are shared with colleagues are acceptable.
 - Courtesy copies of professional materials are acceptable.
 - Employees may accept invitations to occasional business meals, entertainment, or hospitality, if the value is reasonable, not excessive, and does not otherwise place or appear to place the recipient under any obligation that conflicts with the best interests of the University. When in doubt, an employee should seek guidance from the Provost, the Department of Human Resources, or the Office of the Vice President for Finance and Administration on whether to accept the invitation.
 - If a student voluntarily and at their own initiative provides a gift to an instructor or other employee to express their appreciation, and the gift is valued in the amount of \$100 or less, the gift may be accepted. Gifts from students or their families shall not affect any decisions later made by SCU employees. Gifts from the same student that exceed \$100 in a 12-month period must be returned to the student and disclosed to the supervisor.
 - Gifts (other than those described above) valued in the amount of \$100 or less are acceptable, but if accepted, must be reported by the recipient to their supervisor when received. Gifts from the same person or entity that exceed \$100 in a 12-month period must be returned to the donor and disclosed to the supervisor.

Employees are prohibited from soliciting any personal gift, gratuity, favor, service, discount, or other benefit from individuals or companies seeking any advantageous action from or relationship with the University.

Obligation to Disclose Conflicts of Interest

All employees are required to promptly disclose any actual or perceived conflict of interest. The disclosure should be made through an online process designated by the University for reporting disclosed conflicts or in writing to the employee's supervisor, a department chair, dean, the Provost, the Department of Human Resources, or the Office of the Vice President for Finance and Administration. The disclosure should be sufficiently detailed, truthful, and timely so that the University can adequately review the circumstances and determine the appropriate plan to manage or avoid the conflict.

All disclosed conflicts of interest should be reported by the recipient of the employee's disclosure to the Provost (for matters involving faculty), the Department of Human Resources (for matters involving staff or student employees), or the Vice President for Finance and Administration (for any matters). In the case of a disclosed conflict involving a vice president, the disclosure should be reported to the President.

Certain employees, based on their role or responsibilities, may be required to complete an annual disclosure form. Officers and key employees (as defined by the IRS) also will be required to complete an annual disclosure form.

It is not possible to anticipate every situation that might give rise to an actual or perceived conflict of interest. Employees are expected to use their good judgment to determine whether an actual or perceived conflict of interest exists. Any doubt should be resolved by disclosing the conflict of interest under this policy.

Third Party Disclosures

If a University community member becomes aware of an actual or perceived conflict of interest, they are encouraged to report it to the Provost, the Vice President for Finance and Administration, the Department of Human Resources, or through [EthicsPoint](#), the University's secure reporting system.

Review and Management of Conflicts of Interest

For matters involving faculty, the Provost will review any disclosed actual or perceived conflict. For matters involving staff or student employees, the Department of Human Resources, in collaboration with the vice president of the division in which the individual is employed, will review any disclosed actual or perceived conflict.

In reviewing a conflict of interest, a situation will be determined to be:

- Permitted as is because the disclosed information does not present a conflict of interest;
- Prohibited due to the nature of the conflict of interest and/or the inability to appropriately manage the conflict of interest; or
- Permitted, contingent upon the implementation of a plan to manage the conflict of interest.

A plan to manage a conflict of interest may include, among other things:

- Appropriate disclosure of the conflict of interest to the parties involved in the transaction;
- Recusal from participating in negotiations, recommendations, decisions, or transactions;

- Recusal from managing or supervising particular employees or from participating in other aspects of the employee's job duties;
- Recusal from managing, overseeing, or other involvement in specific business relationships or transactions; and/or
- Severance or modification of an outside relationship that poses a conflict of interest.

The reviewer should document the review and management of the conflict. Where the situation is permitted, contingent upon the implementation of a plan to manage the conflict of interest, the reviewer is responsible for monitoring the situation as necessary.

Employees are expected to cooperate in the review and management of all conflicts of interest.

Compliance

Those found to have engaged in conduct that violates this policy will be subject to corrective action, up to and including separation from the University. Corrective action, if any, will be initiated in a manner consistent with the policies and procedures that apply to the individual found to have engaged in the conduct.

Other Related Policies

Faculty, staff, and student employees also are subject to the policies that govern them in their role as University employees. The following are examples of other policies addressing areas of potential conflicts of interest:

- Faculty Handbook
 - [Conflict of Interest in Evaluation for Promotion and Tenure](#) (Section 3.4.4.9)
 - [Conflict of Interest in Evaluation](#) (Section 3.4A.3.2)
 - [Conflict of Interest](#) (Section 3.6.5)
 - [Consulting and Other Paid Professional Activity](#) (Section 3.7.4.3)
 - [Teaching Appointments at Other Institutions](#) (Section 3.7.4.4)
 - [Consensual Relations Between Employees and Students](#) (Section 3.6.8)
 - [College and School Grievance Procedures](#) (Section 3.10.1.2)
 - [Faculty Judicial Board](#) (Section 3.10.2.3)
- Staff Policies
 - [Outside Consulting by Employees](#)
 - [Employment of Family Members](#)
 - [Consensual Relations Between Employees and Students](#)
- [Policy on Financial Conflict of Interest for Externally Sponsored Projects](#)

(November 12, 2025)