



**THE GEORGE
WASHINGTON
UNIVERSITY**
WASHINGTON, DC

Responsible University Official:
Compliance Office
Responsible Office: Compliance Office
Last Revised Date: July 19, 2018

CONFLICT OF INTEREST FOR NON-FACULTY EMPLOYEES

Policy Statement

The Board policy for non-faculty employees is that any circumstance that does or may involve a conflict of interest in the conduct of university business, or that may create an appearance of involving such a conflict, shall be reported to the employee’s direct supervisor in writing.

Reason for Policy

As a nonprofit institution serving the public good, the university and its constituencies have the right to expect that university employees should avoid any circumstances in conflict with their institutional responsibilities, and that there be no conflict between duty to the institution and self-interest.

Who is Governed by this Policy

All Non-Faculty Employees

Table of Contents

Policy Statement	1
Reason for Policy	1
Who is Governed by this Policy	1
Table of Contents	1
Policy	2
Definitions	4

Related Information	5
Contacts	5
Document History	6
Who Approved This Policy	6

Policy

The broad principles in this policy encompass all varieties of situations. Many of these situations do not fall into patterns for which specific guidelines may be established. Some areas of overlapping interest that inevitably arise from time to time in everyday business life either are inconsequential or even may be advantageous to the university. It is important, however, that all employees make due and timely disclosure of any such overlapping interest. Basically, this calls for each employee to apply his/her sense of integrity and his/her common sense in giving notice of any circumstances that are, may become, or even might give the appearance of a possible conflict of interest.

The university has confidence in the loyalty and integrity of all members of its staff. Proof of their high ethical standards has been demonstrated on many occasions and accounts for the high standards that the university has maintained so effectively over the years. The Board of Trustees is pleased to confirm the traditional policy of the university so as to create a uniform method for all non-faculty employees to register their conformance with this standard.

The Board policy for non-faculty employees is that any circumstance that does or may involve a conflict of interest in the conduct of university business, or that may create an appearance of involving such a conflict, shall be reported to the employee's direct supervisor in writing in advance of any university action regarding the subject of the conflict. In addition, the party reporting such actual or potential conflict, or the appearance of a conflict, shall not participate in the university's deliberations or decision regarding the matter that is the subject of such report, except to answer questions or where such continued participation is approved by the direct supervisor. Supervisors similarly should report and elevate issues regarding actual or potential conflicts to higher authorities as appropriate to the nature of the situation.

Supplementing the above broad policy statements are the following rules to be observed on specific matters.

1. Employees shall disclose any interest in any business or financial enterprise that might influence or give the impression of influencing his/her official decisions or actions on University matters.
2. Employees shall avoid any business activity or investment that may in any way conflict or compete with the investment, expansion and/or property acquisition plans or intentions of the university. He/she shall refrain from the purchase or sale of securities or real or personal property that is based on confidential information or special knowledge of the university's investment intentions, or when such purchase or sale is so timed that he/she might be regarded as attempting to profit by using such knowledge.
3. Employees shall refrain from unauthorized disclosure of any confidential information concerning the university's intentions on investments, property acquisitions, purchasing, or contracting for supplies and services, or any other confidential university information.
4. Employees shall avoid outside employment or business activities involving obligations that may in any way conflict with the interests of the university.
5. Employees may not accept any gift, travel, meal, lodging, service, entertainment, payment of expenses, or any other thing with a value exceeding \$250.00 (collectively "gift") from any person or entity doing business or seeking to do business with the university, unless acceptance is approved as provided below. Gifts of cash or cash equivalents in any amount may not be accepted, except that bona fide awards or honoraria may be accepted if approved under this policy. The phrase "any person or entity doing business or seeking to do business" shall not be construed to include federal, state or local governmental entities or nonprofit professional membership organizations.

Members of employees' households shall refrain from accepting any gift that an employee may not accept under this policy if the offer of the gift is related to the employee's GW employment.

An employee who wishes to accept a gift described above should seek approval from his or her direct supervisor, or from the Compliance Office if the employee is uncomfortable discussing the situation with the supervisor. When the supervisor, or the Compliance Office, believes that acceptance is appropriate and in the interest of the university, the approval of the appropriate Vice President shall be requested. The Vice President should determine whether acceptance of the gift poses a significant risk of a conflict of interest or a

potential conflict of interest, considering, among other things: The nature of the person or entity offering the gift; the employee's relationship to the person or entity; the employee's official GW responsibilities; whether the gift is an honorarium or award; whether the gift is for attendance at a widely-attended gathering involving no additional travel expenses; and the purpose of the gift. The Vice President may consult with the Office of the Senior Vice President and General Counsel in deciding whether to approve acceptance and shall notify the Compliance Office when approvals are granted.

The Vice Presidents and others who report directly to the President shall request approval of the President. The President may assign a Vice President other than the requesting Vice President to review any such requests for approval.

Periodically each officer, management employee and other employees designated by the President, the Executive Vice President and Treasurer, or the Senior Vice President and General Counsel of the university shall respond to an appropriate questionnaire incorporating the above rules. These rules are designed to cover most situations, but special or unusual circumstances may arise, and the Board or the President may issue supplemental rules for particular situations if deemed appropriate. If at any time employees have questions about the proper application of the university's policy on conflict of interest with respect to any particular situation, they shall immediately make all the facts known to their supervisors, or to the Compliance Office, and be guided by the instructions they receive.

Suspected violations of this policy and the basis for the concern should be communicated to appropriate higher-level supervisors and/or to the Compliance Office.

Definitions

Non-Faculty Employees

All employees of the university other than those who receive a faculty appointment and/or who are subject to the Policy on Conflict of Interest and Commitment for Faculty and Investigators. For the purposes of this policy, part-time faculty shall be considered non-faculty employees. Administrators who also hold faculty appointments shall be considered non-faculty employees for the purposes of this policy.

Gift

Means a tangible or intangible thing, service or item of value which is transferred for less than its fair market value. A gift may include travel, meal, lodging, service,

entertainment, payment of expenses, or any other thing with a value exceeding \$250.00.

Doing Business

Includes, but is not limited to: (a) the sale, exchange or leasing of property; (b) the lending of money or other extension of credit; (c) the furnishing of goods, services or facilities; (d) the payment of compensation (i.e., taxable income) other than compensation paid by the university to university staff members for services rendered to the university; or (e) the transfer of any part of the income or assets of the university. Doing Business with the University does not include making gifts or donations to the university, or attending the university as a student, but a person or entity otherwise Doing or Seeking to Do Business with the University is not removed from coverage under this policy by virtue of an actual or potential donor or student relationship.

Seeking to do business

Includes responding to a request for proposals, submitting an application or other bid for university business, or otherwise actively pursuing identifiable university business.

Related Information

[Policy on Conflicts of Interest and Commitment for Faculty and Investigators](#)

Appendix A - Conflict of Interest Disclosure Questionnaire

Contacts

Contact	Telephone	Email
Compliance Office	202-994-3386	comply@gwu.edu

Document History

- **Last Reviewed Date:** July 19, 2018
- **Last Revised Date:** July 19, 2018
- **Policy Origination Date:** March 31, 2016

Who Approved This Policy

Board of Trustees

Louis H. Katz, Executive Vice President and Treasurer

Beth Nolan, Senior Vice President and General Counsel

This policy, as well as all [university policies](#), are located on the [Compliance Office's](#) home page.

Appendix A

THE GEORGE WASHINGTON UNIVERSITY NON-FACULTY CONFLICT OF INTEREST DISCLOSURE QUESTIONNAIRE AND INSTRUCTIONS

The Conflict of Interest Disclosure Questionnaire (“Questionnaire”) assists in the implementation of the university Conflict of Interest Policy for Non-Faculty Employees. The policy requires specified staff members periodically to report non-university activities and interests that could create conflicting loyalties, commitments, or responsibilities, or have the potential to create the appearance of conflicting loyalties, commitments, or responsibilities. Some of these activities could affect or appear to affect the staff member’s independent, unbiased judgment when making decisions on behalf of the university.

The object of this reporting is to assist the university in ensuring that any outside activities and interests relating to entities outside the George Washington University are properly disclosed and managed and compatible with your university employment. This Questionnaire also includes the certifications required by the university’s Debarment and Suspension Policy. After reviewing this Questionnaire, a member of the staff of the Compliance Office or of the Office of the Senior Vice President and General Counsel may seek clarification or additional information from you.

Policy information and guidance for completing the Questionnaire are contained in the links below. Capitalized terms are specifically defined in the Definitions link and appear in bold throughout the Questionnaire. If you experience technical difficulties with the online reporting system or have questions about these policies or the periodic reporting process, please contact the Compliance Office at 202-994-3386 or comply@gwu.edu for assistance.

FREQUENTLY ASKED QUESTIONS

1. What is a Conflict of Interest?

A conflict of interest may arise when a staff member is or may be in a position to influence university business, research, or other decisions in ways that could lead to personal gain for you or a Family Member, or give improper advantage to others to the university's detriment. Another type of conflict of interest is a conflict of commitment, which may arise when external or other activities and undertakings of a staff member are so substantial or demanding of the staff member's time and attention that they deprive the university of appropriate time and effort.

2. What activities should be reported?

The following are examples of non-university activities that should be reported:

- Relationships with companies that do business or might by their nature seek to do business with the university;
- Service as an officer, director, or trustee of another entity;
- Ownership of, significant financial interest in, management of, or employment by another entity; and
- Outside research or consulting.

Other activities may need to be reported as well; this list is designed to assist your thought process as you evaluate your activities outside work, but is not exhaustive. If you are not certain whether a particular activity should be reported, please include it, or consult with the university Compliance Office (202-994-3386, or comply@gwu.edu).

3. How should I report my outside activities?

If you become aware of, or may be entering into, an arrangement that could pose a conflict or the appearance thereof, you should bring it to the attention of your direct supervisor as soon as possible. Your supervisor will work with you to evaluate whether a conflict exists and notify the Compliance Office if deemed appropriate. If you are uncomfortable discussing the situation with your supervisor, you should promptly discuss the situation with the Compliance Office, which will work with you directly. All existing and new activities that may pose a conflict or appear to do so should also be reported annually on this Questionnaire.

4. Who will have access to the information I report on this Questionnaire?

This information will be reviewed by the Compliance Office and the Office of the Senior Vice President and General Counsel and may be shared with other university offices as appropriate, as well as the Board of Trustees Subcommittee on Audit and Compliance. The university may also be required, as part of its reporting or disclosure requirements, to provide this information to government entities.

5. Whom can I contact for more information about conflict of interest rules or for help completing the Conflict of Interest Questionnaire?

You should feel free to contact the university Compliance Office (202-994-3386 or comply@gwu.edu) for guidance regarding the completion of this Questionnaire and general reporting obligations.

DEFINITIONS

The first letters of the terms defined below are capitalized throughout this Questionnaire and Instructions. The defined terms are in bold throughout the Questionnaire.

Debarred or Suspended: Means exclusions by the federal government from federal government contracting and subcontracting for a specified period of time. Individuals or entities may be Debarred or Suspended for a failure to perform, inadequate performance, or criminal, fraudulent or seriously improper conduct. Suspension is used on an interim basis pending Debarment proceedings.

Doing Business with the University: Includes, but is not limited to: (a) the sale, exchange or leasing of property; (b) the lending of money or other extension of credit; (c) the furnishing of goods, services or facilities; (d) the payment of compensation (i.e., taxable income) other than compensation paid by the university to university staff members for services rendered to the university; or (e) the transfer of any part of the income or assets of the university. Doing Business with the University does not include making gifts or donations to the university, or attending the university as a student, but a person or entity otherwise Doing or Seeking to Do Business with the University is not removed from coverage under this policy by virtue of an actual or potential donor or student relationship.

Family Member: Means only a spouse, domestic partner, parents, grandparents, and - whether natural or adopted - brothers and sisters (whether whole or half blood), children, grandchildren, great-grandchildren, and spouses of brothers, sisters, children, grandchildren, and great- grandchildren.

Financial Interest: Means any stock, bond or other debt obligation, option, or right to purchase stock, share in profits, investment, partnership interest or other proprietary interest of any nature. Ownership of securities in a corporation shall not be considered to constitute a financial interest if all of the following conditions are met:

- a. the securities are traded on a national securities exchange, or regularly reported in over-the- counter quotations in the financial press; and
- b. the securities owned by the staff member and, to the staff member's knowledge, owned by the staff member's Family Members, when considered collectively, do not exceed one percent (1%) of the outstanding securities of the same class of stock of such corporation.

Gift: Means a tangible or intangible thing, service or item of value which is transferred for less than its fair market value. A gift may include travel, meal, lodging, service, entertainment, payment of expenses, or any other thing with a value exceeding \$250.00.

Seeking to Do Business with the University: Includes responding to a request for proposals, submitting an application or other bid for university business, or otherwise actively pursuing identifiable university business.

The George Washington University ("GW" or the "University"): Means the George Washington University and any entity owned by the university which, for purposes of this disclosure, is Mount Vernon College.

To Your Knowledge: Means you actually know or should reasonably be expected to know, based on information that has been provided to you or is in your possession.

INSTRUCTIONS

These questions cover the prior fiscal year (July 1, 2017 through June 30, 2018), unless otherwise indicated. Please respond based on all your activities during this period, regardless of whether you have previously reported some or all of them. In addition, please provide any relevant information for the upcoming year that is not otherwise covered by your response for the prior fiscal year. This will enable us to review the activities of the prior fiscal year as well as assess any new potential conflicts of which you are already aware.

Please answer yes or no to each of the following questions by marking the appropriate line. If you answer "Yes" to any of the questions please provide additional detail in the space provided below the question, such as the identity of the business enterprise, a description of your or your Family Member's relationship to that entity, as well as the approximate value of any Financial Interest.

When more space is required for your answers, please attach additional pages.

QUESTIONS

- 1) **To Your Knowledge, were you or a Family Member engaged in any activities within the *prior fiscal year (July 1, 2017 through June 30, 2018)* that would constitute Doing Business or Seeking to do Business with the University?**

Yes_____ No_____

If your answer is "Yes," please provide all relevant details of each such activity, including the names of the persons or entities involved, the nature of the transaction, when the activity took place, whether the activity is currently ongoing, and the dollar amounts involved.

- 2) **To Your Knowledge**, was any corporation, trust or estate, partnership, limited liability company, nonprofit organization or other entity (i) for which you, or any **Family Member**, serve as an officer, director, employee, partner, trustee, member, or (ii) of which you and any **Family Members** considered collectively are the actual or beneficial owners of more than five percent (5%) of the voting stock, profits, or other economic or ownership interest, engaged

in any activities within the *prior fiscal year (July 1, 2017 through June 30, 2018)* that would constitute **Doing Business** or **Seeking to do Business with the University?**

Yes_____ No_____

If your answer is "Yes," please provide all relevant details of each such activity, including the names of the persons or entities involved, the nature of the transaction, the percentage owned by you and your **Family Members** of any entity involved in the activity, when the activity took place, whether the activity is currently ongoing, and the dollar amounts involved.

3) **To Your Knowledge**, are you or a **Family Member** now engaged in any activities, or planning to engage in any activities in the *current fiscal year (July 1, 2017 through June 30, 2018)* that would constitute **Doing Business** or **Seeking to Do Business with the University?**

Yes_____ No_____

If your answer is "Yes," please provide all relevant details of each such activity or plan, including the names of the persons or entities involved, the nature of the transaction, when the activity took place or will take place, whether the activity is currently ongoing, and the dollar amounts involved.

4) **To Your Knowledge**, is any corporation, trust or estate, partnership, limited liability company, nonprofit organization or other entity (i) for which you, or any **Family Member**, serve as an officer, director, employee, partner, trustee, member, or (ii) of which you and any **Family Members** considered collectively are the actual or beneficial owners of more than five percent (5%) of the voting stock, profits, or other economic or ownership interest, *now* engaged in any activities, or planning to engage in any activities in the *current fiscal year (July 1, 2017 through June 30, 2018)* that would constitute **Doing Business** or **Seeking to Do Business with the University?**

Yes _____ No _____

If your answer is "Yes," please provide all relevant details of each such activity or plan, including the names of the persons or entities involved, the nature of the transaction, the percentage owned by you and your **Family Members** of any entity involved in the activity, when the activity took place or will take place, whether the activity is currently ongoing, and the dollar amounts involved.

- 5) **To Your Knowledge**, have you or a **Family Member** had, during the *prior fiscal year (July 1, 2017 through June 30, 2018)*, a **Financial Interest** in or been an agent of, employee of, or consultant or advisor to any entity that engages in the business of higher education or research, or the delivery of patient care services?

Yes _____ No _____

If your answer is "Yes," please provide all relevant details of each such **Financial Interest**, or relationship as an agent, employee, consultant, or advisor, including the names of the persons or entities involved, the nature of the transaction, when the activity took place, whether the activity is currently ongoing, and the dollar amounts involved.

- 6) **To Your Knowledge**, has any corporation, trust or estate, partnership, limited liability company, nonprofit organization or other entity (i) for which you, or any **Family Member**, serve as an officer, director, employee, partner, trustee, member, or (ii) of which you and any **Family Members** considered collectively are the actual or beneficial owners of more than five percent (5%) of the voting stock, profits, or other economic or ownership interest, had, during the *prior fiscal year (July 1, 2017 through June 30, 2018)*, a **Financial Interest** in or been an agent of, or consultant or advisor to any entity that engages in the business of higher education or research, or the delivery of patient care services?

Yes _____ No _____

If your answer is "Yes," please provide all relevant details of each such **Financial Interest**, or relationship as an agent, employee, consultant, or advisor, including the names of the persons or entities involved, the nature of the transaction, the percentage owned by you and your **Family Members** of any entity involved in the activity, when the activity took place, whether the activity is currently ongoing, and the dollar amounts involved.

7) **To Your Knowledge**, have you or any **Family Member** received, during the *prior fiscal year (July 1, 2017 through June 30, 2018)*, or been promised in the future, any payment, consideration, **Gift**, or loan of money, property, or services (other than a payment, **Gift**, or loan of nominal value or one obtained in the ordinary course of business) from any person or entity **Doing Business** or **Seeking To Do Business with the University**, or another higher education, patient care or research institution that you or the receiving person or entity would not have received but for your relationship with the **University**?

Yes _____ No _____

If your answer is "Yes," please provide all relevant details, including the names of the person or entities involved, the amount of the payment, consideration or loan or the approximate value of the **Gift**, property or services, and any other relevant information.

8) **To Your Knowledge**, has any corporation, trust or estate, partnership, limited liability company, nonprofit organization or other entity (i) for which you, or any **Family Member**, serve as an officer, director, employee, partner, trustee, member, or (ii) of which you and any **Family Members** considered collectively are the actual or beneficial owners of more than five percent (5%) of the voting stock, profits, or other economic or ownership interest, received, during the prior fiscal year (July 1, 2017 through June 30, 2018), or been promised in the future, any payment, consideration, **Gift**, or loan of money, property, or services (other than a payment, **Gift**, or loan of nominal value or one obtained in the ordinary course of business) from any person or entity **Doing Business**

or **Seeking To Do Business with the University**, or another higher education, patient care or research institution that you or the receiving person or entity would not have received but for your relationship with the **University**?

Yes_____ No_____

If your answer is "Yes," please provide all relevant details, including the names of the person or entities involved, the percentage owned by you and your **Family Members** of any entity involved in the transaction, the amount of the payment, consideration or loan or the approximate value of the **Gift**, property or services, and any other relevant information.

9) Are you currently or have you ever been **Debarred or Suspended**?

Yes_____ No_____

If your answer is "Yes," please provide details, including the date of the action, the name of the agency, and a brief description of the circumstances and current status.

10) Are you aware of any other relationships, arrangements, or matters in *either the prior or current fiscal years (July 1, 2017 through June 30, 2018 and July 1, 2018 through June 30, 2019)* that, in your situation, could create a conflict of interest or the appearance of a conflict of interest or improper influence?

Yes_____ No_____

If your answer is "Yes," please describe:

For any changes or corrections to your Questionnaire after submission, contact the Compliance Office, at 202-994-3386 or comply@gwu.edu.

By signing below you confirm that the information you have provided in this Questionnaire is accurate and complete as of the date you submit it and that you make the certifications required by the Debarment and Suspension Policy. Please report promptly any actual or anticipated significant changes in your financial interests or the related activities addressed on this Questionnaire.

Signature

Date

Full Name (Printed)

Position