



THE GEORGE  
WASHINGTON  
UNIVERSITY  
WASHINGTON DC

**Responsible University Official:**  
Executive Vice President and  
Treasurer  
**Responsible Office:** Compliance and  
Privacy Office  
**Origination Date:** March 15, 1990

## CONFLICT OF INTEREST POLICY 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/Purpose

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 Needs to Know This Policy

All Non-Faculty Employees

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Policy/Procedures

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

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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 and Privacy Office if the employee is uncomfortable discussing the situation with the supervisor. When the supervisor, or the Compliance and Privacy 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 General Counsel in deciding whether to approve acceptance and shall notify the Compliance and Privacy 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.

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Annually each officer, management employee and other employees designated by the President, the Executive Vice President and Treasurer, or the 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 and Privacy 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 and Privacy Office.

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### Website Addresses for This Policy

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[GW University Policies](#)

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### Contacts

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Subject	Contact	Phone	Email
Questions	Compliance & Privacy Office	(202) 994-3386	<a href="mailto:comply@gwu.edu">comply@gwu.edu</a>

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### Definitions

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**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** 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** Doing Business with the University includes but is not limited to: (a) The sale, exchange or leasing of property; (b)

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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 employees for services rendered to the University; or (e) the transfer of any part of the income or assets of the University. Doing Business does not include making gifts or donations to the University, or attending the University as a student, but an entity otherwise doing or seeking to do business with the University is not removed from coverage under this policy by virtue of its actual or potential donor relationship.

**Seeking to do business** 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.

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### **Related Information**

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

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### **Appendices**

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**Appendix A** Conflict of Interest Disclosure Questionnaire

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### **Who Approved This Policy**

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Board of Trustees  
Louis H. Katz, Executive Vice President and Treasurer  
Beth Nolan, Senior Vice President and General Counsel

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### **History/Revision Dates**

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**Origination Date:** March 15, 1990  
**Last Amended Date:** February 8, 2008  
**Next Review Date:** March 31, 2009

**Appendix A**

**THE GEORGE WASHINGTON UNIVERSITY  
CONFLICT OF INTEREST DISCLOSURE  
QUESTIONNAIRE**

This questionnaire is to be completed annually by designated employees of The George Washington University to communicate their compliance with, and adherence to, policies regarding conflicts of interest.

Because of the complexities of The George Washington University, it is not unusual for an employee to respond affirmatively to one or more of the following questions. An affirmative response does not mean that a conflict of interest necessarily exists, but we may need to ask you for further information or clarification. Responses to this questionnaire will be held in confidence to the extent reasonably practicable.

1. Are you, or is any *member of your immediate family* (as defined below) a director, officer, sole owner, partner, employee, agent of, consultant or advisor to, or do you, or does any *member of your immediate family*, have any direct or indirect *financial interest* (as defined below) in, any business enterprise that to your knowledge:

a. Supplies *The George Washington University* (as defined below) with any property, goods, or services?

Yes \_\_\_\_\_ No \_\_\_\_\_

b. Engages in the business of higher education (or) the delivery of patient care services?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to a. or b. of the foregoing question is Yes, please identify such business enterprise and describe your relationship to it, as well as the approximate value of any financial interest. (When more space is required for your answers, please attach additional pages to this questionnaire.)

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2. For the previous fiscal year (July 1 to June 30), to the best of your knowledge, have you or any *member of your household* (as defined below) received a loan of money, property, or services, or received a *gift* (as defined below) from (a) any person or entity *doing business* or *seeking to business* with GW (as defined below), or (b) another higher education, patient care or research institution?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is Yes, please give details. (When more space is required for your answers, please attach additional pages to this questionnaire.)

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3. Are you or have you ever been *debarred or suspended* (as defined below) as described in the *Policy on Debarment, Suspension and Other Responsibility Matters*?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is Yes, please give details. (When more space is required for your answers, please attach additional pages to this questionnaire.)

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I certify that the foregoing information is true and complete to the best of my knowledge and that I have received, read, and complied with the *Conflict of Interest Policy for Non-Faculty Employees* and the policy statement concerning *Debarment, Suspension, and Other Responsibility Matters* in their latest forms as distributed by the University to me with this questionnaire.

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Signature

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Date

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Full Name (Printed)

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Position Title

**DEFINITIONS**

1. *Immediate Family* means your spouse/domestic partner and children, as well as your father, mother, sisters, and brothers.
2. *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 employee and, to the employee's knowledge, owned by members of the employee's immediate family do not exceed one percent of the outstanding securities of the same class of stock of such corporation.
3. *The George Washington University* means The George Washington University and any entity owned in whole or in part, directly or indirectly, or controlled by the University, and for purposes of this questionnaire includes the (GWU) Medical Faculty Associates (MFA), Mount Vernon College (MVC) and District Hospital Partners, doing business as The George Washington University Hospital.

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4. *Member of Your Household* means your spouse/domestic partner and dependent children.
5. *Gift* as used in this questionnaire is a tangible or intangible thing, service or item of value that has a value exceeding \$250.00 and is transferred for less than its fair market value. A gift may include travel, meal, lodging, service, entertainment, payment of expenses, or other good or services. (See item 5 of the attached *Conflict of Interest Policy for Non-Faculty Employees*)
6. *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 does not include making gifts or donations to the University, or attending the University as a student, but an entity or individual otherwise doing or seeking to do business with the University is not removed from coverage under this policy by virtue of its actual or potential donor or student relationship.
7. *Seeking to do business* with the University includes responding to a request for proposals, submitting an application or bid for University business, or otherwise actively pursuing identifiable University business.
8. *Debarment and Suspension*: In general, debarment and suspension are exclusions by the federal government from federal government contracting and subcontracting for a reasonable, 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. Debarment periods are commensurate with the seriousness of the cause. Convictions for the committing of offenses such as embezzlement, fraud, bribery or theft may result in debarment, while during the investigation of such alleged activity the contractor or vendor may be suspended from contracting with the federal government.