BAY de NOC COMMUNITY COLLEGE BOARD OF TRUSTEES
PERSONNEL POLICIES

800 PERSONAL CONDUCT

809 CONFLICT OF INTEREST POLICY

This policy recognizes that the Bay de Noc Community College has a right to take all reasonable and lawful measures to prevent activities which adversely intrude into the teaching process or which might adversely affect the College's image and reputation. The College has a right to expect and demand the highest standards of personal behavior and teaching performance from all employees and staff. Accordingly, it shall be the policy of the Bay de Noc Community College Board of Trustees to prohibit its employees from engaging in any activity, practice or act which conflict with or appear to conflict with the interests of the College, its students, or its suppliers.

PROCEDURE:

809.1 It is impossible to describe all of the situations, which may cause or give the appearance of a conflict of interest. Therefore, the prohibitions included in this policy are not exhaustive and only include some of the more clear-cut examples. Employees have an obligation to avoid conflicts of interest and to refer questions and concerns about conflicts of interest to their supervisor.

809.2 Employees are prohibited from willfully engaging in, directly or indirectly, any conduct which is disloyal, disruptive, or damaging to the College.

809.3 Employees must disclose any financial interest they or their immediate family have in any firm which does business with the College or which competes with the College. The College may require divestiture of such interest if it deems the interest to be in conflict with its best interest.

809.4 Employees and their immediate family are not to accept gifts from any person or firm doing or seeking to do business with the College. The meaning of gifts for purposes of this policy includes the acceptance of lavish entertainment and free personal or family travel and lodging.

809.5 Employees are not to give, offer, or promise, directly or indirectly, anything of value to any supplier or financial institution in connection with any transaction or business that the College may have with such provider or financial institution.

809.6 Employees may learn or become aware of information about the College, which if known to the public might affect the decision of a reasonable investor to buy, hold, or sell securities issued by the College. Employees

are prohibited from misusing such inside information prior to public disclosure by purchasing or selling the College's securities for their own account or for accounts of members of their immediate family. In addition, employees are not to disclose inside information to anyone either inside or outside the organization who does not have a legitimate business need to know it.

809.7 Consensual personal relationships between employees at the College are prohibited when such employees are employed by the College in a superior/subordinate capacity. Consensual personal relationships between employees at the College are permitted when the employees involved are not employed in a superior/subordinate capacity. A consensual personal relationship that causes a real or perceived conflict of interest will be considered a policy violation and shall be subject to disciplinary measures.

809.8 Employee involved in any consensual personal relationship with other employees, when said employees are employed in a superior/subordinate capacity, are required to report the existence of the relationship to their immediate supervisor and the Director of Human Resources. The report must be in writing and made within one (1) business day of the date when the superior/subordinate employment relationship arises.

a. In the event a relationship develops, during the interim the Director of Human Resources, working with the employee's supervisor and appropriate vice president, shall take those steps that he or she deems necessary to ensure that the College, its employees and its students are not materially affected by the consensual personal relationship between employees, and to eliminate or manage the power authority differential between the supervising employee and the subordinate employee. Since individual cases may vary, the Director of Human Resources has discretion to consider specific circumstance, the nature of the relationship, the employees' duties, and constraints on the College. The steps can range from no action, to the recusal of the supervising employee from matters involving the subordinate employee, to changes in the supervising employee's duties.

809.9 Faculty/staff at Bay College are prohibited from engaging in consensual personal relationships with their current students. Faculty or staff members who have a pre-existing consensual personal relationship with a student are prohibited from instructing, evaluating, or supervising, directly or indirectly, the student's academic work or participation at the College. Exceptions may be granted if the Dean, Vice President of Academic Affairs, and Human Resources Department collectively evaluate alternative options and determine no alternatives exist.

809.10 A consensual personal relationship includes, but is not limited to a romantic, amorous and/or sexual relationships between consenting employees or between employees and adult (18 years or older) college students currently enrolled at Bay de Noc Community College. Persons who are married, or were married, are included within the definition of persons that have or who have had a consensual amorous relationship. Consensual personal relationships also include those employees, staff and students who are related by blood or marriage.

809.11 It is the obligation of the Vice President of Academic Affairs, in consultation with appropriate academic or administrative personnel, and the Director of Human Resources, to take those steps that he or she deems necessary to ensure that the educational experience of the student, and other students in the College, are not materially affected by the consensual personal relationship between a faculty/staff member and a student. Since individual cases may vary, the Vice President of Academic Affairs has discretion to consider specific circumstance, the nature of the relationship, the specifics of the student's academic program, the employee's duties, and constraints on the College. The steps can range from no action, to the recusal of the employee from matters involving the student, to changes in the employee's duties.

809.12 Failure to comply with this policy shall be considered misconduct. Any employee member who violates this policy will be subject to discipline, up to and including termination.