

### 3.2.3

#### Governance and Administration: Board conflict of interest

The governing board has a policy addressing conflict of interest for its members.

#### Judgment

Compliant    Non-Compliant    Not Applicable

#### Compliance Report Narrative

*Note: Text for all linked documents below can be increased/decreased for ease of reading by pressing your keyboard's Ctrl key while rotating the mouse wheel.*

The ethics policy published in *The Rules and Regulations of the Board of Regents of the Texas Tech University System* includes a general policy regarding conflicts of interest, which states that "state officers and employees may not have direct or indirect interests, including financial and other interests, engage in business transactions or professional activities, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the officers' or employees' duties in the public interest" ([Section 03.01.3, Regents' Rules](#)). [Section 01.03, Regents' Rules](#) specifies that this ethics policy applies to members of the board.

In addition, conflict of interest policies specifically related to board members are published in [Section 03.03, Regents' Rules](#), which states that "Members of the board serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this duty and the provisions of Chapter 572, Texas Government Code, and in particular with the standards of conduct set out in Section 572.051 of that chapter." [Texas Government Code §572.051](#) forbids state officers and employees from the following: accepting or soliciting gifts, favors, or services that might reasonably tend to influence them in the discharge of official duties; accepting employment or engaging in a business or professional activity that might induce them to disclose confidential information; accepting other employment or compensation that could reasonably be expected to impair their independence of judgment; making personal investments that could reasonably be expected to create a substantial conflict of their private interest and public interest; or intentionally or knowingly soliciting, accepting, or agreeing to accept any benefit for having exercised their official powers or duties in favor of another. A state employee who violates this code is subject to employment-related sanctions up to and including termination and is subject to any applicable civil or criminal penalty.

The ethics and conflict of interest policies of the Board of Regents are consistent with the standards prescribed in Texas Government Code §572.051, and the board distributes its policies and the Texas Government Code §572.051 to each new board member and each new officer not later than the third business day after the date the person becomes a board member and/or qualifies for office.

#### Off Site Team Comments

There are two levels of policy prohibiting conflict of interest by members of the TTUS Board of Regents. These include The Rules and Regulations of the Texas Tech University System, Board of Regents and the Texas Government Code which is applicable to all agents of the state. These policies are internally consistent. The Compliance Report did not include evidence (e.g., minutes or signed conflict policy statements) of the implementation of the policy."

#### University Response

Evidence was obtained from the [BOR secretary](#), Mr. Ben Lock, regarding implementation of conflict of interest policies ([BOR conflict of interest narrative from Lock](#)). Referred to in his email to Lina Morales, assistant to the ASU president, are the COI recusal example ([COI recusal](#)

[examples - TexasTech](#)), COI statement sample ([COI statement sample - TexasTech](#)), and personal financial statement example from the BOR president ([Turner-PFS-2012](#)).