

## **Conflict of Interest Clarifications**

### **Directors Advisory Committee**

The DAC subcommittee of Luann Boyer, Laurel Kubin, and Steve Newman were charged to discuss clarifications needed regarding the Colorado State University policy on Conflict of Interest and situations where there are questions and need for consistency in application of the policy. DAC discussed the recommendations and accepted the following recommendations at their meeting on February 8, 2013.

#### Conflict of Interest

All of these policies are subordinate to the CSU Conflict of Interest Policy. Agents and County/Area Directors should be reminded of the policy on how to handle requests, and that there is a procedure to follow when there is a potential conflict of interest. If a new conflict of interest emerges during the year, a new Conflict of Interest Form must be completed.

[http://www.provost.colostate.edu/index.asp?url=Resources/faculty\\_affairs](http://www.provost.colostate.edu/index.asp?url=Resources/faculty_affairs)

#### Judging at Colorado County, Regional and State Fairs and Events

While not explicit in the policy, guidelines about remuneration for judging at state and county fairs or other judging events should be reiterated. Judging at fairs and events is not a job responsibility for personnel whereas speaking engagements are a responsibility of an Extension position.

The options for judging for staff paid through CSU are:

1. Follow the Colorado State Fair judging policy:
  - A. Do not take annual leave.
  - B. Be covered by CSU liability coverage.
  - C. Pay for expenses goes into a CSU held account from which the staff member may be reimbursed for actual travel expenses and other program expenses.
2. Do not be paid for judging, only travel expenses. Be covered by CSU liability coverage.
3. Take annual leave. Be paid for judging and travel expenses if offered. No CSU liability coverage. Staff member should not wear CSU Extension apparel nor use county or CSU vehicle for travel. Due to Colorado state law this is not an option for State Fair.
4. If chaperoning 4-H youth and judging at an event at the same time, a staff member is not allowed to take annual leave even if travelling on a weekend.
5. If judging on a weekend other than Colorado State Fair, a staff member may be paid an honorarium and travel expenses. There is no CSU liability coverage for the staff member.

For staff paid directly by a county, the staff member should discuss the request to judge with the county / area director and follow county policies.

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#### Working at National Western Stock Show

Reimbursement for actual or per diem expenses may be accepted. Working at the NWSS for payment as a judge or superintendent is allowed as long as the individual is taking annual leave.

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### Lecturing at Institutes, Conferences and Workshops

If lecturing at institutes, conferences and workshops and CSU is a partner or the event is external to CSU but held in Colorado, then the event may pay the Extension speaker's travel expenses. Any honorarium should be placed in a county or state program fund from which the speaker may withdraw funds to support program expenses. Honorarium should be made payable directly to a county or state Extension program fund.

If lecturing at institutes, conferences and workshops outside the state of Colorado, an employee may take annual leave and receive an honorarium. Annual leave does need to be approved by supervisor according to current Extension / Human Resources policy.

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### Teaching On-campus or On-line Courses

Teaching on-line courses or teaching for a community college, CSU or other academic entity is covered by current policy in the CSU Manual for Faculty and Staff. Guidelines regarding disclosure of conflict of interest must be followed. Regarding remuneration and expenses, the sub-committee sees that it is appropriate that:

1. Under all conditions, this activity should not interfere with Extension programs of work nor be contrary to University or USDA policy.

[http://www.csrees.usda.gov/about/human\\_res/cesguide/conduct\\_coi.html](http://www.csrees.usda.gov/about/human_res/cesguide/conduct_coi.html)

The CSU Conflict of Interest form must be completed and include a conflict of interest management plan if a conflict exists. Full discussion of this should take place with supervisor. Activities may not cause harm to the person's workload nor the mission of the University and Extension.

2. The instructor can be reimbursed for supplies and travel .

3. Any other remuneration may be: a) taken as payment or b) could be made payable to a county or state Extension program fund, to be used for Extension program expenditures. If remuneration is taken as payment, no Extension resources may be used.

4. State and county equipment should not be used without prior approval from immediate supervisor.

5. County/Area directors in the region should be consulted regarding public perceptions created by the effort.

6. If the course is completely unrelated to expertise for which Extension is known, there may be little concern, except that #1 prevails.

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### Consulting

Extension offers a core of knowledge through its county, area, regional and state offices. Should an Extension employee be asked or volunteer to serve as an Extension knowledge resource in a Colorado county, area, or region outside their primary work site, it should be done in coordination with and with full support of Extension personnel in the proposed county, area or region. These arrangements should be made in advance. Agents are not to consult in Colorado for personal remuneration on topics in which Extension provides information and education per USDA regulations.

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## Professional Scheduling

Using "professional scheduling" is not an option because there is no evidence that there is no conflict of interest. Professional scheduling is not documented on Request for Leave forms and is not provided on an hour-by-hour basis.

**Attachment:** Decision Tree from Extension Policy and Procedures (pg. 23)

### **Teaching for Credit Decision Tree (Use to determine potential conflict of interest):**

1. Is teaching done in geographic area of responsibility?
  - a. No - potentially no conflict – but go to Question #2
  - b. Yes - go to Question #2
2. Is preparation done on work time?
  - a. No - NO CONFLICT
  - b. Yes - go to Question #3
3. Does the topic fit the mission of Extension?
  - a. No - this work CANNOT be done on work time
  - b. Yes - go to Question #4
4. Is the topic in the area of the individual's program responsibility?
  - a. No - Is there someone else more appropriate to do this teaching?
  - b. Yes - go to Question #5
5. Will payment made, and if so to whom?
  - a. No - Usually no conflict
  - b. Yes
    - (1) Payment to County/Area Non-Appropriated Account - Usually no conflict
    - (2) Payment to the individual – Potentially a conflict of interest. Must be reported to and approval must be received from, the Director of Extension.