Title: Conflict of Interest Policy
Policy number: 
Date: October 27, 2009 
Approved by: The Board of Trustees upon recommendation of the Audit Committee

Introduction
This conflict of interest policy is designed to help trustees, officers, and employees of Golden Gate University (university) identify situations that present potential conflicts of interest or the appearance of a conflict of interest. It will also provide the university with a procedure that will allow a transaction to be treated as valid and binding even though a trustee, officer, or employee has or may have a conflict of interest with respect to the transaction.

Conflict of Interest Defined

♦ For purposes of this policy, the following circumstances shall be deemed to create conflicts of interest:
  ○ Outside Interests
    (i) A contract or transaction between the university and a Responsible person or
        family member or close associate of the responsible person
    (ii) A contract or transaction between university and an entity in which a
        responsible person, family member or associate of the responsible person has a
        material financial interest or of which such person is a director, officer, agent,
        partner, associate, trustee, personal representative, receiver, or other legal
        representative.
  ○ Outside Activities
    (i) A responsible person competing with university in the rendering of services
        or in any other contract or transaction with a third party.
    (ii) A responsible person having a material financial interest in; or serving as a
        director, officer, employee, agent, partner, associate, trustee, personal representative,
        receiver, guardian, custodian, conservator, or other legal representative of, or
        consultant to; an entity or individual that competes with the university in the
        provision of services or in any other contract or transaction with a third party.
  ○ Gifts, Gratuities and Entertainment
    A responsible person accepting gifts, entertainment, or other favors from any
    individual or entity that:
    (i) does or is seeking to do business with, or is a competitor of the university, or
    (ii) has received, is receiving, or is seeking to receive a loan or grant, or to secure
        other financial commitments from the university
(iii) is a charitable organization; under circumstances where it might be inferred that such action was intended to influence or possibly would influence the responsible person in the performance of his or her duties.

The acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value that are not related to any particular transaction or activity of the university is permissible.

Definitions

♦ A conflict of interest is any circumstance as described above.

♦ A responsible person is any person serving as an officer, employee with budgetary authority, or member of the board of trustees of Golden Gate University.

♦ A family member is a spouse, domestic partner, parent, child, or spouse of a child, brother, sister, or spouse of a brother or sister, of a responsible person.

♦ Associate of responsible person is a business partner, close friend or someone with close relationship with the responsible person and not a family member.

♦ A key employee is any employee of the university with authority to commit university funds and/or business decisions.

♦ Material financial interest in an entity is a financial interest of any kind that, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a responsible person’s or family member’s judgment with respect to transactions to which the entity is a party.

♦ A contract or transaction is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship. The making of a gift to Golden Gate University is not a contract or transaction for purposes of this policy.

Policy

Trustees, officers and university employees shall avoid actual or apparent conflicts of interest with the university. A trustee, officer and/or university employee shall be considered to have a conflict of interest if:

♦ Such person has existing or potential financial or other interests which may impair or might reasonably appear to impair such person’s independent, unbiased judgment in the discharge of his/her responsibilities to the university, or

♦ Such person is aware that a family member or associate, or any organization in which such person, family member or associate is an officer, director, employee, member, partner, trustee, or controlling stockholder of an outside firm and as such may have existing or potential financial or other interests.
Annually, each trustee, officer and key employee shall disclose to the university his/her circumstances that may be considered conflicts of interest, or potential conflicts of interest according to the procedures proscribed therein.