



LP 1.5

Effective:
12/17/2021

Revised:

Policy Owner:
Board of Trustees

Policy Administrator:
Secretary to the Board
of Trustees

Affected Parties:
Trustees

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Board of Trustee Conflict of Interest

1 Policy Summary

In carrying out its public trust, the Lander University Board of Trustees has adopted this policy to enhance public confidence in the board on matters related to actual, potential, or perceived conflicts of interest.

2 Fiduciary Responsibilities

- 2.1 Members of the Lander University Board of Trustees shall act in a manner consistent with their fiduciary responsibilities to Lander University.
- 2.2 Trustees shall place the university's interests ahead of their private interests.
- 2.3 Trustees shall exercise their powers and duties in the best interests of the board and the university and for the public good.

3 Conflict of Interest

- 3.1 A conflict of interest ("conflict(s)") exists when a trustee's financial interests or other opportunities for personal benefit may compromise, or reasonably appear to compromise, the trustee's independence of judgment in fulfilling their board duties.
- 3.2 Trustees shall remain free from the influence of, or the appearance of, any conflicting interest in fulfilling their board duties.
- 3.3 Trustees shall ensure that no detriment to the university results from any conflicts between their personal interests and those of the university.
- 3.4 Trustees shall refrain from accepting duties, incurring obligations, or engaging in activities that would be incompatible with, or in conflict with, their board duties.

4 Contracts

- 4.1 No trustee shall have a pecuniary interest, whether direct or indirect, in any contract with the university that would induce or have the potential to induce action on the part of the trustee to promote the contract for their own personal benefit.

5 Use of Authority/Information

- 5.1 Trustees shall not use their positions, or any privileges or information attendant to their offices, to obtain or provide others with a benefit that is incompatible with the university's interests.

6 Outside Influence

- 6.1 A trustee shall not solicit or accept any gift, loan, or other thing of value, or the promise thereof in the future, from any person or entity that would tend to influence improperly the manner in which the trustee performs their duties.

7 Diversion of Opportunity

- 7.1 A trustee shall not divert to another individual or entity an opportunity that may be of interest to the university unless the university has been informed of the opportunity on a timely basis and has declined to act on it.

8 Disclosure of Conflicts

- 8.1 If a trustee believes that they may have a conflict of interest or is notified of a report regarding possible non-compliance with this policy, the trustee shall promptly and fully disclose the conflict to the Executive Committee of the Board of Trustees and shall refrain from participating in any way in the matter to which the potential conflict relates until the potential conflict has been clarified and/or resolved.
- 8.2 The chair of the Board of Trustees shall inform the secretary to the board and the university president of all conflict of interest questions that have been disclosed to the Executive Committee.
- 8.3 Trustees must annually¹ file a statement of economic interest.²

¹ S.C. Code Ann. § 8-13-1110 (2024)

² S.C. State Ethics Commission general information and link to form: <https://ethics.sc.gov/statement-economic-interests>

- 8.4 Trustees shall be reminded annually by the secretary to the board of their obligation to submit, by Noon on March 30 of each year, a statement of economic interest.

9 Addressing Conflicts

- 9.1 If it is determined that a conflict of interest exists, the Board of Trustees chair and the university president shall work with the affected trustee to address the conflict and explore alternate arrangements that would eliminate or otherwise resolve the conflict.
- 9.2 If, after reasonable efforts, it is not possible to reach a mutually acceptable alternative arrangement, any transaction associated with the conflict shall be prohibited.

10 Violations

- 10.1 If a trustee fails to disclose a conflict of interest as defined in this policy or a conflict is otherwise discovered after the fact, the matter shall be forwarded to the South Carolina Ethics Commission for review and corrective action.

11 Trustee Emeriti

- 11.1 This policy shall apply to trustees emeriti for a period of one year following the end of their term of office on the Board of Trustees.

12 Interpretation

- 12.1 This policy is to be interpreted and applied in a manner that will best serve the interests of the university.

13 State Law

- 13.1 This policy is in addition to any obligations imposed on a trustee by the state law on conflicts of interest.
- 13.2 The Lander University Board of Trustees is constituted according to South Carolina S.C. Code Ann. § 59-135-10 (2024) and is composed of 16 members, including:
- the governor of the state or his or her designee (ex officio),
 - 15 members elected by the General Assembly,
 - and one member to be appointed from the state at large by the governor.

13.3 By virtue of their positions on the board, members are subject to S.C. Code Ann. Title 8 (2024) – Public Officers and Employees, which mandates that Board of Trustees members not participate in any actions that could be deemed as a conflict of interest.³

14 Policy Revision History

- First draft submitted by Policy Coordinator, in consultation with the Secretary to the Board, to the Board of Trustees Policy Committee Chair on 11/30/2021.
- Approved by the Lander University Board of Trustees on 12/17/2021.
- Prepared for Board of Trustee Policy Committee review by policy coordinator on 11/24/2025.
- Reviewed by the Board of Trustee Policy Committee with suggested revisions on 12/1/2025.
- Reviewed and revised by policy coordinator and secretary to the board on 12/2/2025.
- Approved by the Board of Trustees on 12/17/2025.

³ SC Code of Laws Section 8: <https://www.scstatehouse.gov/code/title8.php>