

**3.2.3** The board has a policy addressing conflict of interest for its members. **(Board conflict of interest)**

**Compliance Status:** Compliance

As an agency of the State of Georgia, the Board of Regents of the USG and its individual members are subject to rules and regulations pertaining to conflict of interest as defined in State law, as well as in Board policy and Regents' bylaws. In addition, the Governor of the State of Georgia signed an [Executive Order](#) on January 13, 2003, outlining the code of ethics for executive branch officers and employees. This extensive set of regulations forms the context of a strong policy for the prohibition of conflict of interest among the members of the University's governing board.

### State of Georgia Law

*Official Code of Georgia Annotated* provides substantive guidance on ethics and conflicts of interest rules that are applicable to employees of any state agency. For example, the "Code of Ethics for Government Service" (*Official Code of Georgia Annotated Sections [45-10-1](#), [45-10-20](#), and [45-10-22](#)*) applies to all elected and appointed public officials of the State of Georgia, including the Board of Regents. For purposes of this section, the most relevant statutes include:

Citation	General Focus of Statute
<a href="#">Official Code of Georgia Annotated § 45-10-1</a>	Code of Ethics for Government Service by "any person" in government service
<a href="#">Official Code of Georgia Annotated § 45-10-20</a>	Definitions of "any person" and "public official" apply to appointed members of the BOR
<a href="#">Official Code of Georgia Annotated § 45-10-21</a>	All public officials must be independent, impartial, and free of conflicts of interest
<a href="#">Official Code of Georgia Annotated § 45-10-22</a>	Avoidance of conflicts of interest involving business transactions with the state
<a href="#">Official Code of Georgia Annotated § 45-10-23</a>	Prohibits any full-time employee from transacting any business with an agency in which the employee or any member of his or her family has a substantial interest
<a href="#">Official Code of Georgia Annotated § 45-10-24</a>	Prohibits any part-time official with statewide powers from conducting business with any agency in which he or she (or a member of his or her family) has a substantial interest
<a href="#">Official Code of Georgia Annotated § 45-10-26</a>	Distinguishes between public officials and employees, but calls for full disclosure from both concerning business interests
<a href="#">Official Code of Georgia Annotated § 45-10-40</a>	Specific reference to Board of Regents members and conflicts of business interest
<a href="#">Official Code of Georgia Annotated § 45-10-41</a>	Penalties for Board of Regents member infractions involving conflicts of interest

### **Bylaws of the Board of Regents**

The *Bylaws of the Board of Regents* also addresses the issue of conflict of interest. Specifically, [Article II, Section 2](#) of the *Bylaws* prohibits Board members from accepting “gifts, honoraria, or other forms of compensation from University System institutions or cooperative organizations for speaking or other activities at events sponsored by University System institutions.” Additionally, [Article V, Section 2](#) of the *Bylaws* generally provides that Board members “shall not recommend any person for employment in any position in the University System.”

**Supporting Documentation**

[State of Georgia Executive Order signed by Governor Sonny Perdue, January 13, 2003](#)

[Official Code of Georgia Annotated, Section 45-10-1](#)

[Official Code of Georgia Annotated, Section 45-10-20](#)

[Official Code of Georgia Annotated, Section 45-10-22](#)

[Official Code of Georgia Annotated, Section 45-10-21](#)

[Official Code of Georgia Annotated, Section 45-10-23](#)

[Official Code of Georgia Annotated, Section 45-10-24](#)

[Official Code of Georgia Annotated, Section 45-10-26](#)

[Official Code of Georgia Annotated, Section 45-10-40](#)

[Official Code of Georgia Annotated, Section 45-10-41](#)

[USG Bylaws of the Board of Regents, Article II, Section 2](#)

[USG Bylaws of the Board of Regents, Article V, Section 2](#)