

GUIDE FOR FILING STATEMENTS OF SUBSTANTIAL INTERESTS

Filing Criteria

Kansas law requires that certain state employees annually file Kansas Statements of Substantial Interests (SSI) with the Secretary of State. Pursuant to Kansas state law (K.S.A. 46-285; K.S.A. 46-282) State agencies must submit to the Kansas Governmental Ethics Commission a list of employees who meet the following criteria:

- I. all faculty members who receive an annual salary of \$150,000 or more per year, regardless of their responsibilities;
- II. any employee who holds a position:
 - a. DEFINED as a major policy making position (chairs, directors, deans, vice provosts, etc.);
 - b. responsible for contracting, purchasing or procurement, except persons whose sole responsibility is the purchasing of gasoline or emergency repair for a state vehicle assigned to them for their use or persons whose sole responsibility relating to purchasing or procurement includes only transactions pursuant to pre-existing state contracts;
 - c. responsible for writing or drafting specifications for contracts;
 - d. responsible for awarding grants, benefits or subsidies; or
 - e. responsible for inspecting, licensing, or regulating any person or entity.
- III. any faculty member or other employee who consults for an individual or entity and then lobbies, testifies, promotes or opposes action or non-action on any issue, including expenditure of public funds, by any federal or state agency or political subdivision. If an employee undertakes covered consulting activities in the future and are not otherwise required to complete the SSI, an SSI form should be completed and submitted at the same time the employee files a [request for university approval of consulting activities](#).

Filing Requirement

Employees who meet the filing criteria must file a Statement of Substantial Interest with the Secretary of State between April 15 and April 30. (K.S.A. 46-248 (a)). However, statements may be filed in advance of April 15 once notification is received from KU Human Resources.

Upon receipt of the notification, employees should read the [letter from the Governmental Ethics Commission](#) and review the guides and definitions available on the [Substantial Interest Help](#) webpage. The information provided by the Governmental Ethics Commission includes guides to filling out sections C through G and a set of definitions. Additional guidance is also provided below. **To meet the filing requirement, employees fill out the [Statement of Substantial Interest Form](#) and submit it to the Secretary of State so that it arrives by April 30, 2024.**

Conflict of Interest Clarification

The “Declaration for Conflict of Interest and Conflict of Time Policy” form employees are asked to complete at the start of the academic year is a separate form required by the federal government. Completing that declaration does not remove one’s obligation to complete the Statement of Substantial Interest, which is required by state law. Failure to file the SSI is a Class B misdemeanor.

Common Questions and Guidance

If an employee’s responsibilities have changed, or they do not believe they fall within any of the criteria listed above, they should confer with their supervisor first and inform HR if the employee and supervisor determine the requirement no longer applies.

If an individual has nothing to report in any section, the "nothing to report" line should be checked in that section. The requirement to submit the SSI form is not dependent upon having a substantial interest to report but based upon meeting one or more of the criteria above.

If an individual filed electronically in the previous year, the individual should be able to access that filing this year and simply update responses. Please note, the username and password used for filing the SSI are NOT the same as KU username and password.

Those who are unable or do not wish to file electronically may obtain a paper copy of the form and instructions from Human Resources and submit the form by mail to the Kansas Secretary of State, Elections Division, Memorial Hall, 1st Floor, 120 SW 10th Avenue, Topeka, KS 66612- 1594. The form must be signed and dated and a copy should be retained for future reference.

Guidance on Completing the Statement of Substantial Interests Form

Section A: Identification is self-explanatory.

Section B: Most KU employees will check box 4; however, in some instances, more than one category may apply. Use “University of Kansas, Lawrence” to identify the University.

Section C, Ownership Interests: List any business interest exceeding 5% or \$5,000 that you or your spouse has had during the past year. For example, report stock or a mutual fund worth more than \$5,000 even though your ownership share may be less than 5% of the stock or fund’s total worth. Likewise, report 5% or greater ownership in a property or business venture no matter what its value. If you or your spouse owns more than 5% of a business, you must also disclose

the percentage held. "Other business interest" includes income from consulting, authorship, inventing, etc., so if you consult, receive royalties from publications, or provide services yourself, you are considered to own a business, even if it does not have a formal business name or formal business structure. List your ownership here.

In this section, you also must report, for you and your spouse, all mutual funds and all retirement accounts worth more than \$5,000. We have been advised by Governmental Ethics Commission staff that this includes interests in KPERS, any of the current or former Regents Retirement plans (TIAA-CREF, ING, VOYA, the Security Benefit Group of Companies, or Lincoln Financial Advisors), and other retirement accounts such as voluntary tax sheltered annuities, the state 457 deferred compensation plan, IRAs, Keogh accounts, 401Ks, etc. You need not report the specific holdings within one of these plans or the amount, only the name of the company, e.g., "TIAA-CREF." You are required to report your percentage of ownership interests. The Ethics Commission staff advises that you use "100%" when reporting on your retirement accounts, as you own 100% of your individual retirement. If you have questions about whether you have more than \$5,000 in a given account, please contact the retirement plan directly.

Please note that you do not need to report certificates of deposits, bank savings or checking accounts in a savings and loan, shares in a credit unit, life insurance policies, annuities that are not part of a mutual fund portfolio, notes, bonds, debentures, or mortgages in this section.

Section D, Gifts or Honoraria: List any person, group, or business, including endowment associations, athletic corporations and other university-related entities, from which you or your spouse received gifts or honoraria with an aggregate value of \$500 or more. For example, if a local business gave your spouse Kansas City Chiefs tickets with an aggregate value of \$500 or more, or if you presented a lecture and received an honorarium of \$500, the gift or honorarium must be listed and the donor named. You should also name the donors of any gifts of unknown value.

Section E, Receipt of Compensation: Information about your KU employment was required in Section B of the form. If KU was your only employer in the last calendar year and you did not receive compensation of \$2,000 or more from any other employer or business, check both lines in Section E.1. If you had other employers or if any businesses, endowment associations, athletic corporations or other university-related entities paid you at least \$2,000 for services or work, list them in the available spaces. Include non-University summer employment. If a company retains you and pays you a regular, periodic sum for consulting, name the company here. (Report irregular or occasional consulting income in Section G.) Relevant information about your spouse's employment and other compensation is to be listed in Section E.2.

Section F: Name organizations in which you or your spouse is an officer, director, etc. Include non-profit organizations to which you give uncompensated services. If you own a corporation or partnership, report your position title here.

Section G: List any business clients from whom you or your spouse received commissions or fees of \$2,000, for example, a law firm in which your spouse is a partner and has a share of the

fees, or a realty firm from which your spouse received commissions. Also list companies that have paid you \$2,000 or more in aggregate or one-time consulting fees (see E above).

Additional Resources

For further information or clarification, please contact Human Resources at 785-864-4946 or hrdept@ku.edu or contact the Governmental Ethics Commission at 785-296-4219. Questions about employee obligations under the state ethics statutes may be addressed to the Office of the General Counsel at 785-864-3276.

Individuals may also review the [Statement of Substantial Interest Policy](#).