

Shawnee State University

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Policy Statement: It is the policy of Shawnee State University to carry out its mission in accordance with the ethical principles embodied in state law and this policy. Employees should conduct themselves in a manner that fosters public confidence in the integrity of the University, its processes, decisions, and its accomplishments.

This policy supplements the laws of Ohio governing the ethical conduct of public employees in carrying out their duties. Full copies of the applicable sections of the Ohio Revised Code are available in the Department of Human Resources. In case of conflicts between this advisory and the law, the more restrictive with regard to authorized actions by public employees applies.

1.0 Terms Explained

- 1.1 Employee or University personnel. Unless the context indicates otherwise, means trustees, faculty, administrators, hourly, and other employees, including adjunct faculty and contract employees of Shawnee State University.
- 1.2 Honorarium. Any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the employee conducting that business was appointed to his or her position of employment.
- 1.3 Anything of Value. Includes money, securities, commercial paper, goods and chattels, promissory notes, rights in action, any interest in realty, travel, lodging, meals, entertainment, any promise of future employment, and every other thing objectively valued at \$25.00 or more.
- 1.4 University. Shawnee State University.
- 1.5 RC. Ohio Revised Code.

2.0 Unlawful Interest in a Public Contract ([RC § 2921.42](#))

- 2.1 University personnel are prohibited from authorizing or using the influence of their position to secure:
 - 2.1.1 a University contract (including employment) in which the employee, a member of his/her family as defined in paragraph 2.5 below, or any of his business associates has an interest; or
 - 2.1.2 investment of public funds in any bond, share, or security with respect to which he/she, a member of his/her family or any business associates has an interest or receives any brokerage or service fees.
- 2.2 University personnel are prohibited from profiting from a University contract which he/she authorized. This prohibition extends for one year after the employment ceases.
- 2.3 Employees are prohibited from having an interest in the profits or benefits of a University contract, other than their contract(s) of employment with the University.
 - 2.3.1 Employees do not violate this section if his/her interest is limited to owning shares of a corporate contractor which do not exceed five percent (5%) of the outstanding shares, and the employee files an affidavit with the General Counsel of the University giving his/her exact status with the corporation at the time the contract is entered into.
 - 2.3.2 Employees do not violate this section if the interest in the contract is within the limitations of Section 4.0 of this policy.
- 2.4 For the purposes of this section, family member includes: parents, grandparents, children, grandchildren, spouse, siblings, or any other person related to the employee by blood or marriage and residing in the same household.

3.0 Improper compensation ([RC § 2921.43](#))

- 3.1 No employee may solicit or accept any compensation other than his or her established salary, wage, or employment related benefit, to perform any act or service within the scope of the employee's position.
- 3.2 Employees may not solicit or accept anything of value for the purpose of:
 - 3.2.1 appointing, securing, maintaining, or renewing the employment of any person with the University; or

3.2.3 preferring or maintaining the status of any employee with respect to his/her compensation, duties, placement, location, promotion, or other material aspects of his/her employment.

3.3 Employees may not coerce contributions for the benefit of a political party, campaign committee or political action committee as consideration for:

3.3.1 appointing, securing, maintaining, or renewing the employment of any person with the University; or

3.3.2 preferring or maintaining the status of any public employee with respect to his/her compensation, duties, placement, location, promotion, or other material aspects of his/her employment.

4.0 Interest in State or University Contracts [\(RC § 102.04\)](#)

4.1 Employees may not sell or agree to sell, except through competitive bidding, any goods or services, to the University or the state or any of its departments, agencies, or instrumentalities except as provided in paragraph 4.2.

4.2 Employees may sell goods and services to state departments or agencies, including the University, if prior to the sale, the employee files a statement with the University General Counsel, the Ohio Ethics Commission and the state agency that is purchasing the goods or services. The statement will include the employee's name, home address, the name and mailing address of the state agency which employs him/her and the state agency which has agreed to purchase goods or services from him/her. The statement will also include a declaration that the employee disqualifies himself/herself for a period of two years from participating in any matter before the agency to which the good or services are sold.

5.0 Post Employment Restrictions [\(RC § 102.03\(A\)\)](#)

Employees (except faculty members whose position does not involve performance of or the authority to perform administrative or supervisory functions) are prohibited during the period of their employment and for one year thereafter from representing anyone on any matter in which the employee personally participated in his/her official University capacity.

6.0 Conflict of Interest [\(RC § 102.03 \(D\), \(E\), \(F\)\)](#)

Employees (except faculty members whose position does not involve performance of or the authority to perform administrative or supervisory functions) are prohibited from using the authority or influence of their office or soliciting or accepting anything of value which manifests a substantial and improper influence upon him/her with respect to his/her official duties.

7.0 Honorarium, Travel, Meals, Entertainment and Lodging ([RC § 102.03\(H\)](#))

- 7.1 Except as approved by the appropriate Vice President, or the President in the case of a Vice President, employees (except faculty members whose position does not involve performance of or the authority to perform administrative or supervisory functions) may only accept an honorarium or payment or reimbursement for travel, meal, entertainment, and lodging expenses from other than the University in recognition of demonstrable business, professional, or esthetic interests of the employee that exist apart from the employee's official duties. Criteria for acceptance of outside funding for honorarium, travel, meals, entertainment, and lodging include but are not limited to: the appearance or actual conflict of interest and the benefit, if any, to the University versus time away from the job.
- 7.2 Payments are not permitted under this section from any person or entity doing, or seeking to do, business with the University.
- 7.3 Accepting incidental things of value during national or regional professional conferences which are offered to all attendees in accordance with Ethics Commission guidelines is not a violation of this section.

8.0 Sanctions

Failure of any employee to abide by this policy or the ethics law and related statutes, may result in discipline up to and including dismissal as well as potential civil and criminal sanctions under the law. Any disciplinary action will be in accordance with applicable collective bargaining agreements.

9.0 Ethics laws

A compendium of state and federal ethics laws is available on the reserve shelf of the library. Laws are subject to change and employees should seek legal advice if there is a question of statutory construction.

10.0 Distribution and Review

This policy will be reviewed by all employees annually. This policy and a copy of Ohio's Ethics laws will be provided to all new employees by the Department of Human Resources within 15 days of employment.

11.0 Ethics Guidelines

The following rules are intended to illustrate the application of this policy and the law.

- 11.1 Employees should not accept any gifts (including incidental meals) from contractors or their subcontractors, or those who seek business with the University.
- 11.2 Employees attending a national or regional conference can go to luncheons, meals, and other functions which are sponsored by third parties, including contractors, IF all attendees or a significant subset of attendees are invited.
- 11.3 Employees can go on "orientation trips" sponsored by third parties, provided the appropriate vice president approves in advance and the sponsor of the trip is NOT a contractor or seeking to do business with the University.
- 11.4 Employees should not accept gifts of any value from any person or entity doing business with the University. Where the gift is received unsolicited through the mails, employees should notify their supervisor of the gift, and document disposal of it to avoid actual or apparent improper influence, e.g., returning the item to the donor, or discarding it, or giving it to others so that the benefit of the gift does not accrue to the employee.
- 11.5 Employees should not sell goods or services to the University unless they are purchased through the University's purchasing process which allows fair consideration to other providers.
- 11.6 Employees should not use their position or influence to have the University hire their family members. Even the appearance of influence should be avoided during the hiring process, by removing oneself from the process if a family member is interested in a position.
- 11.7 Employees of the University should conduct themselves in a manner that instills public trust in how they perform their job, ensuring public dollars are well spent, third parties are treated fairly and that the employee receives no personal benefits because of their public employment other than their contract wage or salary.
- 11.8 Faculty should avoid any appearance of conflict of interest with students whom they have some academic control over, e.g., selling books and other property, in which they have an economic interest, directly to students. Faculty who make books and other property in which they have an economic interest available to students through the University (book store and the library) do not violate this policy, provided purchase of the item is not a requirement of the course.