



KENTUCKY STATE UNIVERSITY POLICIES AND PROCEDURES

INTEGRITY AND ETHICS

1. Policy

Ethical Principles

The Kentucky State University Ethical Principles and Code of Conduct are intended to document expectations of responsibility and integrity. Exemplary ethical conduct is critically important in our relationships with colleagues, Regents, students, volunteers, contractors, and the public. This statement reflects the values of the University approved by the Board of Regents on July 21, 2004. The following core values guide our decisions and behavior.

- Integrity
- Academic excellence and freedom
- Mutual respect and human dignity
- Diversity of thought, culture, gender, and ethnicity
- Personal and institutional responsibility and accountability
- Shared governance
- A sense of community
- Sensitivity to work-life concerns
- Civic responsibility

Each member of the University must endeavor to:

1. promote the best interests of the Kentucky State University
2. foster the Vision, Mission, and Values of the University
3. preserve the public's respect and confidence in the Kentucky State University
4. exhibit personal integrity, honesty, and responsibility in all actions
5. provide an environment of mutual respect, impartiality, and collaboration

6. maintain confidentiality in all matters deemed confidential
7. assure independence of judgment free from conflicting interests
8. ensure that relationships that constitute or could be perceived as conflicts of interest are fully and properly disclosed and University guidelines are followed
9. comply with the policies and procedures of the Kentucky State University and applicable state and federal laws and regulations
10. demonstrate stewardship of University property and resources

Code of Conduct

Those acting on behalf of Kentucky State University have a duty to conduct themselves in a manner that will maintain the public's trust in the integrity of the University and to act compatibly with their obligation to the University. The Code of Conduct establishes guidelines for professional conduct for University members, including Regents, executive officers, faculty, staff, and other individuals employed by the University, those using University resources or facilities, and volunteers and representatives acting as agents of the University (collectively "University members"). The conduct of students is addressed in the Student Handbook.

The Code of Conduct is intended as a general guide to determine what conduct is expected and to help individuals to determine behaviors that should be avoided. Employees are strongly urged to consult with their supervisor to review and evaluate specific situations. In addition to the Code, University members are generally subject to all University Board Policies, Administrative Regulations, and University Guidelines, and state and federal law. Violations of this code will be subject to appropriate penalties.

While this Code of Conduct provides overall guidance and in some instances interpretation, additional guidance and procedures are found in other official University policy documents, such as the Board Policies, Administrative Regulations, and University Guidelines (the provisions of the Faculty Handbook and Staff Personnel and Policy and Procedure Manual are included therein).

Nondiscrimination Policy

Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without regard to sex, sexual orientation, race, ethnic origin, national origin, color, creed, religion, age, uniform service or veteran status, physical or mental

disability, or political belief. All University members are expected to comply with this nondiscrimination policy.

Confidentiality of Information

University members are entrusted with personal and institutional information that should be treated with confidentiality and used only for conducting University business. Respect for individual and institutional privacy requires the exercise of care and judgment. Unless required or permitted by law or University regulations, personal and official information provided by and about faculty, staff and students must not be given to third parties without the consent of the individuals concerned. When doubt exists regarding the confidentiality of information, University members should presume information is confidential until determined otherwise. Student information is also governed by the Federal Educational Right to Privacy Act (FERPA) and KRS 164.283.

Use of the University's Name

University members have a public association with the University, but are also private citizens, thus care must be taken to appropriately differentiate between the two roles. University members may not use or allow the use of the name of the University or identify themselves as employees of Kentucky State University in the public promotion or advertising of commercial products without prior written approval.

Individuals writing or speaking publicly in a professional or expert capacity may identify themselves by their relationship with the University, but if so identified then in all instances where the individual might give even the appearance of speaking on behalf of the University, care must be taken to emphasize that any views expressed are their own and are not representative of the Kentucky State University.

University members are encouraged to contribute to public debate as citizens. In instances where University members comment publicly as part of their official University duties, they should do so using University stationery and e-mail accounts; when commenting as citizens, University members must use personal stationery and personal e-mail accounts.

University Resources

University members should be responsible stewards of University resources. University members are entrusted with protecting the property, equipment, and other assets of the University and exercising responsible, ethical behavior when using the University's resources. University assets are intended for University activities. Limited personal use of fixed University resources, such as computers and telephones, which does not result in a charge to the University is permitted as long as the use does not interfere with

assigned job duties. In some instances, a University member may use University equipment outside of the realm of his or her professional duties when the goals of the individual and the University coincide. Any such use must not result in any income to the member, and the member must have the prior, written approval from the dean or appropriate administrator where the resources are located, and must provide that the University will be reimbursed for the full cost of the use of the equipment. Such use must not interfere with the Kentucky State University's uses, and must occur outside of the University member's regular employment assignment. The University legal counsel can provide assistance.

Sexual Harassment

To foster an environment of respect for the dignity and worth of all members of the University community, the University is committed to maintain a work-learning environment free of sexual harassment. The policy of Kentucky State University, approved by the Board of Regents, prohibits sexual harassment of students, faculty and staff and assures that complaints of sexual harassment will be treated and investigated with full regard for the University's due process requirements.

Personal Relationships

The quality of decisions may be affected when those making decisions have personal relationships with those who are the subjects and possible beneficiaries of these decisions. The critical concern is that personal relationships, whether positive or negative, should not inappropriately or unfairly affect decisions. Conflicts of interest may arise when people are involved in making decisions affecting any members of their families, relatives, or those with whom they have or have had intimate relationships.

Decisions affecting present or former business partners should also be avoided. Individuals with personal relationships should excuse themselves from such decision-making. In many cases, potential conflicts can be managed by candid but discreet disclosure of those relationships.

The University strongly urges those individuals in positions of authority not to engage in conduct of an amorous or sexual nature with a person they are, or are likely in the future to be, in a position of evaluating. The existence of a power differential may restrict the less powerful individual's freedom to participate willingly in the relationship. If one of the parties in an apparently welcomed amorous or sexual relationship has the responsibility for evaluating the performance of the other person, the relationship must be reported to the dean, department chair or supervisor so that suitable arrangements can be made for an objective evaluation of the student or employee.

Employment of Relatives

Kentucky State University Board of Regents has adopted a Nepotism Policy governing the employment of relatives.

Intellectual Property

Kentucky State University Board of Regents has adopted an Intellectual Property Policy, and the University has adopted an Intellectual Property Administrative Regulation and Intellectual Property Rights Agreement Guideline, all governing the rights to intellectual property.

Conflict of Commitment

Decisions and the judgment upon which the decisions are based must be independent from conflicting interests and must hold the best interest of the Kentucky State University foremost. Conflicts of commitment relate to an individual's distribution of effort between University appointment and outside activities. The Kentucky State University permits external employment or self-employment in an employee's profession or specialty where there is not a conflict of interest or commitment. Faculty and professional administrative employees are expected to devote their primary professional loyalty, time, and energy to Kentucky State University teaching, research and service endeavors; activities outside the University must be conducted without detracting from these primary commitments. A conflict of commitment generally occurs when the pursuit of outside activities interferes with obligations to students, to colleagues and to the missions of the University. These conflicts may become apparent in regular performance reviews, in connection with annual salary decisions and scheduled reviews incident to promotion, reappointment or tenure decisions and should be addressed by the appropriate department head. The University policy and procedures on outside consulting can be found in Administrative Regulations governing Faculty and Staff outside employment.

Conflict of Interest

The public's respect and confidence in the Kentucky State University must be preserved. Confidence in the Kentucky State University is put at risk when the conduct of University members does, or may reasonably appear to, involve a conflict between private interests and obligations to the University. All University members shall avoid conduct that might in any way lead members of the general public to conclude that he or she is using an official position to further professional or private interests or the interests of any members of his or her family. In conducting or participating in any transaction, full disclosure of any real or perceived conflict with personal interests and removal from further participation in such matters is required.

The University recognizes that actual or potential conflicts of interest may occur in the normal conduct of research and other activities. A conflict of interest can also arise if an employee's professional judgment is or may appear to be influenced by personal interests. It is essential that potential conflicts be disclosed and reviewed by the University. The President shall provide a Conflict of Interest and Commitment Form and Annual Certification of Compliance for this purpose that should be completed by May 1 of each year by each faculty member and returned to the Provost's Office. This form should be completed by all staff by July 1 of each year and returned to the appropriate Vice President or Cabinet level administrator. After disclosure, the University can make an informed judgment about a particular activity and require appropriate oversight, limitations, or prohibitions in accord with this policy. It is important to remember that each relationship is different, and many factors often will need to be considered to determine whether a conflict of interest exists.

Financial Advantage

Members of the University community must exhibit personal integrity, honesty and responsibility in all actions. Official position or office shall not be used to obtain financial gain or benefits for oneself or members of one's family or business associates. Any action that creates the appearance of impropriety should be avoided. Purchases and contracts shall not be made with an employee of the Kentucky State University for any item of supply, equipment, or service, nor may an employee have any interest, directly or indirectly, in any purchase made by Kentucky State University. An indirect interest may be defined as a real or perceived use of a University position or office with respect to a purchase or contract, leading to financial or other benefits to the individual or a member of his or her family. An indirect interest includes situations where a business owned or controlled by a family member does business with the University area where the employee is assigned. The procurement conflict of interest provisions of KRS 45A.340 apply to all members of the University community. The President shall provide for annual certification through the Conflict of Interest and Commitment Form and Annual Certificate of Compliance.

Acceptance of Gifts or Benefits

University members' decisions and actions should be based on the best interest of the University. No member should accept any type of reward, monetary or non-monetary, if there is an explicit or implicit assumption that influence has been exchanged for the favor. When no favor is asked for or gained, gifts of nominal value or moderate acts of hospitality, such as meals, in relation to one's position with the University may be accepted. The President shall provide for disclosure and approval of such gifts and hospitality. The following guidelines should be observed:

- Gifts or acts of hospitality valued up to \$50 annually from any one source need not be reported
- Gifts or acts of hospitality valued between \$50 to \$200 should be reported to the supervisor prior to acceptance
- Acts of professionally related hospitality above \$200 must be specifically justified and reported through the chain of command. Written approval for acceptance must be provided by the appropriate Vice-President or Cabinet level administrator, in advance.
- Individuals may not accept gifts valued above \$200. These gifts or benefits acknowledged and accepted on behalf of the University should be directed to the Vice President for Finance and Business Affairs, where they can be acknowledged and accepted on behalf of the University.

Clarifications and Reporting Violations

Like all policies, this policy could not possibly cover all possible situations. When any doubt about the propriety of an action exists, the University's policy requires a full and frank disclosure to an appropriate individual with sufficient authority to address the matter. For interpretation regarding this policy, such individual in authority may contact the University legal counsel.

University members are expected to report violations of this policy to an appropriate individual. The University will not tolerate any retaliation against a University member who makes a good faith report of a violation.

2. Entities Affected

- Office of General Counsel
- Campus Community
- Faculty Handbook
- Staff Handbook

3. Policy Owner/Interpreting Authority

Office of General Counsel

Office of Human Resources

4. Related Policies

5. Statutory or Regulatory References