Policy: PG-61

Subject
Ethical Principles and Code of Conduct

Approval Date:

PURPOSE: The Morehead State University (MSU) Ethical Principles and Code of Conduct policy is 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.

Each member of the University must endeavor to:

1. Promote the best interest of MSU

2. Understand and Foster the vision and mission and values of the University

3. Preserve the public’s respect and confidence in MSU

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 by either University, regulation and/or state/federal law

7. Assure independence of judgment free from conflicting interests (refer to PG-12)

8. Avoid relationships that place the University in legally vulnerable positions

9. Ensure that relationships that constitute conflicts of interest (or could be perceived as such) are fully and properly disclosed and University guidelines are followed

10. Comply with the policies and procedures of the University and applicable state and federal laws and regulations (such as PG-5, PG-6, PG-12)

11. Demonstrate responsible stewardship of University property and resources

DEFINITION: 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. Adherence to ethical standards and practices within individual disciplines should be observed. Employees are strongly encouraged to consult with their supervisors to discuss, review, and evaluate specific situations.

ELIGIBILITY: Those acting on behalf of the 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 meet 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 and volunteers acting as agents of the University (collectively, “University members”).
The conduct of the students is addressed in the Student Code of Conduct (student handbook.)

ELIGIBILITY: In addition to the Code of Conduct, university members are generally subject to all applicable university codes, regulations, and policies as well as state and federal law. Violations of this code will be subject to appropriate penalties.

In addition to the general rules provided in this Code of Conduct, provides overall guidance and in some instances interpretation, additional further guidance is found in other official university policy documents, such as the MSU Personnel Policy Manual, Board of Regents By-laws, University Administrative Regulations, and the Eagle Student Handbook.

POLICY: Those acting on behalf of the 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 acting as agents of the University (collectively, “University members”). The conduct of the students is addressed in the Student Code of Conduct (student handbook.)

PROCEDURE: Nondiscrimination Policy

Equal opportunity shall be provided for all persons throughout the university in recruitment, appointment, promotion, payment, training, and other employment practices without regard to sex, gender or sexual orientation, race, ethnic origin, national origin, color, creed, religion, age, veteran status, physical or mental disability or expression of political belief conviction. All university members are expected to comply with the institution’s nondiscrimination policy contained in PG-5.

Confidentiality of Information

University members are entrusted with personal and institutional information that must be treated with confidentiality and used only for conducting university business. Respect for individual and institutional privacy requires 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 assume that information is to be treated as confidential until determined otherwise.
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 must avoid giving the appearance of University endorsement. They may not use or allow the use of the name of the university or identify themselves as employees of the 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 MSU. University members are encouraged to contribute to public debate as citizens. In doing so, employees should clarify they are speaking or writing on behalf of themselves and not the University.

University Resources

University members should be responsible stewards of university resources. University members are entrusted with responsibly 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 (cell phones and land lines) is permitted as long as the use does not interfere with the assigned job duties and responsibilities. In no instance should university resources be used to conduct for profit personal business for profit. Personal use of cell phones and land lines requires reimbursement to the University in accordance with UAR 401.01.

Personal Relationships

The quality of one’s decisions may be adversely affected when those making decisions have they concern those with whom one has a personal relationship with those who are the subjects of possible beneficiaries of those decisions. The critical concern is that personal relationships, whether positive or negative, should not be inappropriately or unfairly affect decisions. Conflicts of interest may arise when people are involved in making decisions that affecting any members of their families, relatives, or those with whom they have (or have had) private personal relationships, or those with whom they have (or have had) business partnerships. Decisions affecting present or former business partners should also be avoided. Individuals facing such decisions with personal relationships should recuse excuse themselves from such the decision-making process. In many cases, potential
conflicts of interest can be managed by the candid but discreet disclosure of those relationships.

The university strongly urges those individuals in positions of authority not to have sexual or romantic relationships with those whom they exercise authority. The existence of a power difference may compromise the freedom to consent freely to participate in such a relationship. If such a relationship exists, then the party with greater authority must request that his or her supervisor find a suitable arrangement for the objective evaluation of the student, employee, or other person involved.

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.

To foster an environment of respect for the dignity and worth of all members of the university community, the university is committed to maintaining a work-learning environment free of sexual harassment. The policy of MSU, approved by the Board of Regents, prohibits sexual harassment of students, faculty and staff and requires that complaints of sexual harassment will be treated and investigated with full regard for in accordance with the University’s due process requirements. The University’s policy policies and procedures related to sexual harassment are contained in PG-6.

**Employment of Relatives**

University employment of relatives is governed by state law, and the university may only employ relatives of a member of the Board of Regents pursuant thereto to state law and PG-22. Members of the Board of Regents, except those elected to the Board as faculty, staff or student representatives, are ineligible for employment at the University.

**Intellectual Property**

All members of the university community are expected to be responsible stewards of university resources and comply with the university’s intellectual property policies (PG-18-PAc-12).

**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 university foremost. Conflicts of commitment relate to an individual’s distribution of effort between University appointment and outside activities. Faculty and professional administrative employees are expected to devote their primary professional loyalty, commitment, time, and energy to their positions at MSU teaching, research and service endeavors; other activities must not detract 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 if conflicts may become apparent in regular performance reviews, in connection with annual salary decisions and scheduled reviews incident to promotion, reappointment or tenure decisions per MSU policies and should then they must be addressed by the appropriate supervisor department head. The university’s policy and procedures regarding a faculty member’s outside consulting are located in PAc-5.

A staff employee may be employed outside the university when the employment does not constitute a conflict with university interests and when the hours of outside employment do not coincide or conflict with hours of scheduled work or affect the employee’s ability to perform satisfactorily. A staff employee may also perform outside employment while on vacation, holiday, or special leave as long as the outside employment does not constitute a conflict of interest. Adherence with this policy is the responsibility of the staff employee who seeks outside employment; however, it is recommended the employee advise his or her department head or the that staff employees notify their supervisor concerning outside employment.

Conflict of Interest

The public’s respect and confidence in the university must be preserved. Confidence in the 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 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.

University members are expected to avoid the appearance of benefiting from employment at the University in ways that do not result from the normal
performance of one’s regular duties. University members are expected to make full disclosure in situations of possible conflict of interest, and to withdraw from such situations as soon as they become apparent (refer to PG-12).

Financial Advantage

Members of the university community should endeavor to exhibit personal integrity, honesty and responsibility in all actions. Official position or office in the university shall not be used to obtain financial gain or benefits for oneself or members of one’s family or business associates that would not have occurred as a result of the normal performance of one’s duties as a professional. Actions that create the appearance of impropriety should be avoided.

Protection from Reprisal  Clarifications and Reporting Violations

Like all policies, this policy could not 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, counsel or advice regarding this policy, contact the appropriate up-line supervisor or vice president.

Penalties

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. Potential penalties for violations of this code include but are not limited to written reprimands, probation, suspension, and termination of employment.