

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~~ should endeavor to:

- ~~1. Promote the best interest of MSU~~
- 1. Understand Foster the vision and mission and values of the University
- ~~2. Preserve the public's respect and confidence in MSU~~
- 2. Exhibit personal integrity, honesty, and responsibility in all actions
- 3. Provide an environment of mutual respect, impartiality, and collaboration
- 4. Maintain confidentiality in all matters deemed confidential by either University regulation and/or state/federal law
- 5. Assure independence of judgment free from conflicting interests (refer to PG-12)
- 6. Avoid relationships that place the University in legally vulnerable positions Ensure that relationships that constitute conflicts of interest (or could be perceived as such) are fully and properly disclosed and University guidelines are followed
- 7. 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)
- 8. 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").

44 The conduct of the students is addressed in the Student Code of Conduct (student
45 handbook.)

46
47 **ELIGIBILITY:** In addition to the **this Code of Conduct**, university members are generally subject to
48 all **applicable** university codes, regulations, and policies as well as state and federal
49 law. ~~Violations of this code will be subject to appropriate penalties.~~

50
51 **In addition to the general rules provided in** ~~While this Code of Conduct, provides~~
52 ~~overall guidance and in some instances interpretation, additional further guidance is~~
53 found in other official university policy documents, such as the MSU **Personnel**
54 **Policy Manual**, Board of Regents By-laws, University Administrative Regulations,
55 and the Eagle Student Handbook.

56
57 **POLICY:** ~~Those acting on behalf of the University have a duty to conduct themselves in a~~
58 ~~manner that will maintain the public's trust in the integrity of the University and to~~
59 ~~act compatibly with their obligation to the University. The Code of Conduct~~
60 ~~establishes guidelines for professional conduct for University members, including~~
61 ~~regents, executive officers, faculty, staff and other individuals employed by the~~
62 ~~University, those using University resources or facilities, and volunteers acting as~~
63 ~~agents of the University (collectively, "University members"). The conduct of the~~
64 ~~students is addressed in the Student Code of Conduct (student handbook.)~~

65
66 **PROCEDURE:** Nondiscrimination Policy
67
68 Equal opportunity shall be provided for all persons throughout the university in
69 recruitment, appointment, promotion, payment, training, and other employment
70 practices without regard to sex, **gender or** sexual orientation, race, ethnic origin,
71 national origin, color, creed, religion, age, veteran status, physical or mental
72 disability or expression of political belief **conviction**. All university members are
73 expected to comply with the institution's nondiscrimination policy contained in PG-
74 5.

75
76 Confidentiality of Information
77
78 University members are entrusted with personal and institutional information that
79 **must** ~~should~~ be treated with confidentiality and used only for conducting university
80 business. Respect for individual and institutional privacy requires exercise of care
81 and judgment. Unless ~~required~~ or permitted by law or university regulations,
82 personal and official information provided by and about faculty, staff, and students
83 must not be given to third parties without the consent of the individuals concerned.
84 When doubt exists regarding the confidentiality of information, university members
85 should ~~presume~~ **assume that** information is **to be treated as** confidential. ~~until~~
86 ~~determined otherwise.~~

87

88 Use of the University's Name

89
90 University members have a public association with the university, but are also
91 private citizens, thus care must be taken to appropriately differentiate between the
92 two roles. University members **must avoid giving the appearance of University**
93 **endorsement** ~~may not use or allow the use of the name of the university or identify~~
94 ~~themselves as employees of the university~~ in the public promotion or advertising of
95 commercial products without prior written approval.

96
97 Individuals writing or speaking publicly in a professional or expert capacity may
98 identify themselves by their relationship with the University, but ~~if so identified~~
99 ~~then in all instances where the individual might give even~~ **must avoid giving**
100 the appearance of speaking on behalf of the University. ~~care must be taken to~~
101 ~~emphasize that any views expressed are their own and are not representative of~~
102 ~~MSU.~~ University members are encouraged to contribute to public debate as
103 citizens. In doing so, employees should clarify they are speaking or writing on
104 behalf of themselves and not the University.

105
106 University Resources

107
108 University members should be responsible stewards of university resources.
109 University members are entrusted with **responsibly** protecting the property,
110 equipment, and other assets of the university. ~~and exercising responsible, ethical~~
111 ~~behavior when using the university's resources.~~ University assets are intended for
112 university activities. Limited personal use of fixed university resources, such as
113 computers and telephones (cell phones and land lines) is permitted as long as the
114 use does not interfere with the assigned job duties and responsibilities. In no
115 instance should university resources be used to conduct ~~for profit~~ personal business
116 **for profit**. Personal use of cell phones and land lines requires reimbursement to the
117 University in accordance with UAR 401.01.

118
119 Personal Relationships

120
121 The quality of **one's** decisions ~~may be~~ **can be adversely** affected when ~~those making~~
122 ~~decisions have~~ **they concern those with whom one has a** personal relationship. ~~with~~
123 ~~those who are the subjects of possible beneficiaries of those decisions. The critical~~
124 ~~concern is that personal relationships, whether positive or negative, should not be~~
125 ~~inappropriately or unfairly affect decisions.~~ Conflicts of interest may arise when
126 people are involved in making decisions **that** affecting ~~any~~ members of their
127 families, relatives, ~~or~~ those with whom they have (or have had) private personal
128 relationships, ~~or those with whom they have (or have had) business partnerships.~~
129 ~~Decisions affecting present or former business partners should also be avoided.~~
130 Individuals **facing such decisions** with personal relationships should **recuse** ~~excuse~~
131 themselves from ~~such~~ **the** decision-making **process**. In many cases, potential

132 conflicts of interest can be managed by the candid but discreet disclosure of those
133 relationships.

134
135 The university strongly urges those individuals in positions of authority not to have
136 sexual or romantic relationships with those over whom they exercise authority. The
137 existence of a power difference may compromise the freedom to consent freely to
138 participate in such a relationship. If such a relationship exists, then the party with
139 greater authority must request that his or her supervisor find a suitable arrangement
140 for the objective evaluation of the student, employee, or other person involved.

141
142 ~~The university strongly urges those individuals in positions of authority not to~~
143 ~~engage in conduct of an amorous or sexual nature with a person they are, or are~~
144 ~~likely in the future to be, in a position of evaluating. The existence of a power~~
145 ~~differential may restrict the less powerful individual's freedom to participate~~
146 ~~willingly in the relationship. If one of the parties in an apparently welcomed~~
147 ~~amorous or sexual relationship has the responsibility for evaluating the performance~~
148 ~~of the other person, the relationship must be reported to the dean, department chair~~
149 ~~or supervisor so that suitable arrangements can be made for an objective evaluation~~
150 ~~of the student or employee.~~

151
152 To foster an environment of respect for the dignity and worth of all members of the
153 university community, the university is committed to maintaining a work learning
154 environment free of sexual harassment. The policy of MSU, approved by the
155 Board of Regents, prohibits the sexual harassment of students, faculty and staff and
156 assures requires that complaints of sexual harassment will be treated and
157 investigated with full regard for in accordance with the University's due process
158 requirements. The University's policy policies and procedures related to on sexual
159 harassment are contained in PG-6.

160 161 Employment of Relatives

162
163 University employment of relatives is governed by state law, and the university
164 may only employ relatives of a member of the Board of Regents pursuant thereto to
165 state law and PG-22. Members of the Board of Regents, except those elected to the
166 Board as faculty, staff or student representatives, are ineligible for employment at
167 the University.

168 169 Intellectual Property

170
171 All members of the university community are expected to be responsible stewards
172 of university resources and comply with the university's intellectual property policy
173 policies (PG-18, ~~PAc-12~~).

174 175 Conflict of Commitment

176
 177 ~~Decisions and the judgment upon which the decisions are based must be~~
 178 ~~independent from conflicting interests and must hold the best interest of the~~
 179 ~~university foremost.~~ Conflicts of commitment relate to an individual's distribution
 180 of effort between University appointment and outside activities. Faculty and
 181 professional administrative employees are expected to devote their primary
 182 professional ~~loyalty~~ **commitment**, time, and energy to **their positions at MSU**;
 183 ~~teaching, research and service endeavors;~~ **other** activities **must not detract** outside
 184 ~~the university must be conducted without detracting~~ from these primary
 185 commitments. ~~A conflict of commitment generally occurs when the pursuit of~~
 186 ~~outside activities interferes with obligations to students, to colleagues and to the~~
 187 ~~missions of the university.~~ These **If** conflicts ~~may~~ become apparent in regular
 188 performance reviews, ~~in connection with annual salary decisions and scheduled~~
 189 ~~reviews incident to promotion, reappointment or tenure decisions per MSU policies~~
 190 ~~and should~~ **then they must** be addressed by the appropriate **supervisor** department
 191 head. The university's policy and procedures regarding a faculty member's outside
 192 consulting are located in PAC-5.

193
 194 A staff employee may be employed outside the university when the employment
 195 does not constitute a conflict with university interests and when the hours of outside
 196 employment do not ~~coincide or~~ conflict with hours of scheduled work or affect the
 197 employee's ability to perform satisfactorily. ~~A staff employee may also perform~~
 198 ~~outside employment while on vacation, holiday, or special leave as long as the~~
 199 ~~outside employment does not constitute a conflict of interest.~~ Adherence with this
 200 policy is the responsibility of the staff employee who seeks outside employment;
 201 however, ~~it~~ **It** is recommended the employee advise his or her department head of
 202 the **that [staff] employees notify their supervisor concerning** outside employment.

203 204 Conflict of Interest

205
 206 ~~The public's respect and confidence in the university must be preserved.~~
 207 ~~Confidence in the university is put at risk when the conduct of university members~~
 208 ~~does, or may reasonably appear to involve a conflict between private interests and~~
 209 ~~obligations to the university.~~ All university members shall avoid conflict between
 210 private interests and obligations to the university. All university members shall
 211 avoid conduct that might in any way lead members of the general public to
 212 conclude that he or she is using an official position to further professional or private
 213 interests or the interests of any members of his or her family. In conducting or
 214 participating in any transaction, full disclosure of any real or perceived conflict
 215 with personal interests and removal from further participation in such matters is
 216 required.

217
 218 **University members are expected to avoid the appearance of benefiting from**
 219 **employment at the University in ways that do not result from the normal**

220 performance of one's regular duties. University members are expected to make
221 full disclosure in situations of possible conflict of interest, and to withdraw from
222 such situations as soon as they become apparent (refer to PG-12).

223

224 Financial Advantage

225

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

232

233 Protection from Reprisal Clarifications and Reporting Violations

234

235 ~~Like all policies, this policy could not cover all possible situations. When any~~
236 ~~doubt about the propriety of an action exists, the university's policy requires a full~~
237 ~~and frank disclosure to an appropriate individual with sufficient authority to address~~
238 ~~the matter. For interpretation, counsel or advice regarding this policy, contact the~~
239 ~~appropriate up line supervisor or vice president.~~

240

241 Penalties

242

243 ~~University members are expected to report violations of this policy to an~~
244 ~~appropriate individual. The university will not tolerate any retaliation against a~~
245 ~~university member who makes a good faith report of a violation. Potential penalties~~
246 ~~for violations of this code include but are not limited to written reprimands,~~
247 ~~probation, suspension, and termination of employment.~~

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