

# **Draft Code of Conduct**

## **including a Conflict of Interest Policy**

### **Statement of General Principles**

This code applies to the following members of the University community: 1) individuals who are paid by the University when they are working for the University, including officers, faculty and staff; 2) consultants, vendors, and contractors when they are doing business with the University; 3) trustees; and 4) individuals who perform services for the University as volunteers. The code of conduct refers to all these persons collectively as "members of the University community" or "community members."

### **Integrity and Ethical Conduct**

The University is committed to the highest ethical and professional standards of conduct as an integral part of its mission, the promotion of learning. To achieve this goal, the University relies on each community member's ethical behavior, honesty, integrity, and good judgment. Each community member should demonstrate respect for the rights of others. Each community member is accountable for his/her actions.

This code of conduct describes standards to guide us in our daily University activities. We believe that these standards are already being followed. Our goal is to commit them to writing and to ensure that they are understood and followed by the community.

### **Compliance with Laws and University Policies**

The University and each community member must transact University business in compliance with all laws, regulations, and University policies related to their positions and areas of responsibility. Understanding and following these standards can be complex, such as for example, in the areas of purchasing and employment matters. Only designated officers are authorized to sign contracts or authorize certain personnel actions

In addition, community members are expected to behave in a manner which respects the freedom of others as well as refraining from interfering with, obstructing or disrupting a normal University activity, even while exercising their own freedom of expression. Managers and supervisors are responsible for teaching and monitoring compliance in their areas.

### **Reporting Suspected Violations or Concerns**

The University's compliance efforts focus on teaching members of the University community the appropriate compliance standards for the areas in which they work. Nevertheless, violations may occur. In addition, members of the University community may have concerns about matters that they are not sure represent violations. This section describes community members' responsibilities for reporting violations or concerns, and how these responsibilities may be carried out.

Each community member is encouraged to report violations or concerns about violations of this code of conduct that come to his/her attention. Managers have a special duty to adhere to the standards set forth in this code, to recognize violations, and to enforce the standards. Disciplinary actions for proven violations of this code of conduct, or for retaliation against anyone who reports possible violations, will be determined on a case-by-case basis and may include termination of employment. Individuals who violate the code may also be subject to civil and criminal charges in some circumstances.

**How to Report a Violation or Discuss a Concern**

You may report violations or concerns to your immediate supervisor or department head or to the University Ethics Officer, Vice Chancellor Carol Campbell, as appropriate. You may also call the independent **Ethicsline** at **1-888-782-4769**. Reports may be made anonymously to this number if the caller so desires.

For matters dealing with one of the specific areas below, you may call the number indicated, or you may call the **Ethicsline**.

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|--|----------------------------------|
| <b>Conflict of interest - procurement issues</b> | <b>Purchasing.....6122</b>       |
| <b>Environmental health and safety Issues</b>    | <b>Safety.....6363</b>           |
| <b>Conflict of interest issues</b>               | <b>Internal Audit.....2715</b>   |
| <b>Financial issues .....</b>                    | <b>Controller.....7834</b>       |
| <b>Human resources/personnel issues.....</b>     | <b>Human Resources..... 7900</b> |

**Conflicts of Interest**

This policy addresses situations where there might be a potential financial or personal conflict, or the appearance of such a conflict, between a particular outside interest of a member of the University community and the obligation that the community member owes to the University such that the community member's profit or advantage may be, or reasonably appear to be, at the expense of the well-being of the University.

- Members of the University community may not have a direct or indirect interest, financial or otherwise, of any nature that is in conflict with the proper discharge of the community member's responsibilities on behalf of the University.
- Members of the University community shall adhere to the laws, rules, regulations and policies of applicable governmental and University authorities. With regard to employees, the failure to do so may be grounds for disciplinary action, up to and including termination of employment.
- No member of the University community shall accept or solicit any gift, favor or service that might reasonably influence the community member in the discharge of his or her duties or that the community member knows or should know is being offered with the intent to influence his or her official conduct.
- A member of the University community shall not accept other employment or engage in any business or professional activity that he or she might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of

the community member's official position.

- No member of the University community shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- No member of the University community shall transact any business in his or her official capacity with any business entity of which the person or a member of his/her immediate family is an officer, agent or member, or in which the member of the community or immediate family member owns a substantial interest unless a full disclosure has been made and approved as described in the following paragraph.
- Members of the University community must disclose potential conflicts of interest as soon as possible after they realize that a conflict or potential conflict may have arisen. Disclosure guidelines and procedures may be obtained from the Office of the Vice Chancellor for Finance and Administration at 257-7815.
- If a conflict or potential conflict of interest is reported and allowed to exist under the advice of the Vice Chancellor's office, it is required that the conflict or potential conflict be reconsidered annually until it is resolved.

### **Confidentiality**

The University maintains confidential records for a variety of business needs. Records include detailed information about patients undergoing tests or receiving treatment, students, job applicants, employees, finances, and future planning. Many records, such as medical records and student records, must be kept confidential as a matter of federal law. Other information, including social security numbers, must be kept confidential to protect the privacy of individuals doing business with the University.

Members of the University community are expected to protect this information by safeguarding it when in use, storing it properly when not in use, and discussing it only with those who have a legitimate business need to know. Community members who are uncertain about the use of University records and information should contact their supervisors.

### **Outside Employment**

Outside professional commitments should not interfere with a community member's obligations to the University. No member of the University community shall accept outside employment that actually or potentially results in any conflict of interest with or intrudes upon or detracts from his or her responsibilities to the University, or the programs, policies and objectives of the University.

### **Environmental Health and Safety**

The University must comply with government rules and regulations that protect the environment and promote workplace safety. The University must operate its facilities with all of the necessary permits, approvals, and controls, especially with respect to handling and disposal of hazardous and bio hazardous materials and waste.

Anyone working with or around these materials must be familiar with the rules, regulations, and policies that apply to them.

Contact the Environmental Health and Safety Office at 257-6363 for assistance and answers to questions.

### **Human Resources Matters (including equal employment, harassment, etc.)**

The University is committed to a work environment free of harassment and disruptive behavior, and to providing an equal opportunity work environment where every member of the University community is treated with fairness, dignity, and respect. No one shall discriminate against any individual on the grounds of race, color, religion, sex, age, disability, national origin, sexual preference or any other factor prohibited by law or University policy.

All members of the University community, especially supervisors, must be familiar with laws, regulations, and policies related to employment matters. Some of the relevant University policies on employment matters include: 1) the policy against harassment, including sexual harassment, and 2) the Policy on Equal Opportunity. Assistance is available from the Office of Human Resources at 257-7790.

### **Sponsored Research Grants and Contracts**

The University receives grants and contracts from federal and non-federal sources. Faculty and staff who are involved in federally sponsored research must strictly follow federal rules and regulations related to that work. Failure to observe government rules and regulations can result in the loss of funds from grants and contract, and, in some instances, civil fines and criminal penalties. With respect to grants and contracts from non-federal sources, the University expects compliance with their requirements. Compliance support is available from the Coordinator of Research and Sponsored Projects at 257-7516

### **University Documents**

Every member of the University community is responsible, within the scope of his/her work, for the integrity and accuracy of the University's documents and records. No one may falsify or improperly alter information on any record or document.

### **Workplace Health and Safety**

The University seeks a healthy and safe environment for all members of the University community and for visitors. Every community member is obligated to perform his or her job in a safe manner and to follow all safety rules and procedures. Community members should immediately report any hazardous conditions or job-related illness or injury to their supervisors. Assistance is available from the Director of Safety at 257-6363.

## **Drug and Weapon Free Workplace**

The unlawful possession of a weapon or the unlawful manufacture, distribution, possession, or use of a controlled substance in or on any premises or property owned or controlled by the University is prohibited. Any member of the community who is found guilty (including a plea of no contest) or has a sentence, fine or other criminal penalty imposed by a court for any offense involving a weapon or a controlled substance that occurred in or on University property shall report such action to his or her supervisor or to the Office of Human Resources at 257-7790 within five (5) days.

Any member of the University community who unlawfully manufactures, sells, distributes, possesses or uses a controlled substance on University property, regardless of whether such activity results in the imposition of a penalty under a criminal statute, will be subject to appropriate disciplinary action, including termination, or will be required to participate satisfactorily in an approved drug assistance or rehabilitation program or both.

### **Faculty and Staff Handbook References:**

Statement on Professional Ethics p.30

Conduct p.59

Outside Employment p.60

Equal Opportunity and Sexual Harassment p.57

Drugs p.71

Firearms and deadly weapons p.74

### **Website**

The telephone numbers and other references are valid as of the publication date of this code of conduct. These numbers and references may change from time to time. Up-to-date numbers and references are available on the Web site version of the Code of Conduct, available at [codeofconduct.tcu.edu](http://codeofconduct.tcu.edu).