



Wilberforce University

Policy number: 3250

Subject: **Code of Conduct**
Date effective: July 1, 2011

Authority Vice President for Administrative and Financial Affairs.

Applicability This Code applies to the members of the Board of Trustees, all students, faculty, and administrative personnel ("University Community"). Due to the sensitive nature of some positions and the high degree of trust placed in those individuals occupying such positions, this Code will place special responsibilities on Trustees and Senior Administrative Personnel. For the purposes of this document, the term "Senior Administrative Personnel" shall mean the President, Provost, Vice Presidents, and Deans.

Summary All members of the University Community shall conform their conduct to the following standards and avoid any conduct that is an actual or apparent violation of these standards. This policy defines the University's Code of Conduct. Section headings are:

- 1) Introduction and Purpose
- 2) Standards of integrity and quality
- 3) Confidentiality and Privacy
- 4) Conflict of Interest/Conflict of Commitment
- 5) Relationships with Vendors
- 6) Gratuities and Gifts
- 7) Human Resources
- 8) Financial Reporting
- 9) Compliance with Laws
- 10) Use of University Resources
- 11) Reporting Suspected Violations

3250.01 INTRODUCTION AND PURPOSE -

- a. Introduction – As members of the Wilberforce University community we are responsible for sustaining the highest ethical standards of this institution, and of the broader community in which we function. The University values integrity, honesty and fairness and strives to integrate these values into its teaching, research and business practices.
- b. Purpose – This Code (the "Code") is a shared statement of our commitment to upholding the ethical, professional and legal standards we use as a basis for our daily and long-term decisions and actions. We all must be cognizant of and comply with the relevant policies, standards, laws and regulations that guide our work. We are each individually accountable for upholding these standards of behavior and for compliance with all applicable laws and policies.
- c. Violations – Adherence to this Code also makes us responsible for bringing suspected violations of applicable standards, policies, laws or regulations to the attention of the appropriate responsible office. Raising such concerns is a service to

the University and will not jeopardize one's position or employment. Confirmed violations will result in appropriate disciplinary action up to and including termination from employment or other relationships with the University. In some circumstances, civil and criminal charges and penalties may apply.

- d. Questions – Any questions regarding the intent or applicability of this Code should be directed to the VP of Administrative and Financial Affairs or the Board of Trustees Audit Committee.

3250.2 STANDARDS OF INTEGRITY AND QUALITY –

Wilberforce recognizes that it must earn and maintain a reputation for integrity that includes, but is not limited to compliance with laws and regulations and its contractual obligations. Even the appearance of misconduct or impropriety can be very damaging to the University. Wilberforce must strive at all times to maintain the highest standards of quality and integrity.

Frequently, Wilberforce's business activities and the other conduct of its community members are not governed by specific laws and regulations. In these instances, rules of fairness, honesty, and respect for the rights of others will govern our conduct at all times.

In addition, each individual is required to conduct University business transactions with the utmost honesty, accuracy, and fairness. Each situation needs to be examined in accordance with this standard. No unethical practice can be tolerated on the grounds that it is "customary" outside of Wilberforce or that it serves other goals. **EXPEDIENCY SHOULD NEVER COMPROMISE INTEGRITY.**

3250.3 CONFIDENTIALITY AND PRIVACY -

Community members receive and generate, on behalf of the University, various types of confidential, proprietary and private information. It is imperative that each community member complies with all federal laws, state laws, agreements with third parties, and University policies and principles pertaining to the use, protection and disclosure of such information. Such policies apply even after the community member's relationship with Wilberforce ends.

Unauthorized use of records and accounts can cause the University harm and therefore access to such data should be closely controlled. Community members who improperly convert these records and accounts for their own personal use or for the use by another or who wrongfully discloses such records or accounts will be subject to appropriate legal sanctions by the University. To further the enforcement of this standard of conduct, the President or his/her cabinet may direct that certain employees execute confidentiality agreements with the university as a condition for employment or continued employment.

Specific laws include but are not limited to - the Family Educational Rights and Privacy Act (FERPA – Student Records); and Health Insurance Portability and Accountability Act (HIPAA – personal health information)

3250.4 CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

University Community members owe their primary professional allegiance to the University and its mission to engage in the highest level of education, research and development. Outside professional activities, private financial interests or the receipt of benefits from third parties can cause an actual or perceived divergence between the University mission and an individual's private interests. In order to protect our primary

mission, community members with other professional or financial interests shall disclose them in compliance with applicable conflict of interest/conflict of commitment policies.

Disclosure forms will be completed and submitted to the Human Resource department annually by all faculty members, Board Trustees, and Senior Administrative Personnel. All other employees will be asked to complete the conflict of interest statement during orientation and to update this information when a conflict may arise.

3250.5 RELATIONSHIPS WITH VENDORS

No member of the University Community may approve, recommend, or promote a business transaction in which that person has a direct personal interest, or otherwise cause the University to do business with a firm in which that person is an officer or senior management employee or in which that person (directly or indirectly) owns more than 5 percent interest, unless such person first discloses his/her relationship in writing describing the relevant circumstances and estimated value of the business transactions of the contemplated activity. The VP of Administration and Financial Affairs will determine whether or not the proposed activity is fair to the University and if it would result in the University foregoing revenues, or incurring costs in excess of the costs that would be incurred from another vendor. The VP of Administration and Financial Affairs will have the discretion, depending on the significance of the business, to report this information to the Board of Trustees Audit Committee.

3250.6 GRATUITIES AND GIFTS

No member of the University Community shall receive or solicit anything of value in return for influencing the decision, or exercising his/her discretion in a particular way regarding a University matter. In addition, Trustees and Senior Administrative Personnel are prohibited from accepting or soliciting any gratuity or thing of value (for which a fair market price has not been paid) for or because of any official act performed or to be performed by the Trustee or Senior Administrative Personnel in his or her official capacity with the University. This provision does not prohibit the acceptance of an item having a nominal value or ceremonial gifts received by Officers or Trustees of the University in their official capacity.

3250.7 HUMAN RESOURCES

Wilberforce University is an institution dedicated to the pursuit of excellence and facilitation of an environment that fosters this goal. Central to that institutional commitment is the principle of treating each community member fairly and with respect. To encourage such behavior, the University prohibits discrimination and harassment and provides equal opportunities for all community members and applicants regardless of their race, color, religious creed, national origin, ancestry, sex, sexual orientation, veteran status, marital status, age, disability (including HIV and AIDS), and medical condition. Where actions are found to have occurred that violate this standard the University will take prompt action to cease the offending conduct, prevent its recurrence and discipline those responsible. Specific policies in support of this standard can be found in the Employee Handbook or on the University website.

3250.8 FINANCIAL REPORTING

All University accounts, financial reports, tax returns, expense reimbursements, time sheets and other documents, including those submitted to government agencies, must be accurate, clear and complete. The accounts and records of the University are maintained

in a manner that provide for an accurate and auditable record of all financial transactions in conformity with generally accepted accounting principles of the United States, established business practices, and all relevant provisions of controlling law. No false or deceptive entries may be made and all entries must contain an appropriate description of the underlying transaction. To the extent not needed for daily operating transactions, all University funds must be retained in the appropriate University accounts with appropriately designated financial institutions and no undisclosed or unrecorded fund or asset shall be established or maintained for any purpose.

3250.9 COMPLIANCE WITH LAWS

Members of the University community must transact University business in compliance with applicable laws, regulations, and University policies and procedures. Managers and supervisors are responsible for teaching and monitoring compliance. When questions arise pertaining to interpretation or applicability of a policy, contact the individual who has oversight of the policy. Unresolved questions and/or interpretation of laws and regulations should be referred to the VP of Administration and Financial Affairs.

- a. Contractual Obligations – The acceptance of an agreement, including sponsored project funding, may create a legal obligation on the part of Wilberforce University to comply with the terms and conditions of the agreement and applicable laws and regulations. Therefore, only the President or VP of Administration and Financial Affairs, will be authorized to enter into agreements on behalf of the University.
- b. Environmental Health & Safety, including Workplace Health & Safety – The University community must be committed to protecting the health and safety of its members by providing safe workplaces. The University will provide information and training about health and safety hazards, and safeguards. Community members must adhere to good health and safety practices and comply with all environmental health and safety laws and regulations.
- c. Non-University Professional Standards – Some professions and disciplines represented at the University are governed by standards and codes specific to their discipline or profession (i.e. certified public accountants, attorneys, licensed psychologists, social workers, researchers etc). Those professional standards generally advance the quality of the profession and/or discipline by developing codes of ethics, conduct, professional responsibility and standards by which their members are guided. University community members who belong to such professions or disciplines are expected to adhere to University policies and codes of conduct in addition to any professional standards. If a community member believes there is a conflict between a professional standard and University policy, he/she should contact Human Resources or the VP for Administrative and Financial Affairs.

3250.10 USE OF UNIVERSITY RESOURCES

University resources must be reserved for business purposes on behalf of the University. They may not be used for personal gain, and may not be used for personal use except in a manner that is incidental, and reasonable in light of the employee's duties. University resources include, but are not limited to: University systems, such as the internet, telephone systems, data communication and networking systems, and the Wilberforce University domain for electronic communication, University equipment, such as computers and peripherals, University vehicles and other equipment, procurement tools such as University issued credit cards and petty cash; and the time and effort of staff, students and others at Wilberforce University.

3250.11 REPORTING SUSPECTED VIOLATIONS

- a. Reporting to Management – Members of the Wilberforce community should report suspected violations of this Code, applicable laws, regulations, or government contract and grant requirements. This reporting should normally be made initially through standard management channels, beginning with the immediate supervisor. If for any reason it is not appropriate to report suspected violations to the immediate supervisor (e.g. the suspected violation is by the supervisor) individuals may go to a higher level of management. A Manager who receives such a report should immediately report the matter to the VP of Administrative and Financial Affairs or the President.
- b. Other Reporting – All violations of laws or regulations should be reported internally to the VP of Administrative and Financial Affairs (937) 708-5782. Any suspected violations of rules regarding federal funds may also be reported to this number.
- c. Confidentiality – Such reports may be made confidentially, and even anonymously, although the more information given, the easier it is to investigate the reports. Raising such concerns is a service to the University and will not in itself jeopardize employment.
- d. Cooperation – All employees are expected to cooperate fully in the investigation of any reported or suspected alleged misconduct.

3250.12 ADDITIONAL OBLIGATIONS OF TRUSTEES & SENIOR ADMINISTRATIVE PERSONNEL -

Trustees and Senior Administrative Personnel have a duty to the University to always act in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner reasonably believed to be in the best interest of the University. Persons occupying these positions of trust shall complete and submit on at least an annual basis, a Conflict of Interest Disclosure Form (“form”). The form shall be amended more frequently, as needed, whenever there is a material change in the circumstances of the reporting person that would make the form then on file materially false or misleading.

Wilberforce University
Code of Conduct Responsibility Statement

I understand that it is my responsibility to read and understand the Code of Conduct policy established by Wilberforce University. I further understand that, as an employee or Trustee of Wilberforce University, I am expected to adhere by and follow the Code of Conduct guidance outlined in the policy.

Name: _____ Department: _____

Signature: _____ Date: _____