



University of Evansville

Code of Conduct

Adopted by the Board of Trustees on February 13, 2015

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Letter from the President

TO: University of Evansville Community Members

FROM: Dr. Thomas A. Kazee

As members of the University of Evansville community, we have an opportunity and responsibility to do our individual part in shaping the culture of our University. Our actions, decisions, and the manner in which we conduct our daily lives all contribute to the reputation and character of the University. It is important that we each do our part to ensure that the contribution we individually make is a positive one and consistent with the University's mission.

With this in mind, the vision for this Code of Conduct was conceived. The intent of the Code of Conduct is not to create a list of rules; rather it is intended to document those ethical and legal standards which are used by each of us in guiding our decisions and actions. In many if not all instances, I believe you'll find these standards to be second nature and consistent with the manner in which you already conduct yourself. This Code of Conduct is intended to formally document those core values and standards which have for many years helped to guide the actions of those associated with the University.

The University of Evansville has a proud tradition that we each, along with those who have come before us, have played an integral part in establishing. The values outlined here are those that have helped our University to be what it is today and will continue to make the University of Evansville a place where we can be proud to work. Thank you for your continued commitment to the University and to those core values that help make our University the great place it is.

I. Purpose

The University of Evansville provides this Code of Conduct as a means of communicating to University employees and others to whom the Code applies, those standards which we feel are critical in ensuring that the University operates within a framework consistent with the values of integrity and ethical behavior.

The University of Evansville's Code of Conduct documents the University's commitment to upholding the ethical, professional, and legal standards that are used as a basis to guide our decision-making. We are each individually accountable for our own actions and, as member of the University community, are collectively accountable for upholding these standards of behavior and for compliance with all applicable laws and policies.

Furthermore, the University of Evansville provides this Code of Conduct for the purpose of setting an expectation of ethical, fair, and honest behavior for all of those to whom the Code applies.

II. Applicability

The Code of Conduct as contained herein applies to the following members of the University of Evansville community:

- Individuals who are employed by the University of Evansville including faculty, administrators, staff, and student workers;
- Individuals who perform services for the University as volunteers;
- Consultants, vendors, and contractors who have an ongoing business relationship with the University of Evansville;
- Members of the Board of Trustees.

Throughout this document these individuals are referred to as 'University Community Members'.

This Code of Conduct is intended to be a summarized overview of those policies and procedures that are fundamental in ensuring that University Community Members conduct themselves in an ethical manner. In many cases, the concepts outlined here are discussed in more detail in other policy and procedure manuals existing around campus. These documents include the Faculty and Administrator Manual, Staff Manual, and the American Association of University Professors (AAUP) Policy Documents & Reports Manual (includes Statement on Professional Ethics). This Code of Conduct does not supersede or add to these existing manuals; rather it is intended simply to provide a brief overview of those issues with particular relevance to the ethical matters we face as University Community Members.

III. Commitment to Integrity and Ethical Conduct

The University of Evansville is committed to honoring the principles of integrity and ethical behavior in all that we do. These principles require that University Community Members conduct their professional responsibilities in a manner consistent with this Code of Conduct. In general, this requires those affiliated with the University to meet a standard that incorporates fairness, honesty, and respect for the rights of others in addition to any legal or other requirements that may be relevant in a particular circumstance.

IV. Confidentiality

As a function of their association with the University of Evansville, University Community Members may generate, receive, or otherwise come into contact with information that is of a confidential and possibly proprietary nature. This could include information pertaining to an individual's personal, financial, medical, family, or academic records or other confidential information.

It is imperative that this information be held in the strictest of confidence and only used for its intended purpose. University Community Members should familiarize themselves with the legal requirements for confidentiality within their respective areas as well as any University policies that may govern confidentiality as it relates to their responsibilities and ensure that they are acting within those requirements. Additionally, Community Members should use care to ensure that confidential and/or personal information gained as a function of their advisory or other role over students and other University Community Members is treated with the appropriate level of respect and confidentiality.

This confidentiality requirement applies to University Community Members both during and after their affiliation with the University of Evansville.

The Faculty and Administrator Manual, Staff Manual, AAUP Redbook, and other policy and procedure manuals in place further address specific situations where confidentiality is concerned. University Community Members are encouraged to review those documents for further details on the University's expectations regarding confidentiality in specific situations.

V. Conflict of Interest

The University expects that employees will devote their primary professional allegiance to the University of Evansville. All Community Members should understand that other professional activities, personal financial interests, the receipt of benefits from third parties, family relationships with organizations that do business with the University, or a variety of other circumstances have the potential to cause a conflict of interest between the individual's private interests and the University's mission.

With this potential in mind, it is important to handle these situations with care and transparency. University Community Members are asked to disclose any situations which they feel are or possibly could be perceived as conflicts of interest to their supervisor or to the University's Assistant Vice President for Fiscal Affairs. Upon disclosure, all parties will work together to ensure that the University's interests are adequately considered in the matter and that decisions made are not influenced by the personal interests of any of the parties involved.

VI. Compliance with Laws and University Policies

Members of the University Community will conduct University activities in compliance with applicable laws, regulations, and University policies and procedures (as documented in the Faculty and Administrator Manual, Staff Manual, AAUP Redbook, and Departmental or other applicable policy and procedure documents). Community Members are responsible for familiarizing themselves with these various requirements and ensuring that they perform their duties in compliance with them.

VII. Acceptance of Gifts

University Community Members may sometimes face situations where they are offered something of value by a vendor, supplier, contractor, or other third party desiring to do business with the University. While small and infrequent gifts such as lunches and company promotional items are acceptable and within the normal course of business, it is possible that a third party could attempt to influence a University decision-maker with a more substantial gift or gifts. For this reason, the University places the following restrictions on employees in a position to receive gifts from vendors, suppliers, contractors, or other third parties that have or desire to have a relationship with the University of Evansville. For the purposes of this policy, samples of vendor's merchandise which are given for purposes of evaluation (e.g. examination or desk copies of textbooks) are not considered gifts.

University Community Members must never allow the receipt or the prospect of receipt of a gift of any type to influence a decision they are making related to their duties at the University of Evansville. Similarly, the receipt or the prospect of receipt by a friend or family member of a University Community Member should never be allowed to influence a Community Members decision making. In order to ensure that this is the case, University Community Members are required to report to the University's Assistant Vice President for Fiscal Affairs any instances where in a calendar year they (or friends or family members) receive as a function of their University affiliation, gifts, meals, entertainment, or anything else of value from a single vendor, supplier, contractor, or other third party, totaling in excess of \$500.

Additionally, in no instance should a University Community Member receive a direct payment of cash from an individual or business that has or is seeking a relationship with the University.

VIII. Financial Accuracy

The University of Evansville and its Community Members are responsible for producing a variety of financial information for both internal and external purposes. The University expects that those responsible for preparing financial information do so in compliance with all legal, professional, and University standards.

All financial transactions, reports, and other financial records should be accurate, clear, and complete, and prepared in a timely manner. It is a violation of the Code of Conduct for a University Community Member to intentionally record a transaction or produce a report that contains intentionally misstated or misrepresented financial information.

IX. Workplace Health and Safety

The University of Evansville is committed to providing a safe and healthy working environment. Each University Community Member shares in the responsibility for making the University a better place to work by reporting any unsafe or dangerous practices. Every person is responsible for performing all duties in a safe and sensible manner. Suggestions or concerns related to safety will always be welcomed by all supervisors. Safety on the job is essential for an individual's protection and for the protection of others. Safety equipment will be provided and must be used by all Community Members whose job duties require it.

Safety awareness should be everyone's priority. All safety violations, accidents or injuries should be reported to an individual's supervisor immediately.

X. Employment of Relatives

The University of Evansville welcomes the employment of immediate family members as well as other relatives of University employees so long as appropriate steps are taken to ensure that the familial relationship does not affect either employee or other employees of the University.

Accordingly, individuals employed by the University may not supervise or evaluate another employee to whom they are related. Additionally, employees should not be placed in any positions where they are responsible for approving or verifying the work of a relative. When a faculty member is considered for promotion or tenure, relatives of that employee must excuse themselves from the evaluation process to avoid any conflict of interest.

The University believes that the employment of relatives can be a beneficial experience for both the University and its employees so long as the steps outlined here are taken to ensure that there is no actual or perceived favoritism between related employees. For the purposes of this policy, relatives include spouses, parents, grandparents, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, children, aunts, uncles, nieces, nephews, sons- and daughters-in-law, and half- or step-relatives in the same relationship.

XI. Equal Employment, Discrimination, Harassment, and Related Laws and Regulations

The Affirmative Action Plan at the University of Evansville establishes the procedures, practices and policies which provide equal opportunity throughout the University community. All opportunities are to be made available to qualified individuals on the basis of merit alone, without discrimination of any kind. The University will not tolerate practices which lead to discrimination against an employee, student or applicant for employment or admission because of race, color, creed or religion, national origin, gender, sexual orientation, age or disability. The University is committed to the letter and spirit of the Civil Rights Act of 1964 as amended, Executive Order 11246 as amended, Revised Order No. 4, the Equal Pay Act of 1963, the Rehabilitation Act of 1973, the Vietnam Era Veterans Rehabilitation Act of 1974, Title IX of the Education Amendment of 1972, the Americans with Disabilities Act of 1992, the Family and Medical Leave Act of 1993, the 1967 Age Discrimination in Employment Act as amended, the 1990 Older Workers Benefit Protection Act, and the AAUP Tenure Guidelines.

Harassment of any kind is unacceptable at the University of Evansville and is in conflict with the policies and interests of the institution. Moreover, many forms of harassment have been recognized as violations of the civil rights laws of the United States by the federal Equal Employment Opportunity Commission (EEOC) and by the courts.

Sexual harassment (also called “sexual misconduct”) is unwelcome conduct of a sexual nature. Sexual harassment creates a hostile, intimidating or offensive environment. It can include, but is not limited to, unwelcome sexual advances or requesting, offering or suggesting a trade of sex for a desired result (this offer to trade is also known as *quid pro quo sexual harassment*). Sexual harassment also includes verbal, nonverbal, or physical conduct of a sexual nature if the conduct is sufficiently severe, persistent, or pervasive to interfere with or limit a member of the University community’s ability to participate in or benefit from the academic, educational, extra-curricular, athletic, and other programs of the University. Sexual harassment occurs in a variety of circumstances. Sometimes, sexual harassment involves relationships of unequal power (for example the unequal power between an academic instructor and a student), and contains elements of coercion, as when compliance with requests for sexual favors becomes a condition of employment, benefits, work assignments, education or study.

Non-sexual harassment is defined as verbal, nonverbal or physical conduct which has the intent or effect of unreasonably interfering with the individual’s or group’s educational and/or work performance, or creating an intimidating, hostile, or offensive educational and work environment on or off campus. Harassment can occur on the basis of age, race, color, gender, religion, national origin, disability, and sexual orientation and includes harassment of an individual in terms of a stereotyped group characteristic or because of that person’s identification with the particular group.

Any University Community Member who believes that he or she has been harassed is encouraged to raise the issue by discussing the incident with an appropriate person (supervisor, advisor, affirmative action officer, or policy coordinator) and when deemed necessary, to file a formal complaint with the University’s affirmative action officer.

University Community Members should refer to the Staff Manual, Faculty and Administrator Manual, and AAUP Redbook for further discussion on issues related to equal employment, discrimination, harassment, and other related laws, regulations, and policies.

XII. University Resources

As a function of their employment with the University of Evansville, University Community Members will have access to a variety of University resources. These resources are primarily to be used to assist Community Members in performing their responsibilities at the University, or for public service, and not for personal gain. While there may be occasional instances where a Community Member may use a University resource for personal use (such as placing a quick personal phone call), the University expects that such instances are incidental and reasonable in light of the individual’s role and responsibilities.

University resources include vehicles, computers, telephones, credit cards, laboratory or shop equipment, and any other property that is owned by the University and supplied to University Community Members as a means of enhancing their ability to perform their responsibilities.

Shown below are examples of acceptable and unacceptable uses of university resources. The following is included to provide examples, but is not intended to list all conceivable scenarios that could arise. University Community Members are expected to use their judgment in conjunction with the guidance laid out here and in other policy and procedure manuals in determining appropriate behavior relative to the use of University resources.

Acceptable:

- Occasional use of University phone/internet for personal use that does not interfere with job performance.
- Faculty use of University computer, lab and classroom materials, etc. to assist in writing articles for publication or conducting research.

Unacceptable:

- Use of University credit card to purchase items for personal use.
- Prolonged use of University phone/internet for personal use that interferes with the employees' ability to perform job duties.
- Unauthorized and more than incidental use of University vehicle for personal use.

XIII. Drug Free Workplace

The following statement formalizes University policy regarding the work-related effects of drug use and the unlawful possession of controlled substances on University property:

- Employees are expected and required to report to work on time and in an appropriate mental and physical condition for work each day. It is our intent and obligation to provide a drug-free, healthful, safe and secure work environment.
- The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on University property by any University Community Member is absolutely prohibited. Violations of this will result in disciplinary action, up to and including termination, and may have legal consequences.
- The University recognizes drug dependency and drug abuse as illnesses and major health problems. The University also recognizes drug abuse as a potential health, safety and security problem. Employees who need help in dealing with such a problem are encouraged to use the University clinic and health insurance plans, as appropriate.
- Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

- Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on University of Evansville premises or off premises while conducting University business. A report of a conviction must be made within five days after the conviction. This requirement is mandated by the Drug Free Workplace Act of 1988. Reports should be sent to the director of human resources

University Community Members should refer to the Staff Manual, Faculty and Administrator Manual, and AAUP Redbook for further discussion on issues related to the University's policies on drug use.

XIV. Reporting Suspected Violations

University Community Members are asked to report any occurrences which they reasonably believe to be violations of this Code of Conduct. The reporting of perceived violations can be made through typical managerial/supervisory channels when it is appropriate. If a University Community Member is not comfortable reporting the violation directly to a direct supervisor, the violation can be reported to another University Community Member who is at a level equal to or above the supervisor. Additionally, perceived violations can be reported directly to the University's Assistant Vice President for Fiscal Affairs.

Should an employee desire to remain anonymous, a hotline administered by a third party organization not related to the University of Evansville is available. University Community Members may contact this hotline to report matters of concern in instances where they wish to remain anonymous. The telephone number for this hotline is 1-866-943-5787.

In instances where the perceived violation is communicated by a University Community Member to a supervisor, the supervisor should contact the Assistant Vice President for Fiscal Affairs if further clarification or direction is needed.

The nature of the suspected violation will determine the manner in which the issue is investigated. Procedures outlined in existing policy and procedure manuals will be followed in instances where guidance is provided. For matters in which existing policies do not provide guidance, the Assistant Vice President for Fiscal Affairs will determine the manner and extent of investigation with direction from the Chair of the Audit Committee and, for issues involving faculty, the faculty Ombudsperson. All reports made will be impartially and confidentially investigated.

XV. Non-Compliance

University Community Members found to have violated this Code of Conduct will be subject to disciplinary action as appropriate based on the circumstances and severity of the violation. Disciplinary action can consist of a multitude of penalties up to and including termination of employment. Violations may also subject University Community Members to civil or criminal proceedings.

Disciplinary action for faculty found to have violated the procedures and policies outlined in this Code of Conduct will be determined in accordance with AAUP guidelines and the procedures described in the University of Evansville Faculty and Administrator Manual.