SUBJECT: Ethics
Guideline/Procedure for AR#: 6.11.001
Date Effective: 02/14/2012

Expectations

Employees are expected to practice high ethical standards of honesty, ethics, integrity and confidentiality at all times and to ensure that all college business transactions are conducted professionally and in the best interest of the College and the public.

ACC recognizes and respects individual rights to engage in activities outside of the College which are private in nature and do not in any way conflict with the policies of the College. However, employees may not have any personal interest that conflicts with the interests of the College or which causes conflicts of interest with others associated with the College – businesses, vendors, other employers, students or the public.

Guidelines

The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity or unacceptable ethics.

A. Conflict of Interest – An employee may not use one’s position or knowledge of the College’s business affairs for personal business gain or offer, give or transfer money or anything of value for personal benefit. Any exceptions must be approved in writing by the highest level administrator of the department. Examples include (but are not limited to):

1. Using College assets, College facilities, and/or College personnel for personal purposes. However, employees may purchase goods, services, or classes from College programs if they are made available to all employees or to the public at large, provided that such purchases are made in the same manner and according to the same terms and conditions presented to all employees or the general public.

2. Conducting College business with a firm in which the employee has a substantial ownership or interest, either directly or indirectly (partnership, joint venture or similar business structure).

3. Being employed by a vendor or firm doing business with the College.
4. Holding an interest in or participating in the management of a firm, company or agency (i.e., as a director, officer, employee, contractor or consultant) from which the College makes purchases or does business.

5. Accepting from a vendor or firm substantial gifts (valued at $50 or more) or excessive meals or entertainment, or accepting any item or service of value when such acceptance is in violation of College policy and/or state laws.

6. Speculating, selling, or dealing in materials, equipment, supplies, services or property purchased or otherwise owned by the College.

7. Misusing confidential/privileged information or providing confidential College information to others outside the College.

8. Accepting or soliciting any gift, favor, service, benefit, or monetary award that is offered to influence College decision-making or actions.

9. Accepting other employment or engaging in any personal business that competes with the College.

10. Participating in any discussion, vote, or recommendation from which the employee may personally or financially benefit, directly or indirectly.

11. Using College web space/site to deliver or link content that advertises or sells products, services and/or opinions for financial or personal gain.

12. Indicating, directly or indirectly, that any supplier, vendor, customer or member of the public must purchase anything from or give anything to the College or its employees in order to remain a supplier or vendor.

B. **Conduct** - Employees must strive to conduct all business dealings and relationships with integrity, honesty and respect for others. Employees must faithfully use the principles of ethical conduct and always deal fairly and honestly with others.

1. Employees are responsible for accurate and timely recordkeeping for all College assets, liabilities, revenues and expenses. Compliance with accepted accounting rules and controls must be followed in accordance with College policies and procedures.

2. No unrecorded fund, reserve, asset or special accounts shall be set up or maintained for any purpose. Payment and transfer of funds or assets must be made in accordance with College policy and procedures.

3. Relationships with public officials should be on a scale and nature to avoid compromising the integrity of the public official and of the College.

4. There are risks in any amorous or sexual relationship between individuals where one has supervisory, decision-making, advising, or other evaluative responsibility for the other. Such a relationship may undermine the integrity of the supervision and evaluation process; create conflicts of interest and perceptions of undue advantage, restriction or exploitation; create a hostile environment or cause harm to others in the academic or
work environment; and provide grounds for complaint or filing of sexual harassment charges. Therefore, supervisors are expected to avoid relationships that jeopardize the supervisor’s ability to be fair, objective equitable and ethical.

5. A potential conflict of interest exists when a student is in the same department or program as a faculty or staff member with whom the student has a personal relationship. If such a relationship does exist, the faculty or staff member has the professional and ethical responsibility to remove himself or herself from any decision-making that may support, reward or penalize the student involved. The faculty member is encouraged to consult with his or her department chair.

C. Confidentiality - Confidentiality is essential to the safeguarding of individuals’ rights of privacy, and contributes to the mutual trust, respect and reputation of the College.

1. Employees may not sell, utilize or disclose confidential information or allow other employees to use confidential information for personal gain.

2. Regardless of its electronic, oral or written form, the information captured or accessed by administrators, faculty, staff, and students using College resources shall be treated as confidential and shall be in compliance with College policies and procedures and all applicable laws.

3. Employees with knowledge of or who have access to confidential, sensitive, personal, and/or privileged information involving students, staff members, and external constituencies are expected to treat such information with discretion, confidentiality and care.

4. Departments working with confidential information may require employees to sign a confidentiality statement regarding their responsibilities. Any proposed confidentiality statement must be reviewed by the Office of Human Resources and the College’s legal counsel.

D. Private Business

1. Austin Community College personnel shall not conduct private business using College equipment, systems, supplies or facilities; nor transport or use College equipment, systems, supplies, or facilities for personal purposes.

2. Employees may not conduct private business with or within the College. Private business on the part of the employee may not conflict with the duties, responsibilities, or time commitment required by the employee’s position with the College.

3. Employees may not conduct non-College-related business on the College premises or use College staff, services, systems, or equipment for non-College-related business purposes.

4. Employees of the College, or any other persons, shall not use the College’s long distance telephone system for personal purposes.

5. Employees who own or operate private non-College-related businesses that do not otherwise conflict with this Rule or Board Policy may purchase goods or services from
College programs or classes, provided the goods or series are made available to the public at large and the employee purchases the goods or services on the same terms and conditions and in the same manner as members of the general public. In all such transactions, the employee must also comply with all policies and rules regarding operating a non-College-related business.

E. Software - Software purchased with College funds is considered the property of the College.

F. Loaning Books - The loaning of a book to a student as a substitute for the student’s purchase of the book is prohibited.

G. Complimentary Copies - Austin Community College personnel shall not participate, directly or indirectly, in activities that relate to or consist of the sale or exchange of complimentary textbooks, software, laboratory manuals, or other educationally related items.

H. Nepotism - Related employees may not work within the same organizational unit of the College where one has supervisory jurisdiction over the other. This policy shall apply to all family members within the first, second, and third degrees of consanguinity (descended from the same ancestor) and affinity (relationship by marriage) or co-habitation.

I. Solicitation - Solicitation is prohibited on ACC campuses by agents or sales persons and/or employees acting as agents. Solicitation of employees on College property for membership in and contributions to any organization or association is prohibited. Campus Managers are responsible for managing campus solicitation requests and enforcement of solicitations. Any exception must have the consent of the President or his or her designee.

J. Retaliation - Employees who report unethical conduct or supervisors who are enforcing College policies, rules, and procedures shall be free from retribution or retaliation of any form.

Procedures

1. Employees may report orally or in writing, promptly and confidentially, any suspicion of unethical conduct to their immediate supervisor, the highest level administrator and/or the Executive Vice President of Finance and Administration.

2. Allegations of improper or illegal behavior will be investigated promptly and thoroughly. The investigation shall remain as confidential as practicable, and those conducting the investigation shall respect the privacy of all persons involved.

3. The supervisor and/or highest level administrator is expected to review and investigate the complaint and to resolve the issues. If resolved, the highest level administrator is expected to create a report that specifies the complaint, issues and findings. The report shall be submitted to the parties and to the Vice President of Human Resources for filing in the appropriate files.

4. If the highest level administrator is unable to resolve the issues, the administrator shall prepare a report that identifies the specifics of the complaint and the steps taken to resolve the issues. The report shall be forwarded to the Executive Vice President of Finance and Administration for consultation, review and referral to the College’s legal
counsel, if necessary. The parties shall receive a copy of the report and notification that it has been forwarded to the appropriate offices.

5. If a complaint involves an employee and a student, the Vice President of Student Support may be consulted.

6. The Executive Vice President of Finance and Administration (in consultation with the College’s legal counsel and/or the President) shall make the final determination in any unresolved complaints of unethical behavior. A final report of the decision shall be provided to all parties.

7. The College will not investigate complaints submitted anonymously.

8. Violations of College policy, of this administrative rule, or of a state or federal law or regulation may result in disciplinary action, up to and including termination of employment.

**Ethics Complaints Process**

![Ethics Complaints Process Diagram]

Complaint filed with immediate supervisor, highest level administrator, and/or EVP, Finance and Administration

**RESOLVED**

- Highest level administrator prepares report of final decision; provides all parties a copy of the report.
- Copy of the report sent to the VP of Human Resources for retention.

**UNRESOLVED OR APPEALED**

- Administrator sends report to Executive Vice President of Finance and Administration
- Executive Vice President of Finance and Administration reviews report and consults with legal counsel and/or with the President
- Final Report to all parties
- Copy to VP of Human Resources for retention

- Consultation with Vice President of Student Support

**EMPLOYEE & STUDENT**