Minnesota State Colleges and Universities
System Procedures
Chapter 1C – Code of Conduct & Ethics

Please see the electronic version of this procedure at www.mnscu.edu/board/procedure/1c0p1.html for links to source documents, including statutes, policies and procedures.

Procedure 1C.0.1 Employee Code of Conduct

Part 1. Purpose and Scope. This procedure establishes the code of conduct expected of all employees of Minnesota State Colleges and Universities, including administrators, faculty, staff, and student employees, whether full or part-time, temporary or unlimited.

The laws, board policies, system procedures, and standards referenced in this employee code of conduct are subject to change without amendment to this procedure.

In addition to this code of conduct, employees are subject to general standards of conduct for employees and are expected to meet any professional standards of conduct or ethical requirements applicable to their discipline.

Part 2. General. In striving to fulfill our system's vision and carry out our mission, all employees of Minnesota State Colleges and Universities must meet public expectations for excellence by providing high quality education and related services, demonstrating sound stewardship of resources, acting with integrity, and displaying fair treatment and respect for all, ensuring that employment and education opportunities are inclusive and serve all the state's diverse communities.

Those acting on behalf of the Minnesota State Colleges and Universities System have a general duty to conduct themselves with honesty and trustworthiness, with efficiency and effectiveness, and to demonstrate accountability and compliance with state and federal laws, and Board policies and system procedures.

The summaries included in this employee code of conduct are intended to serve as a quick reference guide to actual statutes, policies or procedures; employees should consult the actual statute, policy or procedure to fully understand their obligations. To the extent a provision in this procedure is determined to be inconsistent with the terms of a statute, policy, procedure or applicable bargaining agreement, the statute, policy, procedure or bargaining agreement governs. If you have questions regarding application of the employee code of conduct, contact your supervisor or the chief human resources officer for your college, university, or office of the chancellor.

Part 3. Employee Ethics. Employee ethics are important in every organization. The Code of Ethics for Employees in the Executive Branch and other state laws require that system employees comply with high ethical standards. If we fail to comply with ethical requirements, we may be subject to disciplinary action, up to and including termination of employment, and under certain circumstances, criminal or civil legal action.

Under state law, board policies, and system procedures, we must comply with legally established standards. The Code of Ethics is summarized below, but you should consult the actual language of the statute to determine your ethical obligations.

Subpart A. Conflicts of interest. Employees are obligated to avoid situations that involve a potential conflict of interest with Minnesota State Colleges and Universities. If you have questions regarding these provisions, contact your supervisor or the chief human resources officer. A conflict exists when you:

1. Use your system position to secure an advantage for yourself, your immediate family or an organization with which you are associated that is not available to the general public;
2. Accept employment or a contractual obligation which would affect your independence of judgment in your system job;
3. Perform other work subject to direct or indirect control, review or enforcement by you in your system job;
4. Use state time, facilities, equipment, supplies, badge, uniform, influence of your office, or confidential information for personal gain;
5. Receive payment from non-state sources for work you are expected to do during your regular employment; or
6. Compete with the system for services the system provides.

Subpart B. Compensation, benefits or gifts from other sources. Except as noted below or otherwise provided by law employees are not allowed to accept payment of expenses, gifts, compensation, rewards, or other benefits in connection with their employment from a source other than the state.

1. **Course materials exception.** Faculty members may accept free samples of textbooks and related teaching materials. Minnesota Statutes section 15.43. Because of the provisions of the Code of Ethics for Employees in the Executive Branch and pursuant to this procedure, such materials may not be sold for the personal benefit of the faculty member.

2. **Acceptance of certain gifts is not prohibited.** Allowable gifts are:
   a. Gifts of nominal value. Nominal value means an item of little or no marketable value. Examples are a keychain with a vendor's name on it, a cup of coffee, or other trinket-type items
   b. Plaques or similar items recognizing individual services in a field of specialty or to a charitable cause.
   c. Honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time, for which they are not compensated by the state, and which are not impermissible conflicts of interest with Minnesota State Colleges and Universities.

3. **Travel or meals from another source.** An employee may not accept travel or meals or reimbursement related to the employee's work assignment with the college, university or office of the chancellor from a source other than the state, unless it is:
   a. Approved in advance in writing by the president or chancellor;
   b. For no more than actual expenses incurred; and
   c. Not reimbursed by the state.

4. **Consulting work by non-administrative university faculty.** It is not a violation of the ethics code for non-administrative university faculty to accept remuneration and expense reimbursement from an outside source for outside consulting, employment, or other activities performed on duty days, if such activities are in accordance with Inter Faculty Organization Master Agreement Article 27, Section C.

Subpart C. Personal advantage. Employees are not allowed to use their position to procure personal advantages not available to the general public.

Faculty members may require the use of self-authored classroom textbooks, software and other course materials, subject to any applicable bargaining agreement provisions and college/university procedures.

Subpart D. Use of state property. All system property is also state property. With limited exceptions, state property is not to be used for personal or private use except as specifically authorized (such as limited personal use of computers—see System Procedure 5.22.1).

State long distance service, business cell phones, or frequent flyer miles earned through state-authorized travel for state- related purposes may not be used for personal or private purposes.

Subpart E. Political influence. Employees may not use their position or system resources to advance a political party or candidate.

Subpart F. Purchasing state property. Employees involved in purchasing or contract decisions for the college, university, or office of the chancellor may not have any personal financial interest in the purchase or contract, and may not accept any gift (other than one of nominal value) or other thing of value directly or indirectly from a vendor.

You can see these statutes at the links below:

Minnesota Statutes sections 43A.38-.39 (Code of ethics for employees in the executive branch)
Minnesota Statutes section 43A.32 (Political activities)
Minnesota Statutes section 15.43 (Financial interest; textbook exception)

Part 4. Other Policies and Procedures. As system employees, we must comply with all board policies and system procedures, and we are each responsible for being familiar with all policies and procedures that apply to our areas of responsibility. The following policies apply to all system employees. Hyperlinks in titles are to the applicable policy or procedure.

Subpart A. Nondiscrimination. Our system strives to provide all members of our community with a work and educational environment that is collegial and free of illegal discrimination or harassment based on race, sex color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation, or membership in a local commission as defined by law. The policy and procedure explain that policy and tell employees, students or others how to seek assistance or make complaints, as may be appropriate.

Employees are not to enter into a romantic or sexual relationship with a student or another employee over whom the employee has direct supervisory responsibility or other significant authority, such as a student enrolled in a faculty member's class.

See Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution

Subpart B. Sexual violence prohibited. All of us deserve to work in an atmosphere that is free from sexual violence. Board policy prohibits sexual violence and the system procedure describes the process through which individuals alleging sexual violence may pursue a complaint. It is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

See System Procedure 1B.3.1 Sexual Violence Procedure

Subpart C. Fraud and other dishonest acts. In order to ensure that we use our resources as effectively as possible and that we comply with the law, fraudulent and other dishonest acts are not tolerated. Employees are required to report fraud or other dishonest acts when they have a reasonable basis to believe such an act has occurred. Managers and supervisors are responsible for educating employees about proper conduct, creating an environment that deters dishonesty and maintains internal controls that provide reasonable assurance of achieving management objectives and detecting dishonest acts.

Examples of fraud or dishonest acts include taking cash or other property; making false time reports or reimbursement claims; forgery or alteration of documents or reports; improper handling or reporting of financial transactions or audit information; and incurring contractual or other obligations that exceed appropriations.

Subpart D. Intellectual property. As a higher education system we recognize that research and development of original works and inventions that require intellectual property protection are a vital part of the academic community. This policy establishes the intellectual property ownership rights for the employer, employees, and students, and the procedures for ensuring protection of those rights.

Subpart E. Nepotism. In an effort to ensure that we avoid any perception that state employment is based on favoritism and not on individual merit we have a policy on nepotism. Under this policy, we may not participate in the hiring, supervision, performance reviews, or compensation decisions for any person who is a member of our family or household. In very limited cases where this is not possible without discriminating against the family member one or more of these activities may be permitted under strict procedures adopted by the chancellor.

Subpart F. Weapons and safety. To create a safe learning and working environment for students and employees, Board Policy 5.21, Possession or Carry of Firearms, and individual institution policies concerning Zero Tolerance for Workplace Violence prohibit the presence of weapons and use of harassment.

Under the policy, employees and students generally are prohibited from having firearms on campus, except in their vehicles in college or university parking areas or for approved academic purposes. This policy is in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714 and other applicable laws.

Zero Tolerance for Workplace Violence policies at each college or university and the office of the chancellor promote a workplace that is free from violence, threats of violence harassment, intimidation, and other disruptive behavior. You can obtain copies of this policy from your human resources office.

Subpart G. Acceptable use of computers and technology. Computer and information technology resources are essential tools in accomplishing the mission of Minnesota State Colleges and Universities and its individual institutions. As with all public resources, we are to use these resources responsibly in order to ensure their availability for the competing demands of teaching, scholarship, administration, and other mission-related uses. Responsible management includes not sharing passwords, not allowing access by unauthorized users, and not using the resources for unauthorized purposes. Some types of limited personal use are allowed in accordance with System Procedure 5.22.1.

Subpart H. Information security and privacy. As state employees we are entrusted with public and private data every day in fulfilling our assigned work. Each of us is responsible for protecting the privacy, security, retention and disposal of the government records and data under our control or to which we have access, in accordance with applicable state and federal laws.

You can see these related topics at the links below:
Minnesota Government Data Practices Act
Family Educational Rights and Privacy Act

Subpart I. Alcohol and drug use. Employees are expected to perform their jobs efficiently, safely and in a professional business-like manner. An employee's ability to perform effectively may be hampered by alcohol or other drug use, and under state policy employees may not report to work under the influence, or operate machinery, vehicles or equipment while under the influence. Recognizing that alcoholism and other drug dependencies are a significant societal and personal problem, the state's employee assistance program is available to assist system employees who may have an alcohol or drug abuse problem. The state's policy on work-related substance abuse is non-discriminatory in intent and application. However, in accordance with Minnesota Statutes chapter 363A, disability does not include any condition resulting from alcohol or other drug abuse which prevents a person from performing essential functions of the job or creates a direct threat to property or the safety of individuals.

Part 5. Reporting Suspected Fraud or Abuse. As System employees we are required to report suspected acts of fraud, abuse, or other dishonest conduct if we have a reasonable basis to believe that such an act is occurring or has occurred, in accordance with Board Policy 1C.2 Fraudulent or Other Dishonest Acts. The report should be made to your supervisor or manager, unless you believe your supervisor or manager participated in or condoned the act. In that case, you should report the matter to the next highest level of supervision or management or directly to the college, university,

or Office of the Chancellor human resources office, or the Office of Internal Auditing. You also may report such acts to the Office of the Legislative Auditor.

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