

## **ETHICS POLICY**

### **CODE OF ETHICS**

Lamar State College – Port Arthur is committed to the highest standards of ethics, integrity, and fairness in all dealings and to provide the public with the utmost level of confidence in our organization, educational services, administrative business processes, and financial data. The College is in a position of trust with respect to many external organizations and agencies. Accordingly, all College personnel have a responsibility to the government, donors, parents and student to use its funds prudently, ethically, and for the purposes for which they are designed.

**ETHICS** is defined as the principals of conduct governing an individual or group.

### **PREAMBLE**

Ethics and integrity are the responsibility of each individual. Therefore, every member of the faculty and staff, any other person acting on behalf of the College is responsible for ethical conduct consistent with the Code. As such, College administration, faculty, deans, department chairs, and others in supervisory positions must assume responsibility for ensuring that their conduct, and the conduct of those they supervise, complies with this Code. Business activities undertaken on behalf of LSC-PA with the public, the government, suppliers, students and one another must reflect the highest standards of honesty, integrity, and fairness. Each individual must be especially careful to avoid even the appearance of misconduct or impropriety.

### **INTEGRITY**

All employees must:

- Perform their work with honesty, objectivity, diligence, and responsibility.
- Act with a high level of prudence and due professional care avoiding any real or apparent conflicts of interest.
- Act in good faith without misrepresenting material facts or allowing their independent judgment to be subordinated.
- Accord respect to self and others and accept responsibility for all actions.
- Observe the law and make disclosures expected by the law.
- Not knowingly be a party to any illegal activity or engage in acts that are discreditable to the College.
- Comply with all College policies and procedures.
- Proactively promote ethical behavior amongst peers, in the work environment, and the community.
- Exercise responsible use and control over all College assets and resources.
- Respect and contribute to the legitimate and ethical objectives of the College.
- Accept and respect diversity in our community and adherence to the College's Affirmative Action and Non-discrimination policy.

### **GRATUITIES AND “KICKBACKS”**

Lamar State College – Port Arthur personnel shall not use their position to secure special privileges for themselves or their close relatives. (see definition below under “*Nepotism*”). Employees shall not give, offer or promise anything of value to anyone to enhance relations with that individual or their firm, regardless of whether that individual is in a position to influence any decisions with respect to the College or its activities. This includes, but is not limited to, entertainment, meals, refreshments, gratuities or gifts,

loans, rewards, compensation, or other monetary remuneration. This also applies to all contractors, subcontractors, and/or vendors for the purpose of improperly obtaining or receiving favorable treatment. Nor shall any LSC-PA personnel solicit or accept anything of value from any governmental official, contractor, subcontractor, vendor or others for such a purpose.

### **CONFLICT OF INTEREST**

All employees must ensure that no conflicts of interest exist. The College administration has an obligation, in accordance with Board Statutes, to ensure that employees avoid conflicts of interest and to assure that the activities and interests of its employees do not conflict with their obligations to the institution or its well-being. A conflict of interest arises when employees place themselves in a position where they could use their position to create benefits for their private interests or to give improper advantage to others. When an employee has a significant interest in, or a consulting arrangement with, a private business concern, it is important that they avoid conflicts of interest. Employees are encouraged to direct inquiries relative to conflict of interest concerns to their department head and/or division executive officers. In those situations where a possible conflict of interest may occur, management shall take action which may include relieving the employee of the assignment and assigning the matter to another qualified employee who does not have a conflict of interest.

### **CONFLICT OF COMMITMENT**

With the acceptance of a full-time at LSC-PA, every employee is expected to accord the College their primary professional loyalty and to arrange outside obligations, financial interest, and activities so as not to conflict with their overriding commitment to the College. Consultants are also expected to arrange their outside obligations and activities so as not to conflict with their contracted commitment to the College.

A conflict of commitment occurs when an employee's involvement in external activities adversely affects their capacity to meet their primary obligation to the College due to a perceptible reduction of the individual's time and energy devoted to LSC-PA activities. Departments may permit certain outside activities, with appropriate notice to and written approval by the appropriate department head, so long as these endeavors do not interfere with an employee's obligations to the College.

### **NEPOTISM**

Blood or marital relationships with other College employees are not regarded as a deterrent to appointment, reassignment or continuance in a present position. Close relatives may not be employed where one is in a position of influence over another. Close relatives include husband or wife, parent or child, son-in-law, daughter-in-law, brothers or sisters. A position of influence exists in instances where selection for employment, judgments concerning performance, compensation, status, fitness for promotion or discipline/discharge, require the action of one person with respect to the other.

### **CONFIDENTIALITY**

Security and confidentiality of College records are matters of concern for all employees who have access to manual or computerized information and files. Each person working with College information holds a position of trust and must recognize the responsibilities of preserving the security and confidentiality of the information, any employee or person with authorized access to the system is expected:

- Not to make or permit unauthorized use of any information or files.
- Not to seek personal benefit or permit others to benefit personally by any confidential information which has come to them through their work assignment.
- Not to exhibit or divulge the contents of any record or report to any person except in the conduct of their regular work assignment.
- Not to remove any official record of report (or copy) from the office where it is kept except in performance of regular duties or in cases with prior approval.
- Not to operate or request others to operate any College data processing equipment for personal business.
- Not to aid, abet or act in conspiracy with any other person to violate any part of this code; and,
- To immediately report any violation of this code to management.

### **COMPETENCY**

All employees have an obligation to execute their duties and responsibilities with professional care and skill to the best of their knowledge and abilities. To that end, all employees must familiarize themselves with the appropriate College and/or department policies and procedures, applicable laws and regulations, and other rules as required to perform their respective jobs.

### **FINANCIAL REPORTING**

All College accounts, financial reports, tax returns, expense reimbursement, time sheets and other documents, including those submitted to government agency's, must be accurate, clear, timely, and complete. All entries in College books and records, including departmental accounts, and individual expense reports, must accurately reflect each transaction. It is unlawful for any employee to take an action to fraudulently influence, coerce, manipulate, or mislead an auditor engaged in the performance of an audit for the purpose of rendering the financial statements materially misleading.

### **REPORTING CODE VIOLATIONS**

Employees should report suspected violations of this Code, applicable laws, regulations, and government grant and contract requirements through standard management reporting channels, beginning with the immediate supervisor. Alternatively, employees may go to a higher level of management and may also report suspected violations or problems to the Director of Internal Audit. In all instances, violations of laws or regulations should be reported to the Director of Internal Audit (880-8933). Such reports may be made confidentially and/or anonymously although a greater level of information allows for a more thorough investigation. Raising such concerns is a service to the College and consistent with the State of Texas's Whistleblowers' Protection Act, will not jeopardize employment.

The Texas State University System has selected a private contractor, EthicsPoint, as a confidential means of reporting for individuals unable to use existing reporting procedures. A link is found on the TSUS web site

All employees should cooperate fully in the investigation of any misconduct.

## **CONSEQUENCES OF VIOLATION**

Each person is responsible for ensuring that their own conduct, and the conduct of anyone reporting to them, fully complies with this Code and with the College's policies. Violations will result in appropriate disciplinary action up to and including discharge from employment. Disciplinary action will be taken in accordance with the procedures applicable to faculty or staff as codified in the respective Faculty Handbook and in this Administrative Policy and Procedure. Conduct representing a violation of the Code may, in some circumstances, also subject an individual to civil or criminal charges and penalties.

## **PROHIBITED ACTIONS OF EMPLOYEES**

An employee of Lamar State College - Port Arthur shall not:

- Accept or solicit any gift, favor or service that might reasonably tend to influence the employee in the discharge of official duties.
- Use an official position to secure special privileges or exemptions for the employee or others, except as may be otherwise authorized by law.
- Accept employment or engage in any business or professional activity which might reasonably be expected to require or induce the employee to disclose confidential information acquired by reason of such employee's official position or impair the employee's independence of judgment in the performance of public duties.
- Disclose confidential information gained by reason of one's employment, or otherwise use such information for personal gain or benefit.
- Transact any business in an official capacity with any business entity of which the employee is an officer, agent, or member or in which the employee owns a controlling interest unless the Board of Regents has reviewed the matter and determined no conflict of interest exists.
- Make personal investments in any enterprise which could reasonably be expected to create a substantial conflict between the private interests of the employee and the public interests of his or her employee.
- Receive any compensation for services as a state employee from any source other than the State of Texas, except as otherwise provided by law.
- Engage in any form of sexual harassment or racial harassment as defined in the Administrative Policies and Procedures Manual.

## **TRAINING**

The System Administrative Office shall conduct, in even numbered years, training sessions for the personnel of each component institution responsible for ethics training in the various departments of such institutions. These training sessions will provide the trainees with the methods, policies and materials necessary to allow them to train each employee within their supervision or responsibility. Each component institution is responsible for training each employee each biennium. The President will notify the Chancellor upon completion of the ethics training each biennium.