

3341-1-2 Ethical Conduct and Professional Workplace Behavior

Applicability	All University units
Responsible Office	Board of Trustees / Office of the President
Responsible Administrator	General Counsel

(A) Policy Statement and Purpose

Bowling Green State University endeavors to pursue its mission and conduct its academic and business affairs with the highest degree of integrity and honesty and in a manner that is, and appears to be, in full accord with principles of academic excellence, canons of ethical and professional conduct, and all controlling law.

This policy summarizes requirements of the Ohio ethics laws; establishes principles to govern conflicts of commitment; and sets forth BGSU's expectations regarding ethical conduct with respect to professional workplace behavior and use of the university's property and name. It sets forth minimum requirements and non-compliance may lead to legal, disciplinary, or administrative consequences.

The university has also articulated, in its Statement of Principles of Ethical Engagement, expectations for all university representatives to uphold.

(B) Policy Scope

This policy applies to all those who are employed by or represent the university, including but not limited to its trustees, employees, and volunteers. It supplements other university policies that govern conduct. It is not intended to broaden the scope of Ohio ethics laws, which apply according to their terms. Those to whom the ethics laws do not directly apply are expected to be familiar with their requirements.

(C) Policy on Ethical Conduct

(1) Ohio Ethics Laws and Related Statutes

Bowling Green State University engages with both the public and private sectors as an important component of its research, education, and public service activities. Ohio Revised Code Chapter 102 and Sections 2921.42 and 2921.43, which are part of the criminal code, set forth Ohio's ethics laws.

Ohio Revised Code Chapter 102 applies to BGSU's employees and trustees and to those faculty members whose positions involve the performance of, or authority to perform, administrative or supervisory functions. It does not apply to faculty members whose functions are instructional only. It prohibits a public official from using their authority to secure anything of value for themselves or an immediate family member or business associate and (even without the use of authority) from accepting or soliciting anything of value if it could have a substantial and improper interest on the official. Some examples of situations in which these restrictions apply include outside employment, travel and meals and lodging, and gifts. Violation of one of these ethics laws is a misdemeanor.

Ohio Revised Code Chapter 102 also regulates the disclosure or use, without appropriate authorization, of any information that 1) is confidential because of statutory provisions (e.g., FERPA), or that 2) has been clearly designated as confidential because of the status of a proceeding or the circumstances under which the information was received, when preserving its confidentiality is necessary to the proper conduct of government business. Accordingly, records that are designated by other University policies, management, professional licensure, or understood by practice to be considered confidential must be maintained in the strictest confidence and are not to be disclosed to anyone, except as directed by the appropriate university manager or as otherwise required by professional licensure or law.

Ohio Revised Code Sections 2921.42 and 2921.43 apply to all officers, employees, and agents of BGSU (including all faculty). Ohio Revised Code Section 2921.42 prohibits having an unlawful interest in a public contract. This includes any sale of goods or services to the university by officers, employees, and agents of the university, which is also regulated by the university's purchasing policy. Ohio Revised Code Section 2921.43 prohibits soliciting or accepting improper compensation. Depending on the specific conduct, violation of these statutes is a misdemeanor or a felony.

(2) Nepotism

Ohio Revised Code Section 2921.42, which applies to all officers, employees, and agents of BGSU (including all faculty), prohibits a public official from authorizing the employment of a family member; using the authority or influence of their position to secure a job for a family member; or being involved in any decision that affects a family member's employment.

The law does not prohibit relatives from working for the university, but it does strictly limit how that can occur. Whenever the hiring of a family member is contemplated, including as a student worker, the current employee should contact the Office of General Counsel to assess potential Ohio Ethics Law implications.

(3) Conflict of Commitment

Faculty and staff owe their primary professional allegiance to BGSU; their primary professional commitment is to the education, research, and other programs supporting the University's mission. A conflict of commitment occurs when the time devoted to outside professional activities (such as consulting, government service, public service, or pro bono work) adversely affects an employee's capacity to meet University responsibilities. A conflict of commitment also occurs when an outside professional undertaking (such as submitting a grant proposal in an individual capacity) competes with the individual's primary institutional responsibilities.

As set forth in the collective bargaining agreement between the University and the Faculty Association, a conflict of commitment exists for bargaining unit faculty members when external or other activities are so substantial or demanding as to interfere with the individual's teaching, research, scholarship, creative work, or service responsibilities to the University or its students. Faculty members must avoid any conflict of commitment between professional activities outside the University and their University responsibilities and must avoid accepting outside assignments that compete directly with academic functions of the University.

BGSU's administrative staff employees also made a commitment to the university with their acceptance of an appointment. All full-time

administrative staff employees are expected to make their university employment their principal professional commitment.

Any faculty or administrative staff member intending to engage in an external activity that may present a conflict of commitment must disclose it to and obtain prior written approval from their supervisor. A leave of absence to proceed with the external activity may be required if the conflict cannot be managed to the University's satisfaction.

Adjunct faculty and all administrative and classified staff (whether full-time or part-time) are expected to devote their entire attention to the university during their working hours.

All employees are expected to arrange outside duties, financial interests, and activities so as not to conflict or interfere with their primary obligation to the university.

(4) Conflict of Interest

In addition to requiring compliance with Ohio ethics laws, the University also prohibits considerations of personal gain from influencing the decisions or actions of individuals in discharging their University responsibilities. The following situations are examples of prohibited conflicts of interest that may also constitute violations of Ohio ethics laws:

- (a) Unauthorized use of University time or resources for professional, charitable, or community activities;
- (b) Exploitation of student effort for personal gain;
- (c) Allowing an outside party to have access to University facilities, programs, services, information, or technology without proper authorization.

(5) Disclosure Requirements

Upon hire, before a potential conflict of commitment, and annually, faculty and staff members must inform their supervisor of any financial interests related to their institutional responsibilities or outside professional activities.

(6) Misappropriation of University Property

The university's facilities and property are to be used in its academic and business affairs only. Use of these assets for personal purposes is not allowed.

Other policies govern commercialization efforts by faculty. External business opportunities involving any use of BGSU facilities or property (including BGSU's name) will be treated as opportunities belonging to the university, which may agree to pay additional compensation to participating employees.

Ohio Revised Code Section 2921.41, which applies to faculty, officers, employees, and agents of BGSU, forbids any public official to commit theft in office. This offense includes, but is not limited to, exerting control over anything owned by the university with a purpose to deprive the university of it. It also includes unauthorized use of computer or telecommunications property.

Apart from potential criminal penalties, if public property has been converted or misappropriated, the Auditor of State may issue a finding for recovery mandating repayment.

(7) Other Improper Uses of the University's Name or Resources

BGSU's good name and reputation are among its most important assets. They belong to the university as a whole, not its individual members. Therefore, only the Board of Trustees, the President, and those specifically authorized by either of them are empowered to speak on behalf of the university.

BGSU's faculty and staff do have the right to express themselves as individuals on political matters and other topics. Anyone speaking or writing in their individual capacity, however, must clearly indicate that their remarks are not made in any official university capacity and do not represent an official position of the university.

Individuals employed by or representing the university shall not do any of the following:

- (a) Use university assets or resources for a political activity. This prohibition includes use of the university name, seal, logos, street or email addresses, or phone numbers to endorse, promote, or oppose a candidate or issue. It also includes the use of such university resources such as funds, email, phones, computers, copiers, postage, personnel, and other facilities or services. University facilities and property must be used for university business only in accordance with university policies.
- (b) Make any statement or take any action that suggests the university is endorsing or opposing any candidate for public office or any particular viewpoint.
- (c) Use their official university title to endorse, promote, or oppose a candidate or issue or to allow their official university title to be used in such a way.
- (d) Engage in lobbying activity in the name of or on behalf of the university unless that activity is part of the employee's formal job description or assignment.

(8) Recordkeeping

BGSU expects all accounting, academic, and business records to be kept in an accurate, timely, and complete manner. Financial records, in particular, must be maintained in conformity with all controlling generally accepted accounting principles and such other requirements as may, from time to time, be imposed by the State of Ohio or other governing authority. Records of material transactions must be capable of being audited so that our actions are transparent and readily justifiable when measured by relevant standards and requirements.

(9) Non-Retaliation

It is a violation of this policy to retaliate against anyone who, in good faith, has alleged or reported a violation of this policy or participated in an investigation of an alleged violation.

(10) Reporting

Those who are employed by or represent the university have an affirmative obligation to report any conduct that they reasonably believe may violate any aspect of Sections (C)(1) to (C)(9) of this policy by filing a report through the EthicsPoint website or by calling EthicsPoint toll-free at 1-866-879-0426. Likewise, those who are employed by or represent the university have an affirmative obligation to cooperate fully in any investigation.

(11) Role of the General Counsel

The General Counsel is the chief ethics officer of the university and shall be informed of any alleged violation of Sections (C)(1) to (C)(9) of this policy. Offices such as Internal Auditing or Human Resources typically investigate alleged violations within their areas of responsibility and will report the results to the General Counsel and the appropriate decisional authority. However, the General Counsel has discretion at any time to designate a different investigatory authority, including an external investigator, the Ohio Ethics Commission, or law enforcement.

Any alleged violation that may involve the General Counsel, the President, or a member of the Board of Trustees will be referred to the Audit Committee of the Board of Trustees, which may act as it deems appropriate.

(D) Policy on Professional Workplace Behavior

BGSU expects all of its employees, faculty and staff alike, to conduct themselves in a professional manner that promotes a productive work environment and the university's core values. They are expected to exhibit a high degree of personal integrity and professionalism at all times while on the job.

This expectation applies to all interactions with coworkers, supervisors, subordinates, vendors and contractors, students, and visitors.

Disrespectful or unprofessional behavior that a reasonable person would find intimidating, offensive, or humiliating is unacceptable. Such behavior includes but is not limited to shouting or other disruptive behavior; comments that are degrading, demeaning, humiliating or insulting; harassment; retaliation; personal attacks; and acts of insubordination.

Supervisors are to be leaders in exhibiting and promoting professionalism and respect. This leadership includes setting clear expectations as to

professional workplace behavior and managing subordinates through regular communication and feedback. Supervisors are expected to address concerns about professionalism and respect through appropriate instructions or corrective action.

Failure to abide by a supervisor's instructions as to professional workplace behavior will be considered insubordination, which is just cause for corrective action up to and including termination.

These expectations of professional workplace behavior are in addition to and do not alter any of BGSU's other workplace policies (including but not limited to those against sexual harassment, unlawful discrimination, and workplace violence). Behavior inconsistent with these expectations may be reported to one's supervisor or through the EthicsPoint website or by calling EthicsPoint toll-free at 1-866-879-0426.

(E) Amendments

This policy may be amended or rescinded only by a majority vote of the Board of Trustees at a regular meeting.

(F) Related Policies

- (1) 3341-1-7 Delegation of Contract and Signatory Authority
- (2) 3341-1-12 Ohio Public Policy on Principles of Free Speech
- (3) 3341-2-41 Title IX Sexual Harassment
- (4) 3341-2-45 BGSU Freedom of Expression
- (5) 3341-3-70 Selection of Textbooks and Other Instructional Materials
- (6) 3341-5-7 Consensual Amorous Relationship Policy
- (7) 3341-5-8 Contact with State/Federal Legislators and Governmental Agencies Policy
- (8) 3341-5-11 Disciplinary Policy

- (9) 3341-5-28 Violence in the Workplace
- (10) 3341-5-38 Sexual Harassment
- (11) 3341-5-41 Non-Discrimination in Employment and Education
- (12) 3341-6-7 BGSU Information Technology
- (13) 3341-6-24 Reporting Fraud, Waste, or Abuse of University Resources
- (14) 3341-6-38 Purchasing, Sales, and Disposal of University Property and Asset Control
- (15) 3341-7-1 Conflict of Interest in Sponsored Programs & Research
- (16) 3341-7-5 Research Misconduct

Registered Date: February 27, 2025