

CODE OF ETHICS AND CONDUCT POLICY

On June 24, 2005, the Board of Trustees of Bowling Green State University approved the statement below to cover all university employees. This statement does not appear in either employee handbook or in the Charter.

Other existing statements regarding ethics and conduct reflective of previously approved policy statements and which do appear in employee handbooks and the Charter are contained in a second statement in this Handbook. See the *General Rules of Conduct/Code of Ethics Policy* on another page.

- I. **PREAMBLE**: It is the policy of Bowling Green State University (“University”) 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.

- II. **PURPOSE**: The purpose of this University Code of Ethics and Conduct (“Code”) is to summarize fundamental principles of ethical conduct that are applicable to all members of the University community. While some of these standards may be detailed in other policy documents having a specific application to a particular circumstance, many other standards have been observed as good practice but have not been previously codified in any one policy statement. This Code summarizes all of these important ethical principles of general application; it is not intended to replace or modify existing written policy statements containing standards tailored to specific circumstances. Those written policy statements containing more detailed standards include, but are not limited to, the following:
 - Bowling Green State University, Policy on Misconduct in Research
 - Bowling Green State University, Conflict of Interest in Sponsored Research
 - Administrative Staff Handbook, Conflict of Interest: Research and Consulting, Appendix H
 - Classified Staff Handbook, General Rules of Conduct and Code of Ethics
 - Faculty Handbook, B-II.E: Employee Responsibilities
 - Faculty Handbook, B-II.F: Ethical Responsibilities
 - Faculty Handbook, B-II.H: Academic Honesty Policy
 - Student Handbook, Academic and Student Codes of Conduct
 - Bowling Green State University, Sponsored Programs and Research, Policies: Frequently Asked Questions
 - Bowling Green State University, Fraud Waste and Abuse, Reporting Procedures and Information
 - NCAA Constitution and Bylaws
 - Bowling Green State University, Equal Opportunity and Anti-Harassment Policies

- III. **APPLICABILITY**: This Code is applicable to all members of the University community. For this purpose, the community consists of the students, faculty, staff, and Trustees. Every member of the University community is required to become familiar with and to observe the Code in all respects. In addition, those members of the University community whose actions may be governed by the more detailed written policy statements of the University (as described in Part II) are also expected to become familiar with and to observe those policies to the extent applicable to their status with, or

employment by the University.

IV. **OUR MISSION IMPERATIVE:** Through the provision and interdependence of teaching, learning, scholarship (including scholarship through engagement), the University has established, and continues to foster, an environment that is grounded in intellectual discovery, community engagement, and multicultural academic and social experiences, while guided in all such pursuits by rational discourse and civility to others. All members of the University community are expected to dedicate their service to, participation in, and administration of University programs and activities for the protection and furtherance of this imperative.

V. **STANDARD OF CONDUCT:** All members of the University community shall observe the following principles of ethical conduct and avoid any situation that is, or that reasonably appears to be, a violation of any such principle.

A violation of these principles will be established if the relevant record of inquiry establishes that it was more likely than not that the violation occurred. The burden of that demonstration will rest with The authority making the decision. Unless the accused admits culpability, no such decision shall be rendered in the absence of an inquiry that allows the accused a meaningful opportunity to respond to the allegations.

VI. **PRINCIPLES OF ETHICAL CONDUCT:** Each member of the University community shall observe the following principles of ethical conduct:

a. **Public Trust:** We must act in a way to inspire public confidence in the honesty and integrity of our actions. Any violation of a law, rule, or regulation of the Federal Government, the State of Ohio, the City of Bowling Green, or any other political subdivision where the University transacts its business, violates the public trust and has the potential to discredit the University and impede the furtherance of its mission.

b. **Political Activities:** We must recognize and heed the responsibilities that we share as an instrumentality of the State of Ohio. University resources cannot be used in a way that demonstrates or reasonably implies an institutional favoritism for, or bias against, a particular political candidate or party.

c. **Business Arrangements:** We must not take an illegal interest in a public contract, including any contract awarded by the University. We shall not abuse the authority, trust, or responsibility of our position, or our status as a member of this community, or otherwise act in a way to unfairly benefit ourselves or others at the expense of the University.

d. **Conflicts of Interest and Conflicts of Commitment:** We may not take any action, participate in any decision, or approve any action or decision on behalf of the University that will directly result in a benefit to ourselves, or any person or interest affiliated or connected with us. We shall avoid circumstances that reasonably imply we acted for personal gain rather than for the best interest of the University. We shall not knowingly engage in any activity on or off campus that would prevent us from fulfilling those obligations we fairly owe to the University, whether those obligations arise from our status as a student, a faculty member, a staff member, or a Trustee.

e. **External Constituencies:** We shall treat all visitors to the University with civility and respect. We must also operate our facilities and conduct ourselves, on and off campus, in a way that does not unjustly deprive our community neighbors of enjoying the benefits of their rights as property owners. We must not act in a manner that causes any diminution in the quality of life in our surrounding neighborhoods, or that brings discredit to the University, or to any University constituent group. Our dealings with all levels of government must be direct, honest, and open. We must never misuse public funds.

f. **Diversity and Respect for the Individual:** As a member of the University community we shall treat each other with civility and respect. We shall be tolerant of all individuals regardless of race, culture, ethnicity, gender, sexual orientation, age, and disability. We consider the gathering and association of scholars and staff with diverse personal backgrounds, human experiences, and cultures to be highly valued in our learning community. Accordingly, we shall advance diversity and treat others with civility and respect in all that we do as a member of this community and we shall consider intolerance, disrespect, and incivility to be inimical to our fundamental interests as an institution of higher education.

We also value, as a compelling academic interest of the University, the promotion of ethnic and racial diversity in our academic programs and activities and in the composition of our student body, our faculty, and our staff. The failure to provide an education with cross cultural experiences and insights will inhibit our graduates from functioning to their fullest potential in a pluralistic society. To realize this academic interest, we must engage in positive efforts to promote racial and ethnic diversity in our classrooms, in our curricula, and in all other activities that are designed to further the educational experience of our students. We also believe these efforts are supported by, and are in furtherance of our interest as an instrumentality of the State of Ohio to affirm the equal protection of law for all Ohio citizens.

g. **Community Engagement:** We consider the investment of the University's intellectual capital in public and private communities, by jointly working with others on problems of economic development, educational reform, and quality of life issues, to be a form of scholarship that benefits faculty, students, and our neighbors. We shall endeavor to expand the educational experiences of our students to include greater engagement with our external communities so that we may teach through the provision of needed services to others. When providing services to the community, we shall treat our neighbors with respect and dignity. We shall refrain from any action that would have the purpose or effect of disadvantaging or discouraging our students or colleagues who are, or who plan to be, engaged in such efforts as an approved element of academic instruction or scholarly research.

h. **Research:** It is imperative that our research be conducted in accord with the highest standards of honesty and integrity. We must avoid conduct that invites justifiable criticism dealing with improper financial interests or other influences extraneous to the merits of the effort. When conducting sponsored research, we shall adhere to all relevant legal requirements including the rules and regulations of the Office of Research Integrity of the Public Health Service, the common Federal Policies on Research Misconduct issued by the Office of Science and Technology, and/or such other rules, regulations and policies of the awarding agency or other sponsor that may be applicable.

i. **Business Officers:** Anyone who participates in the decision or approval process leading to the expenditure of University funds must act for and in the best interest of the University. Integrity, honesty, and a clearly auditable record of actions taken and decisions made are imperative. If we are involved in such a transaction we must not be influenced by extraneous matters; we must act in a manner consistent with all controlling laws and policies; and we must report to the Ethics Officer or other appropriate University office or legal authority those who would direct or solicit us to act otherwise. We must avoid personal conflicts of interest and always be alert to the potential for fraud, waste, or abuse. We must never accept or solicit anything of value for ourselves or anyone else in return for exercising our discretion in any particular way. Gratuities, except for minor gifts of nominal value, cannot be accepted if a reasonable person may conclude that the gift is of such a character that our actions could or would be influenced by that gratuity. While dealing with vendors and potential vendors to the University we must always act with professionalism and courtesy and honor the terms and conditions of the University's contractual arrangements.

j. **Record Keeping:** We must keep all accounting, academic, and business records of the University 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 required by the State of Ohio. 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. The intentional or negligent making of a materially false or misleading statement in the records or books of account of the University will not be tolerated. Records that are designated by management, or understood by practice, to be considered confidential must be maintained in the strictest confidence and are not to be disclosed to any party, except as directed by the appropriate University manager or as otherwise required by law.

k. **Duty to Report:** The President and the members of the President’s Cabinet, and such other employees as may be designated by the President, are under an affirmative obligation to report to the Ethics Officer or other appropriate University office or legal authority any conduct that they reasonably believe may give rise to a violation of this Code of Ethics and Conduct.

l. **Misuse of University Resources:** All resources of the University must be used for the purposes for which they were intended. We may not improperly convert for our own personal use, or for the use of another, any property or property right of the University. We may not provide someone an advantage for obtaining, using, or accessing University property that is not based on merit and otherwise in accord with all controlling laws, rules, regulations, and policies.

m. **Non-Retaliation:** It is a violation of this Code for anyone to retaliate against a member of the University community who, in good faith, has alleged a violation of this Code. Similarly, it is also a violation of the Code for anyone to retaliate against an individual who has participated in an investigation conducted under the Code.

VII. **ETHICS OFFICER AND COMPLIANCE EFFORTS:** The University’s Ethics Officer shall be responsible for investigating alleged violations of the Code, reporting findings to the appropriate decisional authority, and providing advice on the ethical requirements under this Code, the laws of the State of Ohio, the Federal Government and such other jurisdictions as may be appropriate. The Ethics Officer shall not have the authority to take disciplinary action against any person. The President of the University shall appoint the Ethics Officer, upon consultation with the Board of Trustees.

In lieu of, or in the course of an investigation conducted under this Part, the Ethics Officer may refer a matter to another office that has specific jurisdiction of the particular subject matter of the allegation under one of the specific policies described in Part II of the Code. No one is to abuse the Code as an alternative mechanism to avoid application of existing processes attendant to those specific policies.

Inquiries and investigations that may involve the Ethics Officer, the President, or a member of the Board of Trustees shall be referred to the Audit Committee of the Board of Trustees for such action as the Committee may deem appropriate.

Members of the University community are expected to cooperate fully with all inquiries and investigations conducted under the Code.

VIII. **IMPLEMENTATION:** The President of the University may issue such directives as the President may deem necessary to implement this Code. In each such event, a copy of the directive shall be transmitted to the Chair of the Faculty Senate, to the Presidents of the Graduate Student Senate and Undergraduate Student Government, and to the Presidents of the Classified Staff and Administrative Staff Councils. No such directive may become effective until each of the foregoing organizations is given at least thirty (30) calendar days to comment on the directive.

The Board of Trustees reserves the right to cancel or modify any directive or to issue directives on its own initiative.

IX. **AMENDMENTS:** This Code of Ethics and Conduct may be amended only by action of the Board of Trustees of the University.

There is no additional information on this Code of Ethics and Conduct Policy in either employee handbook or in the Charter's Faculty Handbook although the policy applies to all employees. The adoption of this Code was communicated to all employees in the university's Monitor and on the Marketing and Communication listserv following action by the Board of Trustees.

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