



Angelo State University
Operating Policy and Procedure

OP 52.02: Ethics and Standards of Conduct Policy

DATE: November 24, 2020

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish institutional policy in accordance with the state’s ethics policy as required by the Texas State Legislature and adopted by the Board of Regents at the August 11, 1995 meeting. The principles and guidelines contained in this policy apply to all persons employed by Angelo State University without regard to rank or position, length of service, or past performance.

REVIEW: This OP will be reviewed in September every three years, or as needed, by the director of human resources with recommended revisions forwarded through the vice president for finance and administration to the president by October 15th of the same year.

POLICY/PROCEDURE

1. Policy/Procedure

Pursuant to Section 572.051(e) of the Texas Government Code, and the Rules and Regulations of the Board of Regents (Section 03.01.2), the university establishes and adheres to this ethics policy.

This ethics policy prescribes standards of conduct for all university employees, and does not supersede any applicable federal or Texas law or administrative rule. Please see [OP 02.09 Conflict of Interest and Commitment](#) for further information regarding the university’s conflict of interest and commitment policies and standards.

All university employees should familiarize themselves with this policy and must abide by all applicable federal and Texas laws, administrative rules, and university conduct policies, including this ethics policy. The principles and guidelines contained within this policy shall apply to all persons employed by any component institution, agency, or service of Texas Tech University (TTU) and Angelo State University (ASU), regardless of rank or position. An employee who violates any provision of the university’s ethics and conduct policies may be subject to termination of the employee’s state employment or another employment-related sanction. A university employee who violates any applicable federal or Texas law or rule may be subject to civil or criminal penalties in addition to any employment-related sanction.

2. Principles of Ethical Behavior

In accordance with the Texas Tech University Board of Regents Rules (Section 03.01.2), Angelo State University employees shall:

- a. Obey all federal, state, and local laws or be subject to disciplinary action for a violation of those laws;
- b. Put forth honest effort in the performance of their duties;
- c. Not make unauthorized commitments or promises of any kind purporting to bind Texas Tech University System or Angelo State University;
- d. Not use their public offices for private gain;
- e. Act impartially and not give preferential treatment to any private or public organization or individual;
- f. Protect and conserve public property, including all institutional resources, and shall not use it for anything other than authorized activities;
- g. Promptly disclose waste, fraud, abuse, and corruption to appropriate authorities;
- h. Adhere to all laws, regulations, and policies that provide equal opportunity for all persons regardless of sex (including pregnancy), race, color, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics; and that prohibit illegal discrimination;
- i. Endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the Texas Tech System (TTU).
- j. If involved in procurement or contract management for the TTU system, disclose to the TTU system in the manner prescribed by the applicable contract management handbook or institutional operating policy any actual or potential conflict of interest that is known by the employee or official with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor by the TTU system at any time during: (i) the procurement process, from the initial request for bids for the purchase of goods or services from the private vendor until the completed final delivery of the goods or services, or (ii) the term of the contract with a private vendor; however, for a contract for the purchase of goods or services solicited through a purchase order, this subsection only applies if the amount of the purchase order exceeds \$25,000; and
- k. Participate in regular training concerning ethics policies of the TTU system

3. Standards of Conduct

- a. A university employee shall not:
 - (1) Accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties, or that the employee knows or should know is being offered with the intent to influence the employee's official conduct;
 - (2) Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another;
 - (3) Disclose confidential information that is excepted from public disclosure under the Texas Public Information Act (Tex. Gov't Code Ann. Ch. 552), or information that has been ordered sealed by a court, that was acquired by reason of the employee's

official position, or accept other employment, including self-employment, or engage in a business, charity, nonprofit organization, or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information, information that is excepted from public disclosure under the Texas Public Information Act, or information that has been ordered sealed by a court, that was acquired by reason of the employee's official position;

- (4) Accept other employment or engage in a business or professional activity that could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's official duties;
- (5) Accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;
- (6) Make personal investments or engage in other activities, including having a direct or indirect financial or other interest, engaging in a business transaction or professional activity, or incurring any obligation that could reasonably be expected to create a substantial conflict with the proper discharge of the officers' or employees' duties related to the public interest;
- (7) Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised their official powers or performed official duties in favor of another;
- (8) Act as an agent for another person or entity in the negotiation of the terms of an agreement relating to the provision of money, services, or property to the TTU system;
- (9) Knowingly make misleading statements, either oral or written, or provide false information, in the course of official state business; or
- (10) Utilize state time, property, facilities, or equipment for any purpose other than official state business, unless such use is reasonable and incidental and does not result in any direct cost to the state or university, interfere with the employee's official duties, and interfere with university functions.

b. A university employee shall:

- (1) Perform his or her official duties in a lawful, professional, and ethical manner befitting the state and university; and
- (2) Report any conduct or activity that the employee believes to be in violation of this ethics policy to the university's ethics violation contacts (see below) during the period of state service or employment, either through personal involvement or because the case or proceeding was a matter within the employee's official responsibility.

[Major revision: November 24, 2020]

4. Conflict of Interest

It is the policy of the State of Texas that a state officer or employee may not have direct or indirect interests, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the officer's or employee's duties in the public interest.

For more information, refer to [OP 02.09 Conflict of Interest and Commitment](#).

5. Outside Employment

Outside employment is self-employment or any compensated service or employment by an entity or individual, other than the TTU system, of a TTU system employee.

- a. Outside employment must be compatible with the interests of the TTU system and of such a nature that it will not detract from the effectiveness and performance of the employee.
- b. Institutional operating policies shall provide a procedure by which a TTU system employee must disclose the outside employment, including the name of the employer, the specific nature of the work, and the amount of time to be spent, and obtain authorization from the chancellor, or the chancellor's designee, for such outside employment.
- c. If the outside employment is for the chancellor or a president, authorization from the board is required.

External activities shall not detract from primary responsibilities and shall not require such extensive absence so as to cause an employee to neglect the employee's obligations to the TTU system.

For more information on outside employment, refer to [OP 52.31 Multiple State Employment and Other Outside Employment](#).

6. Political Activities

Except as authorized by state or federal law or by Chapter 08, Regents' Rules, no officer or employee shall expend or use, or authorize the expenditure or use, of any TTU system funds or other resources for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure.

- a. An employee may not engage in any political activity while on state time or utilize state resources for any political activity.
- b. Unless prohibited by state law, officers and employees may make personal contributions to political organizations and candidates for political office.

For more information, refer to [OP 52.36 Political Activities of University Employees](#).

7. Nepotism

For more information, refer to [OP 52.26 Nepotism](#).

8. Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure

For more information, refer to [OP 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure](#).

9. Consensual Relationships

For more information, refer to [OP 52.64 Consensual Relationships](#).

10. Texas Tech University System Code of Ethical Conduct

Texas Tech University System and its component institutions, Texas Tech University, Texas Tech University Health Sciences Center, Angelo State University, and Texas Tech University Health Sciences Center El Paso (collectively, “TTUS”) expect all members of the TTUS community to behave in a way that allows TTUS institutions to accomplish their respective missions in accordance with the principles set forth below. The following Code of Ethical Conduct (“Code”), which applies to every member of the TTUS community whether employee, student, or external constituent, is intended to support a culture and environment of honesty, integrity, fairness, transparency, conservation, ethical scholarship, diversity, and respect for others and the law. This Code applies to all aspects of your life as a member of the TTUS community.

- a. **Honesty.** Be honest. Demonstrate honesty by being truthful, trustworthy, and fair.
- b. **Integrity.** Act ethically. Do the right thing even if no one is watching. TTUS is committed to achieving excellence and expects a high standard of professionalism through ethical behavior.
- c. **Fairness.** Be fair. Hold yourself accountable. Take personal responsibility for your actions. Before you act (or fail to act), carefully consider the consequences, both intended and unintended.
- d. **Transparency.** Be transparent in all activities, including governance, operations, research, and academics. Promptly and openly identify and disclose conflicts of interest and conflicts of commitment. Take appropriate steps to either eliminate such conflicts or ensure that they do not compromise TTUS procedures and values or violate the law. Do not exploit your professional relationships or TTUS position for personal gain.
- e. **Conservation.** Protect and conserve all TTUS resources, tangible and intangible – our people, our land, our property, our time, our ideas, and our ideals. Don’t disclose confidential information. Put forth your best effort to make TTUS the best it can be.
- f. **Ethical Scholarship.** Don’t cheat. Embrace ethical practices with regards to the acquisition, use, and dissemination of knowledge and research. Uphold scientific standards.

- g. **Diversity.** Stop seeing differences. Start seeing strengths. TTUS values cultural and intellectual diversity because it enriches our lives and the community as a whole, promoting access, equity, and excellence. Create an environment of mutual respect, appreciation, and tolerance for differing values, beliefs, and backgrounds. Do not discriminate against each other or those whom we serve, and promptly report discrimination.
- h. **Respect for Others.** Treat everyone with respect and dignity. Do not infringe on the rights or personal values of others. Create an environment that is free of bullying, harassment, and retaliation, and report those who do bully, harass, or retaliate. While TTUS encourages, and indeed expects, the free expression of views, address differences in viewpoints in a professional and civil manner. Personal attacks on or insults of individuals have no place in the TTUS environment.
- i. **Respect for the Law.** Obey the letter and spirit of the law.

11. Ethics Violation Contacts

Any member of the campus community who has a reasonable basis for believing an ethical violation has occurred, has a responsibility to properly notify the university's ethics violation contacts: University Office of Audit Services; the employee's supervisor; the appropriate university administrator; the University Police Department; or the university's third party contractor, EthicsPoint (www.ethicspoint.com or 1-866-294-9352). You also may contact the [State Auditor's Office](#) or toll-free telephone hotline, 800-TX-AUDIT (892-8348).

Employees may avail themselves of the provisions of the Texas Whistleblower Act, which protects anyone who, in good faith, reports unlawful activity from retaliation for making such a report.

For additional information, refer to [OP 22.03 Fraud Prevention Policy](#), [Texas Tech University System Regulations](#).