

University Policy 2009 — 03

Policy-Making by the President

CODE OF ETHICS

1.0 Preamble

- 1 .1 Wayne State University is committed to pursuing its mission with the highest degree of ethics, integrity, honesty and fairness in order to provide its constituents and the surrounding community with the highest level of confidence in our institution.
- 1 .2 All university employees are responsible for ensuring that their conduct and the conduct of those they supervise complies with this Code. To that end, all members of the University community must execute their duties and responsibilities with the highest level of integrity, objectivity, and prudence, and not engage in any improper actions including, but not limited to, illegal or discriminatory activities, breaches of confidentiality, fraud, theft, misappropriation, abuse of power and other discreditable acts.

2.0 Purpose

- 2.1 The primary purpose of this University Code of Ethics is to summarize fundamental principles of ethical conduct that are expected of members of the university community. Some of these principles are codified in several written policies that can be found in sources such as Board Statutes, University Policies, the Administrative Policies and Procedures Manual (APPM), the Personnel Manual for Non-Represented Employees and various union contracts (see APPM, Section 3.0.6). Additional standards have been adopted in compliance with certain regulatory requirements.

3.0 Definitions

- 3.1 For the purposes of this policy, "employee" is defined as an individual who is employed by Wayne State University (including university officers, faculty members, staff and graduate assistants). Student assistants are covered under the Student Code of Conduct.
- 3.2 "Members of the university community" means any individual, including employees as well as, contractors authorized to act on behalf of the university.
- 3.3 "Ethics" is defined as the rules or standards governing the conduct of a person or the members of a profession.
- 3.4 "Manager" or "management" means an employee or position that has responsibility for and authority to direct and supervise other employees' work.

4.0 Applicability

- 4.1 Wayne State University requires all members of the university community to comply with the business standards set out in sections 5.0 - 8.0 below and the policies incorporated by reference. Members of the university community shall not engage in conduct or activities that may raise questions as to their or the University's ethics, honesty, integrity, impartiality or otherwise damage its reputation. Every member of the university community is required to observe this Code of Ethics to the extent applicable to their employment status with the university.
- 4.2 It is the responsibility of each member of the university community to exercise good judgment and to act in a manner that will reflect favorably upon the institution.
- 4.3 Members of the university community are expected to comply with the spirit as well as the letter of this policy and shall not attempt to achieve indirectly, through the use of agents or other intermediaries, what directly is forbidden.
- 4.4 Members of the university community involved in research shall comply with policies and procedures established by the Division of Research and the University for oversight of the responsible conduct of research. The university, through the Division of Research, has established policies and committees for this purpose. These committees include but are not limited to the Human Investigation Committees, Institutional Animal Care and Use Committee, Stem Cell Research Oversight Committee, Institutional Biosafety Committee, Radiation Safety Committee, Export Control Advisory Committee, and Financial Conflict of Interest Committee. Members shall not attempt to use undue influence to affect the outcome of these committees' deliberations.
- 4.5 This code is not intended to replace or modify any existing policies, but rather to summarize important ethical principles of general application. Related statutes and policies include, but are not limited to:

Board Statutes

- 2.28.01 Non-Discrimination/Affirmative Action Policy
- 2.28.06 Sexual Harassment
- 2.41.03 Conflict of Interest; Contracts
- 2.41.04 Patent and Copyright Policy
- 2.72.03 Vendor Gifts

University Policies

- 00-1 Acceptable Use of Information Technology Resources
- 02-4 Implementation of State Lobby Legislation Act

05-04 Contracts Between Wayne State University and External Organizations in Which University Employees Participate

06-01 University Awards

07-02 Confidential Information Policy

08-01 Conflict of Interest

08-02 Investigator Disclosure

Executive Orders

89-4 WSU Policy and Procedure Regarding Scientific Misconduct

5.0 Business Standards

5.1 Awards, Prizes, and Gifts

All awards must be processed in compliance with University Policy 2006-01 or Administrative Policies and Procedures Manual, Section 1.3.1 Expense Guidelines Section B.

5.2 Bribes/Kickbacks

Members of the university community shall not offer or accept bribes or kickbacks.

A "bribe" or "kickback" includes a) an exchange of money, favors or anything else of value, which is promised, given to, or taken from an individual or organization in an attempt to influence his/her decisions; or b) to pay or offer services in an attempt to influence or gain something from an individual or organization.

5.3 Gifts

Employees, or members of their immediate family, must not knowingly solicit or accept any personal gifts, favors, services, or gratuities from any person or entity that does or is seeking to do business with the university where the acceptance of such gifts might directly or indirectly influence the employees' business judgment or decisions, or that might give the appearance of impropriety. Gifts are anything of economic value for which no consideration is given in return. Gifts include, but are not limited to, cash, cash equivalents, securities, advances, gift certificates/cards, travel, lodging, transportation, recurring meals, personal services, a gratuity, subscriptions, memberships, loans, extensions of credit, forgiveness of debt, entertainment (including theatre, concert, and/or sporting event tickets), price concessions, use of property or facilities, bequests, rebates, and commissions.

"Gifts" or "no charge incentives" with purchases must be refused at the point of sale or, if they are sent automatically to the department, they must be turned over to the school/college/division head and must be used solely for educational purposes, as outlined in the University's Board Statute 2.72.03.

Should there be any situation where a personal gift, favor, service, or gratuity is offered, the employee must decline and thank the individual while advising him/her of the University's policy concerning the acceptance of any such goods or services.

5.4 Conflict of Interest

Members of the university community 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 themselves or any person or interest affiliated or connected with themselves or the University. Members of the university community must comply with the University's Conflict of Interest Policy, U.P. 2008-01 , and the Board Statute relating to Conflict of Interest in contracts, section 2.41 .03.

5.5 Vendor Relationships

Relationships with vendors must be for Wayne State University business purposes only. All personal relationships with vendors must be disclosed immediately on the Conflict of Interest Disclosure Form.

Employees who are not required to complete a Conflict of Interest Disclosure Form must disclose his/her personal relationships with vendors to the Board of Governor's Secretary immediately.

5.6 Confidential Information Policy

Members of the university community who are entrusted with confidential information, data, plans or other sensitive information shall not negligently use or mishandle information that would result in the unauthorized disclosure of the said information.

Members of the university community shall comply with the University's Confidential Information Policy, U.P. 2007-02, and its appendices.

5.7 Entertainment

Employees may engage in entertainment of guests of the university at the university's expense only when such activity is expressly authorized by appropriate management for University-related business, and occurs at an appropriate location. Employees must comply with the University's General Expense Guidelines, as outlined in the Administrative Policies and Procedures Manual (APPM), section 1 .3.1 .

Entertainment of employees of the university at the university's expense is allowed only when such activities are expressly authorized in accordance with the University's Administrative Policies and Procedures Manual (APPM), section 1 .3.1.3 Expense Reimbursement for the Entertainment of Employees or Section 1.3.1 , Item C-Special Miscellaneous Items and Exceptions.

5.8 Acceptable Use of Computer Technology

Members of the university community shall use University computer and technology resources solely for university business as fully described in the University's Acceptable Use of Information Technology Resources policy, University Policy 00-1 .

5.9 Embezzlement and Theft

Members of the university community shall not misappropriate university assets, including, but not limited to misappropriation of funds or utilization of University personnel, supplies, materials or facilities for non-University business and/or personal gain. Members of the university community must not engage in any acts to conspire or assist with these acts in any form.

5.10 Falsification or Alteration of University Records

Members of the university community shall not falsify or commit forgery, unauthorized alteration, or unauthorized use of any University document or instrument of identification.

5.11 Harassment and Discrimination

The university prohibits harassment and discrimination based on classifications established by state and federal law. Specific policies in support of these standards can be found in the Board of Governors statutes, sections 2.28.01 and 2.28.06.

6.0 Training

6.1 The university will provide training for the institution's compliance and ethics program.

7.0 Reporting Violations

7.1 Members of the university community are expected to report allegations of conduct that are reasonably believed to violate this code to management within their respective areas (e.g., vice president, dean, associate/assistant vice president, department chair, director) or the Office of Internal Audit, immediately. To ensure confidentiality and fairness in proceedings based on these allegations, individuals reporting violations should not discuss or provide copies of their report to others.

8.0 Implementation and Compliance

8.1 University employees in management positions are responsible both for ensuring that employees under their supervision are familiar with this Code of Ethics and for promoting compliance with it.

Managers should:

- a) Take appropriate steps to bring the policy to the attention of each person under their supervision.
- b) Encourage compliance and report all violations of this policy pursuant to section 7.0 above.

- 8.2 Any violation of this policy may subject an employee to disciplinary action, up to and including termination of employment, in accordance with applicable University policies and Collective Bargaining Agreements.
- 8.3 The Office of Internal Audit will review management's processes for ensuring compliance with this policy and will investigate reported violations.
- 8.4. Members of the university community who have questions on how to proceed or on interpretation of this Code should consult with their immediate supervisor, department head or with the Office of Internal Audit.

9.0 Duration

- 9.1 This University Policy is revocable by the President at any time and without notice.

10.0 Effective Date

- 10.1 This university policy is effective upon issuance.

Jay Noren
President

Date