

THE UNIVERSITY OF TEXAS AT EL PASO

# STANDARDS OF CONDUCT GUIDE



OFFICE OF  
INSTITUTIONAL COMPLIANCE

HONESTY • INTEGRITY • TRUST • ETHICS

# LETTER FROM THE PRESIDENT

All University Faculty and Staff:

The University of Texas at El Paso is a mission and values-driven organization. This Standards of Conduct Guide emphasizes the principles and common values that direct our actions, and it contains resources to help resolve questions about appropriate conduct in the workplace. I encourage you not only to follow the rules in this guide, but also to understand and act in accordance with the values behind the rules. If you have questions regarding the Standards of Conduct Guide or encounter any situation that you believe violates one of its provisions, you should consult your supervisor, or the University's Chief Compliance and Ethics Officer. You may also call the Compliance Helpline at 1-888-228-7713.

We are fully committed to the values reflected in this Standards of Conduct Guide. We appreciate your efforts to help us ensure that these high standards of personal and professional conduct are consistently reflected in the daily life of UTEP.

Sincerely,

A handwritten signature in black ink that reads "Heather Wilson". The signature is written in a cursive style with a large initial 'H' and 'W'.

**Heather Wilson**

President

# THE UNIVERSITY OF TEXAS AT EL PASO

## STANDARDS OF CONDUCT GUIDE

### PURPOSE

The University of Texas at El Paso (University) is committed to the highest ethical standards in the pursuit of the University mission. The University values integrity, trust and credibility, respect for the individual, a culture of open and honest communication, and requires all operations to be conducted with accountability and transparency.

These *Standards of Conduct* and supporting policies, procedures, and guidelines, are a shared statement of ethical, professional, and legal standards to be used as a basis for daily actions and decisions.

### APPLICABILITY

These *Standards of Conduct* apply to all University employees. An Appendix is attached to the *Standards of Conduct* listing all key relevant policies by section.

More comprehensive information on these standards is found on the **Regents' Rules and Regulations website** and at the **UT System Policy Library** which provides a full listing of U. T. Systemwide Policies (UTS Policies) and the University **Handbook of Operating Procedures (HOP)**.

### 1. Act Ethically with Integrity

Ethical conduct is a fundamental expectation of every University employee. Ethical behavior is more than legal compliance. "Doing the right thing" goes beyond the law. Managers at every level are expected to set an ethical "tone at the top" and to be role models for ethical behavior in their departments.

In practicing and modeling ethical conduct, employees are expected to:

- Act according to the highest ethical and professional standards of conduct;
- Conduct business using sound judgment, honesty, integrity, and fairness in serving the best interests of the University and the community;
- Take accountability for individual actions; and
- Stop before taking action or making a statement to ask:
  - > Is it legal?
  - > Does it align with University policies and values?
  - > Would I feel comfortable if others knew about it or did it?
  - > How would I feel if I read about it in tomorrow's news?

Questions or concerns about whether an action or decision is ethical should be referred to your supervisor, **or the University's Chief Compliance and Ethics Officer.**

## **2. Know and Follow the Rules**

All University employees are expected to know and comply with the laws, regulations, and U. T. System policies and guidelines that are applicable to them. Failure to comply can have serious adverse consequences for the University as well as for the individuals involved.

In addition, employees who are also governed by ethical codes or standards of their professions or disciplines (such as attorneys, auditors, or clinicians) are expected to comply with those applicable professional standards.

To meet this principle, employees are expected to:

- Become familiar with all laws, rules, regulations, policies, and guidelines applicable to their area of responsibility; and
- Conduct all University business in accordance with the letter and the spirit of those applicable laws, rules, regulations, policies, and guidelines.

The University facilitated the development of a web-based Compliance Training Program managed by the Office of Institutional Compliance, to provide employees with general information on applicable laws, rules, regulations, policies, and procedures that impact their jobs on a daily-basis. The training modules were developed to raise the level of awareness and sensitivity to key issues, as discussed in these *Standards of Conduct*. All faculty, staff, and student employees are required to complete compliance training every fiscal year. The Office of Institutional Compliance electronically tracks and monitors the training completion process, and is available to answer any questions regarding the training requirement.

Questions or concerns pertaining to the interpretation or applicability of U. T. System or University policies should be directed to the responsible office for the policy, or to the **University's Compliance Officer**.

## **3. Respect Others**

The University is committed to diversity, equity, inclusion, and treating each employee with respect and dignity. As an equal employment opportunity employer, the University does not discriminate on the basis of any of the protected classes. We are committed to ensuring that all aspects of employment, including recruitment, promotion, compensation, benefits, and training are based on equal employment opportunity principles.

When dealing with others, University employees are expected to:

- Be respectful, fair, and courteous;
- Avoid all forms of harassment, unlawful discrimination, threats, or violence;
- Refrain from engaging in inappropriate, intimidating, retaliatory, or disruptive behavior; and
- Provide equal access to programs, facilities, and employment.

#### **4. Protect and Preserve University Resources**

Every employee has the responsibility to be a good steward of University resources. Resources are provided solely for the purpose of conducting University business and may not be used for personal use, except in very limited circumstances allowed by U.T. System and University Policies, such as incidental use of University email.

University employees are expected to:

- Use University property, equipment, information resources, finances, and other resources only for legitimate University business;
- Treat University resources with care and adhere to the laws, policies, and procedures related to their acquisition, use, maintenance, and disposal;
- Avoid using University resources in a wasteful manner, for personal benefit, or to harm someone; and
- Refrain from using University resources, including the employee's work time, for illegal or political activity (e.g., to influence the passage or defeat of a legislative measure).

#### **5. Avoid Conflicts of Interest and Conflicts of Commitment**

The primary responsibility of University employees is accomplishing their assigned duties and responsibilities. Employees may not have a direct or indirect interest (including financial or other interests) or incur obligations that are in substantial conflict with the proper discharge of their duties. In addition, activities on behalf of outside entities or individuals must not interfere with an employee's fulfillment of their duties and responsibilities to the University.

To ensure this objectivity, University employees are expected to:

- Electronically request and receive prior approval for:
  - > any outside employment or other compensated activity, unless pre-approved;
  - > any outside activity, regardless of compensation, that reasonably appears to create a conflict of interest or a conflict of commitment; or
  - > outside board service, unless preapproved.
- Recognize that while international collaboration is encouraged, substantial foreign relationships are prohibited unless requested and disclosed in accordance with University policy to avoid potential conflict of interest or commitment;
- Decline any gift, favor, or service that might reasonably appear to influence the discharge of official duties;
- Decline other employment or compensation that could reasonably be expected to impair or be perceived as impairing independence of judgment in the performance of official duties; and
- Reject invitations to serve on an outside board that create an unmanageable conflict of interest or that impose an unreasonable time commitment during normal work hours.

## **6. Carefully Manage Public, Private, and Confidential Information**

University employees are the creators and custodians of many types of information, including that which is confidential, proprietary, private, and regulated. Individuals who have access to such information are expected to comply with all applicable rules, laws, regulations, and University policies pertaining to the access, use, protection, and disclosure of that information.

To meet these responsibilities, University employees are expected to:

- Learn and follow laws and University policies and procedures regarding access, use, protection, and disclosure of public, private, and confidential information;
- Access, use, or disclose that information only when authorized and required to do so to complete assigned job duties;
- Maintain data security using electronic and physical safeguards; and
- Retain and dispose of records according to the University's records retention and disposition schedule.

## **7. Ensure Records and Documentation are Accurate**

University employees are required to maintain the integrity and accuracy of business documents and records for which they are responsible. No one may alter or falsify information on any record or document. Compliance with financial reporting requirements and the fair presentation of the financial statements are essential. The deliberate falsification of any University record is a violation of Texas state law.

To meet these reporting requirements, University employees are expected to:

- Ensure all business documents within their responsibilities are accurate, clear, and complete;
- Ensure that all accounting and financial records are accurate, clear, and complete; and
- Ensure that time sheets accurately record time worked during the work week.

## **8. Promote Health and Safety in the Workplace**

The University is committed to providing a safe and healthy working environment for all employees, and to complying with all applicable institutional, local, state, and federal environmental, health, and safety requirements and best practices. All employees have a shared responsibility to ensure the work environment is safe and should become familiar with and follow safety policies and practices that apply to their specific job responsibilities.

To promote health and safety in the workplace, University employees are expected to:

- Follow safe workplace practices to reduce the likelihood of accidents;
- Report accidents, injuries, unsafe conditions, and suspicious activities to their supervisor or to the Environmental Health and Safety Office; and
- Refrain from using drugs, alcohol, or any form of tobacco, smoke, or mechanical nicotine delivery device at University facilities.

## **9. Conduct Research Ethically and Protect Intellectual Property**

The University strives to create a research climate that promotes faithful adherence to high ethical standards and enhances research projects and activities, while not inhibiting the productivity and creativity of scientists and academicians. Maintaining research integrity is the responsibility of every person engaged in the research enterprise including faculty, staff, and students.

To ensure this climate, researchers, faculty, staff, and students are expected to:

- Adhere to high ethical standards in the conduct and reporting of research, including timely completion of all required research training;
- Familiarize themselves with and follow all relevant federal and state laws and policies, and with University policies and procedures;
- Demonstrate respect for ethical engagement of human subjects and animals;
- Document research in accordance with good scientific practice and with all applicable laws, rules, and regulations;
- Protect potential intellectual property created by an employee using University resources; and
- Maintain transparency in research support, reporting all sources of support and commitments, including disclosing all potential foreign influences.

## **10. Report Suspected Violations - When in Doubt, Point It Out**

The University is committed to meeting legal requirements and fostering a culture of compliance and ethics. However, maintaining the highest ethical standards requires everyone's participation. Employees should report any suspected compliance concerns, including illegal or fraudulent activity, unethical conduct, or violations of laws, rules, regulations, policies, or procedures. More information on reporting suspected noncompliance can be found on the [University's Institutional Compliance Webpage](#).

The University does not tolerate retaliation against anyone who makes a good faith report of suspected misconduct or otherwise assists in an inquiry or investigation. Every reported concern is treated seriously and will be reviewed in the appropriate manner. If it is determined that a violation has occurred, the University reserves the right to take disciplinary action against the individuals involved.

To foster a culture of compliance and ethics, employees are expected to:

- Be proactive to prevent and detect any compliance violations;
- Report suspected violations to their supervisor, the [University's Compliance Officer](#), call the Compliance Helpline at 1-888-228-7713, or [report online](#); and
- Fully cooperate with all inquiries and investigations related to reported issues.

# APPENDIX

## KEY RELEVANT POLICIES BY SECTION

### 1. Act Ethically with Integrity

- [Regents' Rule 10901: Statement of U. T. System Values and Expectations](#)
- [Regents' Rule 30103: Standards of Conduct](#)
- [UTS 134 Code of Ethics for Financial Officers and Employees](#)
- [UT System Office of Systemwide Compliance Ethics Standards](#)

### 2. Know and Follow the Rules

- [Regents' Rules and Regulations website](#)
- [University of Texas Systemwide Policies \(UTS\)](#)
- [University Handbook of Operating Procedures](#)
- [HOP Section V, Chapter 6 Discipline and Dismissal of Staff Employees](#)
- [University Office of Institutional Compliance General Compliance Training](#)

### 3. Respect Others

- [Regents' Rule 10701: Policy Against Discrimination](#)
- [UTS 105 Sexual Orientation Nondiscrimination Policy](#)
- [HOP Section VI, Chapter 1 Equal Opportunity/Non-Discrimination/Non-Retaliation Policy](#)
- [HOP Section VI, Chapter 2 Accommodations for Individuals with Disabilities Policy](#)
- [HOP Section VI, Chapter 3 Sexual Misconduct Policy](#)
- [HOP Section VI, Chapter 4 Consensual Relationships Policy](#)
- [HOP Section VI, Chapter 5 Religious Accommodation Policy](#)

### 4. Protect and Preserve University Resources

- [Regents' Rule 30103: Standards of Conduct](#)
- [Regents' Rule 80103: Solicitation](#)
- [UTS 159 Purchasing](#)
- [UTS 165 Information Resources Use and Security Policy](#)
- [HOP Section II, Chapter 2.2.5 Solicitation](#)
- [University Contract Procedures and Delegation of Authority](#)

### 5. Avoid Conflicts of Interest and Conflicts of Commitment

- [Regents' Rule 30104: Conflict of Interest, Conflict of Commitment, and Outside Activities](#)
- [UTS 180 Conflicts of Interest, Conflicts of Commitment, and Outside Activities](#)
- [UTS 189 Institutional Conflicts of Interest](#)
- [HOP Section IV, Chapter 2 Disclosure of Significant Financial Interest and Management and Reporting of Financial Conflict of Interest in Research](#)
- [HOP Section V, Chapter 29 Conflicts of Interest, Conflicts of Commitment, and Outside Activities](#)



## **6. Carefully Manage Public, Private, and Confidential Information**

- [Regents' Rule 10801: Policy on Transparency, Accountability, and Access to Information](#)
- [UTS 139 Compliance with the Texas Public Information Act](#)
- [UTS 165 Information Resources Use and Security Policy](#)
- [UTS 183 Maintenance of Education Records Subject to the Family Educational Rights and Privacy Act \(FERPA\)](#)
- [HOP Section II, Chapter 6 Educational Records](#)
- [HOP Section III, Chapter 4.16 Student's Right to Privacy and Access to Records](#)
- [HOP Section VII, Chapter 10 Records and Information Management](#)
- [HOP Section X, Chapter 1 Information Resources Use and Security Policy](#)
- [University - Open Records](#)
- [University - Information Security Policies](#)
- [University - Records Management](#)
- [University - Standard and Best Practice for Handling Social Security Numbers](#)

## **7. Ensure Records and Documentation are Accurate**

- [Regents' Rule 10801: Policy on Transparency, Accountability, and Access to Information](#)
- [UTS 115 Records and Information Management](#)
- [UTS 142.1 Policy on the Annual Financial Report](#)
- [HOP Section V, Chapter 13 Accounting for Work Time](#)
- [HOP Section V, Chapter 17 Family Medical Leave](#)
- [HOP Section V, Chapter 24 Paid Leave Accountability](#)
- [HOP Section VII, Chapter 10 Records and Information Management](#)
- [University - Records Management](#)

## **8. Promote Health and Safety in the Workplace**

- [Regents' Rule 80102: Alcoholic Beverages](#)
- [UTS 102 Drugs and Alcohol Policy](#)
- [UTS 135 Fire and Life Safety](#)
- [UTS 164 Drug-Free University Community and Workplace Policy](#)
- [HOP Section V, Chapter 9 Drug and Alcohol Policies](#)
- [HOP Section IX, Chapter 8 Smoke and Tobacco-Free Campus](#)
- [HOP Section IX, Chapter 10 Concealed Handguns and Weapons Policy](#)

## **9. Conduct Research Ethically and Protect Intellectual Property**

- [Rule 30104: Conflict of Interest, Conflict of Commitment, and Outside Activities](#)
- [Regents' Rule 90101: Intellectual Property](#)
- [UTS 107 Use of Copyrighted Materials](#)
- [UTS 175 Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research](#)
- [Office of General Counsel Fair Use of Copyrightable Materials](#)
- [HOP Section IV, Chapter 2 Disclosure of Significant Financial Interest and Management and Reporting of Financial Conflict of Interest in Research](#)
- [HOP Section IV, Chapter 4 Intellectual Property](#)
- [HOP Section IV, Chapter 6 Research Integrity Policy](#)
- [University Responsible Conduct in Research](#)
- [University Office of Technology Commercialization](#)

## **10. Report Suspected Violations - When in Doubt, Point It Out**

- [Regents' Rule 30602: Employee Grievance](#)
- [UTS 118 Dishonest or Fraudulent Activities](#)
- [UTS 131 Protection from Retaliation for Reporting Suspected Wrongdoing](#)
- [HOP Section V, Chapter 8 Protection from Retaliation and Alleged Wrongdoing](#)
- [HOP Section VII, Chapter 1 Auditing and Consulting Services](#)
- [University Compliance Helpline](#)



# HELPFUL NUMBERS

THE FOLLOWING OFFICES ARE AVAILABLE FOR ASSISTANCE REGARDING COMPLIANCE QUESTIONS:

- **Auditing & Consulting Services** ..... 915-747-5191  
Suspected Fraud and Business Misconduct
- **Human Resource Services** ..... 915-747-5202  
Employee Grievances and Personnel Issues
- **Equal Opportunity Office** ..... 915-747-5662  
Employee Discrimination and Harassment Issues
- **Dean of Students Office** ..... 915-747-5648  
Student Issues
- **Environmental Health & Safety Office** ..... 915-747-7162  
Health and Safety Issues
- **Office of Research & Sponsored Projects** ..... 915-747-5680  
Copyright and Intellectual Property Issues  
Human Subject Research, and Animal Care and Use
- **Office of Institutional Compliance** ..... 915-747-6478  
Any Other Compliance Issues
- **Title IX** ..... 915-747-8358  
Sexual Misconduct Reports

**M**ake compliance part of everyday activities

**I**nquire to find answers

**N**otify your supervisor or appropriate department

**E**veryone is responsible

**R**eport concerns to the Compliance Office or Helpline

**S**tandards of Conduct Guide is available to assist you

*The University of Texas at El Paso does not discriminate on the basis of race, sex, color, national origin, age, religion, disability, genetic information, veteran status, sexual orientation or gender identity in employment or in the provision of services.*

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