



Facilities Management
Ethical Standards and Business Conduct Guidelines

2013

Contents

Introduction 4

1 University Regulations and Procedures 4

 1.1 Governing Regulations 4

 1.2 Administrative Regulations 4

 1.3 Business Procedures 4

 1.4 Human Resource Procedures..... 4

2 Key Kentucky Revised Statutes (KRS) 5

 2.1 KRS 164.131 5

 2.2 KRS 164.390 5

 2.3 KRS 45A.335 5

 2.4 KRS 45A.340 5

3 Ethical Standards & Business Conduct 5

 3.1 Ethical Principles and Code of Conduct 6

 3.2 Nondiscrimination Policy 7

 3.3 Confidentiality of Information 7

 3.4 Use of University’s Name 8

 3.5 University Resources..... 8

 3.6 Sexual Harassment..... 10

 3.7 Personal Relationships 10

 3.8 Employment of Relatives 11

 3.9 Intellectual Property 11

 3.10 Conflict of Commitment..... 11

 3.11 Conflict of Interest 13

 3.12 Auditing Services..... 13

 3.13 Financial Advantage 13

 3.14 Acceptance of Gifts or Benefits 14

 3.15 Clarifications and Reporting of Violations 14

3.16 Diversity	15
3.17 Shared Governance.....	15
3.18 Civic Responsibility of the Individual	15
3.19 Order of Communication and Reports.....	15
3.20 Tobacco Policy.....	16
3.21 Drug Free Policy	16
3.22 Solicitation of Funds.....	17
3.23 Campus Sales	17
3.24 Test of Ethical Issues	17
3.25 How to Report Ethical Issues	18
3.26 Contracts	18
3.27 University Property	19
3.28 How to Dispose of Personal Property.....	19
3.29 Employee/Student Leasing of University Real Property.....	20

INTRODUCTION

The contents of this manual are a combination of excerpts from Governing Regulation I, the Legal Office's Legal 101 presentation, and additional information provided by the University of Kentucky's Legal, Human Resources, and Real Properties Websites. Its purpose is to serve as a resource regarding ethical standards and business conduct for employees within the College of Agriculture.

1 UNIVERSITY REGULATIONS AND PROCEDURES

1.1 GOVERNING REGULATIONS (GR) <http://www.uky.edu/Regs/gr.htm>

- Kentucky Revised Statutes 164.180 and 164.200 authorize the Board of Trustees to establish regulations for the Governance of the University. The Governing Regulations establish the broad, overall policy for the University. It is the basic "law" of the University.
- The GRs cover broad topics such as: Responsibilities of the Board of Trustees and the President, University Organization, Code of Conduct, Faculty and Staff Employment, University Senate, Staff Senate, and Student Government. They also delegate certain responsibilities to the President, University Senate, Staff Senate, and Student Government Association.

1.2 ADMINISTRATIVE REGULATIONS (AR) <http://www.uky.edu/Regs/ar.htm>

- The Administrative Regulations provide interpretation and implementation of the GRs. They promote responsible and efficient administration of the University by providing detailed policy and procedures regarding its operations. The Human Resources Policy and Procedure and the Business Procedures Manual are also designated as ARs.
- Final approval is typically by the President, but some regulations are specifically approved by the Board due to their importance, fiscal impact, or Kentucky Law.

1.3 BUSINESS PROCEDURES MANUAL (BPM) www.uky.edu/Regs/BPM

- The Business Procedures Manual provides policy and procedure related to purchasing goods and services, payroll activities, accounting for financial transactions, and all business transactions.

1.4 HUMAN RESOURCES POLICY AND PROCEDURES (HRP&P) www.uky.edu/HR/policies

- The Human Resources Policy and Procedure defines University employment. The HRP&P establishes all policy and procedure related to employment and benefits, unless a Governing Regulation or Administrative Regulation exists on the issue (i.e.,

Appointment, Promotion, and Tenure for Faculty, Phased Retirement, and Retirement). The HRP&P cover such topics as pre-employment screening, grievances, drug and alcohol abuse, separation from employment, nepotism, corrective action, attendance, etc.

2 KEY KENTUCKY REVISED STATUTES (KRS) <http://www.uky.edu/Legal/ethicsKRS.htm>

2.1 KRS 164.131: BOARD OF TRUSTEES OF UNIVERSITY OF KENTUCKY –MEMBERSHIP – TERMS

- (7) No member of the administrative staff of the university shall be directly or indirectly interested in any contract with the university for the sale of property, materials, supplies, equipment, or services, with exception of compensation to the two (2) faculty members and the one (1) non-teaching personnel member.

2.2 KRS 164.390: INTERESTS IN CONTRACTS PROHIBITED

- No president, professor, teacher, member of the executive council or other officer or employee shall be interested in any contract or purchase for the building or repair of any structure or furnishing of any supplies for the use of a university or college.

2.3 KRS 45A.335: DEFINITIONS FOR TERMS IN KRS 45A.330 TO 45A.340

- (2) “Officer or employee” means a member of the boards of trustees, or regents of a state university, except faculty and student members, and a person holding an office, position or employment in the agency, but does not include other persons who serve without salary and it does not include members of employees of school boards or district boards of education or faculty or staff of state institutions of higher learning or, as used in KRS 45A.430(5), citizen members of boards, commissions or independent state authorities who may receive per diem allowances for attendance at meetings of the boards, commissions or authorities on which they serve;

2.4 KRS 45A.340: CONFLICTS OF INTEREST OF PUBLIC OFFICERS AND EMPLOYEES (45A IS THE MODEL PROCUREMENT CODE)

- (7) No member of a board of trustees or regents shall have an interest in any contract with a state university unless such contract shall have been subjected to competitive bidding in compliance with KRS 45A, unless such trustee or regent shall have been the lowest bidder and unless such trustee or regent shall have first notified in writing the remaining members of the board, and to the newspaper having the largest circulation in the county in which the state university is located, of his intention to bid on such contract.

3 ETHICAL STANDARDS & BUSINESS CONDUCT <http://www.uky.edu/Regs/files/gr/gr1.pdf>

3.1 ETHICAL PRINCIPLES AND CODE OF CONDUCT <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- The University of Kentucky Ethical Principles and Code of Conduct are intended to document expectations of responsibility and integrity. Exemplary ethical conduct is critically important in our relationships with colleagues, trustees, students, volunteers, contractors, and the public. This statement reflects the values of the University approved by the Board of Trustees on January 27, 2004.

3.1.1 ETHICAL PRINCIPLES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Exemplary ethical conduct is critically important to our relationships with colleagues, trustees, students, volunteers, contractors, and the public.
- The following are the University's core values, which guide our decisions and behavior:
 - Integrity
 - Academic excellence and freedom
 - Mutual respect and human dignity
 - Diversity of thought, culture, gender, and ethnicity
 - Personal and institutional responsibility and accountability
 - Shared governance
 - A sense of community
 - Sensitivity to work-life concerns
 - Civic responsibility
- General Ethical Principles - Each University member must endeavor to:
 - promote the best interests of the University
 - foster the Vision, Mission, and Values of the University
 - preserve the public's respect and confidence in the University
 - exhibit personal integrity, honesty, and responsibility in all actions
 - provide an environment of mutual respect, impartiality, and collaboration
 - maintain confidentiality in all matters deemed confidential
 - assure independence of judgment free from conflicting interests
 - ensure that relationships that constitute or could be perceived as conflicts of interest are fully and properly disclosed and University guidelines are followed
 - comply with the policies and procedures of the University and applicable state and federal laws and regulations
 - demonstrate stewardship of University property and resources.

3.1.2 CODE OF CONDUCT <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Those acting on behalf of the University have a duty to conduct themselves in a manner that will maintain the public’s trust in the integrity of the University and to act compatibly with their obligation to the University.
- The Code establishes guidelines for professional conduct for University members, including:
 - Trustees
 - Executive officers
 - Faculty
 - Staff
 - Other individuals employed by the University
 - Those using University resources or facilities
 - Volunteers and representatives acting as agents of the University (collectively “University members”).
- Not applicable to students unless the student is in employee status
- The Code of Conduct is intended as a general guide to determine what conduct is expected and to help individuals to determine behaviors that should be avoided. Employees are strongly urged to consult with their supervisor to review and evaluate specific situations. In addition to the Code, University members are generally subject to all University codes, regulations, and policies and state and federal law.
- Violations of the Code will be subject to appropriate penalties.
- While this Code of Conduct provides overall guidance and in some instances interpretation, additional guidance is found in other University policy documents, such as the Governing Regulations, Administrative Regulations, Human Resources Policies, and Business Procedures Manual.

3.2 NONDISCRIMINATION POLICY <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without regard to sex, sexual orientation, race, ethnic origin, national origin, color, creed, religion, age, uniform service or veteran status, physical or mental disability, or political belief. All University members are expected to comply with the institution’s nondiscrimination policy.

3.3 CONFIDENTIALITY OF INFORMATION <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- University members are entrusted with personal and institutional information that should be treated with confidentiality and used only for conducting University business. Respect for individual and institutional privacy requires the exercise of care and judgment. Unless required or permitted by law or University regulations, personal and official information provided by and about faculty, staff and students must not be given to third parties without the consent of the individuals concerned. When doubt exists regarding the confidentiality of information, University members should presume information is confidential until determined otherwise.

3.4 USE OF THE UNIVERSITY'S NAME <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- University members may not use or allow the use of the name of the University or identify themselves as employees of the University of Kentucky in the public promotion or advertising of commercial products **without prior written approval**. Individuals writing or speaking publicly in a professional or expert capacity must take care to emphasize that any views expressed are their own and are not representative of the University of Kentucky. Where University members comment publicly as part of their official University duties, they should do so using University stationery and e-mail accounts. When commenting as citizens, University members must use personal stationery and personal e-mail accounts.

3.5 UNIVERSITY RESOURCES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- University members should be responsible stewards of University resources. Limited personal use of fixed University resources, such as computers and telephones, which does not result in a charge to the University, is permitted as long as the use does not interfere with assigned job duties.

3.5.1 COLLEGE POLICY ON USE OF UNIVERSITY RESOURCES

- All fixed or movable equipment, supplies, tools, or other work materials for service provision within College facilities should be considered property of the University of Kentucky. Removal of these items by College employees for purposes other than official University business is strictly prohibited.
- Materials, Surplus and Scrap: No materials, surplus, or scrap, either new or used, shall be given to, or removed by, employees for personal use. Disposal of all materials deemed to be Surplus or scrap shall meet the requirements of the University of Kentucky Business Procedures – Policy E-12-4 – “Physical Facilities Inventory System – Property Disposition Policy” [<http://www.uky.edu/EVPFA/Controller/files/BPM/E-12-4.pdf>]. Removal of materials, surplus, and scrap from dumpsters or other trash receptacles for personal use is prohibited.

- Tools and/or equipment: University tools and equipment are provided for University purposes only. Borrowing of these items for personal use shall not be allowed. It is highly recommended that departments consider listing all tools with a dollar value greater than \$300 on the eBARS inventory system. An internal college document has been developed to offer recommended procedures for implementing this non-capital equipment inventory [<http://graham.ca.uky.edu/AgBusOff/AssetInfo.asp>].
- Shop facilities: No employee is to use College facilities, shops, or equipment for personal benefit at any time.
- Unclaimed/found items: Unclaimed personal property found by College personnel shall be handled as outlined in the University of Kentucky Business Procedures – Policy E-12-6 – “Unclaimed Property Disposition” [<http://www.uky.edu/EVPFA/Controller/files/BPM/E-12-6.pdf>].
- Computers, and related items that will be used for *university business* in an offsite location may be taken off campus provided the items are checked out following the processes and approvals outlined in the UK Business Procedures Manual. The Physical Facilities Inventory - Equipment Inventory, section C-2-f [<http://www.uky.edu/EVPFA/Controller/files/BPM/E-12-3.pdf>] requires the Off-Campus Equipment Report [<http://www.uky.edu/eForms/forms/offcamp.pdf>] for all items taken off campus. The written “check out” of computers, etc. must document the university business to be conducted off site. Each Department or unit is responsible for maintaining records of all off campus equipment.
- Supervisors may authorize “check-out” of certain tools and equipment (in writing; in advance; with appropriate records retention in the office) for limited periods of time in order to allow employees to report directly to a College job or work site on weekends or after hours and for approved extended periods of time for assigned first responders to unscheduled events and outages such as electric, steam, fire and security systems. These “check-out” tools are for university business only and records of such tool assignments must be maintained.

3.5.2 USE OF UNIVERSITY TECHNOLOGY

RESOURCES <http://www.uky.edu/Regs/files/ar/ar064.pdf>

- The General Policy is established by Administrative Regulation (AR) II-1.7-2, and is currently in the process of being revised. The new Policy will make it clearer that the computing and information technology resources of the University should be used for the primary purpose of benefiting, enhancing, and furthering the mission of the University.

- Individuals who use University systems and email ***do not acquire an absolute right of privacy for data; documents and communications transmitted or stored on University technology resources.*** In other words, there is little or no privacy as to the University's computers and use of the internet via the employer's computers.
- The University generally does not routinely monitor or restrict the content of material transmitted, stored, or posted on University-owned computers. While it is the policy of the University to respect employee's use of IT resources, the resources of IT are the property of the University – the computers, software used, servers, etc.
- Authorized University personnel must have access to email and related information stored on the University's computing and information technology resources. Access is required for reasons that include retrieving business-related information, troubleshooting hardware and software problems, preventing unauthorized access and system misuse and abuse, assuring compliance with software distribution policies, and complying with legal and regulatory requests for information.
- The University has the right to limit or remove access to its networks and to material posted on its computers, when applicable University regulations, contractual obligations, or state or federal laws are violated.

3.5.3 USE OF UNIVERSITY EMAIL

- Email is an important part of all University communications and transactions, but its use is regulated by applicable policies and laws. Email should be used effectively and appropriately, according to University guidelines regulating computer use and privacy.

3.5.4 USE OF UNIVERSITY FACILITIES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- University of Kentucky facilities shall be used only for educational, cultural, and charitable purposes or other purposes as determined by the President or by the administrative officer to whom the President has delegated this responsibility.

3.6 SEXUAL HARASSMENT <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- To foster an environment of respect for the dignity and worth of all members of the University community, the University is committed to maintain a work-learning environment free of sexual harassment. The policy of the University of Kentucky, approved by the Board of Trustees, prohibits sexual harassment of students, faculty, and staff and assures that complaints of sexual harassment will be treated and investigated with full regard for the University's due process requirements.

3.7 PERSONAL RELATIONSHIPS <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- The critical concern is that personal relationships, whether positive or negative, should not inappropriately or unfairly affect decisions. Conflicts of interest may arise when people are involved in making decisions affecting any members of their families, relatives, or those with whom they have or have had intimate relationships. Decisions affecting present or former business partners should also be avoided. Individuals with personal relationships should excuse themselves from such decision-making. If one of the parties in a relationship has the responsibility for evaluating the performance of the other person, the relationship must be reported to the appropriate dean, department chair or supervisor.

3.8 EMPLOYMENT OF RELATIVES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- No relative of the President shall be employed in a position at the University. No relative of the Provost, or any executive vice president, vice president, or any associate provost or associate vice president shall be employed in a position in that officer's administrative area. No relative of any employee of the University may be appointed to any position in the University over which the related employee exercises supervisory or line authority. Employment of relatives within the same department or division shall be approved specifically as appropriate.

3.9 INTELLECTUAL PROPERTY <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- University members should be responsible stewards of University resources. All intellectual property conceived, first reduced to practice, written, or otherwise produced by faculty, staff, or students of the University of Kentucky using University funds, facilities, or other resources shall be owned and controlled by the University. Any member of the faculty or staff of the University who produces such intellectual property using University funds, facilities, or other resources shall assign personal rights to the property to the University, or its designate. The traditional products of scholarly activity which have customarily been considered the unrestricted property of the originator, such as journal articles, textbooks, reviews and monographs, and which have been created without involving a material use of University resources, shall be the unrestricted property of the author.

3.10 CONFLICT OF COMMITMENT <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Faculty and professional administrative employees are expected to devote their primary professional loyalty, time, and energy to University of Kentucky teaching, research and service endeavors. A conflict of commitment generally occurs when the pursuit of outside activities interferes with obligations to students, to colleagues and to the missions of the University. A staff employee may be employed outside the University: when the employment does not constitute a conflict with the University interests or when the hours of outside employment do not coincide or conflict with hours of

scheduled work or affect the employee's ability to perform satisfactorily. A staff employee may also perform outside employment while on vacation, holiday, or special leave, so long as the outside employment does not constitute a conflict of interest.

3.10.1 OUTSIDE EMPLOYMENT <http://www.uky.edu/HR/policies/hrpp018.html>

- The University recognizes a staff employee may be employed outside of the University.
- A staff employee may be employed outside the University as long as the employee adheres to the following requirements:

Outside employment shall not:

- Coincide or conflict with hours of scheduled work at the University;
- Conflict with job responsibilities or affect the employee's ability to perform satisfactorily at the University;
- Cause an employee to arrive late for, or leave early from, any scheduled shift or work hours in the University job; and/or
- Constitute a conflict with University interest.

Note: Should an unanticipated conflict of interest result from the outside employment, the Associate Vice President of Human Resources, or designee, in conjunction with the employee's supervisor shall, upon learning of such conflict, instruct the staff employee to terminate the outside employment. Failure to cease the outside employment as directed may be grounds for involuntary termination from University employment.

- A staff employee may perform outside employment while on vacation, holiday or special leave as long as the outside employment does not constitute a conflict of interest with the University.
- Compliance with this policy is the responsibility of the employee who seeks outside employment. It is recommended the employee inform the department of outside employment.
- When a supervisor has reason to believe an employee's outside employment is in violation of this policy, the supervisor shall consult with the Human Resources Office of Employee Relations.
- To assure compliance with Internal Revenue Service (IRS) regulations, an employee who has controlling interests (owns at least 50% or more) of an outside company must report any contributions made to a Qualified Retirement Plan, Simplified Employee Pension plan- Individual Retirement Account (SEP-IRA) or any other retirement investment vehicle. Contributions made should be

reported immediately to the Human Resources Employee Benefits Office to ensure Internal Revenue Service plan limits are not exceeded.

3.11 CONFLICT OF INTEREST <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Confidence in the University of Kentucky is put at risk when the conduct of University members does, or may reasonably appear to, involve a conflict between private interests and obligations to the University. All University members shall avoid conduct that might in any way lead members of the general public to conclude that he or she is using an official position to further professional or private interests or the interests of any members of his or her family. In conducting or participating in any transaction, full disclosure of any real or perceived conflict with personal interests and removal from further participation in such matters is required. It is essential that potential conflicts be disclosed and reviewed by the University. Many factors often will need to be considered to determine whether a conflict of interest exists.

3.12 AUDITING SERVICES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- To effectively discharge their fiduciary and administrative responsibilities, the University's administration and the Board of Trustees are assisted by internal and external (independent) auditing services. These services provide independent, objective assurances and consulting services with respect to evaluating risk management, control, and governance processes. It is a violation of University policy to mislead or give false information to or intentionally omit material facts from internal or external (independent) auditor(s).

3.13 FINANCIAL ADVANTAGE <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Members of the University community must exhibit personal integrity, honesty and responsibility in all actions. Official position or office shall not be used to obtain financial gain or benefits for oneself or members of one's family or business associates. Any action that creates the appearance of impropriety should be avoided. Except as specifically approved by the Board, purchases and contracts shall not be made with an employee of the University of Kentucky for any item of supply, equipment, or service, nor may an employee have any interest, directly or indirectly, in any purchase made by the University of Kentucky (*Business Procedures Manual B.2.C*). An indirect interest may be defined as a real or perceived use of a university position or office with respect to a purchase or contract, leading to financial or other benefits to the individual or a member of his or her family. An indirect interest includes situations where a business owned or controlled by a family member does business with the University area where the employee is assigned.
- An employee seeking approval under this section shall first make an application to the University Ethics Committee by submitting in writing a full disclosure of all aspects of his

or her relationship with the contracting company or business. The Ethics Committee shall make a recommendation to the President, who shall forward to the Board the Committee's recommendation together with his or her recommendation. In recommending approval of a contractual relationship, the Committee shall determine that:

- the contractual relationship is in the best interest of the University;
- the employee has taken whatever actions are necessary to avoid any conflict of interest or any appearance of a conflict of interest;
- if the conflict is subject to the provision of KRS Chapter 45A, the employee's contract shall be the lowest price bid or otherwise provides the best value to the University;
- the employee's interest in the contract does not present a conflict with the employee performing his or her job; and,
- the nature of the contract and the nature of the employee's interest in the contract or business shall be fully disclosed to the University community by as broad communications as feasibly possible.

3.14 ACCEPTANCE OF GIFTS OR BENEFITS <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- No member should accept any type of reward, monetary or non-monetary, if there is an explicit or implicit assumption that influence has been exchanged for the favor. Giving or receiving of University property as a gift or benefit is strictly prohibited. When no favor is asked for or gained, gifts of nominal value or moderate acts of hospitality, such as meals, in relation to one's position with the University may be accepted. The following guidelines should be observed:
 - Gifts or acts of hospitality valued up to \$50 annually from any one source need not be reported.
 - Gifts or acts of hospitality valued between \$50 to \$200 should be reported to the supervisor prior to acceptance.
 - Acts of professionally related hospitality above \$200 must be specifically justified and reported through the chain of command. Written approval for acceptance must be provided by the Provost or executive vice president, in advance.
 - Individuals may not accept gifts valued above \$200. These gifts or benefits acknowledged and accepted on behalf of the University should be directed to the Executive Vice President for Finance and Administration.

3.15 CLARIFICATIONS AND REPORTING VIOLATIONS <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Like all policies, this policy could not possibly cover all possible situations. When any doubt about the propriety of an action exists, the University's policy requires a full and frank disclosure to an appropriate individual with sufficient authority to address the matter. For interpretation, counsel or advice regarding this policy, contact the Office of Legal Counsel.

- University members are expected to report violations of this policy to an appropriate individual. The University will not tolerate any retaliation against a University member who makes a good faith report of a violation.

3.16 DIVERSITY <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse and diversity of ideas; and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability, and sex, when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research and service and gain the broadest benefits for the University community.

3.17 SHARED GOVERNANCE <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- The diverse expertise collectively available to the University in its faculty, administration, staff employees, and students is a valuable resource. The University as a whole will be able to function at maximum effectiveness where there is an environment in which the sharing of this expertise is valued and promoted. If this expertise is shared, it will enable policy-makers at every level of the organization to make better decisions. To achieve this objective in an environment of shared governance, faculty bodies and administrators will reciprocally solicit and utilize the expertise of the other as each makes decisions in their respective areas of policy-making authority. Through these empowering processes of shared governance, the administration, faculty members, staff employees and students all share the responsibility of attainment of the University's goals.

3.18 CIVIC RESPONSIBILITY OF THE INDIVIDUAL <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- In their role as citizens, staff employees and faculty members have the same freedoms as other citizens, without institutional or discipline, although they should be mindful that accuracy, forthrightness, and dignity benefit their association with the University. When staff employees or faculty members speak or write as citizens, they should indicate that they are not speaking for the University.

3.19 ORDER OF COMMUNICATION AND REPORTS <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- All University faculty members and staff employees shall have full rights of communication with administrative officers of the University and the Board of Trustees

through established administrative channels. Official recommendations and communications from any faculty member or staff employee shall be sent by the individual to the individual's immediate supervisor. When requested, the supervisor shall transmit such recommendations or communications, with the supervisor's own comments and recommendations to that supervisor's own immediate supervisor.

- All faculty members and staff employees shall be entitled to appeal any decision affecting terms of their employment by the University through regularly established channels.
- When a supervisory decision or reporting relationship involves a conflict of interest, the next higher-level administrative officer shall designate an alternative officer for the purpose of the decision or reporting.
- This regulation shall in no way limit the President in communicating with faculty members or staff employees, nor shall it prevent communication between faculty members, staff employees, or administrative officers, and the Board of Trustees for purposes other than the submission of official recommendations and communications.

3.20 TOBACCO POLICY <http://www.uky.edu/TobaccoFree/>

- Kentucky Revised Statute 61.165 requires the Board of Trustees to adopt a written policy related to smoking in buildings owned, operated, or under the jurisdiction of the University. The President is delegated authority to promulgate an Administrative Regulation regarding the use of tobacco products.
- Starting November 19, 2009, the University of Kentucky will become completely tobacco-free. This tobacco-free policy prohibits the use of all tobacco products (cigarettes, chew, pipes, cigars, snuff, etc.) on all campus grounds and parking areas.

3.21 DRUG FREE POLICY <http://www.uky.edu/HR/policies/hrpp013.html>

- The Federal Drug-Free Workplace Act of 1988 (section 5151) requires that all employees receive a copy of the University's policy, which declares that UK is a drug-free workplace. For the purpose of law and this policy, drug is defined as "controlled substance," which means any controlled substance in schedules I through V of section 2020 of the Controlled Substance Act, which in turn means virtually every controlled substance from the worst street drugs to mild prescription drugs.
- The Drug-Free Schools and Communities Act Amendments of 1989, requires annual distribution, in writing to each employee the University's standard of conduct, which clearly prohibits unlawful possession, use, or distribution of illicit drugs and alcohol by employees while on University property or as a part of University activities.

- The University is committed to providing a drug-free workplace for its employees. Accordingly, it is a violation of University policy for an employee to unlawfully manufacture, distribute, dispense, or use a controlled substance and to unlawfully possess, use, or distribute alcohol while in the workplace or on university business.

3.22 SOLICITATION OF FUNDS <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Various charitable organizations desire, from time to time, to conduct on-campus solicitations of contributions from faculty and staff. These charitable solicitations are generally carried out: (1) through use of University mail service; (2) through use of University email systems; and, (3) through access to the payroll deduction system. The University does not intend to convert its mail service, its email systems, or its payroll process into either a limited or unlimited public forum, but prefers to maintain its systems as a non-public forum.

3.23 CAMPUS SALES <http://www.uky.edu/Regs/files/gr/gr1.pdf>

- Solicitations for subscriptions, sales of merchandise of any kind whatsoever, publications, or services upon University property other than by the regularly authorized stores, food service places, departments, or divisions of the University are prohibited except upon written permission of the Dean of Students.
- Any person violating these provisions shall be subject, upon proper notice, to eviction from the University property.

3.24 TEST FOR ETHICAL ISSUES: <http://www.uky.edu/Legal/ethicstest.htm>

1. Be sure that all of the facts are known and true.
2. Is the issue legal? If the person's action is not legal, the test ends here. No one may authorize anyone else to break the law.
3. If the action is legal, does the person's action violate University policy? If so, unless there are exceptions, the action should end there.
4. If the action is legal and does not violate University policy, does one of the University's Ethical Principles apply to the facts?
5. Determine which principle or principles apply and analyze what the appropriate response should be.
6. Further tests include:
 - a. If you do it, will you feel bad?
 - b. How would it look to other member of the University community or your family if they knew all of the facts?
7. If it passes tests 2 through 5, but you know that it is wrong, do not do it.
8. If you are not really sure, ask. If you think anything may be wrong, keep asking until you get a final authoritative answer that you know is correct and about which you feel good.

3.25 HOW TO REPORT ETHICAL ISSUES: <http://www.uky.edu/Legal/ethicsreporting.htm>

- Through supervisors or the chain of command
- Through the Office of Legal Counsel
- Through the members of the Ethics Committee

3.26 CONTRACTS AND PROCURMENT

3.26.1 UNIVERSITY CONTRACTS: THE BASIC FACTS

- WHAT MAKES A CONTRACT?
 - A. Be very careful in what you accept and in what you send. You may not think that an email, letter, or fax creates a contract, but it can. On-line contracts are perfectly enforceable, even though nothing has been signed. “Acceptance” can be in many forms, including an on-line “click” agreement.
 - B. Be aware that offer and acceptance can be **IN ANY FORM** including but not limited to:
 - Letters
 - Memoranda of Understanding
 - Memoranda of Agreement
 - “Click” and “No-Click” on-line agreements
 - Shrink-wrap license agreements
 - Purchase order
 - Terms and conditions

3.26.2 CONTRACT DELEGATION

- All agreements and contracts involving procurement shall be requisitioned through the Purchasing Division and comply with KRS 45A (Model Procurement Code).
- All procurement must be handled through purchasing. Exceptions are set out in the Business Procedures. You must consult the Business Procedures to understand what falls within the exceptions, and what is excluded. Areas that are permitted, but that are of particular concern include:
 - ProCard purchases
 - Software
 - Hotel Use agreements

- Any proposed employee purchase must include a complete disclosure of the transaction and must have the approval of the supervisor and the Business Officer for Facilities and Operations along with other approvals required in the Governing Regulations.
- Purchases and contracts shall not be made with employees of the University of Kentucky for any item of supply, equipment, or service, nor may an employee have any interest, directly or indirectly, in any purchase made by the University of Kentucky. Purchases for the University are made for the purpose of meeting program requirements of the various units (Business Procedures B-2-C) <http://www.uky.edu/EVPFA/Controller/files/BPM/B-2.pdf>.
- Remember, NO ONE is authorized to sign a contract for ANY good or service, regardless of the dollar amount, unless the contract has been reviewed and approved by either the Purchasing or Legal Office.

3.27 UNIVERSITY PROPERTY

- PERSONAL PROPERTY
 - Personal property is movable (such as a vehicle), but does not include crops (physically in the ground), or other resources still attached to land. Agricultural products produced from crops become personal property once they are removed from the land. It is property, other than real property, which belongs to a particular person.
- REAL PROPERTY
 - Real Property is immovable and consists of land, buildings, crops, or other resources still attached to or within the land or improvements or fixtures permanently attached to the land or a structure on it. It also includes an interest, benefit, right, or privilege in such property.

3.28 HOW TO DISPOSE OF PERSONAL PROPERTY <http://www.uky.edu/Regs/files/ar/ar056.pdf>

- Unless the Board of Trustees deems it in the University's best interest to proceed otherwise, all real or personal property "shall be sold either by invitation of sealed bids or by public auction."(KRS 164A.575(7))
- Sealed Bid: an auction in which bidders simultaneously submit bids to the auctioneer without knowledge of the amount bid by other participants. The highest and best bid (or lowest bidder in a procurement auction) is the winning bid.
- Public Auction: a public sale of property to the highest bidder.
- University Requirement for the Disposition of Personal Property

- A. Subject to a few exceptions, before any personal property can be disposed, it must first be declared “surplus” and its disposition approved by the Board of Trustees.
- B. The procedures for the disposition of personal property are administered by the Office of the Treasurer and are governed by:
 - AR II-1.3-3: Policy for Disposition of Personal Property.
 - Business Procedures Manual E-12-4: Physical Facilities Inventory System-Property Disposition Policy.
- C. The Regulation and Policy define “Personal property” as “all items of moveable or fixed equipment and supplies owned by the University and its affiliated corporations, excluding livestock.
- D. For purposes of disposition, personal property, regardless of how acquired, will be classified as:
 - Recyclable materials
 - Property unsuitable for public use (i.e., hazardous property, equipment that cannot be repaired)
 - Property more suitable for some other use consistent with the public interest
 - Trade-ins
 - Other property that is not needed as a result of program redirection or termination.
 - Livestock
 - Property acquired with grants
- E. Subject to few exceptions, the manner and method of disposition is determined by classification and may vary from department to department.

3.29 EMPLOYEE/STUDENT LEASING OF UNIVERSITY REAL PROPERTY <http://www.uky.edu/EVPFA/RealEstate>

- University of Kentucky Real Estate Services facilitates leasing of campus area housing for full-time University of Kentucky and BCTC students, faculty and staff.
- All persons 18 years of age or older living in properties handled through University Real Estate Services are required to sign a Lease Agreement.
- Leases automatically renew each month and tenants must give a 30 day written notice to vacate.

University of Kentucky Comply Line

All University employees are responsible for reporting unusual, illegal or dishonest activity. For instructions on reporting, you may call the Comply Line at **(877) 898-6072** or visit <http://www.uky.edu/Legal/ethicsreporting.htm>.

Frequently Asked Questions

What type of report can I file?

MyComplianceReport was established to provide an avenue for employees and/or others to report serious concerns or violations, perceived or known in the work environment. Reports may be generated 24 hours a day, 7 days a week, anonymously if elected. Once a report has been completed, all information is forwarded immediately to the company for appropriate follow-up and resolution.

Can my report be anonymous?

YES! You may submit a report regarding serious concerns or violations while remaining anonymous. The only information MyComplianceReport requires for a new report is brief details regarding the concern so the company in question may begin an investigation to determine the validity of the violation. Though our servers log some data for statistical purposes, MyComplianceReport is under a strict Confidentiality Agreement with each of our clients. Therefore, only the information you provide is shared with MyComplianceReport clients. If you would like to be contacted by the company you may provide your name, address, phone number or e-mail.

Is my information secure?

MyComplianceReport utilizes the latest in 128-bit encryption technology. No data mining or off-site web hosting is used. All of your report information is kept in our highly secured facility.

How do I check on a report I previously filed?

To follow-up on a report you have already submitted, Click on the button "Follow-Up Report" found on the homepage of MyComplianceReport.com. Enter your Report Number and password, then click "Next". If a resolution has been provided by your company it will be available.

Where do I get a Report Number if I do not already have one?

If you do not already have a Report Number, but do have knowledge of serious violations, perceived or known in the work environment, you will need to create a New Report. Once your report has been generated, you will be given a Report Number. You will then be able to check the status of your report by logging in at MyComplianceReport.com using your Access Code and Report Number.

Forgot your Report Number?

Unfortunately, if you have lost or forgotten your Report Number you will need to begin a [New Report](#). For security and confidentiality reasons, we are not able to retrieve lost Report Number's.

2013

Ethics Manual Receipt & Acknowledgement Verification

The contents of the "Ethical Standards and Business Conduct Guidelines" manual are a combination of excerpts from Governing Regulation I, the Legal Office's Legal 101 presentation, and additional information provided by the University of Kentucky's Legal, Human Resources, and Real Properties Websites. Its purpose is to serve as a resource regarding ethical standards and business conduct for employees within the College of Agriculture. On an annual basis an updated version of the "Ethical Standards and Business Conduct Guidelines" manual will be made available to all Facilities Management employees.

I acknowledge that I have received, understand, and I am to comply with policies, procedures, and business conduct described in this "Ethical Standards and Business Conduct Guidelines" manual.

NAME:
(printed)

SIGNATURE:

DATE:

_____/_____/_____

***Please fill out and tear off this page to submit to your supervisor. This copy will be kept on file.

