

## 02.07 Ethics

Original Approval:

DATE

Last Updated:

DATE

Last Reviewed:

DATE

### Policy / Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to ensure compliance with all federal and state ethics laws <https://www.ethics.alabama.gov/>.

### Scope:

This policy applies to all WCCS students and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with College policies.

### Definitions:

There are no definitions applicable to this policy.

### Details:

1. **Legal Duty to File Statement of Economic Interests:** Ala. Code § 36-25-14 requires all full-time public employees who earn the minimum salary referenced in the Act or higher to file a Statement of Economic Interests no later than April 30. Each person who meets the necessary criteria, regardless of whether they retired the previous year or served/worked in the public position for any time (even a portion of one day) during the previous year, is required to file. The duty of an employee to comply with the Ethics Act, including the duty to file the Statement of Economic Interests, rests with the employee, not WCCS. Employees who are required to file but fail to timely file a Statement of Economic Interests with the Ethics Commission may be fined \$10.00 per day not to exceed \$1,000.00 or be charged with a Class A misdemeanor for intentional failure to file [Ala. Code §6-25-14(d) & (e)]. More information about this requirement and the Statement of Economic Interests is available at: <http://ethics.alabama.gov/forms-ecint2.aspx>.
2. **Proof of Mandatory Online Ethics Training Within 90 Days of Date of Hire:** Under the December 2010 Amendments to the Alabama Ethics Act, all public employees required to file Statements of Economic Interests forms were required to participate in an online educational review of the Alabama Ethics Law provided by the Ethics Commission by April 30, 2011. Employees hired after 1/1/2011 have 90 days to comply with the law. Per the law, an employee must provide evidence of completion of the educational review to the Ethics Commission via an electronic reporting system provided on the State Ethics Commission website. The online training may be located at <https://ethics.alabama.gov/training/intro.aspx>.
3. **Requirement to Timely Provide Proof of Training to the Human Resources Office:** ALL NEW EMPLOYEES of the College must complete the Ethics Training (regardless of salary level). It is the responsibility of each new employee to complete their individual online Ethics training within 90 days of their hire date. Employees must print a certificate after completing the training session and send a copy of the certificate to their respective Supervisor and the Human Resources Office via email to [human.resources@wccs.edu](mailto:human.resources@wccs.edu).

4. **Ethics Act and Gifts to Public Employees:** Additional information about the 2010, 2011, and 2012 Amendments to the Ethics Act, which contain rules regarding conflicts of interest, public contracts, lobbying activities, and restrictions on gifts to public employees may be found at: <http://ethics.alabama.gov/news2.aspx>. For example, public employees may not solicit or receive anything for the purpose of corruptly influencing official action, regardless of whether the thing solicited or received is a thing of value. Family members of public employees may not receive anything given to them for the purpose of corruptly influencing official action. No public employee will, other than in the ordinary course of business, solicit a thing of value from a subordinate or person or business with whom he or she directly inspects, regulates, or supervises in his or her official capacity. Excluded from the definition of “thing of value” are meals at educational functions/workshops/widely attended functions or items or services of de minimis value, or meals under \$25 (maximum of \$50 per year).
5. **Ethics Law Pertaining to College Employees Selling Textbooks:** College employees who consider selling instructor editions or complimentary copies of textbooks provided by textbook publishing companies will be aware of their obligations as state employees under the state ethics law. This law says that state employees cannot receive personal gain for themselves or members of their families as a result of their state employment. Violations of the state ethics law occur if a college employee sells his or her instructor edition or a complimentary copy of a textbook or any related materials (study guides, test banks, supplementary CDs, etc.) to anyone, including a student, bookstore, or online textbook reseller, unless the proceeds of that sale are retained by the College rather than the employee. For example, the sale proceeds can be deposited into a departmental account to purchase office supplies or used for similar institutional purposes.
6. **Selection of Textbook and/or Instructional Materials Authored by a Faculty Member:** This policy is designed to ensure compliance with the Ethics Act which prohibits use of position for personal gain. Each academic department is expected to have a textbook selection committee, which can include each member of the department. If a faculty member wants to use a textbook, lab manual, computer software or other materials from which the faculty member or any person or business associated with the faculty member’s family obtains direct financial gain, the faculty member will submit a recommendation to the textbook selection committee at least three (3) months prior to the beginning date of the semester in which the course will be taught. The committee reviews the recommendation, considers the appropriateness of the materials and alternative materials, and informs the faculty member, and appropriate division chair, director, and dean of their decision. Decisions on selection of materials authored by a faculty member, or from which the faculty member receives royalties, must be made prior to the start of an academic year (Fall Semester) and are effective for all semesters beginning in the next subsequent twelve (12) months if the faculty member elects to continue using the textbook or materials.
7. **Use of College Property for Personal Gain:** College property, including equipment, supplies, tools, and building materials are to be used for conducting official business of the College. Private or personal use of college property without proper authorization is prohibited. Employees will not: a) make use of property or personnel of the College for the purpose of obtaining compensation from sources external to the College, except when such use is permitted by law and is a normal part of the individual’s professional academic activities, or b) use or permit the use of the name of the College in a way that would

suggest that the activity is sponsored or endorsed by the College without prior authorization.

8. **Criminal Act to Use Property/Human Labor for Personal Reasons:** It is a violation of the State Ethics Code (felony or misdemeanor, depending on facts) for a College employee to use or cause to be used equipment, facilities, time, materials, human labor, or other College property under their discretion or control for the private benefit or business benefit of that employee, except as otherwise provided by law or pursuant to a lawful employment agreement. It is also illegal for a person to solicit a College employee to do these things for that person's private or business benefit, except as otherwise provided by law. (See Alabama Code Sec. 36-25-5). This includes using students and/or employees to perform personal errands or favors for non-work-related purposes.
9. **Criminal Act to Use Position for Financial Gain/Rules for Contracts with the College:** It is a violation of the State Ethics Code (felony or misdemeanor, depending on facts) for a College employee to use their position with the College to obtain personal gain for themselves, a family member, or any business with which the employee is associated. (See Alabama Code Sec. 36-25-5). Section 36-25-11 of the Code of Alabama 1975, as amended, prevents any public official or public employee, or members of their households, or any businesses associated with these people from entering into a contract that will be paid for using government funds unless the contract has been awarded through the state's competitive-bidding process. The contract must then be filed with the appropriate state official within 10 days of its execution.
10. **Violation of the Code of Conduct for Employees to Use Students for Private Advantage:** It is a violation of the Code of Conduct for an employee to exploit students for their private advantage. An employee will also acknowledge significant assistance from students, demonstrate respect for the student as an individual, and assure that evaluation of that student reflects their true merit.
11. **Electronic Media Policy:** All electronic media systems, including but not limited to, voice mail, text messages, e-mail, the Internet, fax machines, hardware, software, local area networks, files, and all information composed, transmitted, accessed, received, or stored in these systems are the property of the College. Those systems are to be used for conducting College business, although limited incidental personal use is permitted provided it does not consume a significant amount of computing resources, does not interfere with job performance or work or other employees and does not violate laws, rules, policies, or licenses. However, the use of this equipment for personal commercial purposes or for personal financial or other gain is strictly prohibited.
12. **Rules for Discarding College Property:** As a state-funded entity, College property cannot be thrown away or discarded by employees. When items are no longer useful to a department, they may be sent to Surplus Property and then sold to the public. The only way an item that was purchased with State funds can be sold is to offer it to the general public through a public auction.
13. **Inappropriate Conduct Regarding Use of State Property:** Employees are prohibited from engaging in the following conduct and may be disciplined, up to and including dismissal: dishonest acts; appropriating state or student equipment, time, or resources for personal use or gain; misusing or neglecting College property, funds, materials, equipment or supplies; or stealing or possessing without authority any equipment, tools, materials, or

other College property or attempting to remove them from the premises without approval or permission from the appropriate authority.

**Procedure(s):**

1. Refer to the Employee Complaints and Grievances Policy.

**Additional Provisions / Information:**

Refer to the Employee Complaints and Grievances Policy.