



## *Standards of Conduct Guide*



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## UT Tyler's Standards of Conduct (SOC) Guide

The purpose of the [Standards of Conduct Guide](#) is to emphasize the necessity for and the responsibility of all UT Tyler employees to be aware of and perform their duties in compliance with all applicable provisions of Federal and State laws, local rules and regulations, UT Tyler policies, and the rules of the Board of Regents of UT System. While most employees are aware of compliance standards and are sensitive to these issues, we feel that it is beneficial to provide an official guide for use as reference. The SOC Guide is not intended to be a comprehensive list of legal and ethical standards, but to provide University employees with information about and source references for the laws, policies, rules, and regulations that govern their conduct. Specific ethics and compliance questions should be directed to UT Tyler's Vice President of Business Affairs/Ethics Advisor and/or the Compliance Officer as listed at the end of the SOC Guide.

## Managers' and Supervisors' Responsibilities

Management personnel at every level are expected to set the tone for doing what is right in their departments. They should create a departmental culture that promotes the highest standards of honesty and integrity. They should encourage employees to share compliance concerns with them. The support of and adherence to the Institutional Compliance Program by managers and supervisors is considered an important part of their job performance. Managers and supervisors are required to ensure and verify that the employees they supervise complete appropriate compliance training. In addition, they are responsible for discussing with their employees UT Tyler's Standards of Conduct Guide, Conflict of Interest policy, and other compliance policies and procedures specifically related to their job function. Additional information may be found in the [Management Responsibilities Handbook \(MRH\)](#).

## Institutional Compliance Program

UT Tyler's Institutional Compliance Program is intended to demonstrate in the clearest possible terms the absolute commitment of UT Tyler to the highest ethical standards and compliance with all applicable laws, policies, rules, and regulations. The Employee Compliance Training is required of all part-time and full-time employees with benefits. The compliance training is a critical component of the Compliance Program and provides basic information about laws, regulations, policies and procedures. In addition, the training provides references regarding who employees can contact and web pages they can visit for more information on each subject presented. A Systemwide compliance committee provides program direction to the University and the Systemwide committee is chaired by the Systemwide Compliance Officer who is responsible for the execution of the compliance program throughout the UT System.

## UT Tyler's Institutional Executive Compliance Committee (IECC)

UT Tyler's [Institutional Executive Compliance Committee](#) provides guidance to the UT Tyler compliance program and membership consists of the President, Provost/Vice President for Academic Affairs, Vice

President for Business Affairs, Chief Legal Officer (ex-officio), Compliance Officer (ex-officio), and the Director of Information Security (ex-officio). The committee reviews and approves standards and procedures for the compliance program, allocates resources for the compliance environment, approves the annual operating plan, monitors the execution of the plan, and acts on recommendations by the Institutional Compliance Advisory Council (ICAC). The IECC meets three times a year prior to or following the Institutional Audit Committee (IAC) meetings.

## UT Tyler's Institutional Compliance Advisory Council (ICAC)

The [Compliance Advisory Council](#) is composed of employees who represent certain high-risk compliance areas within UT Tyler including, but not limited to, Sponsored Research, Environmental Health and Safety, University Advancement (Endowments), Campus Police, Financial Aid, Information Technology Network Security, and Information Security. The principal functions of the UT Tyler's Compliance Program are as follows: to perform a risk assessment of compliance issues; to monitor the implementation of UT Tyler's compliance plan; to communicate instances of noncompliance; to follow up on compliance findings to ensure that appropriate corrective action has been taken; and to continuously assess the effectiveness of compliance activities. UT Tyler's Institutional Compliance Advisory Council (ICAC) is chaired by the Institutional Compliance Officer.

## UT Tyler's Compliance Office

The UT Tyler [Compliance Office](#) is responsible for ensuring that there is a risk-based process that (1) builds compliance consciousness into daily operations; (2) monitors the effectiveness of compliance activities; and (3) communicates instances of non-compliance to appropriate officials for corrective action. The Compliance Office provides administrative support to both the Institutional Executive Compliance Committee and the UT Tyler Compliance Advisory Council; manages the risk identification and analysis process; monitors departmental activities designed to minimize risks to the extent practical; and monitors general compliance training. The Compliance Officer is administratively responsible for the Compliance Office.

## Ethics

The University of Texas at Tyler values and is committed to maintaining high standards of excellence, integrity, and accountability. Employees of UT Tyler are expected to act ethically in accordance with those values and in accordance with the following provisions provided by state law, the Regents' Rules and Regulations, and policy. Failure to do so may be grounds for disciplinary action, including termination of employment.

Further explanation of the following provisions may be found in UT Tyler's Conflicts of Interest policy. All employees are required to sign an acknowledgment that they have received and read and agree to abide by that policy.

Many times, a determination of whether contemplated activity is permissible will depend on an examination of specific facts. You may always contact your immediate supervisor for assistance, and if they cannot answer the question, the issue can be elevated to other UT Tyler staff and/or the UT System

Office of General Counsel for a determination. If in doubt about whether an activity is permissible, do the safe thing – don't engage in the activity.

### **ACCEPTANCE OF GIFTS**

An employee must not accept or solicit any gift, favor, or service that might reasonably appear to influence the discharge of the employee's official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct.

An employee who makes recommendations or decisions about UT Tyler's financial transactions may not accept a gift from an individual or entity that is interested in or likely to become interested in that transaction, with limited exceptions. A violation of this provision may constitute a criminal offense. For more information about this provision, an employee should consult UT Tyler's Conflicts of Interest Policy.

An employee should not intentionally or knowingly solicit or 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.

**Q:** *A vendor with my department has an extra ticket to a concert in Dallas and asks if I would like to go with her. May I accept her offer?*

**A:** The acceptance of this gift would not constitute a crime as long as it was not given in exchange for your official act. However, you should consider whether it appears to be given to influence you, and should decline the gift if it raises such appearances of impropriety. If you are involved in a procurement process involving this vendor, or will likely be involved in the near future, you should decline the gift.

**Q:** *I received a gift basket from one of our vendors during the holidays. May I keep it?*

**A:** If the value of the gift basket is less than \$50, you may accept it as long as it was not given in exchange for your official act. If it exceeds the value, a more detailed analysis is necessary to determine its legality. Because a determination is very fact-specific and because the acceptance of an impermissible gift might constitute a crime, some departments have adopted a policy prohibiting holiday gifts from vendors. If that is the case, you must comply with departmental policy.

**Q:** *I attended a work-related conference and won a laptop computer as a door prize. May I keep it?*

**A:** The safest course is to not participate in drawings for door prizes at work-related conferences. Depending on your job responsibilities, the acceptance of the laptop may constitute a violation of the gift laws, regardless of the fact that the laptop was awarded as a prize. Most employees do not have the authority to accept gifts on behalf of a governmental entity, and thus accepting the laptop on behalf of UT Tyler is generally not an option.

### **CONFIDENTIAL INFORMATION**

An employee should not accept other employment or engage in any business or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.

An employee should not disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.

### **CONFLICTS OF INTEREST, CONFLICTS OF COMMITMENT AND OUTSIDE EMPLOYMENT**

An employee should not accept other employment or compensation or engage in outside activities that could reasonably be expected to impair the employee's independence of judgment or impact performance of the employee's public duties. An employee's primary responsibility is the performance of the duties assigned to the employee's position at UT Tyler. External consulting or outside employment that interferes with those duties should not be accepted. Any outside employment, including self-employment or employment by another state agency, as well as certain other outside activities as defined in our policies, must first be approved by the employee's supervisor and department head. The [Regents' Rules and Regulations, Rule 30103 Standards of Conduct](#), UT System Policy [UTS180](#), UT Tyler [HOP 2.5.2](#) address outside employment, conflicts of interest, and conflicts of commitment.

An employee should not accept a position on an outside board that creates a conflict of interest or that imposes an unreasonable time commitment. An employee must obtain approval from the employee's direct supervisor before accepting a position on most outside boards.

**Q:** *May I work at a local golf course at times when I am not working my normal hours at UT Tyler?*

**A:** Probably. Working at a local golf course most likely does not present a conflict of interest. However, you must receive approval prior from your department head before accepting any outside employment.

**Q:** *One of our vendors has asked me to handle their bookkeeping for them on the weekends. Is there anything wrong with this?*

**A:** It is likely that the acceptance will result in a conflict of interest between your public duties and your private employment. In that case, you may not accept the offer. A determination will depend on an examination of your job duties for UT Tyler. You may always consult your department head or the Director of Human Resources for advice before submitting your request for approval of outside employment.

### **DISCLOSURES**

An employee's position with UT Tyler and the employee's contemplated activity determines which disclosure statements are required. An employee must complete and file any required disclosure statements in a timely fashion in compliance with institutional policies and UT System Policy [UTS180](#).

### **CONFLICTS OF INTEREST IN RESEARCH (UTS 175)**

This policy is established to comply with the regulations of the Public Health Service (PHS), the National Science Foundation (NSF), and The University of Texas at Tyler, to promote objectivity in research by requiring that an employee of the university who applies for grants or contracts from the federal government for research or other educational activities or otherwise submits a proposal for sponsored research funding from any entity ensures that there is no reasonable expectation that the



design, conduct, and reporting of the research will be biased by any significant financial interest of an investigator responsible for the research or other educational activity. Researchers must have an approved, current, signed, Certification of Compliance for Conflict of Interest and Commitment Form on file with the Office of Sponsored Research (OSR) before a proposal can be processed. This form must also be renewed annually. Based upon federal regulations and the university's objective to maintain a research environment that promotes faithful attention to high ethical standards, this policy relating to conflicts of interest will be administered in conjunction with Texas laws setting forth standards of conduct, Texas Government Code, Chapter 572, and the Code of Ethics of The University of Texas System, Part One, Chapter III, Section 4, Regent's Rules and Regulations.

### **EXPORT CONTROLS**

U.S. export-control law and regulations govern when and how access can be granted to foreign nationals and foreign countries concerning strategically vital technology, services, and information, including research equipment and technology. At UT Tyler, faculty and research investigators need to be aware that the release of controlled technology to a foreign national at the University orally or through a demonstration is considered a deemed export of the technology. Actual and deemed exports of controlled technology require an export license. The Office of Sponsored Research (OSR) manages the research export control program at UT Tyler. The bulk of research conducted at the University of Texas at Tyler is exempt from export control regulations because researchers engage in basic and applied research activities where the research results are open to the public. Nonetheless, UT Tyler researchers, staff, and students should learn how to recognize export control issues and to understand the resources available to resolve such issues. Faculty and research investigators should contact the Office of Sponsored Research (OSR) with questions related to export control requirements.

### **HONORARIA**

An employee may not accept an honorarium for services the employee would not have been asked to provide but for the employee's official status. For example, an employee may not accept a gift or payment for giving a speech if the employee would not have been asked to provide the speech but for the employee's official position. However, in general, an employee may accept meals, transportation, and lodging in connection with the employee's services as long as the services are more than merely perfunctory or superficial. Also, an employee may accept a gift of very minimal value, such as a plaque or coffee cup.

### **BUSINESS TRANSACTIONS AND INVESTMENTS**

An employee may not transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.

Before UT Tyler may purchase any supplies, materials, services, equipment, or property from an employee, the President must approve the purchase, and the purchase may be made only if the cost is less than from any other known source.

An employee should not make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.

**Q:** *My spouse owns a local catering company that would like to provide lunches for business meetings for several UT Tyler departments. I do not participate in the business or have any role in departmental decisions to contract with the catering company, but I want to make sure that there is not a conflict of financial interest.*

**A:** A transaction with an employee is governed by UT System's policy, [UTS 159 Purchasing](#). Although this policy addresses purchases from employees, presumably you would benefit from the contract the same as if the contract were made directly with you, the employee. This policy requires the President to give prior approval and requires the purchase price to be less than from any other known source. These requirements are intended to help eliminate any actual or perceived conflict of interest that may arise.

**Q:** *I've been buying stock in a company that does business with UT Tyler. After my next purchase, I'll own 10% of the company. Does this pose a problem?*

**A:** Depending on your job duties, this investment may constitute a conflict of interest and should not be pursued. In addition, if you have the authority to award contracts, select vendors, or influence purchases of goods or services, then you must report your ownership on the financial disclosure and conflict of interest statement filed with your department head and ultimately with the President.

## Political Activities and Legislative Activities

### **POLITICAL ACTIVITIES**

An employee has the right to participate in political activities subject to the following restrictions. An employee may not engage in political activities during work hours unless the employee uses accrued compensatory or vacation leave. Political activities must be in compliance with the constitution and laws of the State of Texas and may not interfere with the performance of the employee's duties. An employee may not use equipment, supplies, or services of UT Tyler for political activities, nor may an employee impermissibly use UT Tyler facilities for political activities. Political activities may not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity and may not involve UT Tyler in partisan politics. Political contributions from any source of UT Tyler funds are prohibited. Information regarding political activities may be obtained in the [Regents' Rules and Regulations, Rule 30103 Standards of Conduct](#).

**Q:** *I noticed a flyer posted in my supervisor's office advertising a party for a political candidate. Is it okay for the ad to be posted?*

**A:** No. No one should ever post any type of advertisement for any political candidate on any UT Tyler property, leased or owned.

**Q:** *My next-door neighbor is running for city council. Can I bring her up and let her meet everyone in my office?*

**A:** No. It is not permissible to use UT Tyler resources, including employee time, to support a candidate.

## Contacts with the Media, Government, and Outside Investigators

It is the policy of UT Tyler to cooperate with the news media in their efforts to report to the public on issues and events of interest involving University administrators, faculty, staff, students, programs and activities. Inquiries from members of the news media are to be handled in a courteous, professional, cooperative and timely manner.

UT Tyler requests that all media inquiries be routed through the Director of Marketing and Communications so that the Director can coordinate the appointments with the media and appropriate University employees. If an employee is contacted by a member of the media regarding an official matter internal to the University or a matter of institutional policy, the media representative should be referred to the Executive Director of Marketing and Communications at (903) 566-7303.

Under the [Texas Public Information Act](#), documents generated in the regular course of business of UT Tyler are public unless they fall into various exempt categories (such as certain student records, papers related to ongoing litigation, documents related to ongoing real estate negotiations, etc.). [UTS139 - Compliance with the Texas Public Information Act](#) governs the handling of requests for information under the Public Information Act.

Most media inquiries are not phrased in terms of requests under the Public Information Act, but are simply requests for information. If media is requesting to view or to obtain copies of documents, the media will be asked to submit a written open records request to the University. Information on how and who to send an open records request to can be found at:

<http://www.uttyler.edu/recordsretention/openrecords.php>

Media inquiries **other** than formal requests under the Public Information Act should be handled as follows:

The Executive Director of Marketing and Communications is available for consultation regarding any media contact. Supervisors who refer a media call to Marketing and Communications should notify the Director of this action by phone or email. It is important to keep the Executive Director of Marketing and Communications informed about media inquiries, including information about how the inquiry has been handled.

UT Tyler expects to cooperate in government investigations of the University and its employees with due consideration given to the legal rights of the University and its employees. If a subpoena, other legal document, or inquiry from a governmental agency related to UT Tyler business is received by an employee, whether at home or in the workplace, that employee is obligated to notify his or her supervisor immediately. If contacted at home by a governmental agent, without a search warrant or a subpoena, concerning business of UT Tyler, the employee should request that the agent make such contact at work the next business day and must immediately contact his or her supervisor.

**Q:** *I received a call from a newspaper reporter who wanted to speak to somebody about students on financial aid statistics for UT Tyler. Since I am not familiar with this subject, how should I direct her call?*

**A:** The Office of Marketing and Communications can help connect reporters with appropriate spokespersons. Refer the reporter to the Office of Marketing and Communications.

**Q:** *Last night there was a knock on my door, and the person identified himself as an FBI agent. The agent wanted to talk with me about my work at UT Tyler. Should I have talked with him?*

**A:** Unless the FBI agent has a search warrant or a subpoena, you should ask the agent to contact you at the office the next business day, then immediately contact your supervisor. Should the FBI agent produce a search warrant or subpoena, if possible, notify your supervisor before you answer any questions from the agent.

## Records and Information

### **RETENTION AND DISPOSAL OF RECORDS**

The University of Texas at Tyler recognizes the importance of orderly management and retrieval of all official records and has a certified records retention and destruction schedule that is consistent with state and federal laws and regulations. Refer to the [UTS115 Records and Information Management and Retention Policy](#) for more information. Questions about specific record retention requirements should be directed to the Records Manager in the Office of Budget and Financial Reporting.

**Q:** *Our department is very short on space. We have many boxes of correspondence files that we're ready to get rid of. Can we go ahead and just toss them?*

**A:** No. UT Tyler has a formal retention schedule that should be followed by everyone. There are specific dates on which records are to be destroyed. For more information, refer to [UT Tyler Retention Schedule](#) or contact the *Records Manager in the Office of Financial Services*.

**Q:** *I'm fairly new here but I already have over 1000 messages in my email Inbox. I'd like to clean it out, but I'm afraid I might violate policy. Is email subject to the Records Retention Schedule?*

**A:** Yes, records sent out and received by email are subject to the records retention schedule. In today's work environment email often replaces letters, memoranda, and other business documents. However, email is considered a medium and not a records series. The retention of a document or record depends on its content and authorship; not on whether it is in paper or electronic form. Business-related email that documents a business activity not documented elsewhere is considered an official state record and should be retained. If you send or receive business records by email you likely have an obligation to retain them for the appropriate amount of time. Convenience copies are internal memos, announcements, and informational items from someone who is the official record holder, and you can get rid of these.

### **INFORMATION EXCEPTED FROM DISCLOSURE**

Unless specifically exempted from or made confidential by law, all documents generated in the regular course of business by UT Tyler are available to the public under the terms and conditions of the [Texas Public Information Act](#). Generally, documentation that is accepted from disclosure includes certain personnel data, student information, patient information, donor information, certain information related to competition and bidding, and proprietary computer software. Written requests for documents under the Texas Public Information Act should be handled pursuant to [UTS139 Texas Public Information Act](#).

**Q:** *I received a phone call from a man asking if I would send him copies of all email and other correspondence our office had sent to State leaders regarding tuition and fees. Should I make the copies and send them to him?*

**A:** No. A verbal inquiry is not considered a valid request under the Texas Public Information Act. Because this individual seeks to obtain copies of records from UT Tyler, you should advise him to submit his request in writing. Because the individual seeks to obtain information from the University of Texas at Tyler, you should advise him to submit his request in writing, via hand delivery, facsimile, email, or regular mail to the University's public information coordinator or designee. Further, any request submitted via facsimile or email must be sent directly to the public coordinator in order to be a valid request. A facsimile or email to anyone else within the University is not a valid request under the Texas Public Information Act.

### **CONFIDENTIALITY OF SOCIAL SECURITY NUMBERS (SSNs)**

It is the policy of UT System detailed in [UTS 165 Information Resources Use and Security Policy](#), to protect the confidential nature of social security numbers without creating unjustified obstacles to the conduct of the business of UT System and the provision of services to its many constituencies. UTS165 provides guidance to UT System institutions to assure compliance with federal and state laws governing privacy and the use of social security numbers (SSNs).

UT Tyler employees can learn more about their rights and responsibilities for reducing the use and collection of SSNs in Section 10 of UTS165. Questions or concerns about the confidentiality or use of social security numbers should be directed to the Information Security Officer, Diane Garrett.

**Q:** *My office uses an application that requires the collection of social security numbers that is mandated by state law. Individuals can fill out the form as a hard copy or electronically. I see that UTS 165 requires we give the notice required by the Federal Privacy Act when we request an individual's social security number. Is there standard language available somewhere that we can use for that notice?*

**A:** Yes. Appendix 4 of UTS 165 provides pre-approved text for the notice required by the Federal Privacy Act of 1974, but be aware that you will need more than this language. Section 10.2.2 of UTS 165 states, "In addition to the notice required by the Federal Privacy Act, when the social security number is collected by means of a form completed and filed by the individual, whether the form is printed or electronic, the institution must also provide the notice required by Section 559.003 of the Texas Government Code. That section requires that the institution state on the paper form or prominently post on the Internet site in connection with the form that: with few exceptions, the individual is entitled on request to be informed about the information that the institution collects about the individual; under Sections 552.021 and 552.023 of the Government Code, the individual is entitled to receive and review the information; and under Section 559.004 of the Government Code, the individual is entitled to have the institution correct information about the individual that is incorrect."

## **ACCURACY OF RECORDS**

Employees of UT Tyler 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.

**Q:** *I noticed that some numbers were wrong on a proposal I sent out. Can I go back and change the numbers so that my file copy is correct?*

**A:** No. Changing the numbers may be considered falsifying the document. If possible, reissue the proposal and indicate what was changed.

## **Workplace Conduct and Employment Requirements**

### **FRAUD**

Acts of fraud, waste, and abuse negatively impact the resources of UT Tyler. The minimization of fraud, waste, and abuse is the responsibility of every employee. Good business practice dictates that every suspected defalcation, misappropriation and other fiscal irregularity be promptly identified and investigated. Consequently, UT System has established a policy regarding internal investigations of suspected embezzlement, defalcation, misappropriation, and other fiscal irregularities. Refer to [UTS118 - Statement of Operating Policy Pertaining to Dishonest or Fraudulent Activities](#).

The Association of Certified Fraud Examiners defines occupational fraud as the use of one's occupation for personal enrichment through the deliberate misuse or misappropriation of the employing organization's resources or assets. It can be perpetrated for the benefit of or to the detriment of the organization and by persons outside as well as inside the organization and can range from sophisticated financial statement or investment fraud to petty theft.

**Q:** *What are some examples of occupational fraud?*

**A:** There are three primary categories of occupational fraud: asset misappropriations, corruption, and financial statement fraud. Asset misappropriation may include stealing or misusing cash or non-cash assets (e.g. supplies, equipment) of the organization; providing false receipts and documentation for any type of reimbursement from the University of Texas at Tyler; or claiming overtime for hours not worked. Corruption refers to the fraudster using their influence in business transactions to obtaining a benefit for themselves or someone else contrary to their duty to their employer, such as accepting a bribe or kickback to favor an outside vendor in buying goods or services. Financial Statement fraud involves the intentional misstatement or omission of material information from the organization's financial reports which may include the financial statements, grants, or applications the organization submits which include financial information.

### **Waste**

Waste occurs when someone makes needless, careless or extravagant expenditures, incurs unnecessary expenses, or mismanages UT Tyler resources or property. Waste does not necessarily

involve private use or personal gain; however, it almost always indicates poor management decisions, practices or controls.

**Q:** *What are some examples of waste?*

**A:** Examples of waste include excessive or unnecessary purchases of supplies or equipment; purchase of goods at inflated prices; and failure to reuse or recycle major resources or reduce waste generation.

### **Abuse**

Abuse can include the excessive or improper use of a UT Tyler employee or official's position in a manner contrary to applicable laws, policies, or generally accepted practices. This includes intentional destruction, diversion, manipulation, misapplication, misuse of assets, information, systems, relationships, or other resources. Abuse can occur in financial or non-financial settings.

**Q:** *What are some examples of abuse?*

**A:** Examples of abuse include receiving favors for awarding contracts to certain vendors; failure to report damage to state equipment or property; serious abuse of time such as significant unauthorized time away from work or significant use of time for personal business; and excessive personal use of telephones, email, and the Internet.

### **Reporting Suspected Fraud, Waste, and Abuse**

Acts of fraud, waste, and abuse negatively impacts the resources of the University of Texas at Tyler. When employees of The University of Texas at Tyler have information about dishonest, unethical, or criminal activities, it is their responsibility to report that information. To report suspected fraud, waste and abuse, you may notify the Chief of Campus Police (903-566-7393), the Executive of Director of Audit and Consulting Services (903-566-7114), or make an anonymous report through the UT Tyler Ethics Hotline (1-877-507-7318). State law prohibits retaliation against any employee who, in good faith, reports an instance of suspected wrongdoing or participates in an investigation pertaining to allegations of wrongdoing. Refer to [UTS131 – Protection from Retaliation for Reporting Suspected Wrongdoing](#).

Employees may also report fraud, waste, or abuse by calling the State Auditor's Hotline at 1-800-TXAUDIT (1-800-892-8358). The State Auditor's Office provides additional information, including a form to report fraud, waste, or abuse at <http://sao.fraud.state.tx.us/>

### **EQUAL EMPLOYMENT OPPORTUNITY**

Under the terms of applicable laws, regulations, and institutional directives, UT Tyler may not discriminate against employees or applicants for employment on the basis of race, color, national origin, religion, sex, age, sexual orientation, veteran status, or disability. Refer to the [Regents' Rules and Regulations](#) for more information.

**Q:** *I feel like I was passed up for a promotion because of my age. Who do I call when I feel I've been discriminated against?*

**A:** The Office of Human Resources handles all allegations of discrimination.

## **SEXUAL HARASSMENT AND MISCONDUCT**

UT Tyler is committed to the principle that the working environment should be free from inappropriate conduct of a sexual nature. Sexual misconduct and sexual harassment are not allowed. Employees who engage in either form of conduct will be subject to disciplinary action, possibly including termination. For more information, refer to the [Regents' Rules and Regulations, Rule 30105 Sexual Harassment and Misconduct](#).

**Q:** *My co-worker is sending me jokes via email that contain offensive content. I've asked him/her to stop, but he/she continues to send them. What can I do?*

**A:** Since the emails continued after you asked him/her to stop, immediately contact your supervisor or the Director of Human Resources. An investigation will be conducted and appropriate action will be taken.

**Q:** *My supervisor makes remarks laden with sexual innuendo clearly directed at me. What can I do?*

**A:** You should ask your supervisor to stop the remarks; however, if you don't feel comfortable talking to your supervisor, contact the Director of Human Resources immediately.

## **CONSENSUAL RELATIONS**

The University of Texas at Tyler is committed to maintaining learning and work environments as free as possible from conflicts of interest and favoritism. The University recognizes that two consenting adults should be free to conduct a personal relationship if they so wish when the relationship does not interfere with the goals and policies of the University; some romantic, dating and/or sexual relationships, although consensual, do create conflicts of interests. This policy addresses those consensual relationships. For more information, see section 2.4.6 of UT Tyler's Handbook of Operating Procedures ([HOP](#)).

## **NEPOTISM**

The University of Texas at Tyler's policy on nepotism does not permit relatives to act in a capacity where either would act on appointment, salary, or promotion of either. For more information, see Chapter 28 of the [Employee Handbook](#).

## **TIMEKEEPING**

All non-exempt employees are required to prepare and maintain time sheets to ensure compliance with the federal Fair Labor Standards Act (FLSA) and accurate administration of state compensatory time. Employees who are paid on an hourly basis and do not accrue vacation or sick leave should record their time worked and hours absent on a paper timesheet. All employees should request time off in advance from their supervisor using a leave request form or an emailed message to their supervisor that provides the required information. If circumstances do not allow an employee to request leave in advance, he or she must notify the supervisor as soon as possible. Supervisors are responsible for ensuring that their employee(s) accurately record time worked and hours absent. A supervisor should promptly review and approve time sheets and leave requests.



## **FLSA OVERTIME COMPENSATION**

The federal [Fair Labor Standards Act \(FLSA\)](#) entitles non-exempt employees of UT Tyler, required or permitted to work in excess of forty hours in a workweek, to additional compensation for such excess hours by receiving either compensatory time off or a payment for accrued FLSA compensatory overtime at a rate of one and one-half times the employee's normal rate of pay.

**Q:** *I am a non-exempt employee. I like to get all of my work done each day, so sometimes I come in early and leave late, but I only record eight hours of work on my time report. Is this okay?*

**A:** No. All time actually worked must be recorded on your time report. Non-exempt employees should only work the hours appointed to work unless approved in advance by the supervisor. A nonexempt employee may be eligible for either FLSA overtime or state compensatory overtime.

## **STATE COMPENSATORY OVERTIME**

Non-exempt employees, who work in excess of forty hours, with prior approval from their supervisor, may accrue state compensatory time at a rate of one and one-half times the employee's normal rate of pay.

Exempt employees who work in excess of forty hours a week with prior approval from their supervisor, may earn state compensatory time on a straight hour-for-hour basis. For more specific information on state compensatory overtime, contact the Director of Human Resources.

## **FAMILY AND MEDICAL LEAVE ACT**

An employee may request and receive a leave of absence with pay, provided he or she has accrued sick and vacation leave time, or without pay for up to twelve weeks per twelve-month period for certain family and medical reasons as specified by the federal [Family and Medical Leave Act of 1993](#) (FMLA) and accompanying regulations governing the FMLA. This is a leave program that has specific eligibility requirements and restrictions. More detailed information may be found in the Regents' Rules and Regulations.

**Q:** *My wife and I are adopting an infant next month. Am I eligible for Family Medical Leave? How long may I take off?*

**A:** You could be eligible for FMLA. FMLA allows for a total of 12 work weeks off. Check with the Office of Human Resources for specific eligibility requirements and for information on requesting leave.

## **Health and Safety**

### **WORKPLACE HEALTH AND SAFETY & PROTECTION OF THE ENVIRONMENT**

All UT Tyler employees should perform their duties in compliance with all applicable institutional policies, federal, state and local laws, and standards relating to the environment and protection of worker health and safety. You should become familiar with and understand how these laws, standards, and policies apply to your specific job responsibilities and seek advice from your supervisor or the Director of Environmental Health and Safety, as needed. Each employee is responsible for advising his

or her supervisor or the Director of Environmental Health and Safety of any serious workplace injury, or any situation presenting a danger of injury, so that timely corrective action may be taken. You can contact the Environmental Health and Safety department at 903-566-7011.

**Q:** *I accidentally cut my finger on the paper cutter and will most likely need stitches. Do I need to report this to anyone?*

**A:** Yes. You should always report any job related injury, no matter how small, to your supervisor. Both you and your supervisor will need to fill out Report of Injury forms: [Employee's Report of Injury form](#) and [Supervisor's First Report of Injury form](#)

**Q:** *It looks like chemicals have spilled in parking lot #2. Who do I call to get it checked out?*

**A:** During regular office hours, call Environmental Health and Safety at (903) 566-7011. After hours, please contact the UT Tyler Campus Police emergency number at (903) 566-7300.

### **SMOKE AND TOBACCO-FREE POLICY**

The use of tobacco products as well as smoking or use of any smoking device, by students, faculty, staff, and visitors is prohibited at all times on campus. All employees are responsible for complying with the University Smoke and Tobacco Free policy. Detailed information pertaining to the Smoke and Tobacco Free Policy can be obtained online at:

<http://www.uttyler.edu/humanresources/wellness/tobacco-cessation/resources/wellness/tobacco-cessation/>.

### **DRUG-FREE WORKPLACE**

The unlawful manufacture, distribution, possession, or use of a controlled substance in or on any premises or property owned or controlled by UT Tyler is prohibited. Any employee who is found guilty (including a plea of no contest) or has a sentence, fine or other criminal penalty imposed by a court for an offense involving a controlled substance that occurred in or on UT Tyler property shall report such action to his or her supervisor or the Office of Human Resources within five days. An employee, who unlawfully manufactures, sells, distributes, possesses, or uses a controlled substance on UT Tyler property, regardless of whether such activity results in the imposition of a penalty under a criminal statute, will be subject to appropriate disciplinary action, including termination, or will be required to participate satisfactorily in an approved drug assistance or rehabilitation program or both. Refer to the [UTS164 - Drug Free University Community and Workplace Policy](#) for more information.

The unlawful possession of a weapon in or on any premises or property owned or controlled by UT Tyler is prohibited by [Texas Penal Code](#), Chapter 46 and [Regents' Rules and Regulations, Rule 30103 Standards of Conduct](#).

**Q:** *I have seen one of my co-workers selling drugs in the parking lot to other employees. What should I do?*

**A:** Report this activity immediately to the UT Tyler Campus Police.

**Q:** *Is it okay to have an alcoholic beverage during my lunch break while off campus?*

**A:** The use of alcohol, while not on duty, that adversely affects job performance or may adversely affect the health or safety of other employees, students, visitors, or patients is prohibited by [UTS102 – Drugs and Alcohol Policy](#).

For those positions requiring a commercial driver's license, [UTS113 – Drug and alcohol Testing Policy for Positions Requiring Commercial Drivers' Licenses](#) prohibits the following:

- use or possession of alcohol while on duty;
- use of alcohol during four hours before on duty requiring the performance of a safety-sensitive function;
- concentrations of alcohol of 0.04 or greater in the employee's system while on duty requiring the performance of safety-sensitive functions; or
- use during the 8 hours following an accident requiring a post-accident test or until the employee undergoes a post-accident alcohol test, whichever occurs first.

### **WEAPON-FREE WORKPLACE (UNLESS LICENSED HANDGUN CARRIER): CONCEALED CARRY ON CAMPUS POLICY**

The UT Tyler [Concealed Handguns on Campus Policy](#) has been approved by the UT System Board of Regents (effective as of August 1, 2016) at all UT Tyler facilities. [Senate Bill 11](#) authorizes handgun license holders to carry their concealed handguns on campus and also requires each university to develop specific guidelines regarding campus concealed carry.

Under UT Tyler's policy, which was developed through an extensive process led by the [Campus Concealed Carry Working Group](#), all licensed handgun carriers will be required to carry the handgun in a holster or other secure weapon case that completely covers the trigger and the entire trigger guard area. The holster must sufficiently retain the handgun in place so that it will not discharge in the event of sudden movement.

In addition, UT Tyler's policy categorizes certain areas as exclusion zones, where the concealed carrying of a handgun is prohibited. Signs will be posted at the entry points of areas identified in the policy as exclusion zones. Exclusion zones include all or part of certain buildings. Specific areas are detailed in UT Tyler's [Concealed Handguns on Campus Policy](#).

Exclusion zones will include:

- UT Tyler Innovation Academy in Tyler, Palestine and Longview.
- Patient care areas such as the University Health Clinic, counseling rooms (located in portions of the UC and BEP) and athletic training rooms.
- Ticketed sporting events at any of the UT Tyler's athletic facilities, as required by law.
- Formal hearing areas for employee or student adjudication (portions of ADM and UC).
- Areas where handgun discharge may cause widespread harm such as labs with dangerous and/or explosive chemicals or with magnetic resonance imaging equipment (portions of BEP, HPR, RBS and the Fine Arts Complex).
- Areas in use for sponsored activities for students under the age of 18 who are not enrolled at UT Tyler.

The University of Texas at Tyler takes issues surrounding guns on campus very seriously and will strive to conform to the new law, protect the rights of citizens, and ensure the safety and security of the entire campus.

# Use of UT Tyler and State of Texas Resources

## **CONTRACTS AND AGREEMENTS**

All contracts and agreements must be reviewed and approved by UT Tyler's Office of Legal Affairs, excepting grant and research contracts which are processed by the Office of Sponsored Research. All contracts and agreements must be signed by a UT Tyler officer who has a written Delegation of Authority from UT Tyler's President, as required under the [Regents' Rules and Regulations](#). The Contract Approval Routing form (found on the Financial Services web page under [Forms](#)) used for the procurement of goods and services should first be approved by the Purchasing Office of Financial Services. Additional contract requirements can be found at <http://www.uttyler.edu/president/files/contract-processing-procedures.pdf>. Questions should be directed to the Office of Legal Affairs at (903) 565-5740.

**Q:** *A sales representative has asked me to immediately sign a "purchase agreement" because the product price will increase tomorrow. May I sign such an agreement?*

**A:** No. This is a contract for purchasing goods and services and must be reviewed and approved by Business Affairs. On a related note be wary anytime a vendor attempts to use unrealistic deadlines or time pressure to close a deal, this is a sales tactic and should be a red flag.

**Q:** *A sales representative has asked me to sign a 'Quote' for a software product that I want to purchase, can I sign it since it does not say 'Contract' or 'Agreement'?*

**A:** No. Any document that contains terms and conditions which will bind UT Tyler, regardless of the name of the document, must be reviewed and approved by Business Affairs.

**Q:** *A local private school has asked me to sign a 'Facility Use Form' so that my department can use their auditorium for a meeting, can I sign it since they are not charging us anything and it does not say 'Contract' or 'Agreement'?*

**A:** No. Any document that contains terms and conditions which will bind UT Tyler, regardless of the name of the document and regardless of whether UT Tyler will have a financial obligation, must be reviewed and approved by Business Affairs.

## **USE OF STATE-OWNED PROPERTY**

As a general rule, the personal use of UT property or assets is prohibited. Incidental personal use of UT Tyler email, a telephone to make a local telephone call, or the Internet, provided that the use complies with applicable UT Tyler policies and does not result in additional cost to UT Tyler, is permissible. Direct any questions about the use of UT Tyler property to your supervisor. More information regarding the use of state-owned property may be obtained in [UTS165 – Information Resources Use and Security Policy](#) and [UT Tyler's Information Technology Acceptable Use Policy](#).

**Q:** *I am a volunteer for the United Way of Tyler. Can I use a UT Tyler computer and copy machine to produce material for United Way?*

**A:** No. While UT Tyler encourages employee involvement in the community, UT Tyler resources should not be used to support external organizations.

**Q:** *My son calls me each day when he gets home from school. Since it's a personal call on a UT Tyler owned phone, am I breaking any rules?*

**A:** No. As a general rule, the personal use of any UT Tyler property or asset is prohibited; however, incidental personal use of email, telephone, or the Internet that complies with applicable UT Tyler policies, and does not result in additional cost is okay. [Texas Ethics Commission Advisory Opinion No. 395](#) also addresses the issue of personal calls using State property.

## **COMPUTER SOFTWARE**

Employees who use software licensed to UT Tyler must abide by applicable software license agreements and may copy licensed software only as permitted by the license. Direct any questions about software license agreements to your supervisor or Information Resources. [UT Tyler's Information Technology Acceptable Use Policy](#) provides detailed information regarding the use of computers.

**Q:** *My budget doesn't allow for everyone to have a copy of a software program. Is it okay to copy the program from someone else's computer and put it on mine? What's wrong with that?*

**A:** No, it's not okay. This is a violation of federal copyright laws. Check with Information Resources to determine whether a cost effective site license is available for this program.

## **INFORMATION SECURITY AND ACCEPTABLE USE**

UT Tyler information resources may be used only for official State purposes. Every University employee has a responsibility for maintaining the security and confidentiality of UT Tyler's information resources and must comply with information security policies and procedures. An employee may access or disclose confidential and sensitive information only as permitted by contract, State or Federal law or regulation, the scope of the employee's employment, or approved UT System policy. [UTS165 – Information Resources Use and Security Policy](#), and [UT Tyler's Information Technology Acceptable Use Policy](#) provide detailed information regarding the security and acceptable use of information.

**Q:** *While typing some employment records, I noticed that a new employee is now married to my ex-wife. Can I talk with him about it?*

**A:** Unless he or someone else tells you that he is now married to your ex-wife, you may not disclose that you saw the information on his employment application.

## **COMPUTER ACCESS, PASSWORDS, & OTHER CONFIDENTIAL INFORMATION**

No employee may knowingly access a computer network or system without the effective consent of the owner or intentionally or knowingly disclose a password, identification code or number, debit card or bank account number, or other confidential information about a computer security system without the consent of the person employing the security system. Information regarding computer access, passwords, and other confidential information may be obtained from [UTS165 – Information Resources Use and Security Policy](#) and [UT Tyler's Information Technology Acceptable Use Policy](#).

**Q:** *When I was out yesterday with the flu, I called the office and asked a UT Tyler employee to check my email and calendar; however, to do this, I had to reveal my password. Was this wrong?*

**A:** Yes. It is a violation of [UTS165 – Information Resources Use and Security Policy](#) for the Use and Protection of Information Resources, to disclose your computer password. Computer passwords should be considered highly confidential and should never be disclosed to anyone. Data that is protected by passwords would be vulnerable to damage, theft, or disclosure. In emergency situations, the Office of Information Technology can assist with access to information.

If you have a computer and an Internet connection, you can access your email from home using your same login and password you would use on your office email. Go to <http://www.uttyler.edu/it/> for more information on how to log on and access your account from off campus.

**Q:** *My friend asked me to look up some information on her daughter-in-law using the student computer system. May I do this for her?*

**A:** No. All information is strictly confidential.

**Q:** *A friend of mine owns a construction business and has asked me to tell him how much The University of Texas at Tyler has paid to a competitor over the last year. I have access to this information on the accounting system. Is it okay for me to do this?*

**A:** No. [UTS165 – Information Resources Use and Security Policy](#) states that “Section 39.02, Texas Penal Code, makes it a crime for an officer, agent, or employee of a governmental agency to misuse government property, services, personnel, or other thing of value belonging to the state with the intent to obtain a benefit or to harm another person.”

## Purchasing

No employee may expend UT Tyler funds for any purchase unless the person is authorized to make the purchase in accordance with the [UTS159 – Purchasing](#) and [Regents' Rules and Regulations, Rule 10501 Delegation to Act on Behalf of the Board](#), and the purchase is made in accordance with all UT Tyler purchasing procedures, including procedures concerning Historically Underutilized Businesses (HUB). The threshold for departmental discretionary purchases is \$14,999.99, if the proposed purchase is expected to exceed \$14,999.99 total (including all option years in the case of a multi-year contract) please contact the Purchasing Department for assistance. Departments should not break purchases into components and issue multiple orders to the same vendor ('split purchase orders') to avoid the requirement for Purchasing Department assistance or to avoid competitive procurement requirements. Purchases from or sales to an employee of supplies, materials, services, equipment, or property, except purchases made at a public auction, must have the prior approval of the President of the University of Texas at Tyler.

**Q:** *If I reimburse my department, can I take advantage of a vendor's discounted UT Tyler price to buy an item for my personal use?*

**A:** No. Discounted prices exclude tax for UT Tyler. For employees to forego sales tax would jeopardize our tax-exempt status.

**Q:** *Our department wants to purchase new furniture. Can we go to any store and purchase the furniture and seek reimbursement?*

**A:** No. UT Tyler has strict guidelines for purchasing. Purchases over a certain amount must be placed for bid and should include HUB vendors. When in doubt, contact the Financial Services Department.

**Q:** *Our department wants to purchase fitness equipment that will cost us \$16,000 total, can we issue separate Purchase Orders for each component to keep the individual purchases below \$14,999.99 or do we have to request assistance from the Purchasing Department?*

**A:** No. The Purchasing Department should be contacted and the department should not split purchase orders.

## **BUSINESS CONTRACTS**

The Office of Legal Affairs is responsible for the review and processing of all contracts, excepting sponsored research contracts (which are reviewed by the Office of Sponsored Research). All Contracts must be reviewed in accordance with [OGC Contract Review Procedures](#) and [UTS145](#). All contracts must be signed by a UT Tyler officer with delegated signature authority to execute and deliver contracts on behalf of UT Tyler. All contracts related to the purchase of goods and services must be awarded in accordance with UT Tyler Purchasing Procedures. Contracts should be first routed through the Purchasing department before final review by the Office of Legal Affairs. Questions should be directed to Mr. Mike Donley, Chief Legal Officer, at (903) 566-7284 or [mdonley@uttyler.edu](mailto:mdonley@uttyler.edu).

## **Copyright and Intellectual Property**

### **USING COPYRIGHTED MATERIAL**

For systematic copying (i.e., repeated use of the same material), check with the UT System Office of General Counsel unless you have permission from the copyright holder (typically the author or publisher) or the material is in the public domain (such as works prepared by the United States government). Copyright protection is broad and can extend to written material, images (including photographs or works of art), sound recordings, audio-visual works, and software and industrial designs. A copy of a work can be made either physically (such as at a duplication machine) or electronically (saving, modifying or forwarding material on a computer), and restrictions under copyright law apply equally to both situations. Most materials are protected, even if they do not show the familiar copyright © notice, since it is no longer required; thus, assume works are protected unless you are able to determine otherwise.

For infrequent or one-time events, copying may be permitted as a “fair use” under copyright law. The UT System General Counsel explains fair use in [“Fair Use of Copyrighted Materials.”](#) In the absence of fair use, permission must be obtained from the copyright owner to make the copies.

**Q:** *I would like to copy a chapter of a certain book for one-time use in my training class. Would this be okay?*

**A:** In accordance with the four-factor fair use test, photocopying of a chapter for one-time use would probably qualify as fair use. On the other hand, repeated use will likely require permission from the copyright owner. A good practice: if the material is properly and publicly available through a web site provide a link to the material and an acknowledgment to the web site (rather than a copy of the material). Feel free to contact the UT System Office of General Counsel if you have any questions about fair use or other copyright analysis.

## **INTELLECTUAL PROPERTY**

The Board of Regents owns the intellectual property created by University employees under a variety of circumstances – such as if the intellectual property is created by an employee within the course and scope of employment, created by an employee on UT Tyler time with the use of UT Tyler facilities or state financial support; commissioned by UT Tyler; or created pursuant to a work for hire arrangement. Other circumstances may also result in ownership of employee intellectual property. An employee should promptly disclose the creation of intellectual property (such as software or other patentable inventions) created by him or her to the appropriate department head and the Intellectual Property Section of the Office of General Counsel; such disclosures should occur well before the employee submits any information about the intellectual property for publication, or makes any public disclosure or even a private disclosure to a commercial entity. For more information, refer to [Intellectual Property](#) website, and more specifically to the [Regents' Rules and Regulations, Rule 90101 Intellectual Property](#).

## **Reporting Suspected Noncompliance and Ethics Violations**

There may be instances where you suspect that a UT Tyler employee is not in compliance with applicable laws, rules, regulations, and policies, including the ethics policy. If this is the case, you are encouraged to report the situation to the head of the affected department, the UT Tyler Compliance Officer and/or other appropriate official, or the Compliance/Ethics Hotline. UT Tyler has contracted with an outside vendor, The Network, to provide our Compliance/Ethics Hotline service. [UTS131 – Protection from Retaliation for Reporting Suspected Wrongdoing](#) prohibits unlawful retaliation against employees who, in good faith, report instances of suspected noncompliance or wrongdoing.

*Confidentiality.* Employees who utilize the Compliance/Ethics Hotline may choose to remain anonymous. If the person reporting requests anonymity, no attempt shall be made to identify them. Information provided by the caller shall be treated as confidential and privileged to the extent permitted by applicable law.

Trained professionals operate the compliance hotline 24 hours a day, 365 days a year. The UT Tyler Institutional Executive Compliance Committee has developed procedures to ensure all Ethics Hotline reports are investigated and addressed as appropriate. The toll-free phone number for UT Tyler's Compliance/Ethics Hotline is **1-877-507-7318**.

*Alternative reporting methods* can be utilized by sending a letter to a specified post office box, by filing a report via the web or in-person to a Compliance/Ethics Hotline Triage Member. For more information, please go to: <http://www.uttyler.edu/compliance/ethicsline.php>



The Compliance/Ethics Hotline report will simultaneously send an email regarding the call or email to the Compliance Officer, the Director of Human Resources, and the Title IX Coordinator hereafter referred to as the Triage Team.

## **REPORTING OF SUSPECTED COMPLIANCE VIOLATIONS – NARRATIVE**

The objective of the Hotline shall be to provide a confidential way for employees to report instances of suspected non-compliance outside the normal chain of command in a manner that preserves confidentiality and assures non-retaliation. Employees should use the hotline when they are not satisfied with their supervisors' response to an issue or if they fear retaliation by their supervisors. Under normal circumstances, however, issues should be addressed through normal administrative channels.

The Triage Team is responsible for updating and reporting within the outside reporting service, The Network, and conducting investigations when a compliance issue is reported. The individual will receive a code and a call back date from The Network. This can be used by the University to ask further questions or to give the caller a response. To the extent that the communication does not compromise the integrity of the investigation and provided that the identity of the individual is known or after the report is made, the individual will receive a code and call back date to check back for progress updates. The Triage Team or designated team member will communicate regularly with the individual who reported the suspected non-compliance to keep him or her apprised of the status of the investigation. *Non-retaliation.* Employees who make a Hotline report shall not be retaliated against. On the other hand, employees who intentionally and maliciously use compliance/ethics reports to make false allegations shall be subject to disciplinary action.

*Records retention.* A copy of all Hotline reports shall be maintained by the Compliance Officer electronically or kept in a locked file cabinet for a period of six years.

*Investigation.* The Triage Team shall discuss each Hotline report and determine the appropriate action. If it is determined that the reported incident is not compliance related, the Triage Team will refer the report to the appropriate party to address and investigate the matter. At the Triage Team's discretion, he or she may confer with the Office of Legal Affairs\*, Internal Audit, Campus Police and others, as appropriate, to determine the appropriate investigative process to pursue. If the report is considered to be a "minor" issue, a Triage Team member will forward it to the appropriate department manager for resolution. The manager will be asked to email the Triage Team with a weekly status report until the matter is resolved. If the reported event is deemed to be a "major" issue, a Triage Team member will inform the President and the Office of Legal Affairs. Appropriate actions will be taken to determine the validity of the reported event and necessary resolution. If the reported event is deemed to be "significant" in accordance with [UT System Policy 178, Required Reporting of Significant Events](#), the report will be forwarded to the designated UT Tyler employee responsible for UTS 178 reporting or, if the report involves the designated employee responsible for UTS 178 reporting, then to the appropriate UT System office. If the compliance issue involves an alleged fraud, the Triage Team shall follow UT System's fraud policy ([UTS 118 Dishonest or Fraudulent Activities](#)). The designation of an issue as minor, major, or significant is a matter of professional judgment.

*\*Role of legal counsel.* A Triage Team member shall consult with the Office of Legal Affairs when a major issue is reported via the compliance hotline. UT System's Office of General Counsel will also be contacted as needed on the advice of the Chief Legal Officer.

The investigator will complete an Investigation Report including the corrective or disciplinary action taken or to be taken and forward the report to the Triage Team, who will in turn notify the System-wide Compliance Officer of institutionally significant reports so that the System-wide Compliance Officer may bring them to the attention of the Audit, Compliance, and Management Review Committee of the Board of Regents.

*Resolution.* All Hotline issues shall be resolved as quickly as possible. If the reporter identifies himself or herself, a Triage Team member shall make follow-up contact to the reporter within five business days. The purpose of the follow-up contact is to inform the reporter that the compliance issue is being investigated and ask additional questions when needed. If the issue has been resolved, the nature and form of the resolution shall be communicated to the reporter. Confidential information obtained during the investigation shall not be disclosed to the reporter.

*NOTE:* The Hotline is not a hotline for complaints. Only matters involving compliance with a UT System or UT Tyler policy or procedure or a federal or state law or regulation shall be investigated. Reporters with complaints shall be advised to pursue normal administrative channels.

The Compliance Officer will provide a summary report of the status of all outstanding or recently completed investigations to the Institutional Executive Compliance Committee and Institutional Compliance Advisory Council (ICAC) at their regularly scheduled meetings.

The Action Plan to Enhance Institutional Compliance states that the Compliance Officer should communicate identified events of non-compliance that require corrective or disciplinary action to appropriate administrative personnel. If the Compliance Officer believes that appropriate corrective or disciplinary action has not been taken, then the Compliance Officer should report his or her concerns to the President. The President is responsible for the appropriateness of the actions taken to resolve the compliance issue.

## Institutional Executive Compliance Committee (IECC) Members

Dr. Michael Tidwell, President  
Dr. Amir Mirmiran, Provost and Vice President for Academic Affairs  
Mr. Bill O'Donnell, Vice President for Business Affairs & Institutional Compliance Officer (Chair)  
Mr. Michael Donley, Chief Legal Officer (ex-officio)  
Ms. Erika Sampson, Compliance Officer (ex-officio)  
Mr. Chris Green, Information Security Director (ex-officio)

For more information, see UT Tyler's IECC web page: <http://www.uttyler.edu/compliance/committee.php>

## Institutional Compliance Advisory Council (ICAC) Members

For the list of the ICAC members: <http://www.uttyler.edu/compliance/committee.php>

## Ethics Advisor and Institutional Compliance Officer

Mr. Bill O'Donnell – Vice President for Business Affairs, Chief Business Officer, Ethics Advisor / Institutional Compliance Officer  
Office Phone: (903) 566-7044

## Compliance Office

Ms. Erika Sampson – Compliance Officer

Campus Address: 3900 University Blvd., USC 155  
Tyler, TX 75799  
Office Phone: (903) 565-5688

Office Fax: (903) 565-5861

Website: <http://www.uttyler.edu/compliance/>

Compliance / Ethics Hot Line: 1-877-507-7318

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If you have comments or questions about this guide, please contact the UT Tyler Compliance Officer, Erika Sampson, at (903) 565-5688 or [esampson@uttyler.edu](mailto:esampson@uttyler.edu).