



UNIVERSITY OF WISCONSIN SYSTEM

Ethics Training

UW-LaCrosse

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Declaration of Policy

Under Wis. Admin. Code s. UWS 8.01, it states:

(1) Every member of the unclassified staff at the time of appointment makes a personal commitment to professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. Such a commitment is essential for the university to perform its proper function in our society and to ensure continued confidence of the people of this state in the University of Wisconsin System and its personnel. It is a violation of this commitment for unclassified staff members to seek financial gain for themselves, their immediate families or organizations with which they are associated through activities that conflict with the interests of the University of Wisconsin System.

Declaration of Policy

- (2) The Board of Regents, as a matter of policy, recognizes that:
- (a) Members of the unclassified staff have personal and economic interests in the decisions and policies of national, state and local government.
 - (b) Members of the unclassified staff retain their rights as citizens to interests of a personal or economic nature.
 - (c) The code of ethics must distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material.
- (3) In adopting the standards of conduct set forth in this chapter, it is the board's purpose to prohibit only those activities which will result in a conflict between the personal interests of an unclassified staff member and that staff member's public responsibilities to the University of Wisconsin System. It is not the board's purpose to prohibit an unclassified staff member from freely pursuing those teaching, research, professional and public service activities which will not result in such a conflict, nor to prohibit a staff member from accepting any compensation, fees, honoraria or reimbursement of expenses which may be offered in connection therewith

Where are the relevant rules?

- The Chancellor and Vice Chancellors, who are considered “state public officials,” must follow Wis. Stat. § 19.45.
- Unclassified employees (limited appointees who are not state public officials, faculty, and academic staff) must follow Wis. Admin. Code Chapter UWS 8.
- University Staff must follow Regent Policy Document 20-22 (similar to Wis. Admin. Code Chapter ER-MRS 24).

Conflicts of Interest

- Acceptance of items of value
- Use of public position
- Use of university resources
- Outside activity
- Using or disclosing confidential information
- Awarding contracts
- Partiality/ Nepotism

Acceptance of Items of Value

- Employees should not accept items of value that might lead to an express or implied understanding or perception that their conduct of university business could be influenced.
 - Do not accept: gifts from vendors or prospective vendors: birthday or holiday gifts, gift baskets, lunch or meals, entertainment, vendor-paid travel.
 - Okay to accept items of minimal value: pens, mugs, etc.
- Same rules apply to members of employees' immediate family or household

Acceptance of Items of Value

- When an employee is acting as an official representative of the institution, fees, honoraria and expenses reimbursed by non-institutional sources must be deposited into university accounts.
- Employees are allowed to keep compensations (fees, honoraria and expenses) from permitted/approved outside activities.

Use of Public Position

UWS 8.03(1)

- Employees may not use or attempt to use their public positions to gain anything of value for private benefit for:
 - Themselves
 - Their families
 - Organizations in which they have a significant financial interest

Use of University Resources

UWS 8.03(1)

- University resources such as computers, e-mail accounts, office supplies, cell phones, meeting rooms, and work time should be used only for university purposes.
- Lobbying, legislative advocacy, and other political activities must never be done on state time or with state resources.

Outside Activities (UWS 8.025)

- Unclassified employees must:
 - Report, in writing, involvement in outside activities every April 30
 - Discuss with their dean, director, or the chancellor any activities that may present carryover questions of conflict with job responsibilities during their contract period.

Outside Activities

- Employees should follow standards on absence from university duties in relation to outside activities:
 - Seek approval from their dean or director.
 - Report activities that may result in a conflict of interest.
 - Ensure that activities do not interfere with job performance.

Confidentiality

UWS 8.03(1)(c)

- Many UW records are covered by laws or policies requiring confidentiality.
 - Student records: Family Educational Rights and Privacy Act (FERPA)
 - Medical Privacy: Health Insurance Portability and Accountability Act (HIPAA)
 - Other state laws [social security numbers, medical and mental health records]

Employees may not use or disclose university records or information outside of the exercise of their job duties.

Awarding Contracts

UWS 8.03(2)

- Only certain designated individuals have the authority to legally bind the institution in contracts.
- A university employee may NOT negotiate or enter into, on behalf of the university, a contract in which the employee has a personal interest.

Partiality

UWS 8.03(3)

- *Nepotism:*
 - Employees may not formally or informally participate in the decision to hire or promote a member of their immediate family.
- *Personal relationships:*
 - Employees should disclose personal relationships, if needed, so that actions can be taken to minimize or remove any potential conflict of interest.

Resources

- What if I have questions or think someone is violating the ethics rules?

Introduction: Public Officials

- Public officials have significant authority to make decisions that affect the citizens of the state
- Need to be objective, not subject to outside influences
- Grey area in the law – focus on staying far away from the line
- Ethics laws often are not intuitive

Ethics Code – Wisconsin Statutes, Chapter 19

- Applies to state public officials
- For UW Campuses, the Chancellor and Vice Chancellors
- Generally prohibits using your position to gain a benefit to yourself, immediate family, or an organization with which you are associated
- Ask: is this being offered to me because of my position? If so, does my acceptance benefit me or the state of WI?

General Rules

- Do not use your office for private gain.
- Do not solicit or accept **ANYTHING** if it could reasonably be expected to influence judgment.
- Do not use confidential information for private gain.
- DO NOT keep gifts unless an exception applies.

Gifts

- State public officials may not accept and keep gifts that have been given to them because of their position. (§19.45(2))
- A state public official who is offered a gift must either refuse to accept the gift or return the gift, turn over the gift to the official's agency or another agency, donate the gift to an outside organization, pay full retail value for the gift or make the gift available for consumption generally.
- Gifts may be utilized in the office if the item is something that the state would otherwise provide. For example, a framed print could be used in the office if the state would otherwise purchase art work or other wall decorations for the office.

Meetings, Conferences, and Seminars: accepting meals

- The state, as your employer, will pay certain travel expenses when you travel for work as long as it meets certain guidelines. If a third party offers to pay these expenses in place of the state, you can accept them.
- **You can accept a meal from a third party as long as:**
 - You have **approval** from your supervisor to attend the event as part of your job duties (this approval could be in the form of an email)

Meetings, Conferences, and Seminars: accepting transportation and lodging

- The same rule applies for lodging and transportation. If you are attending because of your job duties and the state would otherwise pay, you may accept payment of these expenses from a third party. To determine whether the state would pay an expense, check the state reimbursement guidelines: <https://uw.foxworldtravel.com/policies-and-procedures/>

Tickets to Events, Access to Skyboxes

- You may accept a ticket from an individual with whom you have a longstanding personal relationship as long as it would not appear to influence you in any way at your job. This would be reported on your Statement of Economic Interests if valued at \$50 or more.
- You may also purchase tickets from other individuals as long as you pay the same amount as a member of the general public would pay for the ticket. This means fair market value, not face value. A good way to find out fair market value is to research prices for comparable tickets on sites like StubHub or Craigslist.



Conflict of Interest and Nepotism

- A state public official should not have any involvement in an official matter in which he or she has a personal interest. For example, a UW public official who is married to a member of the board of Chase Bank should not be involved in campus decisions that directly affect Chase Bank. An exception may apply if the decision is of a general nature that will affect Chase Bank in the same way as any other bank in the state. [§ 19.46(1)]
- A state public official may not use his or her office to bring about the employment by the state of the official's spouse or a dependent relative (e.g. children)