

WILLISTON STATE COLLEGE

POLICY AND PROCEDURES

CODE OF CONDUCT

1. Introduction and Application.

This Code of Conduct is adopted in accordance with SBHE Policy 308.1. Williston State College (WSC) is committed to uphold the highest ethical and professional standards. All WSC employees must, at all times, comply with all applicable laws and regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, and bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law. Employees who have information concerning a possible violation of this Code or are uncertain about application or interpretation of any legal requirement should report the matter to their supervisor or, if the matter involves a supervisor, to the vice president of the division, president or NDUS legal counsel, or by contacting the Eide Bailly fraud hotline by telephone at 1-866-912-5378 or online at www.eidebailly.com/hotline. Employees to whom such reports are made should consult legal counsel as necessary or appropriate.

2. General Employee Conduct.

WSC supports an environment that is free of discrimination or harassment. Employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, unlawful gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of WSC, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or applicable system office or institution policies, is cause for dismissal or other discipline. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law, SBHE Policy 603.1 or applicable system office or policy, is cause for dismissal or other discipline.

3. Conflicts of Interest.

Employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of WSC. Employees must comply with applicable federal and state laws, including policies in Section 611 of the SBHE Policy Manual,

relating to employee responsibilities and activities at

<https://www.ndus.edu/makers/procedures/sbhe/default.asp?SID=7&printable=1>.

Employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. They should avoid investing in or acquiring a financial interest for their own account in any entity that has a contractual relationship with the WSC or NDUS institution or provides goods or services to WSC or any NDUS institution, if such investment or interest could influence or reasonably create the impression of influencing their decisions in the performance of duties.

Employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy is encouraged to communicate with a supervisor or NDUS legal counsel.

4. Outside Activities and Employment.

Employees share responsibility for good public relations, especially at the community level. Their readiness to help with charitable, educational, and civic activities brings credit to WSC and is encouraged. However, employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual, relating to employee responsibilities and activities, and related system office policies. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving WSC of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction, that interferes with the independent exercise of judgment in the best interest of WSC.

5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

Excluding only *de minimus* contributions, such as purchase of a meal at reasonable value as part of a conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, employees may not accept entertainment, gifts, or personal favors that could influence, or appear to influence, decisions in favor of any person or organization with whom or with which WSC or any NDUS institution has, or is likely to have, business dealings. Similarly, employees may not accept any other preferential treatment under circumstances that because of their position with WSC, the preferential treatment may influence or be perceived as influencing their official conduct. Employees may not receive payment or compensation of any kind from any source for WSC duties and responsibilities, except as authorized under WSC pay policies. Specifically, the acceptance of “kickbacks” or commissions in any form from vendors, suppliers or others is prohibited and any violation of this prohibition shall be cause for dismissal and result in referral for prosecution under the law.

6. WSC Funds and Other Assets.

Employees who have access to WSC funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable WSC procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior, to legal counsel or anonymously by contacting the Eide Bailly fraud hotline by telephone at 1-866-912-5378 or online at www.eidebailly.com/hotline.

Employees responsible for spending or approving expenditure of WSC funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of WSC to ensure that good value is received for every expenditure. WSC funds and all other assets are for WSC purposes only and not for personal use or benefit. WSC or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or policy.

7. WSC Records and Communications.

Accurate and reliable records of many kinds are necessary to meet WSC legal and financial obligations and to manage the affairs of WSC. WSC books and records must reflect in an accurate and timely manner all business transactions. The employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements.

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and statements, or false advertising, deceptive marketing practices, or other misleading representations.

8. Dealing with Outside People and Organizations.

Employees must take care to separate their personal roles from their WSC positions when communicating on matters not involving WSC business. They may not use WSC identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve WSC business, employees may not represent that they speak for WSC, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside WSC, including public officials, employees must take care not to compromise the integrity or damage the reputation of the WSC or any NDUS institution.

9. Prompt communications.

In all matters involving communication with WSC students, customers, suppliers, government authorities, the public and others, and employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

10. Privacy, Confidentiality and Open Records.

Employees must at all times comply with applicable laws, regulations and SBHE policies concerning privacy, confidential records, access to open records and records retention, including, but not limited to, SBHE Policy 1912, at <https://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=128&SID=11>.

11. Reporting Suspected Violations; Procedures for Investigating Reports.

Employees shall report suspected violations of this Code to their supervisor, president or NDUS legal counsel, or anonymously by contacting the Eide Bailly fraud hotline by telephone at 1-866-912-5378 or online at www.eidebailly.com/hotline. Any employee who makes a report in good faith shall be protected against retaliation of any kind; any employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline. Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

Alleged violations of this Code shall be investigated by the vice president for business services, the president and/or NDUS legal counsel, or other officer designated by the president. Employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.

12. Employee Review and Certification.

Review of this Code of Conduct shall be a part of each new employee's orientation or training and each new employee shall sign a statement certifying the employee has read and agrees to comply with the Code. Further, each benefitted employee annually shall certify in writing that the employee has read and is in compliance with the Code.

**BEFORE SIGNING THE ACKNOWLEDGEMENT, BE SURE YOU HAVE READ
THE CODE OF CONDUCT POLICY.**

ACKNOWLEDGEMENT

I, _____, an employee of Williston State College, hereby certify that I have received a copy of the North Dakota State Board of Higher Education's Code of Conduct policy, I have read its contents, and I am in compliance with the Code of Conduct.

Employee's Signature

Date