

## 308.1.1 - Code of Conduct

### **Purpose:**

The purpose of this policy is to establish Bismarck State College's policy to address Code of Conduct. It is adopted in accordance with State Board of Higher Education (SBHE) Policy 308.1 and provides additional guidance for professional conduct. The success and reputation of the college depends on BSC's commitment to the highest ethical and professional standards.

The Code of Conduct includes principles, policies/procedures and applicable Federal and State laws that govern the activities of the college. All individuals employed by BSC (faculty and staff), acting on behalf of BSC (volunteers or other representatives), using BSC resources or facilities, or receiving funds administered by BSC. Student conduct is covered under the [BSC Student Code of Conduct](#).

### **Policy:**

### **Standards of Conduct:**

The college holds the BSC community accountable to the following standards of conduct:

#### **Protect and Preserve College Resources**

Individuals who have access to college funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting resources. Individuals responsible for procuring goods or services on behalf of the college should use good judgment to ensure that good value is received for all expenditures. College resources are not to be used for personal benefit except as authorized under SBHE Policy 611.5. Individuals who use college computing and networking resources assume the responsibility to use the resources in an appropriate manner and in accordance with the [Use of Computer and Network Facilities Policy](#).

#### **Promote a Culture of Compliance**

Members of the BSC community must comply with all SBHE, NDUS and BSC policies and procedures, third-party contracts and agreements, and all federal and state laws and regulations that govern the college. Individuals must keep current with and inform others about changes in laws, regulations and policies that are related to their area of responsibility. All individuals are expected to act in good faith and to adhere to the terms of contracts, grants and other obligations undertaken by the college.

When uncertain about the appropriateness of an activity, individuals should consult their supervisor, human resources, or Executive Council. Unresolved questions and/or interpretation of laws and regulations will be referred to NDUS legal counsel by human resources or Executive Council.

All employees are responsible for reporting suspected theft, fraud, or unlawful or improper use of public funds or property in accordance with the [Theft, Fraud, Abuse and Waste Reporting Policy](#).

### **Avoid Conflicts of Interest and Commitment**

All employees and individuals representing the college should strive to avoid all perceived or actual conflicts of interest that might compromise their integrity and objectivity. Conflicts, including those of a financial, personal, or professional nature, should be eliminated or managed in an appropriate manner.

At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving the college 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 college's best interest.

Individuals with other professional or financial interests must disclose them in accordance with the [Conflict of Interest Policy](#).

To avoid undue influence in decision making, employees should not accept gifts, services or other payments (in cash or goods) greater than \$50 from any student or person/organization with whom or with which the college 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 the college, the preferential treatment may influence or be perceived as influencing their official conduct. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited by law.

### **Manage Private and Confidential Information**

Members of the BSC community may be privy to private or confidential information relating to students, job applicants, employees, finances, intellectual property, etc. It is imperative that each community member learn and follow all federal and state laws, third-party agreements, and college policies and procedures regarding access, use, protection, retention, disclosure, and disposal of such information.

All employees are expected to understand and comply with the Family Educational Rights and Privacy Act (FERPA) with respect to student information.

Questions regarding the appropriate release of private or confidential information should be directed to the Chief Human Resources Officer, the Director of Academic Records or Executive Council.

### **Promote a Safe and Secure Workplace**

The safety and well-being of the campus community is a primary concern of the college. All college community members share the responsibility to ensure a safe, secure, and healthy environment for all employees, students, volunteers, and visitors. College community members should follow safe workplace practices including the use of appropriate personal safety equipment, handling of hazardous materials, attending educational sessions, and reporting accidents, injuries and unsafe situations.

All employees are expected to learn and follow college workplace policies and procedures, including: Security/Workplace Violence Policy (contained in Emergency Procedure Guide), [603.1 - Harassment, Discrimination and Retaliation Policy, Drug-Free Workplace Policy, and 520.0 - Sexual Harassment and Title IX Compliance Policy.](#)

### **Record Accurate and Complete Information**

Accurate and reliable records of many kinds are necessary to meet BSC legal and financial obligations and to manage the affairs of the college. BSC books and records must reflect in an accurate and timely manner all transactions. All employees are responsible for accurately and completely recording and reporting data, including expense reimbursements, time sheets, departmental accounts, student grades, financial reports, tax returns, and other documents.

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.

### **Reporting Violations:**

Individuals who are aware of known or suspected violations of this Code of Conduct, of laws and regulations, or of policies and procedures, should report violations to a supervisor, the Chief Human Resources Officer, the Chief Financial Officer, any member of the Executive Council, or via the Fraud Hotline. Failure to report known or suspected violations is a violation of this policy and may lead to disciplinary action up to and including termination.

Alleged violations of this Code shall be investigated by the Chief Human Resources Officer and Chief Financial Officer or designees. All employees shall cooperate in investigations of alleged violations. A violation of this Code may lead to disciplinary action up to and including termination, in addition to any criminal or other civil sanctions that apply.

### **References:**

[SBHE Policy 308.1 Officer and Employee Code of Conduct](#)

[SBHE Policy 308.2 Required Reports of Violations; Reprisal or Retaliation Prohibited](#)

[SBHE Policy 611.5 Employee Responsibility and Activities: Outside Employment or Consulting Practices; Use of Institutional Property](#)

[BSC Policy 308.1.2 – Code of Ethical Conduct](#)

### **History of This Policy:**

First policy: First policy drafted on April 22, 2010, reviewed by the Operations Council on May 26, 2010 and approved by the Executive Council on June 9, 2010.

Revisions - December 13, 2010; March 26, 2012; August 14, 2015; November 28, 2018; September 24, 2019.

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Reviewed by Campus Council on October 11, 2023, and reviewed by the Executive Council on October 18, 2023, and approved by the President on October 31, 2023.