

Memo to: All UH-Downtown/PS Holders
From: Max Castillo, President
Subject: Standards of Conduct Policy

UH-Downtown PS 01.A.12
Issue No. 3
Effective date: 02/01/2004
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1. PURPOSE

This Policy Statement specifies the standards of conduct to which University of Houston - Downtown (UHD) employees shall adhere to in order to avoid conflicts of interest, in accordance with Chapter 572, Texas Government Code. In summary, no state employee may have a direct or indirect interest, including financial and other interests, or engage in business transactions or professional activities, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee's duties in the public interest. Further, new federal and state laws and regulations, together with growing scrutiny of the complex relationships between public institutions and outside public and private organizations and individuals, necessitate the clarification of standards of accountability for public employees. Requirements for ethical behavior are especially important to university employees because they are accountable to taxpayers for the use of public funds and have the responsibility to lead and educate students by example.

2. DEFINITIONS

2.1 Benefit: Anything an independent third party observer might reasonably regard to provide a monetary gain or advantage. When the appropriateness of a benefit is in question, it should not be accepted.

2.2 Conflicts of interest: are defined as the use of one's University employment to obtain unauthorized privileges, benefits or things of value for oneself or others.

2.3 Conflict of commitment: A situation in which an employee's outside activities interfere with the employee's primary commitment of time and intellectual energies to the University, or in which a full-time employee's primary professional loyalty is not to the University of Houston-Downtown.

2.4 Honoraria: A payment for speech, lecture, or services on which, by custom or agreement, a specific price may not be set.

3. POLICY/PROCEDURES

3.1 No employee shall accept or solicit any gift, favor, privilege, benefit, service, exemption, or thing of value that might reasonably tend to influence him/her in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct.

3.2 A university employee commits the criminal offense of bribery if the employee solicits, offers, or accepts any benefit in exchange for a decision, opinion, recommendation, vote, or other exercise of discretion by the employee.

3.3 No employee shall accept other employment or engage in a business or professional activity, which foreseeably might require or induce him/her to disclose confidential information acquired by reason of this University position.

3.4 No employee shall accept other employment or compensation which might impair his/her independence of judgment in the performance of his/her University duties.

3.5 No employee shall make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interests and the public interest.

3.6 By law, an employee may not solicit, agree to accept, or accept an honorarium in consideration for services the employee would not have been asked to provide but for his or her official position. This prohibition includes a payment made to a third party if made in exchange of the employee's services. These restrictions do not apply to food, transportation, and lodging in connection with the service provided.

3.7 No employee shall intentionally or knowingly solicit, accept or agree to accept any benefit for having exercised his/her official powers or his/her official duties in favor of another.

3.8 Board of Regents Policy, 21.08 requires university faculty and staff to disclose on a timely basis the creation or discovery of all potentially patentable inventions created or discovered in the course of their university activities or with use of university resources. Ownership of these inventions must be assigned to the university regardless of source of funding.

3.9 Failure of any employee to comply with the foregoing standards of conduct shall constitute grounds for discharge or other disciplinary action.

4. COMPLIANCE

4.1 The University of Houston - Downtown will distribute annually Policy Statement 01.A.12, Standards of Conduct, to all employees. An annual certification by regular faculty, exempt staff, and other key staff involved in procurement or funded research activities is required to include the following:

- Receipt of this Policy Statement and compliance with its provisions,
- Disclosure of any external consulting, employment, and professional activities,
- Including service on governing boards and ownership in outside enterprises,
- Providing the names of the external employers/organizations involved,
- Disclosure of any actual or potential conflicts of interest related to external employment, acceptance of benefits, or external investments, and
- Any additional information that may be required by federal funding agencies.

A timely review and approval or disapproval of written disclosures of pending relationships by university employees entering into any consulting, investment, professional, or other arrangements that may potentially involve a conflict of interest or commitment must be done

prior to beginning any such activities. Approval must be secured in writing from the Vice-President for Administration and Finance. All approved activities must be reported annually by the Vice President of Administration and Finance to the University of Houston System Chancellor.

4.2 In addition to university-wide certifications, the President is required to submit an annual financial statement with the Texas Ethics Commission using the forms provided by the Commission. Vice Presidents, those at the director level or higher positions over procurement and contracting functions, and those employees considered by the University of Houston - Downtown to have high-level procurement responsibilities shall file with the Vice President for Administration and Finance a report disclosing the following information:

- The amount of any compensation received for services related to these associations and
- Known information regarding whether any of the organizations cited have any relationship to the University of Houston System and a description of the relationship.

4.3 Information received during the annual certification shall be compiled and submitted to the Chancellor through the Office of the Vice Chancellor for Administration and Finance prior to the Chancellor's annual report to the Board of Regents.

5. REVIEW AND RESPONSIBILITIES

Responsible Party (Reviewer): Assistant Vice President for Human Resources and Affirmative Action

Review: Bi-annually



President

Policy History

Issue #1: 05/16/1994

Issue #2: 03/15/1999

Issue #3: 02/01/2004