

COLLEGE of CHARLESTON

Policy Ethics

Revised 01/09

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE COLLEGE OF CHARLESTON. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS FOR THE EMPLOYEE. THE COLLEGE RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTANT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Definitions

"Employee" means a person employed by the College of Charleston.

"Family Member" means an individual who is the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, and grandchild.

"Gift" means anything of value, including entertainment, food, beverage, travel, and lodging given or paid to an employee where consideration of equal or greater value is not received. A gift includes a rebate or discount on the price of anything of value unless it is made in the ordinary course of business without regard to the employee's affiliation with the College.

"The College" refers to the College of Charleston.

Compliance with Law

All college employees are expected to conduct themselves and to perform their duties in a manner which is consistent with all federal and state laws and regulations as well as College of Charleston rules and regulations, including any applicable provisions of the State Ethics, Government Accountability, and Campaign Reform Act ("the Act") and its regulations and interpretive opinions. Should a conflict arise between a College Policy and a federal or state law, including the Act, the provisions of the law will take precedence.

Conflicts of Interest

The College expects its employees to consistently render loyal and efficient service. Accordingly, college employees may not:

- Accept any work or compensation that could be reasonably construed as in conflict with the interest of the College. Acceptance of such work or compensation may be grounds for disciplinary action or termination.
- Engage directly or indirectly in any business transaction or private arrangement for the profit of the employee or the employee's family member which accrues from, or is based upon, the employee's position of authority with the College.

- Participate in the negotiation or decision to award any contract or settle any claim or charges in any contract with or for any entity in which the employee or the employee's family member has a financial or personal interest; or
- Use college equipment, supplies, or property for private gain, or for anything other than college-related and authorized purposes.

All college employees are expected to adhere to and follow the rules of conduct as outlined in the Ethics Reform Act (SC Regulation # 19-701.06) and the state ethics, government accountability, and campaign reform act, codified in sections 8-13-100 through 8-15-1520 of the 1976 South Carolina Code of Laws, as amended. Copies of the act are available in the Office of Human Resources, the Office of Legal Counsel, or from the State Ethics Commission. Anyone who is found guilty of violating these rules, in addition to being discharged from the College, is also subject to prosecution by the State Ethics Commission and the South Carolina Attorney General's office.

A college employee may not knowingly use his official office, membership, or employment to develop, participate in developing or attempt to use his office, membership, or employment to influence a government decision to obtain an economic interest of \$50 or more, if himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.

A vendor or individual may not directly or indirectly give, offer, or promise any item of value to college employees with the intent to influence the public official's, public member's, or public employee's official responsibilities; College employees may neither demand, solicit, nor accept anything of value for himself or for another person.

College employees may not disclose confidential information gained as a result of their responsibility as an employee, which would affect an economic interest held by them, a member of their immediate family, an individual with whom they are associated, or a business with which they are associated.

Subsequent Employment

Former employees may not for a period of one year after terminating their employment (1) serve as a lobbyist or represent clients before the college in a matter which they directly and substantially participated during their employment; or (2) accept employment if the employment is from a person who does business with the college and involves a matter in which the former employees directly and substantially participated during their employment.

Gifts and Payments

The College prohibits giving or accepting gifts to influence decisions or to take advantage of a relationship with an affiliate of the College. Therefore, college employees may not:

- Accept any gift or compensation from any group or organization with which the College has/had a contract for goods or services; or
- Accept an honorarium or other gift for services rendered on state time, at state expense, or in their capacity as an employee of the College. However, offers of modest amounts which have historically been offered in appreciation of the College employee's help or services, such as honorariums, may be received by the College.

Goods and Services

Providers of goods and services to the College will be selected in accordance with the State procurement code.

Infractions

Despite any penalty that may be provided for by law, the College may take disciplinary action, up to and including termination of employment, when an employee violates this policy and/or federal or state laws, including the Act.