

MINOT STATE UNIVERSITY POLICY AND PROCEDURES

CODE OF CONDUCT

1. Introduction and Application.

This Code of Conduct is adopted in accordance with SBHE Policy 308.1 and applies to all Minot State University employees. Minot State University is committed to uphold the highest ethical and professional standards. All MSU employees must, at all times, comply with all applicable laws and regulations. Activities that achieve results unlawfully 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 their vice president, president, or NDUS legal counsel. Employees to whom such reports are made should consult legal counsel as necessary or appropriate.

2. General Employee Conduct.

Minot State University supports an environment that is free of illegal discrimination or harassment. All 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 a controlled substance, disruptive behavior, unlawful gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of Minot State University, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or controlled substances, including the Drug Free Workplace Act, SBHE Policy 615 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.

All officers and employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of Minot State University. Employees must comply with applicable federal and state laws, including policies in Section 611 of the SBHE Policy Manual. Employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All 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.

All 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 the NDUS and is encouraged. However, officers and employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and related system office policies. At all times, employees must avoid outside activities and employment that create an excessive demand upon their time and attention, thus depriving Minot State University of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, or distraction, that interferes with the independent exercise of judgment in the best interest of Minot State University.

5. Relationships With Clients and Suppliers; Conflicts of Interest.

Employees must comply with applicable federal and state laws and SBHE Policy 611.4 and are responsible for being familiar with applicable laws and policies governing conflicts of interest. They should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the NDUS or Minot State University, or that provides goods or services to Minot State University, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties. This does not preclude owning shares of publicly traded securities. Regardless of the circumstances, if employees sense that a course of action they have pursued, are presently pursuing, or are contemplating pursuing may involve them in a conflict of interest with MSU; they should immediately communicate all the facts to their supervisor.

6. 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, officers and 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 the NDUS or Minot State University 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 Minot State University, 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 Minot State University duties and responsibilities, except as authorized under NDUS or Minot State University 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.

7. Funds and Other Assets.

Minot State University shall adopt and enforce strict standards to prevent fraud and dishonesty. Employees who have access to Minot State University 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 Minot State University procedure manuals or other explanatory

materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or to legal counsel.

Employees responsible for spending or approving expenditure of Minot State University funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of Minot State University to ensure that good value is received for every expenditure. Minot State University funds and all other assets are for Minot State University purposes only and not for personal use or benefit. Minot State University 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.

8. Records and Communications.

Accurate and reliable records of many kinds are necessary to meet Minot State University's legal and financial obligations and to manage the affairs of Minot State University. Minot State University 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.

9. Dealing with Outside People and Organizations.

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

10. Prompt communications.

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

11. 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.

12. Reporting Suspected Violations; Procedures for Investigating Reports.

Employees shall report suspected violations of this Code to their supervisor, vice president, president or NDUS legal counsel. In addition, a fraud hotline and website is available to report anonymously suspected violations. Any employee who makes a report in good faith shall be protected against retaliation of any kind; any officer or 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 appropriate vice president, vice chancellor for administrative affairs and/or NDUS legal counsel. All 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.

13. Acknowledgement

The NDUS office and each institution shall require that each new employee review the Code of Conduct and sign a statement certifying that the employee has read and agrees to comply with the Code. Further, all benefited employees are required to annually certify that they have read and are in compliance with the Code of Conduct.