

Administrative Council

October 16, 2017

Meeting No. 18-01

The Administrative Council met Monday, April 16, 2018, at 3:30 p.m. in the J. S. Bridwell Foundation Board Room in the Hardin Administration Building. Present were Dr. James Johnston, Chair; Dr. Marilyn Fowlé, Dr. Keith Lamb, Mr. Barry Macha, Mr. Matthew Park, Mr. Kyle Mr. Newman Wong, Ms. Debbie Barrow, Ms. Dawn Fisher, Ms. Julie Gaynor, Ms. Leigh Kidwell, Dr. David Sanchez, and Ms. Cindy Ashlock.

Policy 3.314, Ethics Policy for Employees of Midwestern State University

Mr. Macha presented revisions to the policy as required by SB20. The Council recommended placing the policy in the February Board Book for approval. **Attachment A**

Proposed Change to Traffic Appeals Committee

Mr. Park proposed combining the Student Appeals Committee and the Faculty/Staff Appeals Committee into one creating the Traffic Appeals Committee. The structure of the committee would be a combination of the two committees with faculty, staff, and student to serve for each peer set. **Attachment B**

There being no further business, the meeting was adjourned at 3:48 p.m.


Suzanne Shipley, Chair


Cindy Ashlock, Secretary

Midwestern State University

Policies and
Procedures Manual

Jump to...

Please select...

MSU Policy Search

3.314 Human Resources**ETHICS POLICY FOR EMPLOYEES OF MIDWESTERN STATE UNIVERSITY****Date Adopted/Most Recent Revision: 05/15/15****A. Introduction**

It is of the highest importance that the people of the State of Texas have complete confidence in the integrity of their public servants. This need is especially critical in the area of state-supported higher education. The responsibility for educating and training the future leaders of the state and nation carries with it the duty to adhere to the highest ethical standards and principles. It is for this reason that this statement of ethical principles and standards and its accompanying guidelines are promulgated by the Board of Regents of Midwestern State University (MSU). These principles, standards, and guidelines shall apply as appropriate to all persons employed by MSU regardless of rank or position. In the event of a conflict between the terms of this policy and any existing policy, this policy will take precedence. If a topic has also been addressed in other policy statements or manuals of MSU, the procedures and statements contained therein are hereby reaffirmed and made a part hereof for all purposes. For more information, see MSU Policy 3.325: Conflict of Interest, Conflict of Commitment, and Outside Employment and Activities.

B. General Principles and Standards of Ethical Conduct

Each officer and employee of MSU is expected to obey all federal, state, and local laws and is subject to disciplinary action for a violation of those laws.

Principles of Ethical Conduct:

1. MSU employees shall not hold financial interests that are in conflict with the performance of their official duties and responsibilities.
2. MSU employees shall not engage in any financial transaction in order to further any private interest using non-public information which they obtain in the course of their employment.
3. MSU employees shall put forth honest effort in the performance of their duties.
4. MSU employees shall make no unauthorized commitments or promises of any kind purporting to bind MSU.
5. MSU employees shall not use their public offices for private gain. Consultation by employees for remuneration is not prohibited as long as state resources are not utilized.
6. MSU employees shall act impartially and not give preferential treatment to any private or public organization or individual with the expectation of personal gain.

7. MSU employees shall protect and conserve public property and shall not use it for other than authorized activities.
8. MSU employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official duties and responsibilities.
9. MSU employees shall promptly disclose waste, fraud, abuse, and corruption to appropriate authorities.
10. MSU employees shall adhere to the laws, regulations, and policies that provide equal opportunity for all persons regardless of race, color, religion, sex, national origin, age, or disability.
11. MSU employees shall endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of MSU.
12. MSU employees shall not utilize university computers in a manner that is contrary to the mission of the university.

Standards of Ethical Conduct:

1. **An MSU employee should not accept any gift, favor, or service that might reasonably tend to influence the employee 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.**
2. **An MSU employee should not accept other employment or engage in a business or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of the official position.**
3. **An MSU employee should not accept other employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's official duties.**
4. **An MSU employee should not make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.**
5. **An MSU employee should not intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the employee's official duties in favor of another.**

[NOTE: Replaces MSU Policy 3.346 (Standards of Conduct for State Employees); see Texas Government Code §572.051(a)]

C. Conflicts of Interest

A conflict of interest is a significant outside interest of a MSU employee or one of the employee's immediate family members that could directly or significantly affect the employee's performance of their University responsibilities. The proper discharge of an employee's university responsibilities could be directly or significantly affected if the employment, service, activity or interest: (a) might tend to influence the way the employee performs his or her University responsibilities, or the employee knows or should know the interest is or has been offered with the intent to influence the employee's conduct or decisions; (b) could reasonably be expected to impair the employee's judgment in performing his or her University responsibilities; or (c) might require or induce the employee to disclose confidential or proprietary information acquired through the performance of University responsibilities.

Conflicts of interest are prohibited. University employees may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in

substantial conflict with the proper discharge of the employee's duties for the University. MSU employees must comply with applicable disclosure, approval, and management plan requirements in MSU Policy 3.325: Conflict of Interest, Conflict of Commitment, and Employment and Outside Activities.

1. Ethics Commission Financial Disclosure Statements

The President of the academic institution is required to file a financial statement with the Texas Ethics Commission annually. Forms prescribed by the commission shall be utilized.

2. Disclosure of Interest for Non-CEO's

All MSU employees who are authorized to execute contracts on behalf of MSU, who exercise discretion with regard to the management of MSU, or who exercise discretion with regard to the investment or management of MSU funds shall file annually with the President a report disclosing the following information regarding themselves, their spouses, and their dependent children (if the reporting individual had actual control over that activity at any time during the preceding calendar year.):

- a. The names and addresses of all corporations and not-for-profits, for which the person serves as a member of the governing board in the capacity of a director, advisory director, trustee, or others.
- b. The names and addresses of all corporations for which the person serves as an executive officer.
- c. The name and address of any partnership, limited partnership, proprietorship, or other business association of which the person is a partner, joint venture, or owner.
- d. The amount of any compensation received for services related to a., b., and c. above, including any benefits, direct or indirect. From any partnership, limited partnership, proprietorship, or other business association of which the person is a partner, joint venture, or owner.
- e. All business entities in which the person holds a controlling interest or is the principal shareholder.
- f. All business entities in which the person owns a ten percent (10%) or greater interest, whether voting or nonvoting, in shares, stock, or otherwise, or receives ten percent (10%) or more of the profits, proceeds or capital gains.
- g. Whether the person is employed by any business entity (including self-employment), and the name and address of the employing entity.
- h. Whether any of the business entities described in a. through g. above, have any relationship to MSU, and a brief description of such relationship, if known.

~~3. Outside Employment and Service of President and Vice Presidents~~

~~Any outside employment of the President, the Provost and Vice President for Academic Affairs, or Vice Presidents, including service on the Board of Directors of a corporation shall be approved in advance by the Chairperson of the Board of Regents, or the Chairman's designee. [NOTE: The above language is inserted in subsection C6 below.]~~

3. Disclosure of Interest in Property to be Acquired

As an state officers of the government, members of the Board of Regents and the President are required by Tex. Gov't Code §553.002 to disclose any legal or equitable interest in property that is to be acquired with public funds. Such disclosure shall be made by filing an affidavit containing specific information as required by statute. The affidavit must be filed with the county clerk of the county in which the individual resides and the county clerk of each county in which the property is located. Such filing must be completed within ten (10) days before the date on which the property is to be acquired by purchase or condemnation. "Public funds" includes only funds collected by or through a government.

4. Disclosure of Potential Conflicts of Interest; Certain Contracts Prohibited

- a. An MSU employee or official who is involved in procurement or in contract management shall disclose to his/her immediate supervisor any potential conflict of interest specified by state law or MSU policy that is known by the employee or official with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor by MSU.
- b. MSU may not enter into a contract for the purchase of goods or services with a private vendor with whom any of the following MSU employees or officials have a financial interest:
 - (1) a member of MSU's Board of Regents;
 - (2) the president, general counsel, chief procurement officer, or procurement director of MSU; or
 - (3) a family member related to an employee or official described by subdivision (1) or (2) within the second degree by affinity or consanguinity.
- c. An MSU employee or official has a financial interest in a person if the employee or official:
 - (1) owns or controls, directly or indirectly, an ownership interest of at least one percent in the person, including the right to share in profits, proceeds, or capital gains; or
 - (2) could reasonably foresee that a contract with the person could result in a financial benefit to the employee or official.
- d. A financial interest prohibited by this section does not include a retirement plan, a blind trust, insurance coverage, or an ownership interest of less than one percent in a corporation.

[See Texas Government Code §2261.252]

5. Prohibition Against University Employee Acting as Agent for Another Person in Negotiation of Agreement to Provide Money, Services, or Property to the University

University employees may not act as an agent for another person in the negotiation of the terms of an agreement relating to the provision of money services, or property to the University.

[See Texas Education Code §51.9337(c)(6)]

6. Conflicts of Commitment and Outside Employment and Activities

A conflict of commitment involves a situation in which the time or effort that an MSU employee devotes to an outside employment or activity directly or significantly interferes with the employee's fulfillment of their University responsibilities or when the employee uses state property without authority in connection with the employee's outside employment, board service, or other activity.

Conflicts of commitment are prohibited. The primary responsibility of MSU employees is to accomplish the duties and responsibilities assigned to their respective positions. Activities on behalf of outside entities or individuals must not interfere with an employee's fulfillment of his or her duties and responsibilities to the University. Such conflicts of commitment may arise regardless of the location of these activities (on or off campus), the type of outside entity (individual, for-profit, not-for-profit, or government), or the level of compensation (compensated or non-compensated).

- a. Any outside employment of the President, the Provost and Vice President for Academic Affairs, or Vice Presidents, including service on the Board of Directors of a corporation

shall be approved in advance by the Chairperson of the Board of Regents, or the Chair~~maperson's~~ designee.

- b. **MSU employees must comply with applicable disclosure, approval, and management plan requirements in MSU Policy 3.325: Conflict of Interest, Conflict of Commitment, and Employment and Outside Activities.**

D. Travel

Detailed MSU policies regarding travel regulations may be found in sections 2-15 through 2-18 of the *MSU Handbook of Fiscal Regulations and Procedures*, or by contacting the MSU Business Office.

1. Transportation, Meals, and Lodging

- a. ~~The President is entitled to receive the following when traveling to conduct official business:~~

- ~~(1.) Reimbursement for actual amounts expended for meals and lodging, excluding unallowable items as defined by law, with actual receipts provided.~~
- ~~(2.) Reimbursement for transportation and incidental expenses at rates specified for state employees.~~

- ba. **Other** MSU employees are entitled to receive the following when traveling to conduct official state business:

- (1.) Actual cost of lodging and meals for in-state travel, except that the reimbursements may not exceed the current maximum established by law, in order to receive such reimbursement, the employee must be on duty away from headquarters, and stay overnight. Actual receipts for lodging must be provided.
- (2.) For out-of-state travel, employees may receive actual costs for lodging and a per diem for meals not to exceed the locality-based allowance provided by the Federal Travel Regulations for lodging and meals unless the State Comptroller determines in advance of the travel that local conditions warrant a change in the lodging rate for a particular location. Actual receipts for lodging must be provided.

(3.) Exceptions:

The university will allow the full cost of lodging only under the following conditions:

- (a.) Where the employee can evidence cost benefit of staying at a specific hotel.
- (b.) Where attendance at a program or conference is necessary for the university to maintain a program or accreditation.
- (c.) Where the employee is an officer of a professional organization or has been invited as a speaker or presenter for a professional program.

Only departmental local funds may be used for reimbursements under these exemptions and appropriate justification must be attached to travel vouchers submitted for payment. ~~Only departmental local funds may be used for reimbursements under these exemptions and appropriate justification must be attached to travel vouchers submitted for payment.~~

2. Improper Travel Reimbursement

When an MSU employee engages in travel for which compensation is to be received from any source other than MSU funds, the employee shall not submit a claim under the provisions of the MSU travel regulations. An MSU employee who receives an overpayment for a travel expense shall reimburse MSU for the overpayment.

3. "Official Business" for Purpose of Travel

To qualify for travel reimbursements and use of MSU vehicles, the purpose of a trip must

be "state business" or "official business" of MSU. State or official business is the accomplishment of a governmental function directly entrusted to MSU, including the reasonably necessary means and methods to accomplish that function.

4. Per Diem for Employees Travel Under Contracts and Grants

Employees traveling under contracts and grants (federal, state, private) shall be reimbursed for travel expenses and allowances on the same basis as other MSU employees, except in those instance where the terms of the contract or grant specify travel guidelines and reimbursement rates which differ from State of Texas reimbursement rates.

5. Travel Bonus (Frequent Flyer) Awards

MSU employees who earn credit with airlines, hotels, car rental companies, etc., for official travel are not required to account for such credit or to use such for official travel only.

6. State Credit Cards

MSU employees may not use state credit cards for personal expenses. State credit cards may only be used for legitimate MSU travel business expenses. Payment of charges on individual cards is the sole responsibility of the individual employee. MSU shall not be responsible for the charges, regardless of the types of charges. Employees may use state credit cards to charge for items that, while they qualify as official business, are not fully reimbursable under state and/or MSU guidelines for reimbursement.

7. Official Travel by Spouses and Relatives of Employees

Spouses and other relatives of employees may qualify to have travel expenses paid by MSU if their presence at a function or on a trip is for an official purpose benefitting MSU and/or the State of Texas. All such travel must be approved in advance by the President. In making a determination of whether the presence of a spouse or relative is for an official purpose, the factors to be considered are the nature and duties of the employee's office, the traditional role, if any of the employee's spouse or relative, the purpose of the particular trip, and the spouse or relative's connection with that purpose. Request for reimbursement of expenses or for direct departmental payment of travel expenses for such persons must be approved in writing by the President.

7. Foreign Travel

Requests for any travel related to official state business outside of the United States for which travel expenses are to be advanced or reimbursed must be approved in writing (may be electronically) by the President or her/his designee (divisional cabinet officer where applicable) and ~~Chairperson of the Board of Regents~~ thirty (30) days in advance of the travel if the source of funding is money other than gift funds or contracts and grants. This requirement does not apply to travel to Canada, Mexico or any state or possession of the United States. [See Texas Government Code §660.024]

E. Benefits, Gifts, and Honoraria

A "benefit" is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare an employee has a direct and substantial interest.

1. Bribery

No MSU employee may solicit, offer, or accept any benefit in exchange for his or her decision, opinion, recommendation, vote, or other exercises of official power or discretion. A benefit that is otherwise allowed by MSU policy is nevertheless prohibited if it is offered in exchange for official action, as described above.

2. Prohibited Benefits

An MSU employee who exercises discretion in connection with contracts, purchases,

payments, claims and other pecuniary transactions or government may not solicit, accept or agree to accept any benefit from any person the employee knows is interested in or is likely to become interested in any contract, purchase, payment, claim, or transaction involving the employee's discretion. This prohibition does not apply to:

- a. Gifts or other benefits conferred on account of kinship or a personal, professional or business relationship independent of the employee's status as an MSU employee;
- b. A fee prescribed by law to be received by the employee or any other benefit to which the employee is lawfully entitled or for which he or she gives legitimate consideration in a capacity other than as an MSU employee;
- c. A gift, award, or memento that is received from a lobbyist who is required to make reports under Chapter 305 of the Government Code; and
- d. Items having a value of less than \$50, not including cash or negotiable instruments. An employee who receives an unsolicited benefit that he or she is prohibited from accepting by law may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for education, religious, or scientific purposes.

3. Food, Lodging, Transportation, and Entertainment Received as a Guest

An MSU employee may accept food, lodging, transportation, or entertainment from persons or entities he or she knows or reasonably should know are interested in or likely to become interested in a contract, purchase, payment, claim, decision, or transaction involving the exercise of the employee's discretion only if the employee is a "guest" as defined by Texas law. An employee is a "guest" if the person or a representative of the entity providing the food, lodging, transportation, or entertainment is present at the time the food, lodging, transportation, or entertainment is received or enjoyed by the employee. All such travel by employees of MSU must be approved in advance by the President. The President is required to report any such benefits valued at over \$250 on the annual disclosure statement filed with the Texas Ethics Commission.

4. Gift Items

An MSU employee shall disclose to his or her respective Vice President (Provost and Vice President for Academic Affairs) any gift received in the course of official business having a value of more than \$50. The President shall make such disclosures to the Board of Regents.

5. From Friends, Relatives, and Associates

An MSU employee may accept benefits from personal friends, relatives, or business associates with whom he or she has a relationship independent of his or her official status, so long as the benefit is not offered in exchange for official action or decision.

6. Awards

An MSU employee may accept plaques and similar recognition awards, including achievement and recognition awards from MSU.

7. Honoraria

An MSU employee may not solicit, accept, or agree to accept an honorarium in consideration for services he or she would not have been asked to provide but for his or her official position or duties. This prohibition includes a request for or acceptance of a payment made to a third party if made in exchange for such services. However, he or she may accept the direct provision of or reimbursement for expenses for transportation and lodging incurred in connection with a speaking engagement at a conference or similar event. Meals provided as part of the event or reimbursement for actual expenses for meals may also be accepted. Participation by the employee must be more than merely perfunctory.

F. Public Officials and Political Activities

1. Entertainment

If an MSU employee provides tickets to a public official to allow the official and/or his guests to attend an event, an officer or employee of MSU will serve as host to the official, and must attend the event.

2. Perishable Food Items

An MSU employee may provide public officials with small, infrequent gifts of perishable food items delivered to the offices of the public officials. These are not considered to be benefits" for purposes of the provision of the Penal Code prohibiting such.

3. Expenses for Public Officials

MSU may pay expenses in order to furnish information to state officials relevant to their official positions, including presentations about the programs and services of MSU.

4. Use of Official Authority Prohibited

No MSU employee may use his or her official authority or influence, or permit the use of a program administered by MSU, to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose. No MSU employee may do any act or attempt to interfere with anyone who seeks to pay, lend, or contribute private funds or private property to a person or political organization for political purposes. Any MSU employee who violates either of these provisions is subject to immediate termination of employment, in accordance with the Texas Government Code.

5. Use of MSU Funds or Property

No MSU employee shall expend or authorize the expenditure of any MSU funds, services or supplies for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure. No MSU funds may be expended for the payment of full or partial salary of any employee who is also the paid lobbyist of any individual, firm, association, or corporation.

6. Voting and Political Participation

As employees of the State of Texas, MSU employees have the rights of freedom of association and political participation guaranteed by the state and federal constitutions, except as limited by valid state laws. MSU employees shall be allowed sufficient time off to vote in public elections with deduction from pay or from accrued leave time.

7. Employees as Candidates and Officeholders

MSU employees may run for election and serve as members of the governing bodies of school districts, cities, towns, or other local governmental districts. No campaign activities may be conducted during official business hours unless the employee has requested and received permission to use leave time for such purpose. Any employee elected to such a position may not receive any salary for serving as a member of such governing bodies. It is the policy of MSU that an employee who intends to be a candidate for any public office, other than a local office for which no emolument of any kind is received, must resign unconditionally from employment with MSU prior to announcing his or her candidacy.

8. Political Contributions from Employees

MSU employees may make personal contributions to candidates for office and political organizations with the exception that no state employee may contribute personal services, money, or goods of value to a candidate campaigning for speaker of the Texas House of Representatives.

G. Dual Office Holding

1. Non-elective State or Federal Office

An MSU employee may hold non-elective offices with boards, commissions, and other state and federal entities provided that the holding of such office:

- a. Of benefit to the State of Texas, or is required by state or federal law, and
- b. Is not in conflict with the employee's position with MSU.

Such appointments must be approved by the President. Prior to the President, Provost and Vice President for Academic Affairs or Vice Presidents accepting an invitation to serve in an additional non-elective office, the Board of Regents must determine that the appointment meets the two requirements stated above. The Board must also make an official record of any compensation to be received by the President, Provost and Vice President for Academic Affairs or Vice Presidents from such appointment, including salary, bonus, per diem or other types of compensation.

2. Positions of Employment with Government Agencies

MSU officers may hold other positions of employment with agencies, boards, commissions, or other entities of government so long as the holding of such positions is consistent with the prohibitions against dual office holding in the Texas Constitution.

Consulting arrangements with federal, state, or local governmental agencies of a detached and independent advisory nature are not considered to be appointments of such agencies.

H. MSU Property and Services

1. Misuse of Authority

It is a violation of state law for an MSU employee acting with the intent to obtain a benefit or with intent to harm another to intentionally or knowingly misapply anything of value belonging to the government that comes into his or her custody or possession by virtue of his or her office or employment.

2. Misuse of Official Information

It is a violation of state law if an MSU employee in reliance on information to which he or she has access in his or her official capacity and which has not been made public:

- a. Acquires or aids another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information; or
- b. Speculates or aids another to speculate on the basis of the information.

3. Telephones

From time to time MSU employees may need to make personal telephone calls during working hours. Normally, such use does not result in additional costs or damage to MSU and generally will not hinder the day-to-day operation of any office. Incidental use of MSU telephones during working hours by an MSU employee for local calls is not considered to be misapplication of state property, and is permissible so long as it does not unduly interfere with the employee's assigned responsibilities or the normal functioning of an office. Use of the telephone is considered to be misapplication of state equipment if it results in additional costs being incurred by MSU, including long distance charges, or damage to the equipment.

4. Personal Computers

University-owned computers and electronic mail services may be used for incidental personal purposes provided that the use does not:

- a. Directly or indirectly interfere with the University's operation of computing facilities or electronic mail services;
- b. Burden the University with additional expenditures or cause interference with the employee's assigned responsibilities;
- c. Disrupt the normal functioning of an office or work area;
- d. Violate University Principles of Ethical Conduct.

Use of university computers or electronic mail services to download, post or transport material that is illegal or in violation of university contracts is considered a violation of

the university's Principles of Ethical Conduct.

5. Other MSU Equipment

No MSU employee shall entrust state property to any state official or employee or to anyone else to be used for other than state purposes. An MSU employee shall not use MSU equipment or property for his or her own benefit or pleasure.

6. MSU Vehicles

No MSU employee shall use any vehicle owned by MSU for any purpose other than official business of MSU. Employees may not use such vehicles in connection with any political campaign or for any personal or recreational activity. The President may assign vehicles for permanent use or twenty-four hour use when determined to be critical to the operations of MSU (examples: police and maintenance).

I. Employment

1. Supplementary Pay and Perquisites:

- a. Compensation for the President, Provost and Vice President for Academic Affairs, and Vice Presidents of Midwestern State University (MSU) shall be a fixed amount of money as determined by the Board of Regents. No such officer shall receive any emolument, supplement, perquisite, or other benefit from MSU or a private organization or donor (see MSU Policy 4.134(D)(1)), including an MSU-affiliated entity (see MSU Policy 4.145), without specific approval of the Board of Regents.
- b. MSU shall not accept a gift, grant, donation, or other consideration to be used as a salary supplement without the prior written approval of the recipient's immediate superior, the office of the General Counsel and the President, and written authorization of the Internal Auditor, who shall, in accordance with of the Texas Government Code, report the necessary information to the State Auditor and the Legislature (see §659.0201(e),(i)).
- c. In accordance with §659.0201(b) of the Texas Government Code, MSU's Director of Human Resources is required to post and annually update the following information on the University's Human Resources website concerning a gift, grant, donation, or other consideration designated by the person* (see definition below) to be used as a salary supplement for an employee of MSU:
 - (1.)the amount of each gift, grant, donation, or other consideration provided by the person that is designated to be used as a salary supplement for an employee of MSU (MSU may not post the name of the person);
 - (2.)the number of full-time equivalent employees employed by MSU;
 - (3.)the amount of legislative appropriations to MSU for each fiscal year of the current state fiscal biennium;
 - (4.)MSU's methodology, including any employment market analysis, for determining the compensation of executive staff employed by MSU, along with the name and position of the person who selected the methodology;
 - (5.)whether the executive staff are eligible for a salary supplement;
 - (6.)the market average for compensation of similar executive staff in the private and public sectors;
 - (7.)the average compensation paid to MSU employees who are not executive staff; and
 - (8.)the percentage increase in compensation of executive staff for each fiscal year of the five preceding fiscal years and the percentage increase in legislative appropriations to MSU each fiscal year of the five preceding fiscal years.

*Person is defined by §311.005 of the Texas Government Code to include a corporation, organization, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.

2. Outside Employment and Activities

~~Full-time~~ MSU employees are expected to devote their time and talents ~~on a full-time basis~~ to their assigned duties and responsibilities. University officials recognize the common practice of faculty and staff holding more than one employment or position due to needs, interests, or development. Employment and/or participation in activities outside the University is both permitted and encouraged as long as it does not interfere with the employee's University duties and responsibilities or create a conflict of interest or conflict of commitment. Conflicts of interest must be avoided in all instances of outside employment. For more information, see subsection C6 of this policy and MSU Policy 3.325: Conflict of Interest, Conflict of Commitment, and Employment and Outside Activities. Refer to the MSU Policies and Procedures Manual 3.134 for details on MSU policies concerning outside employment of faculty.

3. Nepotism

Refer to the MSU Policy ~~Policies and Procedures Manual #3.323~~ to review MSU policies concerning employee nepotism.

4. Sexual Harassment

All MSU employees are expected to comply with the provisions of the MSU Policy ~~Policies and Procedures Manual #4.161~~ relating to sexual harassment. The employment and education environment throughout MSU shall be free from all forms of sexual discrimination and sexual harassment. Conduct constituting sexual harassment is specifically prohibited and will result in appropriate sanctions.

5. Confidential Information

All MSU employees shall not disclose confidential information gained through employment with MSU or use such information for his or her personal benefit. Refer to MSU Policy ~~Policies and Procedures Manual #4.149~~ to review the MSU policy concerning Open Records and Public Disclosure of Information.

J. Sanctions for Noncompliance with Ethics Policy

Noncompliance with this policy may subject an employee to discipline in accordance with applicable University procedures, up to and including termination of employment.

K. Training

The University's Human Resources Department shall: (1) distribute a copy of this ethics policy to each new employee not later than the third business day after the date the person begins employment with MSU and to each new officer not later than the third business day after the date the person qualifies for office; and must (2) provide for the regular training of employees on the policies described by this policy. [NOTE: Replaces MSU Policy 3.346 (Standards of Conduct for State Employees); see Texas Government Code §572.051(c)]

Attachment B

Faculty/Staff Traffic Appeals Committee		Term Expires	College or Department
Purpose:	To serve as a traffic hearing committee for <u>students</u> , faculty and staff charged with on-campus traffic violations.		
Personnel:	<u>Three students</u> , three <u>two</u> faculty members, three <u>two</u> staff members, the Vice President of the Student Government Association (Co-Chair) , and the Chief of Police (non-voting). The Faculty/Staff Co-Chair will be appointed by the President from the prior year's committee membership.		
Reports to:	Vice President for Student Affairs and Enrollment Management		
Voting Members:			
Vice President, Student Government Association	<u>Co-Chair</u>		
Faculty			
Faculty			
Faculty			
Staff			
Staff			
Staff			
<u>Student</u>			
<u>Student</u>			
<u>Student</u>			
Non-Voting Member:			
Chief of Police	Patrick Coggins		

Student Traffic Appeals Committee		Term Expires	College or Department
Purpose:	To serve as a traffic hearing committee for students charged with on-campus traffic violations.		
Personnel:	The Student Government Association Vice President (Chair), four students (except during the summer, at which time the Board shall consist of 3 to 5 members), and a representative from Student Affairs (non-voting). Student members must have a cumulative grade point average of 2.0 or above and must not have a record of previous disciplinary suspension taken by the University.		
Reports to:	Associate Vice President for Student Affairs and Dean of Students		
Voting Members:			
Student Government Association Vice President			
Student			
Student			
Student			
Student			
Non-Voting Member:			
Student Affairs Representative			