


PROCEDURE

Subject	Code of Ethical Behavior: Confidentiality, Non-discrimination, Professionalism, Conflict of Interest, Consensual Sexual Relationship	Number: 2.55.01
Source	Office of Human Resources	Reference (Rule #) 6HX14-2.55.01
President's Approval/Date: 10/18/11		

PURPOSE:

To provide a guide to ethical behavior for all who participate in the educational mission of State College of Florida, Manatee-Sarasota

POLICY:

State College of Florida, Manatee-Sarasota has adopted a Code of Ethical Behavior that will apply to all employees, faculty, administrators, staff, students, visitors, volunteers, and contractors and their agents hereafter referred to as Members of the Collegiate Community. Members of the Collegiate Community have the responsibility to promote ethical conduct among Members. Questions about the application of the principles contained in this code to specific situations should be addressed to the Executive Director, Human Resources.

Violations of this code may result in disciplinary action up to and including termination of employment, or dismissal from the College, and, if warranted, legal action.

CODE OF ETHICAL BEHAVIOR

I. INTRODUCTION

State College of Florida, Manatee-Sarasota is committed to quality educational programs and services that provide opportunities for students to achieve their goals and that satisfy community needs. Thus, the College seeks to improve the quality of life by offering excellence in academic, occupational, cultural, economic, and personal development programs and services.

SCF is committed to providing a collegiate environment wherein professionalism and personal growth can flourish. SCF personnel are committed to the highest ideals of professionalism as practiced within the legal framework of Florida Statutes, State Board of Education Rules, and policies established by the College's District Board of Trustees.

Members of the Collegiate Community are committed to upholding the dignity and worth of each person encountered at SCF. This policy will provide a guide to the conduct of activities at State College of Florida, Manatee-Sarasota.

II. STANDARDS

A. Confidentiality

Members of the Collegiate Community shall keep in confidence personally identifiable information obtained in the course of professional or related service, unless disclosure is essential for professional purposes or is required by law, and shall report suspected breaches of confidentiality by others.

B. Non-discrimination

Members of the Collegiate Community shall not harass or discriminate against any Member on the basis of sex, race, religion, age, national origin/ethnicity, color, marital status, disability, genetic information, sexual orientation or other factors prohibited under applicable federal, state, and local civil rights laws, rules and regulations. Members of the Collegiate Community shall also make reasonable effort to assure that each Member is protected from harassment or discrimination.

C. Professionalism

1. Faculty and Instructional Support, whether full-time, adjunct or volunteer, are hereafter called Instructional Staff:
 - a. Shall encourage the free pursuit of learning in students and hold before SCF students the best scholarly and ethical standards of their discipline.
 - b. Shall demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors.
 - c. Shall make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit.
 - d. Shall not exploit a relationship with a student for personal gain or advantage.
 - e. Shall acknowledge significant academic assistance from students or colleagues.
 - f. Shall take reasonable precautions to distinguish between personal views and those of the College or any other organization with which the individual is affiliated.
 - g. Shall not intentionally distort or misrepresent an educational matter in direct or indirect public expression.
 - h. Instructor shall disclose to department chair if a relative has been assigned to his/her class to determine if an appropriate academic alternative is available.
2. Members of the Collegiate Community:
 - a. Shall not make malicious or intentionally false statements about the College or any Member of the Collegiate Community.

- b. Shall conduct business dealings in an ethical manner and with integrity and shall not engage in self-dealing or fraud. Therefore, an employee may not accept a gratuity, gift or favor that is intended to provide a special business or personal advantage to the giver. An employee shall not exploit a relationship with any Member of the Collegiate Community or use institutional privileges for personal gain or for the gain of others which may be to the advantage of the employee nor support or assist those who do.
- c. Shall not misuse State College of Florida, Manatee-Sarasota privileges or resources, including, but not limited to, SCF personnel, vehicles, equipment, material, time, or reimbursements for other than legitimate SCF business. In addition to other potential disciplinary action, reimbursement for all costs to SCF incurred by misuse or inappropriate use of SCF resources shall be required.
- d. Shall treat all with dignity, respect and common courtesy and adhere to their proper roles.
- e. Shall obey all federal and state laws and regulations.
- f. Shall not use any SCF communication system to transmit, store, or retrieve obscene, pornographic, defamatory, harassing, or threatening material. Furthermore, messages of a personal nature shall not be transmitted to the entire college. Circulation of chain letters is prohibited. Use of any SCF communication system for the mass distribution of personal non-business-related computer files, such as graphic files that are not related to the performance of one's duties at SCF, is prohibited.
- g. Shall recognize that theft of the physical or intellectual property of the college or of Members of the Collegiate Community is both unethical and illegal.
- h. Shall not use profanity or verbally abuse any Member of the Collegiate Community.
- i. Shall conduct themselves at all times in a manner that will not discredit the reputation of State College of Florida, Manatee-Sarasota.

D. Employment of Relatives

1. Definitions – for purposes of this procedure only, with respect to a college employee, the following terms shall have the following definitions:
 - a. “Relatives” or “Related Person” means an individual who maintains an intimate relationship with the employee or is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister; or an individual with an external business relationship with the employee.
 - b. “External Business Relationship” is defined as having mutual business in the form of a business venture in which the parties intend to gain financially by such relationship. This shall not include investment in publicly traded ventures.
 - c. “Intimate Relationship” is defined as having a personal, private relationship beyond friendship, usually of a committed nature.

- d. “Conflicts of Interest” – a conflict of interest arises when a related person participates in making recommendations or decisions specifically affecting the appointment, retention, tenure, contractual status, work assignment, evaluation, promotion, demotion, or salary of his or her relative, or any attempt to influence a relative’s supervisor with any regard to matters concerning the relative.
- e. “General”. Employment of related persons at the college is allowed where there is no direct supervisory responsibility between relative and where the functions of their positions do not create a conflict of interest, or if there is a conflict of interest, there is a demonstrated critical shortage of qualified applicants. An employee shall be considered in the direct supervisory line of his or her relative even though they are separated by intermediary positions.
- f. “Procedures for Approval”. A written request for the employment of related persons in the same department shall be submitted by the employing department head to the respective Vice President for approval, prior to the offer of employment. The request must document why recruitment efforts were unable to identify a qualified non-related applicant to fill the vacant position or contain justification for requesting an exception to this procedure. The Vice President shall determine whether a conflict of interest will occur if the relative is employed and provide written notification of the approval or disapproval of the request to the department head and the Executive Director, Human Resources. The President shall approve or disapprove any request involving a person related to a Vice President.
- g. “Violations and Penalties”. In the event a related person covered by this rule is hired without prior approval, whether through intentional or unintentional failure to disclose a conflicting relationship, the related person hired will be subject to one or more of the following actions: transfer, reassignment, and/or disciplinary action including dismissal. No employee shall attempt to influence the supervisor of a related person with regard to a term or condition of the related person’s employment. Violation of this procedure may result in disciplinary action.
- h. Relationship to a staff member constitutes neither an advantage nor a deterrent to appointment by SCF. It is only required that the individual meet and fulfill the standards appropriate to the college appointment.

E. Consensual Sexual/Romantic Relationships

Members of the Collegiate Community should be aware that whatever differences in status exist, as between supervisor and employee, or faculty member and student, abuses of status may take the form of sexual harassment. Charges of sexual harassment may arise even when romantic or amorous relationships exist that are apparently consensual. Should such a relationship result in a subsequent charge of sexual harassment, the claim that the relationship is or was consensual will not be an adequate defense.

Consensual romantic or sexual relationships are prohibited between a Member of the Collegiate Community and any other member who teaches, supervises, evaluates, or otherwise is in a position to exercise power or authority over the Member.

Likewise, consensual sexual relationships between a Member and any other Member of the Collegiate Community who is not in a position to exercise direct power or authority over the Member may be inappropriate because of a perception of power or influence. Any Member who engages in such a relationship must accept responsibility for assuring that it does not result in a conflict of interest or raise other issues of professional ethics. In cases of doubt, advice and counsel should be sought from the Executive Director, Human Resources and the appropriate Vice President.