

**Title:** Professional Standards and Business Conduct -- General Policy  
**Code:** I-100-010  
**Date:** 7-12-05rev  
**Approved:** WPL

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## Introduction

Traditionally, the University has assumed that those associated with the institution, as trustees, officers, faculty members, professional and administrative staff, and other employees, will conduct themselves ethically and in accordance with what are generally accepted as "standard business practices." The increasingly necessary and complex relationships that have evolved between the University and the myriad of individuals, companies, governmental agencies, community groups, and others with which the University deals, require that persons representing the University conduct themselves in a manner that will withstand the sharpest scrutiny. This requires that employees exercise a high degree of personal responsibility, integrity, and sound judgment.

The University recognizes that the final decision regarding an individual's personal conduct must be made by the individual, and that the presence of formal policy statements that set forth guidelines for acceptable business conduct will not, in themselves, prevent willful unethical or illegal actions by employees. However, it is hoped that by clearly setting forth the standards of behavior that the University expects from its employees any misunderstandings will be minimized, and any questionable situation can be brought to the attention of the responsible administrator and resolved.

Although it is not possible in a policy statement such as this to cover every situation that may arise, this general policy covering Professional Standards and Business Conduct focuses on a number of specific areas that are generally associated with ethical business standards. These include:

- University Assets and Resources
- Use of University Technological and Information Resources
- Conflicts of Interest
- Supplemental Employment/Outside Activities
- Gifts and Entertainment
- Employer/Employee Relationships

In addition to the specific categories of business conduct described in this policy, each employee must be familiar with the general and specific operating policies and procedural guidelines that cover the business activities that are his or her responsibility. This requirement will vary significantly according to the employee's position, and may include information found in any or all of the following or in other sources not specifically noted:

- *Bylaws of the Trustees of Boston College and University Statutes*
- *Boston College Policies and Procedures Manual*
- *Employee and Faculty Handbooks*
- *University Graduate and Undergraduate Bulletins*
- Departmental operating policies and procedures manuals

It is the responsibility of each employee who holds a supervisory position to assure that employees under his or her supervision are familiar with the policies and procedural requirements of their positions, and that they are apprised of any new or revised requirements on a timely basis.

Any employee who has a question about this policy that cannot be answered by his or her supervisor is encouraged to direct the question to the Vice President for Human Resources or his or her designee.

### **University Assets and Resources**

Sound business conduct requires that each employee, as a basic condition of employment, assume responsibility for safeguarding and preserving the assets and resources of the University, particularly those for which he or she is responsible. The following policy statements serve to remind us of that basic commitment and responsibility.

1. All revenues generated by the University, and all expenditures for goods and services, must be recorded and accounted for within the financial accounting system of the institution.
2. No false or artificial entries are to be made in the accounting records of the University for any reason. Moreover, no payment on behalf of the University is to be approved or made with the understanding that any part of such a payment is to be used for any purpose other than that described by the documents supporting the payment.
3. The use of University funds or assets for any personal, unlawful, or improper purpose is prohibited.
4. No unrecorded or undisclosed bank accounts are to be established by any department to fund, or to assist in funding, any authorized University activity.
5. The use of any University equipment, supplies, or facilities for a revenue generating activity that benefits an individual employee is strictly prohibited without the express written approval of the cognizant vice president and the Executive Vice President.
6. No person in a supervisory or management position is to use the authority of that position to assign an employee to perform nonemployment-related tasks.

For additional information, please see policy [1-100-015](#), Professional Standards and Business Conduct -- Reporting of Fraud.

### Use of University Tax Exempt Number

As a nonprofit institution, Boston College is not required to pay Massachusetts sales tax on applicable purchases. To identify this status, the state government provides the University with a tax exempt number which is to be presented to vendors at the time of all applicable sales transactions. The Boston College tax exempt number appears on University purchase orders and procurement cards, and may be provided verbally to vendors when other purchasing methods are employed. Personal use of the Boston College tax exempt number is strictly prohibited and may result in disciplinary action.

### Fair Competition

Boston College supports the principle of fair competition and does not engage in any activities that impede competition or that foster a restraint of trade.

### Anti-Sweatshop Policy

Boston College believes that licensees who manufacture products bearing the name and logos of Boston College should act in a socially responsible manner consistent with the University's religious and educational mission. To this end, Boston College supports and participates in the efforts of those universities that are cooperating to develop and apply codes of conduct that will govern adequate wages and benefits, workers' rights, working conditions, and other aspects of the manufacture of apparel and other licensed products. Boston College is a founding member of the Fair Labor Association, a coalition of universities, manufacturers, consumer organizations, and religious and human rights groups, working to develop effective mechanisms for monitoring manufacturers' compliance with university codes of conduct.

## **Use of University Technological and Information Resources**

### Definition

**Technological and information resources** are defined to include data; records; software; facilities; equipment; storage media; networks; and electronic voice, video, and multimedia communications.

### Policy

The technological and information resources of Boston College are to be accessed and utilized in an ethical manner. All users of technological and information resources are to adhere to high moral, legal, and professional standards, and are expected to support the mission, and act in the best interests, of Boston College.

All users of technological and information resources are responsible for the protection of University assets and for the accuracy, integrity, and confidentiality of the information to which they have access. Resources are not to be abused or employed in such a way as to interfere with, or cause harm or damage to, another person, institution, or company within or outside the Boston College community. While the University encourages the exploration of educational and scholarly interests through the use of its technological resources, respect for the rights and privacy of others must be observed. Community members and their guests may not access the files or communications of others without authorization. Those who are authorized to access confidential files must respect the privacy rights of others and use data only for legitimate academic or administrative purposes. (The confidentiality of student record information is addressed in policy [4-730-005](#), Student Education Records. Similar levels of confidentiality apply to all employee personnel records.)

Boston College supports accessibility to technological resources and strives to provide state-of-the-art, environmentally sound facilities for all members of the University community. The University acknowledges its responsibility to all faculty, staff, and students to provide a safe and healthful technical environment for work and study.

For more detailed information regarding the use of University technological and information resources, please see policy [1-100-025](#), Professional Standards and Business Conduct -- Use of University Technological and Information Resources.

### **Conflicts of Interest**

A conflict of interest exists in any situation in which a person having official responsibilities for Boston College is empowered to make decisions on behalf of the University and who, as a result of that authority, can potentially benefit personally, directly or indirectly, from an entity or person conducting business with the University.

### Policy

University officers, deans, directors, and others acting on behalf of Boston College have an obligation to avoid conflict, or any appearance of conflict, between their personal interests and the interests of the University in dealing with any organization or individual having, or seeking to have, any business relationship with the University, or any organization or individual whose objectives or interests may be adverse to the specific interests of the University. University officers, deans, directors, and others acting on behalf of Boston College have an additional obligation to disclose to the University all actual or potential conflicts of interest.

Compliance with this policy is to be monitored through a system of annual disclosure (see [Disclosure Guidelines](#), below).

### Conflict Situations

An officer of the University, or any other person acting on behalf of the University, is considered to have an actual or potential conflict of interest if:

1. That person or a member of his or her family has an existing or potential financial or other interest which impairs, or might appear to impair, that person's independent, unbiased judgment in the discharge of his or her responsibilities to the University.
2. That person or a member of his or her family has a significant business relationship with any person or firm engaging in, or seeking to engage in, business with the University.
3. That person, a member of his or her family, or an organization in which that person or family member has a significant ownership interest (i.e., five percent or more of the stock in a corporation doing business with the University, five percent or more interest in the profits of a partnership doing business with the University, or a beneficial interest of five percent or more in any other enterprise doing business with the University); management function (e.g., trustee, director, general manager, partner, principal officer, employee, or agent); or other material interest, may receive a financial or other benefit from knowledge or information confidential to the University.

The examples that follow, while not intended as an all-inclusive listing of actual or potential conflict of interest situations, are provided to assist members of the University community in determining whether a conflict situation may in fact exist.

1. Influencing or participating in negotiations, or entering into a contract, to purchase goods and/or services for the University from an organization in which the employee, or a member of the employee's family, has a financial interest or a consulting relationship.
2. The use for personal gain of privileged information emanating from University research or other confidential University information, or assisting an outside organization in obtaining a preferred position with respect to such information.
3. Acceptance of gratuities of more than nominal value (in excess of \$100.00) from suppliers of goods and/or services, or from others seeking information from, or association with, the University under circumstances that might reasonably be interpreted as an attempt to influence the recipient in the conduct of his or her duties.
4. An employee or a member of an employee's family having an interest in any organization that has or is seeking to have business dealings with the University, or having an interest in any organization that is in direct competition with a service provided by the University.
5. An employee serving as an officer, director, or consultant to, or being otherwise employed by, any company doing or seeking to do business with the University.

## Disclosure Guidelines

1. All University officers, full deans, full directors, and those employees designated by the President because of their respective duties and responsibilities are to disclose to the University, on an annual basis, all business interests, affiliations, and/or relationships that could reasonably give rise to a conflict of interest involving the University.
2. Conflict of Interest Annual Disclosure Statements ([EXHIBIT A](#)) are to be distributed by the Internal Audit Department to all University officers, full deans, full directors, and those employees designated by the President. The Internal Audit Department is responsible for ensuring that all distributed statements are completed and returned to that office each year.
3. If an actual or potential conflict of interest is disclosed, the affected employee is to refrain from further participation in matters to which the conflict relates until the question of conflict has been resolved. The Director of Internal Audit is to bring all actual or potential conflict of interest disclosures to the attention of the Vice President for Human Resources who, in consultation with legal counsel, is to review all disclosures and, together with the cognizant vice president, pursue the resolution of such conflicts. The President, in consultation with legal counsel, is to review and determine the appropriate course of action for all conflicts affecting an officer of the University.
4. Faculty who are not required to complete an annual disclosure statement are individually responsible for notifying the Academic Vice President should an actual or potential conflict of interest arise. Similarly, staff members who are not required to complete an annual disclosure statement are to notify the cognizant director, vice president, and the Vice President for Human Resources should an actual or potential conflict of interest arise.

## **Supplemental Employment/Outside Activities**

The University recognizes that many of its employees serving in nonfaculty positions have specialized skills or areas of expertise, and that the utilization of these skills in "outside activities" can be beneficial to both the individual and to the University. Such activities may include, but are not limited to: teaching and consulting; personal and/or professional involvement in the community, in professional organizations, and in state or local politics; and any employment or employment-related activities undertaken to supplement current income.

As a general policy, the University respects the rights of an employee to engage in activities of his or her choice, both within and outside of the University, as long as those activities do not adversely affect Boston College and do not prevent the employee from fulfilling the requirements of his or her position. Certain general policies and procedural guidelines, described below, have been adopted to avoid any conflict of interest situations while still assuring the constitutional rights of the individual employee.

1. An employee's primary work commitment is to his or her full-time position at Boston College. Outside activities that are unrelated to an employee's full-time position should not be undertaken if they will interfere with that commitment.
2. Any member of the professional or administrative staff who is considering a teaching or consulting assignment within or outside of the University must obtain the written approval of his or her immediate supervisor and/or vice president, as well as that of the Office of Human Resources, prior to accepting the assignment. Please see paragraph (4), below, for additional information.
3. As a general policy, a full-time employee at Boston College should not be generating a second income during the normal working hours that he or she is compensated for by Boston College. Boston College teaching assignments in the College of Advancing Studies, and those

with course meetings scheduled at or later than 4:00 P.M., are not considered to conflict with an employee's normal work schedule. Permission to teach a course at Boston College, or to perform any other outside activity, as part of an employee's regular work schedule implies no entitlement to additional compensation.

4. From time to time circumstances arise in which an employee performs services for the University that are unrelated to his or her regular position. The performance of such services requires the prior approval of the employee's immediate supervisor. Moreover, all services for which payment is anticipated to exceed \$1,000 must be approved, in writing, by the cognizant vice president and the Vice President for Human Resources before they are performed.
5. In all employment activities outside of Boston College, the employee functions without the sponsorship of the University, and the University assumes no responsibility for the activity.

A general policy cannot cover all situations. Employees who are planning to participate in activities that are not job-related, but that could conflict with the requirements of their present position, should review their plans with their immediate supervisors or the Office of Human Resources prior to making any commitment.

### **Gifts and Entertainment**

The solicitation or acceptance of gifts for services rendered in the course of one's normal employment is prohibited. Gifts of more than nominal value (in excess of \$100.00) from individuals or organizations with whom the University does business, or from those who hope to do business with the University in the future, are also prohibited.

Similar guidelines apply to the acceptance by University employees of social invitations from those doing business with, or seeking to do business with, Boston College whenever such an invitation can be construed as an intent to influence an employee's business decision, and the cost to the host of such entertainment would appear to be excessive.

In our relationships with those outside of the Boston College community -- vendors and contractors, public officials, members of the local community, alumni, prospective students, and others -- general University policy prohibits the offering of a gift or entertainment that can in any way be construed as wrongfully or unfairly attempting to influence a decision that will benefit either the University or an employee of the University. (While such a policy does not preclude ongoing efforts to attract the best faculty, students, athletes, and others to the University, or to solicit gifts from alumni and friends of Boston College, it does emphasize the need to conduct those activities in accordance with accepted practices.) Since it is difficult to establish intent, it is recommended practice to avoid any appearance of impropriety by refraining from making such offers. This policy acknowledges that from time to time persons or organizations will be recognized for their varied contributions to Boston College, and that such recognition may include a token gift or award and/or an invitation to attend a social event or activity sponsored by the University.

### **Employer/Employee Relationships**

Boston College is committed to providing equal opportunity in education and in employment. The University's official Notice of Nondiscrimination, which appears in appropriate Boston College publications, reads as follows:

Founded by the Society of Jesus in 1863, Boston College is dedicated to intellectual excellence and to its Jesuit, Catholic heritage. Boston College recognizes the essential contribution a diverse community of students, faculty and staff makes to the advancement of its goals and ideals in an atmosphere of respect for one another and for the University's mission and heritage. Accordingly, Boston College commits itself to maintaining a welcoming environment for all people and extends its welcome in

particular to those who may be vulnerable to discrimination, on the basis of their race, ethnic or national origin, religion, color, age, gender, marital or parental status, veteran status, disabilities or sexual orientation.

Boston College rejects and condemns all forms of harassment, wrongful discrimination and disrespect. It has developed procedures to respond to incidents of harassment whatever the basis or circumstance. Moreover it is the policy of Boston College, while reserving its lawful rights where appropriate to take actions designed to promote the Jesuit, Catholic principles that sustain its mission and heritage, to comply with all state and federal laws prohibiting discrimination in employment and in its educational programs on the basis of a person's race, religion, color, national origin, age sex, marital or parental status, veteran status, or disability, and to comply with state law prohibiting discrimination on the basis of a person's sexual orientation.

To this end, Boston College has designated its Executive Director for Institutional Diversity to coordinate its efforts to comply with and carry out its responsibilities to prevent discrimination in accordance with state and federal laws. Any applicant for admission or employment, and all students, faculty members and employees, are welcome to raise any questions regarding this policy with the Office for Institutional Diversity. In addition, any person who believes that an act of unlawful discrimination has occurred at Boston College may raise this issue with the Assistant Secretary for Civil Rights of the United States Department of Education.

In accepting employment at the University, an individual agrees to share these commitments in the performance of his or her assigned duties and responsibilities.

Boston College provides all students, faculty, administrators, and other employees with an environment that is free of harassment or any other unreasonable interference with their performance. While the University encourages self-expression, it expects that the exercise of self-expression will respect the rights of others. In such a setting, there is no place for conduct that diminishes, uses, or abuses another person. For these reasons, harassment of any kind is unacceptable at Boston College. (Please see policy [I-200-025](#), Discriminatory Harassment, for additional information.)

An individual employee has the right to speak publicly and to express personal opinions regarding campus issues or issues that have no connection with Boston College. However, care should be exercised to avoid public criticism of University policy whenever such a stance is incompatible with the responsibilities of an employee's position at Boston College. When acting or expressing oneself as an official spokesperson for the University, such action should be according to the limits of that individual's position. When speaking as a private person regarding campus issues, or issues that have no connection with the campus, an employee should make it clear to the audience that he or she is speaking in that capacity, and not as an institutional spokesperson. Moreover, the use of Boston College letterhead for the expression of personal views on matters unrelated to one's responsibilities as an employee of Boston College or for nonofficial purposes is prohibited.

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**EXHIBIT A**

**CONFLICT OF INTEREST DISCLOSURE STATEMENT**

Per the CONFLICTS OF INTEREST section of [University Policy 1-100-010](#), a conflict of interest exists in any situation in which a person having official responsibilities for Boston College is empowered to make, or influence decisions on behalf of the University and who, as a result of that authority, can potentially benefit personally, directly or indirectly, from an entity or person conducting business with the University.

1. Do you have authority over University funds or manage people with that authority?  
 No  Yes
2. Do you have budgetary responsibilities (purchasing, PeopleSoft authorization, etc.)?  
 No  Yes
3. Do you have responsibility for hiring vendors or buying products?  
 No  Yes
4. Do you or any member of your family work for or have a financial, employment, consulting or other business relationship, of which you are aware, with any individual or organization that provides goods or services to the University?  
 No  Yes (please describe in the space provided)

I have read the CONFLICTS OF INTEREST section of University Policy 1-100-010, PROFESSIONAL STANDARDS AND BUSINESS CONDUCT, and I understand the concept of a conflict of interest and am familiar with the required disclosure by affected employees of actual or potential conflict of interest situations. I certify that the preceding information is true and complete. I acknowledge that I am supplying this information for review by authorized University personnel.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Position or Title

\_\_\_\_\_  
Department