

Ethical Standards

Standards of Conduct

EWU Policy 901-01

Effective: ~~December 9, 2022~~

Authority: EWU Board of Trustees

Proponent: President's Office

Purpose: This policy prescribes ethical standards for the work and conduct of employees of Eastern Washington University. The purpose of this policy is to support and implement Chapter 42.52 RCW, Ethics in Public Service, and thereby prevent conflicts of interest and other ethical violations.

History: This policy supersedes EWU Policy 901-01, dated ~~December 9, 2022~~~~February 23, 2018~~. It was adopted by the EWU Board of Trustees (BOT) on ~~[INSERT DATE]~~~~December 9, 2022~~. ~~Housekeeping edits to position titles were made on July 31, 2025.~~

Applicability: This policy pertains to all employees of Eastern Washington University, including student and non-student temporary employees.

CHAPTER 1 – GENERAL

1-1. Policy

University employees shall not engage in any activity nor maintain any interests or associations that are in conflict with State and Federal ethics laws, university policy, or their obligations or responsibilities to the university and the citizens of the state of Washington.

1-2. Violation Procedures

Suspected violations of this policy or state laws on Ethics in Public Service (chapter 42.52 RCW and Title 92 WAC) shall be reported to a supervisor or to EWU's Ethics Advisor. Reports of alleged violations will be investigated in accordance with EWU Guideline 401-01, Investigations.

1-3. Resources References

EWU's Ethics Advisor:

Chief of Staff & Compliance

inside.ewu.edu/policies/ethics/

[\(509\)359-6724](tel:(509)359-6724)

Washington State Executive Ethics Board

www.ethics.wa.gov

ethics@atg.wa.gov

[\(360\)664-0871](tel:(360)664-0871)

• ~~Chapter 42.52 RCW, Ethics in Public Service~~

• ~~Title 292 WAC, Ethics in Public Service~~

• ~~EWU Guideline 401-01, Investigations~~

• ~~Washington State Executive Ethics Board website, www.ethics.wa.gov~~

1-4. Definitions

Throughout this policy, the definitions provided in RCW 42.52.010 shall apply.

"Gift" means anything of economic value for which no consideration is given. It does *not* include the following:

(a) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence at the university;

(b) Items related to the outside business of a recipient employee that are customary and not related to the recipient employee's performance of official duties at the university;

(c) Items exchanged among officials and employees at a social event hosted or sponsored by a state officer or university employees for coworkers;

(d) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. "Reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(e) Items university officers and employees are authorized by law to accept;

(f) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. "Reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(g) Items returned by the recipient employee to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt;

(h) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group;

(i) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement; and

(j) Gift cards received by legislative employees in an amount of \$25 or less.

CHAPTER 2 – ETHICAL STANDARDS

2-1. General

The University expects all employees to observe the laws of the state of Washington and to use state resources appropriately. University employees may not participate in any activity that is incompatible with their official duties.

Employees are individually responsible for complying with the Ethics in Public Service Act. The Executive Ethics Board enforces the Ethics in Public Service Act and can independently, apart from the University, discipline and fine employees.

Any employees who have concerns about whether certain actions may be considered ethics violations are encouraged to contact the Executive Ethics Board directly or EWU's Ethics Advisor.

2-2. Policies

In addition to the restrictions of chapter 42.52 RCW and chapter 292-110 WAC, the university has adopted policies which establish additional ethical standards for EWU employees, including, but not limited to the following:

EWU Policy 302-05, Integrity Ethics in Research

EWU Policy 302-08, Conflicts of Interest- Research & Technology Transfer

EWU Policy 302-09, Research Misconduct in Federally Funded Research

EWU Policy 401-02, Additional or Outside Compensated Work

EWU Policy 901-02, Appropriate Use of University Resources

EWU Policy 901-03, Fraternalization and Consensual Relationships

EWU Policy 901-04, Bullying

EWU Policy 901-05, Nepotism

2-3. Remedial Action

If it is determined that any activity or interest is in conflict with an employee's assigned duties, the employee shall immediately notify their supervisor and take immediate action to end such conflict.

2-4. Confidential Information

The Ethics in Public Service Act prohibits University employees from disclosing confidential information to any person or entity not entitled or authorized to receive the information. RCW 42.52.050(3). Additionally, employees shall not disclose confidential information gained by reason of their employment at EWU or use such information for their own personal gain or benefit or gain or benefit of another, unless such disclosure was authorized by statute or by a contract with EWU entered into by a university official who had the authority to waive the confidentiality of the information. RCW 42.52.050(2).

"Confidential information" includes, but is not limited to:

(a) Student education records as defined by the Family Educational Rights and Privacy Act;

(b) Protected health information as defined by the Health Insurance Portability and Accountability Act;

(c) Medical and counseling records protected from disclosure under state or federal law;

(d) Personal information as defined in RCW 19.255.010 and RCW 42.56.590;

(e) Social security numbers;

(f) Credit or debit card information;

(g) Consumer information as defined under the Fair Credit Reporting Act and customer information as defined under the Gramm-Leach-Bliley Act;

(h) Law enforcement records to the extent such records are confidential under state or federal law;

(i) EWU source code or object code;

(j) EWU security data;

(k) Log-on user identification information and passwords;

(l) Employment records to the extent such records are confidential under state or federal law;

(m) Any information protected from disclosure under the Public Records Act, chapter 42.56 RCW;

(n) Any information relating to a contract that EWU has a legal or contractual obligation to keep confidential, including, but not limited to, proprietary information, trade secrets, trademarks, patents, and copyrights;

(o) Attorney-client privileged materials, unless the Board of Trustees and/or President has waived such privilege; and,

(p) Information discussed during an executive session of the University Board of Trustees held in accordance with the Open Public Meetings Act.

University employees may not seek or receive, directly or indirectly, anything of economic value if a reasonable person would expect the gift or favor would influence the person's actions or judgment, or be considered as part of a reward for action or inaction. Even if such influence is not present, employees are still prohibited from receiving any gift(s) with an aggregate value in excess of \$100 from a single source with an aggregate value of more than \$50 in a calendar year or from receiving a single gift from multiple sources with a value in excess of \$100, as defined in RCW 42.52.150, except for those items specifically identified below in section 3-2 in RCW 42.52.150(2). The value of gifts given to an employee's family member or guest are attributable to the employee for determining whether the annual limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

In situations where there is uncertainty as to whether accepting and keeping a gift is allowable, the intended recipient shall obtain agency approval from the appropriate Vice President, President, or designee. Additional restrictions apply to people who participate in reviewing, awarding, or signing contracts on behalf of the university as outlined below in the Conflicts of Interest section.

3-2- Gifts Exempt from \$100 Limit

Except for those employees identified in section 3-3, the following items are presumed not to influence a person's judgment and may be accepted without regard to the \$100 limit:

(a) Unsolicited flowers, plants, and floral arrangements;

(b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(d) Unsolicited items received by the employee for the purpose of evaluation or review of the potential purchase or contract, if the employee has no personal interest in the eventual use or acquisition of the item by the university;

CHAPTER 3 – GIFTS

3-1- Restrictions for All Employees

(e) Informational material, publications, or subscriptions related to the employee's performance of official duties;

(f) Food and beverages consumed at hosted receptions where attendance is related to the employee's official duties;

(g) Admission to, and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;

(h) Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature; and,

(i) Gifts, grants, donations, sponsorships, or contributions from any agency or federal or local government agency or program or private source for the purposes of chapter 28B.156 RCW.

The presumption that such gifts would not influence an employee's actions may be rebutted and overcome based on the circumstances surrounding the giving and acceptance of the item.

Employees may accept gifts in the form of food and beverage on infrequent occasions in the ordinary course of meals where attendance by the employee is related to the performance of official duties. Gifts in the form of food and beverage that exceed \$100 on a single occasion must be reported consistent with RCW 29B (Campaign Disclosure and Contribution).

3-33- Additional Restrictions for Employees Involved in Purchasing and Contracts

In addition to the restrictions identified in section 3-1, employees who are involved in making purchases or entering into contracts on behalf of the university, cannot accept any gifts, regardless of the value, from people or entities who seek to provide goods or services to the university even if they fall within one of the 3-2 exemptions.

These restrictions apply to employees who make the purchase or sign a contract, as well as those responsible for making decisions about where to purchase items or who to contract with.

Employees who fall within this section can only receive the following items from people/entities who seek to provide goods or services to the university:

(a) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(b) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(c) Unsolicited items received by the employee for the purpose of evaluation or review, if the employee has no personal interest in the eventual use or acquisition of the item by the university;

(d) Informational material, publications, or subscriptions related to the recipient employee's performance of official duties;

(e) Food and beverages consumed at hosted receptions where attendance is related to the employee's official duties; and,

(f) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

Regardless of the exemptions for gifts under 3-2, employees subject to this section cannot receive the following from people/entities who seek to provide goods or services to the university:

(i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

(ii) Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

(iii) Flowers, plants, and floral arrangements.

CHAPTER 4- CONFLICTS OF INTEREST

All employees hold positions of trust and should conduct themselves accordingly. They must avoid activities that would compromise the public's

confidence in the University's integrity or that would impair them from fulfilling their professional responsibilities. Hence, this policy and the Ethics in Public Service Act, chapter 42.52 RCW, prohibit the following conflicts of interest:

4-1. Current Employees- Generally

- a. No employee shall have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the employee's official duties.
- b. An employee shall not use ~~their~~his or her position to secure special privileges or exemptions for ~~themselves~~himself or herself, or their spouse, child, parents, or other persons, except as required to perform duties within the scope of the employee's employment.
- c. Employees are prohibited from employing or using any person, money, or property under the employee's control or direction for the private benefit or gain of the employee or another person.
- d. Employees are prohibited, directly or indirectly, from asking for, giving, receiving, or agreeing to receive any compensation, gift, reward or gratuity from a source for performing or omitting or deferring the performance of an official duty, unless such compensation is received pursuant to a written agreement between the University and the EWU Foundation.
- e. Any employee engaged in research must also comply with all applicable university research policies. EWU Policy 302-05 (Ethics in Research).

4-2. Current Employees- Contracts & Grants

- a. No employee, except as explicitly permitted by the Ethics in Public Service Act and any relevant federal regulations, shall have a beneficial interest, direct or indirect, in a contract, sale, lease, purchase or grant entered into by the university.
- b. No employee may accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in a university contract, sale, lease, purchase, or grant, unless permitted by RCW 42.52.030(2). It is also a violation of state procurement laws for any person who seeks to enter into a contractual arrangement with the University to

give, loan, transfer, or deliver anything of economic value to a university employee that would cause the employee to violate the Ethics in Public Service Act.

~~c. Employees who participate in reviewing, awarding, or signing contracts for the University are prohibited from receiving, accepting, or seeking, directly or indirectly, anything from the entity seeking to contract with or who does contract with the University except for those items specifically permitted by RCW 42.52.150(4).~~

cd. No employee shall, except in the course of official duties or incident to official duties, assist a person or entity, directly or indirectly, whether or not for compensation, in a transaction involving the University:

- i. in which the employee has participated, or
- ii. if the transaction is or has been under the employee's responsibility at any time during the preceding two years.

Similarly, if an employee is also employed by an outside entity, the outside entity cannot assist someone in a transaction with the university.

de. If a federal grant or contract is involved, additional conflict of interest provisions may apply.

4-3. Textbooks

A faculty member cannot profit from or receive royalties from the sale of a textbook required for a course taught by the faculty member unless the faculty member was not involved in selecting the required reading for the course.

Employees are also prohibited from selling any complimentary textbooks they may receive.

4-4. Former Employees

After leaving the University, former employees are still subject to the ethical limitations set forth in RCW 42.52.080. Employees who are leaving the university to work for a university vendor/contractor should consult with the Ethics Advisor or the Executive Ethics Board.