

UWEX FACULTY & ACADEMIC STAFF POLICIES AND PROCEDURES

Chapter UWEX 8

UNCLASSIFIED STAFF CODE OF ETHICS

- 8.01** **Declaration of policy.** The University of Wisconsin-Extension affirms its adherence to the common standards expressed in Chapter UWS 8, "Unclassified Staff Code of Ethics," adopted by the Board of Regents, University of Wisconsin System:
- (1) Every member of the unclassified staff at the time of appointment in UW-Extension makes a personal commitment to professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. Such a commitment is essential for UW-Extension to perform its proper function and to ensure continued confidence of the people of this state in UW-Extension and its personnel. It is a violation of this commitment for unclassified staff members of UW-Extension to seek financial gain for themselves, their immediate families, or organizations with which they are associated through activities that conflict with the interests of UW-Extension and the University of Wisconsin System.
 - (2) As a matter of policy, the code of ethics recognizes that:
 - (a) Members of the unclassified staff retain their rights as citizens to interests of a personal or economic nature.
 - (b) Members of the unclassified staff have personal and economic interests in the decisions and policies of national, state, and local government.
 - (c) The Code of Ethics must distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material.
 - (3) The purpose of the standards of conduct is to prohibit only those activities which will result in a conflict between the personal interests of an unclassified staff member and his or her responsibilities to UW-Extension and the University of Wisconsin System. It is not the purpose to prohibit an unclassified staff member from pursuing those teaching, research, and public service activities which will not result in such a conflict, nor to prohibit an unclassified staff member from accepting any compensation, fees, honoraria or reimbursement of expenses for activities that do not result in such a conflict.
- 8.02** **Definitions.** In this Chapter, definitions as developed in Chapter UWS 8 will apply:
- (1) "Academic staff" means professional and administrative personnel other than faculty with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration.
 - (2) "Anything of value" means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include:

- (a) Any salary, expenses or other compensation received by a member of the unclassified staff from the University for his or her services;
 - (b) Any compensation, honoraria or expenses derived from outside activities permitted under this chapter;
 - (c) Political contributions which are reported under s. 11, Stats.; or
 - (d) Hospitality extended for a purpose unrelated to University business.
- (3) "Associated," when used with reference to an organization, means that a person or a member of a person's immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least ten percent of the outstanding equity.
 - (4) "Board" means the Board of Regents of the University of Wisconsin System.
 - (5) "Chancellor" means the chief executive officer of a university, the University of Wisconsin Colleges or the University of Wisconsin-Extension.
 - (6) "Confidential University information" means information relating to University financial operations or personnel which is obtained from University records or in the course of official University business and which is not available to the general public upon request.
 - (7) "Contracting personnel" means those persons who are designated in writing by the Chancellor of University of Wisconsin-Extension or the President of the System to negotiate, review, approve, or sign contracts for the purchase of goods and services on behalf of University of Wisconsin-Extension, the University System, or the Board of Regents. The term does not include persons who do either or both of the following:
 - (a) Contract only with outside agencies for research or for services to be performed by the University; or
 - (b) Negotiate, review, approve or sign only employment contracts.
 - (8) "Faculty" means persons who hold the rank of professor, associate professor, assistant professor or instructor in an academic department or its functional equivalent in an institution.
 - (9) "Immediate family" means:
 - (a) An unclassified staff member's spouse; and
 - (b) Any person who receives, directly or indirectly, more than one half of his or her support from an unclassified staff member or from whom an unclassified staff member receives, directly or indirectly, more than one half of his or her support.
 - (10) "Institution" means any university or an organizational equivalent designated by the Board.
 - (11) "Limited appointees" means persons holding special appointments to administrative positions designated in s. 36.17, Stats., and Chapter UWS 15, and who serve at the pleasure of the Board or of the authorized official making the appointment.
 - (12) "Organization" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.
 - (13) "President" means the President of the University of Wisconsin System.

- (14) "Secretary" means the Secretary of the Board.
- (15) "Unclassified staff" or "staff members" means faculty, academic staff or limited appointees of the University of Wisconsin System who are not subject to subchapter III, s. 19, Stats.
- (16) "Vice President" means System administration officials with the title "Vice President" or other administrative officers with similar duties.

8.03 Standards of Conduct.

- (1) Personal gain from UW-Extension position. In a manner contrary to the interests of UW-Extension or the University of Wisconsin System, no member of the unclassified staff may:
 - (a) use or attempt to use his or her position or state property to gain or attempt to gain anything of substantial value for the private benefit of the unclassified staff member, his or her immediate family, or any organization with which the staff member is associated;
 - (b) solicit or accept from any person or organization anything of value pursuant to an express or implied understanding that his or her conduct of UW-Extension or University of Wisconsin System business would be influenced thereby; or
 - (c) intentionally use or disclose confidential University information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization with which the staff member is associated.
- (2) Contracting and leasing:
 - (a) No member of the UW-Extension unclassified staff, member of his or her immediate family, nor any organization with which the staff member is associated, may enter into any contract or lease involving payment of \$3,000 or more within a 12 month period, derived in whole or in part from University funds, if the staff member is in a position to approve or influence, in his or her official capacity, the University's decision to enter into the contract or lease.
 - (b) If the unclassified staff member is not in a position to approve or influence the University's decision, the staff member may enter into a contract or lease described in par. (a) if the staff member first makes written disclosure of the nature and extent of any relationship described in par. (a) to the dean, director, or other appropriate administrator and he or she approves. The dean, director or other appropriate administrator shall approve a staff member's interest in a lease or contract unless he or she determines that the staff member's personal interest in the agreement will conflict substantially and materially with the staff member's discharge of his or her UW-Extension responsibilities.
- (3) Nepotism:
 - (a) No member of the unclassified staff may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote or determine the salary of a member of his or her immediate family.
 - (b) No member of the unclassified staff may, in the supervision or management of another unclassified staff member who is a member of

- his or her immediate family, give preferential or favored treatment.
- (4) Protection of research/evaluation participants:
 - (a) An unclassified staff member shall inform people engaged in research or evaluation under his or her supervision of any financial interest which the staff member has in the activity, including, but not limited to:
 - (i) Financial arrangements involved in the direct support of the activity;
 - (ii) Agreements made by the staff member to obtain data for the research or evaluation; or
 - (iii) Agreements concerning copyright or patent rights arising from the research or evaluation.
 - (b) All research or evaluation involving students or clientele under the supervision of UW-Extension unclassified staff shall be governed by the educational needs and benefits of the students or clientele.
 - (5) The Board, upon written request or by action within a reasonable time of receipt thereof, may waive any provision of this section whenever its literal application would be adverse to the best interests of the University of Wisconsin System or would cause an unreasonable hardship on a member of the unclassified staff.

8.04 Outside activities and interests.

- (1) Outside activities are those activities of an unclassified staff member that fall outside the staff member's regular UW-Extension duties and responsibilities, during any period of employment. Members of the unclassified staff are free to engage in outside activities, whether or not such activities are remunerative or related to staff members' fields of academic interest or specialization. However, no member of the unclassified staff may engage in an outside activity if it conflicts with his or her public responsibilities to UW-Extension or the University of Wisconsin System. Unclassified staff members should give serious consideration to the following in undertaking outside activities:
 - (a) Outside activities should not be of such a frequency, of such intensity, or at a period in time so as to interfere with the performance of departmental, UW-Extension, or University of Wisconsin System responsibilities. UW-Extension divisions may establish more specific guidelines or policies regarding frequency, intensity, period of time, and absence from regular duties. These are available from divisional offices.
 - (b) University facilities, equipment, supplies and personnel should not be used by unclassified staff for purposes other than carrying out their UW-Extension and University of Wisconsin System responsibilities, except as authorized by an appropriate administrator. UW-Extension divisions may have more specific guidelines regarding use of facilities for outside activities. These are available from divisional offices.
 - (c) Outside activities should not interfere with or compete with an existing UWEX program or service.
 - (d) Outside activities should not impede the development of a valid UW-Extension or University program or service.

- (e) Unclassified staff members should not receive or accept payment beyond their normal salaries if the activity is recognized as falling within their regular duties.

8.045 Federal regulations governing Cooperative Extension personnel.

- (1) Cooperative Extension personnel are subject to federal guidelines which may supersede or be more restrictive than these policies and procedures. Federal guidelines apply to service as an expert witness or consultant in judicial proceedings for which the individual may or may not have received a subpoena.
- (2) If an unclassified staff member proposes to engage in an outside activity subject to federal guidelines, he or she must provide advance notice to the dean, director, or other appropriate administrator.

8.05 Action to avoid possible conflict.

- (1) When it appears that a material conflict may arise between the personal interests of a staff member and his or her public responsibilities to the University, the staff member shall notify his or her dean, director, or other appropriate administrator by submitting a written statement describing the nature of the possible conflict.
- (2) Within 15 days after receipt of the statement, the dean, director or other appropriate administrator shall advise the staff member in writing that:
 - (a) There is no conflict prohibited by this Chapter and the staff member may proceed; or
 - (b) There may be a conflict and further consultation is necessary prior to reaching a determination; or
 - (c) There is a conflict which must be resolved in one of the following ways:
 - (i) The staff member shall not proceed with his or her University duties which result in the conflict, so long as the conflict remains; or
 - (ii) The staff member shall not proceed with his or her personal interests which result in the conflict, so long as the conflict remains.
 - (iii) If the staff member is advised that sub. (2)(c) (i) or (ii) applies to his or her case, the staff member, within 15 days after notice of the decision of the dean, director, or other appropriate administrator, may appeal the decision under Chapter UWS 6 or Chapter UWS 13.
 - (iv) Record of the request and administrative response shall be placed on file with the staff member's annual statement of outside interests. Upon approval of the dean, director, or other appropriate administrator, the nature of a business or organization may be sufficient for this record if disclosure of the name of the business or organization is deemed to be inappropriate.

8.06 Reporting outside activities.

- (1) The following outside activities must be reported to the individual's dean, director, or other appropriate administrator:

- (a) Associations with organizations related to the unclassified staff member's field of academic interest or specialization (see Chapter UWEX 8 for definition of "associated").
 - (b) Private remunerative relationships between unclassified staff members and non-governmental sponsors of University research in which the staff member is a principal investigator.
 - (c) Remunerative outside activities in an unclassified staff member's field of academic interest or specialization, including but not limited to consulting, and whether the staff member earns for such activities \$5,000 or more in a year from a single source.
- (2) Each unclassified staff member engaging in outside activities shall annually, on or before April 30, file a report of outside activities with his or her dean, director, or other appropriate administrator. These reports shall, unless otherwise privileged by law, be a matter of public record. One copy of this report shall be kept on file in the divisional office. Another copy of this report shall be placed in the unclassified staff member's official personnel file. Upon approval of the dean, director, or other appropriate administrator, a description of the nature of a business or organization may be sufficient for this record if disclosure of the name of the business or organization is deemed to be inappropriate.
 - (3) If, during the year, significant changes in a staff member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her dean, director, or other appropriate administrator. (See Chapter UWEX 8.)

8.07 Sanctions.

- (1) Any person may file a written complaint charging a violation of this chapter. The complaint shall state the name of the unclassified staff member alleged to have committed a violation and describe the violation.
- (2) Complaints against a UW-Extension unclassified staff member shall be submitted to the Chancellor.
 - (a) Where the complaint is against a UW-Extension faculty member, the Chancellor shall proceed under the policies and procedures described in Chapter UWEX 6.
 - (b) Where the complaint is against a UW-Extension academic staff member, the Chancellor shall proceed under the policies and procedures described in Chapter UWEX 13.
- (3) Complaints involving UW-Extension limited appointees shall be submitted to the official who made the appointment, and that official shall take appropriate action.
- (4) Notwithstanding the other provisions of this section, the President or Chancellor may investigate possible violations of this Chapter whenever the circumstances warrant and proceed in accordance with Chapter UWEX 8.

8.08 UW-Extension Ethics Committee.

- (1) Membership. The UW-Extension Ethics Committee shall consist of four members: Two members appointed from the membership of the UW-Extension University Committee, and two members appointed from the

- membership of the UW-Extension Academic Staff Council.
- (2) Appointment process. By October 1 of each year, the chairs of the UW-Extension University Committee and the UW-Extension Academic Staff Council shall inform the UW-Extension Secretary of the Faculty and Academic Staff of the Committee's and the Council's appointees to the UW-Extension Ethics Committee.
 - (3) Terms of office. Committee members shall serve two-year terms, appointed on a staggered-year basis, with a UW-Extension University Committee member and a UW-Extension Academic Staff Council member being newly appointed annually by their respective governance bodies. Terms of office shall begin on October 1 and end on September 30.
 - (4) Responsibilities. The Committee shall:
 - (a) In accordance with Chapter UWS 8, be prepared to provide any member of the unclassified staff with consultation and advice on the application of Chapter UWS 8.
 - (b) When called upon to do so, act to inform UW-Extension divisional administrators of the requirements of Chapter UWS 8.
 - (c) Prepare an annual report to be filed with the UW-Extension Secretary of the Faculty and Academic Staff by September 1. The annual report shall be presented to the UW-Extension University Committee and to the UW-Extension Academic Staff Council at their September meetings.
 - (5) Committee actions and records.
 - (a) Committee deliberations and actions upon requests for consultation or advice shall be in meetings not open to the public.
 - (b) Records obtained in connection with requests for consultation or advice shall be considered confidential University information and will be kept in the office of the Secretary of the Faculty and Academic Staff.
 - (c) Summaries of advice provided by the Ethics Committee, which do not disclose the identities of persons requesting such advice, shall be made public in the Committee's annual report.
 - (6) Committee chair. Annually, the Committee shall elect its chair. The election shall take place at the Committee's first meeting.

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