



SOUTHERN UTAH UNIVERSITY
Policies and Procedures

Policy #5.62

Date Approved: 4/27/17

Date Amended:

Reviewed w/no Changes:

Office of Responsibility: Pres & VPFA

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SUBJECT: CODE OF ETHICS

I. INTRODUCTION

As an institution dedicated to personal growth, civic responsibility, and professional excellence, Southern Utah University is committed to integrity in all its endeavors. In this way, SUU will maintain the trust and confidence of both the University community and the public it serves. The University's reputation is among its most valuable assets.

SUU trustees, officers, and employees are expected to undertake their responsibilities on the University's behalf with diligence and professionalism and to comply with the highest standards of honesty and fairness. This includes being respectful of the rights of others and forthright in all dealings with members of the University community as well as third parties; protecting the privacy of confidential information; and compliance with all applicable laws, rules and regulations. University representatives should not place their personal interest above the best interests of the University; even the appearance of impropriety must be avoided.

II. SCOPE

This Code of Ethics (Code) applies to all SUU trustees, officers, and employees. It is not intended to replace, and may be supplemented by, specific University policies that have been adopted in the past and may be adopted in the future.

III. PURPOSE

The University has upheld and will continue to uphold the highest levels of ethics and integrity in all its affairs. To this end, this Code serves (1) to emphasize the University's commitment to ethical conduct and compliance with the law; (2) to set forth basic standards of ethical and legal behavior; (3) to provide reporting mechanisms for known or suspected ethical or legal violations; and (4) to help prevent and detect wrongdoing.

Given the variety and complexity of ethical questions that may arise in the course of carrying out the University's business, this Code should not be viewed as an exhaustive statement on ethical behavior. Confronted with ethically ambiguous situations, trustees, officers, and employees should keep in mind the University's commitment to the highest ethical standards and seek advice from appropriate sources so as to ensure that this commitment is honored at all times.



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IV. REFERENCES

- A. Southern Utah University Policy #5.7: CONFLICTS OF INTEREST
- B. Southern Utah University Policy #5.18: NEPOTISM
- C. Southern Utah University Policy #5.27: NON-DISCRIMINATION / ANTI-HARASSMENT
- D. Southern Utah University Policy #5.52: INTELLECTUAL PROPERTY
- E. Southern Utah University Policy #5.60: SEXUAL MISCONDUCT
- F. Southern Utah University Policy #6.28: FACULTY PROFESSIONAL RESPONSIBILITY

V. ETHICAL STANDARDS

A. CONFLICTS OF INTEREST

Trustees, officers, and employees of SUU serve the public trust and are required to fulfill their responsibilities with care and loyalty. The integrity of SUU must be protected at all times, and the fiduciary relationship of trustees, officers, and employees to SUU must be honored in both actuality and appearance. A conflict of interest exists when a University representative's direct or indirect personal interests are inconsistent with or interfere with the best interests of the University. The University's conflict of interest policy sets forth in detail the standards and procedures to be followed when dealing with situations that may present a conflict of interest. (see Policy #5.7: CONFLICTS OF INTEREST)

B. CORPORATE OPPORTUNITIES

Trustees, officers, and employees owe a duty to the University to advance its legitimate interests whenever possible, and they are prohibited from claiming ownership in works resulting from the use of substantial support from the University without an ownership allocation contract. This prohibition does not apply to works resulting from minimal technical help from the University. For definitions of "substantial support", "ownership allocation contract", "minimal technical help", and other clarifying rules; see SUU Policy #5.52: INTELLECTUAL PROPERTY.

No one may use University property, information, or position for improper personal gain, and no employee may directly or indirectly compete with the University.



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C. FAIR DEALING

Whenever they act on the University's behalf, and regardless of whether they are dealing with colleagues or third parties, trustees, officers, and employees are required to act honestly, in good faith, and with professionalism. No one may take unfair advantage of another person through harassment, manipulation, abuse of privileged information, misrepresentation of material facts, or any other unfair practice. Stealing proprietary information, possessing trade secret information that was obtained without the owner's consent or wrongfully inducing such disclosures by past or present employees of other organizations is prohibited.

D. CONFIDENTIALITY

Trustees, officers, and employees must maintain the confidentiality of confidential information entrusted to them, except when disclosure is authorized by an appropriate officer of the University or required by law. Confidential information includes all non-public information that might be of use to competitors or other third parties or harmful to the University or its constituencies if disclosed; it also includes information that third parties have entrusted to the University. The obligation to preserve confidential information continues even after employment ends.

E. PROTECTION AND PROPER USE OF UNIVERSITY ASSETS

Trustees, officers, and employees should protect the University's assets and ensure their proper and efficient use. Theft, carelessness, and waste have a direct impact on the University's operations. Any suspected incident of fraud or theft should be immediately reported for investigation. University facilities and equipment should not be used for non-University business, although incidental personal use may be permitted.

The obligation of trustees, officers, and employees to protect the University's assets includes, but is not limited to, its proprietary information. Proprietary information includes intellectual property such as patents, trademarks, and copyrights, as well as business plans, databases, records, employment information, and any unpublished financial data and reports. Unauthorized use or distribution of this information violates University policy and may also be illegal and result in criminal and/or civil liability.

F. COMPLIANCE WITH LAWS, RULES, AND REGULATIONS



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While conducting the affairs of the University, trustees, officers, and employees must comply with applicable laws, rules, and regulations at all levels of government in the United States and in any other jurisdiction in which the University does business. Although not all trustees, officers, and employees are expected to know the details of these laws, it is important to know enough about applicable federal, state, and local laws to determine when to seek advice from supervisors or other appropriate personnel. When in doubt, ask.

G. TIMELY AND TRUTHFUL PUBLIC DISCLOSURES

Trustees, officers, and employees involved in the preparation of financial and other reports and documents, and information included therein, filed with or submitted to federal, state, and local authorities by the University are required to make disclosures that are full, fair, accurate, timely, and understandable. They may not knowingly conceal or falsify information, misrepresent material facts, or omit material facts necessary to avoid misleading the authorities or the University's independent auditors. The same standards apply to other public communications made by the University.

H. SIGNIFICANT ACCOUNTING DEFICIENCIES

The President and the Vice President for Finance and Administrative Services should promptly bring to the attention of the Audit Committee any information he or she may have concerning (a) significant deficiencies in the design or operation of internal controls over financial reporting which could adversely affect the University's ability to record, process, summarize, and report financial data or (b) any fraud, whether or not material, that involves management or other employees who have a significant role in the University's financial reporting, disclosures, or internal control over financial reporting.

I. INAPPROPRIATE RELATIONSHIPS

The University views amorous or sexual relationships between those in a position of authority and their subordinates, such as in a teaching, evaluating, supervising, or advising role as part of a school program or in an employment situation, and including all minors, regardless of whether they could be considered subordinate under other circumstances, as a power relationship that undermines and/or eliminates the ability of the subordinate (including all minors) to provide consent to an amorous or sexual relationship, and those relationships thereby violate University policy. Moreover, those in a position



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of authority may not use their position of authority to reward, penalize, or retaliate against, either directly or indirectly, any person or subordinate with whom there is or was an amorous or sexual relationship or who has rejected such a relationship. Further information is available by reviewing University Policy 5.60, SEXUAL MISCONDUCT.

VI. ADMINISTRATION

A. IN GENERAL

This Code is to be administered by or at the direction of the Audit Committee of the Board of Trustees. In general, matters arising under this Code involving University trustees and officers are subject to review of the Audit Committee. Each new employee should read, understand, and commit to comply with this Code at the time they are hired. Trustees and members of the President's Council should review this Code and re-attest annually.

B. REPORTING KNOWN OR SUSPECTED VIOLATIONS

University trustees and officers are required to report promptly any known or suspected violations of this Code to the Chair of the Board of Trustees or the Chair of the Audit Committee. All other employees shall report any known or suspected violations to their supervisor(s) or anonymously and confidentially through the Internal Audit website at <https://www.suu.edu/ad/internalaudit> or at <http://www.suu.ethicspoint.com>. No retaliatory action of any kind will be permitted against anyone making such a report in good faith, and the University's Audit Committee will strictly enforce this prohibition.

C. ACCOUNTABILITY FOR VIOLATIONS

If the Audit Committee (or a designee) determines that this Code has been knowingly violated, including by failure to report a known violation or by withholding information relating to a known violation, the offending individual may be disciplined, with penalties up to and including removal from office or termination of employment. All individuals are required to cooperate in internal investigations of possible misconduct.