

Standard of Conduct Guide



Dear fellow employee,

The University of Texas at San Antonio is one of the fastest growing institutions of higher education in the State of Texas. As growth in our student population, research endeavors and other community services increase, we as employees have a great responsibility to ensure we all remain committed to the highest standards of ethics and integrity. Our hard work, integrity, and dedication are the keys to successful growth and allow us to meet the challenges of operating in an increasingly complex environment of federal and state regulations.

As employees of UTSA, you are the backbone of the institution. What you do today has far-reaching implications as to the future successes of UTSA. It is for this reason that we all must strive to always do the right thing.

This Standards of Conduct training is a part of the Institutional Compliance Program and is an important tool for communicating and preserving the culture and core values that are important to UTSA. While most of you are aware of compliance standards and are sensitive to these issues, we believe this training will give you a better understanding of your ethical and legal obligations by providing you with information and resources about appropriate conduct in the workplace - how to Do The Right Thing.

I commend each of you for your high personal and professional standards and encourage you to refer to this Standards of Conduct training and available guide in making decisions about ethical issues that may arise at work. Your partnership and skills are an important part of the foundation of the Compliance Program and are critical to the future success and overall mission of the institution.

Thank you for your cooperation and for all you do in making UTSA, the next great Texas University.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricardo Romo". The signature is fluid and cursive, written in a professional style.

Ricardo Romo
President

Purpose

The purpose of the Standards of Conduct Guide is to emphasize the need for and the responsibility of all employees* of The University of Texas at San Antonio (UTSA) to perform their duties and responsibilities in compliance with all applicable federal and state laws, local rules and regulations; the policies and the Rules and Regulations of the Board of Regents of the UT System; and the policies and procedures of UTSA.

Although the Guide addresses a number of specific laws, policies, rules and regulations, it is not intended to be a comprehensive list of legal and ethical standards, but provides UTSA employees with information about some of the laws, policies, rules and regulations that have a direct effect on the university and its operations.

It is also an educational tool used by UTSA Institutional Compliance Program to train employees regarding the conduct required of them in the workplace. Generally if you have questions, please see your supervisor. Faculty may discuss issues with their department chair and/or dean. The Office of Institutional Compliance and Risk Services is also available to answer questions.



Ethics Policy

Ethical behavior is expected of all employees* of UTSA. Management personnel at every level are expected to be role models for ethical behavior in their departments. They should create a departmental culture that promotes the highest standards of ethics and encourages everyone in the department to voice concerns when unethical behavior or incidents of non-compliance with applicable laws, policies, rules or regulations arise. Each employee has a personal obligation to report any activity that appears to violate such laws, policies, rules and regulations.

The Board of Regents of The University of Texas System has set out a general outline of the level of ethical behavior expected of all UT System employees in its Ethics Policy.



[Click here](#) for the Ethics Policy and other useful ethics information.

Whenever possible, specific ethics or employee compliance questions should first be directed to the employee's supervisor. The UTSA Ethics Officer (Chief Legal Officer) and/or the Office of Institutional Compliance and Risk Services are also available to answer questions. Additionally, you may report issues anonymously through the UTSA Hotline at 1 (877)-270-5051 or via the Web at <https://www.reportlineweb.com/UTSA> (refer to the section on the Compliance Program & Reporting Non-Compliance for more details).



[Click here](#) for additional information on the UTSA Code of Ethics (HOP Chapter 4.1).

* The term "employees of The University of Texas at San Antonio" includes all administrative officers, faculty, classified and non-classified staff, professional personnel and student employees.

Managers' and Supervisors' Responsibilities

Management personnel at every level are expected to set examples and to be role models for doing what is right in their departments. They should create a departmental culture that promotes the highest standards of honesty and integrity and encourages employees to share compliance concerns with them.

Managers and supervisors include all individuals who have, as a part of their job description, the supervision of any UTSA employee. The support of and adherence to the Institutional Compliance Program by managers and supervisors is considered an important part of their job performance.



Managers and supervisors are required to ensure and verify the employees they supervise receive appropriate compliance training. In addition, they are responsible for discussing with their employees UTSA's Standards of Conduct Guide and compliance policies and procedures specifically related to their job function.



[Click here](#) for additional information on managers' and supervisors' responsibilities.

Compliance Program & Reporting Non-Compliance

Institutional Compliance Program

The UTSA Compliance Program reflects the commitment of UTSA to maintain the highest ethical standards and to comply with all applicable laws, policies, rules and regulations. To be in compliance means to adhere to all laws, rules, and policies that apply to your job. You are not responsible for knowing all the laws and policies that apply to UTSA.

You are responsible, however, for knowing and following the laws and policies that apply to you and your job at UTSA. The Director of Institutional Compliance is responsible for the administration of the university's Institutional Compliance Program, and the Executive Director of Audit, Compliance and Risk Services is the Compliance Officer. The Executive Compliance Committee provides oversight for the program.



Reporting Suspected Non-Compliance

Employee concerns and/or issues of suspected non-compliance should be addressed through normal administrative channels whenever possible. However, UTSA employees may use the Hotline (by phone or by Internet) for reporting issues of suspected non-compliance. The Hotline is administered by a company that is unaffiliated with UTSA and acts as a neutral third party to accurately document the issues reported and forward them immediately to the appropriate individuals at UTSA for resolution.



Hotline toll-free number
1 (877)-270-5051



Hotline Web address
www.reportlineweb.com/UTSA

How do I know if I am doing the right thing? Ask yourself these questions:

1. Is the action in compliance with university policies and procedures?
2. Is the action legal?
3. How will it look in the newspaper?

If you are still not sure what to do, ask your supervisor or contact the Office of Institutional Compliance and Risk Services (210) 458-4992.



[Click here](#) for additional information about the reporting procedures.

Contacts with the Media, Government & Outside Investigators

Contacts with the Media

UTSA recognizes the important role of the media in the fulfillment of our mission. It is our policy to maintain an open atmosphere, and employees are encouraged to interact with the news media regarding their areas of expertise. The Associate Vice President for University Communications acts as the official spokesperson for UTSA. If an employee is contacted by a member of the media regarding an official matter internal to the university or a matter of institutional policy, the media representative should be referred to the Associate Vice President for University Communications.

Q: I am employed in the Development Office at UTSA. A local newspaper reporter called to ask me questions about a recent large gift to the university. May I answer the reporter's questions?

A: Possibly. You should first discuss the inquiry with the Associate VP for University Communications who generally responds to all calls from the media regarding official university matters.

Contacts with Outside Investigators

It is our policy to cooperate with government investigations of UTSA and its employees. UTSA employees are responsible for notifying their supervisor immediately if they receive a subpoena, inquiry or other legal document from any governmental agency regarding official UTSA business, whether at home or in the workplace. Supervisors should inform the Office of Legal Affairs regarding subpoenas, depositions or other legal requests concerning government investigations of UTSA and its employees. If a UTSA employee is contacted at home by a government agent, without a search warrant or a subpoena, concerning a government investigation of UTSA, that employee



should request that the agent make such contact at work the next business day and should immediately contact his/her supervisor.

When providing information to elected officials, notify the Office of the President for coordination with the UT System Administration Office of Government Relations.

Q: Last night, while I was having dinner with my family, there was a knock at my door. The person identified herself as an FBI agent and wanted to talk with me about my work at UTSA. Should I have spoken with her?

A: You are not required to speak to the agent at your home. UTSA does not prevent you from talking to the agent; however, to protect yourself and UTSA, you may ask the FBI agent to contact you at your office the next business day, then immediately contact your supervisor. Should the FBI agent produce a search warrant or subpoena, if possible, notify your supervisor before you answer any questions from the agent. Always answer the questions truthfully.

Records & Information

Confidential Information



Unless specifically exempted from disclosure by the Attorney General or made confidential by law, all documents collected, assembled or maintained by UTSA in the regular course of business are available to the public under the terms and conditions of the Texas Public Information Act. Generally, documentation that is exempt from disclosure includes certain personnel data, student information, health/patient information, financial data, strategic plans, marketing strategies, and proprietary information. Requests for documents under the Texas Public Information Act should be made in writing to the Public Information Officer. More information on how to submit a request, can be

found at: <http://www.utsa.edu/openrecords/>

Q: I received a phone call from someone who asked me to send her copies of documents that we keep on file in our office. Should I make the copies and send them to her?

A: No. Individuals verbally contacting you should be advised to submit their request in writing to the Public Information Officer. Any public information request must be sent in writing.

Q: A co-worker asked me if it was OK to release a student's Social Security number. I told them not to release it, but I really wasn't sure. Did I do the right thing?

A: Yes, you did the right thing! Since Social Security numbers are not considered part of directory information for students or staff, they should not be released unless there is a legitimate business reason for the request. The University of Texas System Policy 165 is a good resource for information about protecting the confidentiality of Social Security numbers. You can find this information at <http://www.utsystem.edu/policy/policies/uts165.html>.

Family Educational Rights and Privacy Act (FERPA)

is the federal law that provides for the review and disclosure of student educational records. The University has adopted the following policy and procedures. Individuals are informed of their rights under these laws through the policy stated in this section. Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

The University will not permit access to or the release of personally identifiable information contained in student educational records to any party without the written consent of the student, except as authorized by FERPA. FERPA's authorizations for release without consent include:

1. appropriate school officials who have legitimate educational interests
2. officials of other schools in which the student seeks or intends to enroll, upon request of these officials and upon the condition that the student or student's parent is notified and receives a copy of the record if desired
3. federal officials or state educational authorities
4. in connection with a student's application for or receipt of financial aid
5. state and local officials or authorities to whom such information is allowed to be reported or disclosed pursuant to state statute
6. organizations conducting educational studies, provided that these organizations do not release personally identifiable data and destroy such data when it is no longer needed for the purpose it was obtained
7. accrediting organizations in order to carry out their accrediting functions



8. the parents of a dependent student as defined in § 152 of Title 26 of the Internal Revenue Code of 1954, provided a reasonable effort is made to notify the student in advance
9. in an emergency situation if the information is necessary to protect the health or safety of the student or other persons
10. when the student has violated a law or the school's rules or policies governing alcohol or substance abuse, if the student is under age 21
11. in compliance with a judicial order or subpoena, or federal grand jury subpoena provided a reasonable effort is made to notify the student in advance, unless such subpoena specifically directs the institution not to disclose the existence of a subpoena
12. an alleged victim of a crime of violence or a nonforcible sex offense; the final results of the alleged perpetrator's disciplinary proceeding with respect to such crimes may be released.

In item 1 above, "school official" means a person either: (1) employed by the University in an administrative, supervisory, academic, research, or support staff position, (2) serving on a University governing body, (3) under contract to the University to perform a special task or service, or (4) who is a student serving in an official capacity for the University. "Legitimate educational interest" means any authorized interest or activity undertaken in the name of the University for which access to a student educational record is necessary or appropriate to the proper performance of the undertaking within the course and scope of the person's employment and authority in order to further the educational or business purposes of the student or the University.

For records maintained by the Office of the Registrar, a record of requests for disclosure and such disclosure of personally identifiable information from student educational records is maintained by the Office of the Registrar for each student and is made available for inspection pursuant to this policy. If the University discovers that a third party who received student records from UTSA released or failed to destroy such records or information from such records in violation of FERPA, UTSA may not allow that third party access to personally identifiable information from educational records for at least five years. Records subject to disclosure are purged according to regular schedules when no longer subject to audit or presently under request for access.



The Federal Educational Rights and Privacy Act does not extend to research papers and theses authored by students; these documents are available to interested members of the public.

Directory information means information contained in an educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. FERPA regulations specifically prohibit the disclosure of a student's Social Security Number as directory information.

At its discretion, the University may release directory information that includes the following:

- name, address, and telephone number
- e-mail address
- date and place of birth
- major field of study
- enrollment status
- dates of attendance (in person or by correspondence, video conference, Internet, or other electronic information and telecommunications technologies)
- most recent previous educational institution attended
- classification
- degrees, certificates, and awards (including scholarships) received
- date of graduation
- participation in officially recognized activities and sports
- physical factors (height and weight) of athletes
- photographs



The Family Policy Compliance Office (202) 260-3887
The Federal Information Relay Service (800) 877-8339



[Click here](#) for additional information regarding FERPA

Q: A salesperson I know asked me to provide him with some information that is contained in student records. Is he allowed to have this information?

A: No. Student records can only be used for university business, unless otherwise specified under FERPA. We are responsible for protecting the confidentiality of student information from interested third parties as well as from staff who have no “business” reason for such information. Students are entitled to expect confidentiality and the protection of their privacy. Information must be released to authorized parties only, and the release of information must be in accordance with applicable laws.

Accuracy of Records

Employees of UTSA are required to maintain the integrity and accuracy of business documents and records for which they are responsible. No one may enter false information on a document; and no one without the authority to do so may alter, destroy or expunge information on any record or document.

Q: My supervisor has asked me to change the date on a receipt so we can be reimbursed. Am I allowed to do that?

A: No. Once a document has been completed it may not be altered. An addendum may be made, but the receipt should not be changed, and the addendum must be dated with the date it is written.

Retention and Disposition of Records

UTSA recognizes the need for orderly management and retrieval of all official records and a documented records retention and destruction schedule that is consistent with state and federal laws and regulations. The Records Management Program at UTSA covers all records (written, computerized, photographic, and machine-readable or otherwise recorded, that are created or received) that document activities associated with university business.



Questions about the permanent or archival retention requirements for all records should be directed to the University Archivist.

[Click here](#) for the university policy on Records Disposition and Disposal. (HOP Chapter 9.21)



[Click here](#) for additional information of Retention and Disposition of Records.

Q: My department is very low on file space and I need to throw away old files to make room for new ones. May I throw away everything that is greater than three years old?

A: No. UTSA has a formal Records Retention Schedule that must be followed by all employees. The retention schedule outlines the appropriate time to destroy records, both electronic and paper. You may arrange for storage of departmental files by contacting the Purchasing and Distribution Services Department. If the records are designated as archival on the Retention Schedule, you should contact the University Archives.

Q: In response to an open records request, I am in the process of reviewing documentation in my office files, and I have discovered some relevant documents that should have already been destroyed. May I go ahead and destroy these records?

A: No. If the information exists at the time of the request, it must be reviewed. Destruction of records is always halted in cases of a pending audit, litigation, open records request or administrative review.

Litigation Hold

Anytime the University reasonably expects it might be sued, it must take steps to preserve relevant evidence. UTSA may put a Litigation Hold on computers or other equipment that might contain

relevant evidence which stops the routine destruction or deletion of electronic information. The Office of Information Technology/Information Security (OIT/ISO) preserves your e-mails, hard-drive files and network files. An employee on Litigation Hold must make sure they do not delete e-mail or electronic documents that are relevant to the hold. Litigation Hold is simply a way for the University to preserve potential evidence.

Evidence can be in:

<i>PAPER FORM</i>	<i>ELECTRONIC FORM</i>
Letters, Memoranda, Contracts	E-mails and Attachments
Handwritten Notes	Word documents
Paper Calendars	Outlook Calendars
Telephone Messages	Scanned-in Documents

If an employee is on Litigation Hold he/she would receive a Litigation Memorandum from the UTSA Office of Legal Affairs. The memorandum will state that your computer is on Litigation Hold and the specific case for which you might have relevant information. The memorandum will contain specific directions and information. You will then receive a questionnaire from OIT/ISO asking you to identify any/all computers or other electronic equipment that you use to conduct business at UTSA. Here are some do's and don'ts if you receive a Litigation Hold memo.

DO:	DO NOT:
Read the Memo carefully	Panic.
Complete the OIT/ISO questionnaire promptly and accurately and return it to OIT/ISO.	Delete files or e-mails that contain relevant information.
Accommodate OIT/ISO staff when they come to image your hard-drive.	Replace your computer, install new software or re image your hard drive without contacting first OIT/ISO.
Save all newly created relevant documents to the i-drive.	

Workplace Conduct & Employment Requirements

Fraud

The prevention of fraud and abuse and the minimization of waste is the responsibility of all employees of UTSA. If fraud occurs within your area, you should report the information to your supervisor, Auditing and Consulting Services and/or University Police. You may also report fraud to the UTSA Hotline at 1 (877)-270-5051 or via the Web at <https://www.reportlineweb.com/UTSA>.



[Click here](#) for additional information found in the UT System Fraud Policy

Q: What are some examples of fraud?

A: Lying on an employment application; intentionally falsifying records (e.g., payroll or time records); or providing false receipts for reimbursements (e.g., travel, petty cash).

Misconduct in Research and Other Scholarly Activities

UTSA employees have a duty to ensure the responsible conduct of research and scholarship at our institution by promoting high ethical standards of honesty and integrity. Misconduct includes fabrication, falsification, and plagiarism, which are all contrary to the interests of science, the State and Federal Government, and the health and safety of the public. The destruction or absence of research records is also evidence of research misconduct. Any suspicion of research or scholarly misconduct should be reported to the Office of Research Administration.

Research misconduct is defined as “fabrication, falsification or plagiarism in proposing, performing or reviewing research, or in reporting research results.” The destruction or absence of research records is also evidence of research misconduct.



[Click here](#) for UTSA’s policy on misconduct in research and other scholarly activities found in the HOP.



[Click here](#) for the Web site for the National Office of Research Integrity.

Unacceptable Conduct

All employees are expected to maintain standards of conduct suitable and acceptable to the work environment. Disciplinary action, including dismissal, may be imposed for unacceptable conduct. Examples of unacceptable conduct include, but are not limited to:

- Falsification of time sheets, personnel records or other institutional records.
- Neglect of duties.
- Smoking anywhere except in designated smoking areas.
- Gambling or participating in lotteries or any other games of chance on the premises at any time.
- Soliciting or collecting money or circulating petitions on the premises other than within the rules and regulations of the institution.
- Bringing intoxicants or drugs onto the premises of the institution, using intoxicants or drugs on the premises at any time, having intoxicants or drugs in one's possession on the premises at any time, or being under the influence of intoxicants or drugs on the premises at any time.
- Abuse or waste of tools, equipment, fixtures, property, supplies or goods of the institution.
- Creating or contributing to unhealthy or unsanitary conditions.
- Violations of safety rules or accepted safety practices.

- Failure to cooperate with supervisor or co-worker, impairment of function of work unit, or disruptive conduct.
- Disorderly conduct, harassment of other employees (including sexual harassment) or use of abusive language on the premises.
- Fighting, encouraging a fight or threatening, attempting or causing injury to another person on the premises;
- Theft, dishonesty or unauthorized use of institutional property, including records and confidential information.
- Creating a condition hazardous to another person on the premises.
- Destroying or defacing institutional property or records or the property of a student or employee.
- Refusal of an employee to follow instructions or to perform designated work that may be required of an employee, or refusal to adhere to established rules and regulations, or
- Repeated tardiness or absence, absence without proper notification to the supervisor or without satisfactory reason or unavailability for work.



[Click here](#) for the unacceptable conduct policy in the HOP.

Equal Employment Opportunity



UTSA is an Equal Employment Opportunity (EEO)/Affirmative Action employer. UTSA does not discriminate against employees or applicants for employment on the basis of race, color, national origin, religion, sex, age, veteran status or disability. In addition to compliance with all applicable federal and state laws and regulations, under University System policy, no person will be subjected to employment discrimination on the basis of sexual orientation.

UTSA’s commitment to equal opportunity principles applies to all aspects of employment, including recruitment, retention, promotion, compensation, benefits and training. Questions regarding EEO or Affirmative Action issues should be directed to your supervisor or the Office of Equal Opportunity Services.



[Click here](#) for additional information regarding nondiscrimination and sexual harassment and sexual misconduct

Q: I feel like I was passed up for a promotion because of my age. Who do I call when I feel like I have been discriminated against?

A: The Office of Equal Opportunity Services deals with all allegations of discrimination at UTSA.

Sexual Harassment and Sexual Misconduct

The environment for employees and students should be free from inappropriate conduct of a sexual

nature in the workplace or classroom. Sexual harassment is illegal and sexual misconduct is a violation of policy, both sexual harassment and sexual misconduct are unprofessional and prohibited.

UTSA is committed to complying with federal and state laws. Employees who engage in such conduct will be subject to disciplinary action, up to and including termination. Questions regarding sexual harassment or sexual misconduct should be directed to your supervisor or the Office of Equal Opportunity Services.



[Click here](#) for for UTSA's policy on discrimination, sexual harassment, and sexual misconduct

Q: My co-worker is sending me jokes via e-mail that contain offensive content. I've asked her to stop, but she continues to send them. What can I do?

A: Since the e-mails continued after you asked her to stop, immediately contact your supervisor. If your supervisor is unable to assist you, then contact the Office of Equal Opportunity Services. An investigation may be initiated and appropriate action taken.

Q: My supervisor makes remarks containing sexual language clearly directed at me. What can I do?

A: You should ask your supervisor to stop the remarks; however, if you don't feel comfortable talking to your supervisor, immediately contact the Office of Equal Opportunity Services.

Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) of 1993 is a federal law that makes available to all eligible employees up to 12 weeks of unpaid* leave in a 12-month period for specific situations.

Employees are eligible for leave under the FMLA if they have worked for the State of Texas for at least 12 months (the months need not be continuous), and have worked for at least 1,250 hours during the 12 months prior to the first day of leave. FMLA leave runs concurrently with the employee's use of sick leave, vacation leave and floating holidays. FMLA leave is approved through the Department of Human Resources. Questions regarding FMLA should be directed to them.



[Click here](#) for additional information regarding FMLA

* Be sure to call Human Resources for information about sick leave pay and benefits while out on FMLA.

Q: My wife and I are adopting an infant next month. Am I eligible for Family Medical Leave? How long may I take off?

A: You may be eligible for FMLA. FMLA allows for a total of 12 weeks off. Check with the Department of Human Resources for specific eligibility requirements and for

information on requesting leave.

Overtime Compensation

Non-Exempt Employees

Section 659.015 of the Texas Government Code, "Overtime Compensation for Employees Subject to the Fair Labor Standards Act of 1938," states non-exempt UTSA employees who are required or permitted to work over 40 hours in a workweek are to be compensated either

- By receiving pay equal to one and one-half times the regular rate of pay for the hours in excess of 40 hours in a workweek, or
- By receiving compensatory time off at the rate of one and one-half hours for each hour of overtime (the hours in excess of 40 hours in a workweek), with a limit of 240 accrued hours per year.

The method of compensation (pay or compensatory time) is determined by department/division policy. Supervisors must specifically approve overtime before it is worked and compensatory time before it is taken.

Exempt Employees

In accordance with Section 659.016 of the Texas Government Code, "Overtime Compensation for Employees Not Subject to the Fair Labor Standards Act of 1938," and UTSA HOP 4.27, The University of Texas at San Antonio (UTSA), exempt classified, benefits-eligible employees are permitted to earn and use state compensatory time as provided by state law. This policy does not apply to administrative and professional (A&P) employees, except as outlined in the Handbook of Operating Procedures, Chapter 4.27 "State Compensatory Time."



Questions regarding overtime compensation should be directed to the Department of Human Resources.



[Click here](#) for additional information regarding compensation

Q: I am a non-exempt employee. I like to get all of my work done each day, so sometimes I come in early and leave late, but I only record eight hours of work on my time report. Is this okay?

A: No, you must record all hours worked. However, Non-exempt employees should work their regular work schedule during a workweek, except when required and approved (in advance) by your supervisor.

Exempt and Non-Exempt Timekeeping

Section 661.908 of the Texas Government Code, "Leave Records; Time and Attendance Records,"

states the administrative head or governing body of each state agency shall require the following for each employee:

- time and attendance records
- a record of the accrual and taking of vacation and sick leave
- a record of the reason an employee takes leave if other law requires the employee to inform the agency of the reason
- a record that shows whether any leave taken is accounted for as sick leave, vacation leave, other paid leave, leave without pay, or other absence.

Questions regarding exempt or non-exempt timekeeping should be directed to the Office of Human Resources Management and Development.

Conflict of Interest

Outside Employment

The primary employment responsibility of all employees is to UTSA. Outside professional commitments should not interfere with a faculty or staff member's responsibility to UTSA. No member of the faculty or staff may accept outside employment, temporary or regular, that actually or potentially results in any conflict of interest with, or intrudes upon or detracts from the individual's responsibilities to the programs, policies and objectives of UTSA. Consulting and other professional commitments with this result or the potential for this result must also be avoided. No full-time employee shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by their vice president.



[Click here](#) for additional information found at the UT System Web site.



[Click here](#) for additional information regarding Outside Employment

Q: May I work for a local department store at times when I am not working my normal hours at UTSA?

A: Probably. Working at a local department store most likely does not present a conflict of interest for UTSA employees. If UTSA is your permanent full- or part-time employer, you should still check with your supervisor to be certain that employment at the department store will not interfere with your scheduled work times. You should also fill out an outside employment form and submit it to your vice president for approval.

Q: I work as an accountant in a department at UTSA. I also do bookkeeping for a

catering firm that does business with UTSA and occasionally with my department. Is there anything wrong with this?

A: Yes. You may not accept employment from any outside company that also does business with UTSA and creates a possible conflict of interest. In this case, it would be possible for you to allow the catering firm to bill your own UTSA department too much and then you could pay that bill. Whenever in doubt, check with your supervisor or vice president.



Financial Interests

UTSA employees are prohibited from having a direct or indirect interest, financial or otherwise, in a corporation or business, engaging in a professional activity, or incurring an obligation of any nature that is in substantial conflict with or might reasonably tend to influence the performance of their official duties at UTSA. If you plan to conduct business with UTSA, you are expected to inform the Vice President

for Business Affairs, annually, of any financial arrangement with a company or entity external to UTSA that might create a potential conflict of interest.

Q: My family owns a catering business that often does business with my department and others at UTSA. Is this a conflict of interest?

A: Not necessarily. If you do not make the catering decisions for your department and others at UTSA, then there should be no conflict. You do need to report this information to your supervisor.

Q: I've been buying stock in a company that does business with UTSA. After my next purchase, I'll own 10 percent of the company. Is this a conflict of interest?

A: Potentially. If you have the authority to award contracts, select vendors, or influence purchases of goods and services, then you must report your ownership to your supervisor.

Use of UTSA & State of Texas Resources

Use of State-Owned Property

As a general rule, an employee may use UTSA property and assets only for state purposes; personal use of university property is prohibited. Incidental personal use of UTSA e-mail, a state telephone to make a local telephone call, or the Internet, provided that the use complies with applicable UT System policies and does not result in additional cost to UT System, is permissible.

Employees should direct any questions about the use of UTSA property to their supervisors.



[Click here](#) for Information Resources Use and Security Policy found in the HOP.

[Click here](#) for additional information on Campus Mail found in the HOP.

[Click here](#) for additional information on Appropriate Use of the Internet found in the HOP.



[Click here](#) for UT System Use and Protection of Information Resources.

Q: I am a volunteer for the United Way of San Antonio. May I use my UTSA computer and copy machine to produce materials for United Way?

A: No. While UTSA encourages employee involvement in the community, UTSA resources may not be used to support external organizations.

Q: My son calls me each day when he gets home from school. Since it's a personal call on a UTSA-owned phone, am I breaking any rules?

A: No. As a general rule, the personal use of any UTSA property or asset is prohibited; however, incidental personal use that complies with applicable UTSA policies and does not result in additional costs to the university is okay.

Q: I am involved with various professional societies and use e-mail while at work to communicate with such societies. Is this okay?

A: Yes, as long as the professional societies relate to your work at the university. Remember that use of the Internet on university computers is limited to activities directly related to education, research, and institutional or administrative purposes. You should also note that non-university data should not be stored on UTSA servers.

Computer Software

Employees who use software licensed to UT System or to UTSA must abide by applicable software license agreements and may copy licensed software only as permitted by the license. Unauthorized duplication of copyrighted software is a violation of federal copyright law. It is illegal to install licensed software on more than one computer, unless the license expressly provides for more than one installation. Employees should direct questions about applicable software license agreements to their supervisors or the Office of Information Technology.



In accordance with the Digital Millennium Copyright Act, most software, music and video files are protected by law. Illegally copying, downloading, sharing and storing of copyrighted files on UTSA equipment is strictly prohibited. Installing Peer-to-Peer (P2P) filesharing software on UTSA computer equipment is also not allowed and will soon be illegal on all state-owned computers.

More information on the Governor's Executive Order relating to peer-to-peer file-sharing software is available at <http://governor.state.tx.us/news/executive-order/3630/>.

Q: My budget doesn't allow for everyone to have a copy of a software program. Is it

okay to copy the program from someone else's computer and put it on mine?

A: No. This is a violation of federal copyright laws. Check with the Office of Information Technology to determine whether a cost effective site license is available for the program.

Q: What types of files are covered by copyright law?

A: Most music files (MP3, AAC, etc.) and movie/video files (DivX, etc.) are copyrighted.

Q: Can I legally copy music from a CD I purchased to my MP3 player?

A: Yes, you are allowed to copy the music you legally own to another device.

Q: What is Peer-to-Peer (P2P) software, and why is it not allowed on UTSA computers?

A: P2P applications are software packages that allow thousands of computers to interconnect and share media files—most of the files on these services are being illegally shared. Also, these types of software programs often install hidden spyware and adware on users' computers.

Information Security and Confidentiality



Every UTSA employee has a responsibility to maintain the security and confidentiality of university information resources, to prevent accidental or unauthorized disclosure, and to comply with information security policies and procedures. Note that student records and health records are subject to additional legal safeguards. An employee may access or disclose confidential and sensitive information only as permitted by contract, state or federal law/regulation, the scope of employee's employment, or approved UTSA policy.



[Click here](#) for UTSA's Information Technology Web site.

Q: While typing some employment records, I noticed that a new employee is now married to my ex-husband. May I talk with her about it?

A: Unless she or someone else tells you that she is now married to your ex-husband, you may not disclose to her the information that you saw on her employment records.

Q: My neighbor asked me to look up some information on her daughter-in-law using the DEFINE System. May I do this for her?

A: No. This information is strictly confidential.

Computer System Access and Passwords

No employee may knowingly access a computer, system or network without the consent of the authorized system authority, nor may any employee intentionally or knowingly disclose a password, identification code, debit card or bank account number, or other confidential information about a computer or information security system without the consent of the owner or system authority. Users are responsible for unauthorized access to information resources that results from their negligence in maintaining the confidentiality of their password or other authenticating information or device.



[Click here](#) for additional information regarding computer access, passwords and other confidential information.

Q: When I was out yesterday with a cold, I called my administrative assistant and asked her to check my e-mail; however, to do this I had to give her my password. Was this wrong?

A: Yes. It is a violation of university policy to disclose your computer password. Computer passwords should be considered highly confidential and should never be given to anyone. Information that is protected by passwords could then become vulnerable to damage, theft or disclosure. However, you can give your secretary permission to view your e-mail by changing your Outlook settings. If you need help with this, call the Office of Information Technology Help Desk.

Q: I have trouble remembering passwords, so I just use my initials. Is this wrong?

A: Yes. A trivial or easily guessed password provides very little protection against unauthorized access to university resources. The university's security rules require that you use a complex password such as a combination of letters, numbers and punctuation symbols, even if it's initially difficult to remember.

Purchasing

No employee may expend UTSA funds for any purchase unless the person is trained and authorized to make the purchase, and unless the purchase is made in accordance with all institutional purchasing procedures, including those concerning Historically Underutilized Businesses. Purchases from or sales to an employee of supplies, materials, services, equipment or property, (except purchases made at a public auction), must have the prior approval of the Vice President for Business Affairs and the appropriate UT System Executive Vice Chancellor or the Chancellor. Any such purchases shall be made only if the cost is less than from any other known



source. Questions about purchasing regulations may be directed to the Office of Purchasing and Distribution Services Department.



[Click here](#) for UTSA's Purchasing Office Web site.

Q: A vendor has offered me an extraordinary price of \$5,200 for two computer systems. May I commit to this purchase?

A: No. This request exceeds the established bid limit and must be routed to the Office of Purchasing and Distribution Services Department. Only the Office of Purchasing and Distribution Services has the authority to complete orders over the bid limit.

Q: May I create two orders of \$2,600 each for two different computers?

A: No. This is order splitting. That is, splitting the purchase in order to avoid the bid limit. The intended purchase must be combined into one purchase order and sent to the Office of Purchasing and Distribution Services Department.

Q: I would like to place an order for radioactive chemicals. Since the purchase is under the bid limit, may I process this request myself?

A: No. The request must be routed through the Office of Purchasing and Distribution Services Department because radioactive chemicals are “restricted purchases” and require the approval of other UTSA offices. Contact the Office of Purchasing and Distribution Services for a complete listing of items that are “restricted purchases.”

Entering Into Contracts and Agreements

No employee is authorized to sign a contract or agreement, including a gift agreement that claims to bind UTSA unless that employee has official written delegated authority to do so. Only the university's President can delegate this authority. An employee must not sign a contract or agreement on behalf of UTSA unless he or she has proper authority to execute the document and takes all related actions required under the Rules and Regulations of the Board of Regents of the UT System. Questions about contracts may be directed to the Associate Vice President for Administration (Business Affairs) or the Vice President for Research.



[Click here](#) for the UTSA Purchasing Office Web site.

[Click here](#) for the UT Board of Regents' on delegating authority.

[Click here](#) for the Office of Grants, Contracts and Industrial Agreements (OGCIA) Web site.

Q: A local company downtown has asked me to conduct a survey and provide an analysis of the results. I intend to do this using UTSA facilities and personnel. May I sign such an agreement?

A: No. Only the President, or those specifically designated by the President in writing, such as the Vice President for Business Affairs or Vice President for Research, are authorized to sign such agreements. For appropriate procedures, you should contact the Associate Vice President for Administration (Business Affairs) or Vice President for Research.

Workplace Health and Safety

Workplace Health and Safety

UT System's Environmental Health and Safety Policy (UTS174), which is applicable to UTSA and all other UT System institutions, states that UT System is committed to provide a safe and healthy educational and working environment. As such, UTSA is committed to providing a safe and healthy environment for all employees and campus visitors. All UTSA employees should perform their duties in compliance with all applicable institutional policies, federal, state and local laws, and standards relating to the environment and protection of worker health and safety. Each employee should become familiar with and understand how these laws, standards and policies apply to their specific job responsibilities and seek advice from their supervisor and/or the Office of Environmental Health, Safety and Risk Management (EHSRM), as needed. Employees are responsible for advising their supervisor or EHSRM of any serious workplace injury or any situation presenting a danger of injury so that timely corrective action may be taken.

Link to UTS 174 <http://www.utsystem.edu/bor/procedures/policy/policies/uts174.pdf>



[Click here](#) for UTSA's EHSRM Web site.



[Click here](#) for additional information regarding Occupational Safety and Health Policy

Q: I accidentally cut my finger on a paper cutter and will most likely need stitches. Do I need to report this to anyone?

A: Yes. You should always report any job-related injury, no matter how small, to your supervisor who will contact the Office of Environmental Health, Safety and Risk Management. Your supervisor or department should complete the required Workers Compensation Insurance first report of injury / illness forms available on the EHSRM website.

Environmental Protection

UT System's Environmental Policy Statement, which is applicable to UTSA and all other UT System institutions, includes the requirement that all employees manage hazardous chemical, radioactive and other wastes in a way that maximizes protection of human health and the environment. This means that employees must properly dispose of such wastes, thereby preventing pollution by eliminating improper discharge into the air, sewer systems, onto the ground or directly into bodies of water. The Environmental Policy also states that all employees will be trained to perform their duties and conduct their activities in an environmentally responsible manner. To accomplish this goal, Environmental Health, Safety and Risk Management (EHSRM) provides training courses regarding the management and handling of chemical, radioactive, biological and other hazardous wastes. Many activities impacting our environment are regulated by federal and state law, as well as by permit and local/institutional policies and procedures. UTSA also has an active program for recycling used materials. For guidance regarding your responsibilities or to report an activity that seems inconsistent with policy, please contact EHSRM.



[Click here](#) for UTSA's EHSRM Web site.

[Click here](#) for the UT System Environmental Policy Statement.

Q: May I pour waste chemicals down the sink drain if I feel that they are non-hazardous?

A: No. Chemical waste should not be poured down the drain. The Office of Environmental Health, Safety and Risk Management (EHSRM) provides training for handling hazardous waste, as well as provides regular pickup and disposal services for chemical, biological and radioactive waste that is generated by UTSA. Contact EHSRM if you have any questions regarding this service.

Drug- and Weapon-Free Workplace

UTSA is committed to a drug- and weapon-free environment. The possession, use, manufacture, distribution, transport or sale of illegal drugs or the unauthorized use or possession of alcohol in the workplace is prohibited. If an employee reports to work with a weapon, under the influence of an illegal drug or alcohol, or uses, possesses or sells alcohol or illegal drugs during working hours (day or evening, depending on your work schedule) or on UTSA property, that employee will be subject to disciplinary action. The disciplinary action can include termination or mandatory satisfactory participation in an approved drug assistance rehabilitation program or both. Additionally, an employee may be subject to criminal charges for violations of state and/or federal laws. The use of alcoholic beverages in UTSA facilities is forbidden; however, the President may waive this prohibition with respect to any event sponsored by UTSA.



[Click here](#) for additional information regarding Policy on Drugs and Alcohol

Q: A co-worker's recent behavior makes me believe he may have a problem with drugs or alcohol. What should I do?

A: All UTSA employees are required to report an employee behaving in an unsafe manner. If this is the case, you should report your observations to your supervisor.

Research Compliance, Copyright & Intellectual Property

Research Integrity and Compliance

Research compliance promotes the responsible conduct of university research and requires adherence to institutional policies and applicable federal, state and local laws and regulations in the following areas: the use of human subjects in research, the use of animals in research, biosafety, conflict of interest issues, export controls, and time and effort reporting. Individual investigators are responsible for obtaining and maintaining any applicable research compliance reviews and approvals prior to performing their research.



[Click here](#) for UTSA's Office of Research Integrity and Compliance Web site.

Sponsored Programs

All requests for funding support to external sponsors, including all federal, state, county and local government agencies; foundations; nonprofit organizations; private corporations; and private groups and individuals who award grants to universities, contract with universities or otherwise enter into agreements with universities to provide funds to support specific projects, for the performance of a specific scope of work, must be processed through the Office of Grants, Contracts, and Industrial Agreements, per UTSA HOP Chapter 32 Sponsored Program Administration <http://www.utsa.edu/hop/chapter9/9-32.cfm>. University faculty and staff members who direct sponsored programs have the principal responsibility to carefully manage these programs. The Office of Grants, Contracts, and Industrial Agreements provides pre-award and contracting support to assist in these responsibilities and has established procedures to help meet sponsor and University administrative requirements. The Office of Post Award Administration provides post-award services to assist in the management of sponsored project awards. The Office of Grants, Contracts, and Industrial Agreements and the Office of Post Award Administration work very closely with the [Office of Research Integrity and Compliance](#) to ensure proposals are in compliance with Federal, State, UT System and UTSA rules and regulations.

Export Controls

The Office of Research Integrity and Compliance oversees compliance with all federal Export Control regulations. Export Control regulations impact a wide variety of University activities that involve controlled technologies or interactions with non-U.S. entities. ORIC works with the other offices under the Vice President for Research and researchers to evaluate what research conducted at UTSA is subject to Export Controls, and ensures that measures are in place to prevent the unauthorized export of controlled technology. Additionally, ORIC evaluates Export Control risks relating to foreign travel, purchasing from or contracting with non-U.S. entities, non-U.S. visitors to UTSA, and other international activities. For more information, visit the ORIC website at <http://vpr.utsa.edu/oric/export>.

Photocopying of Copyrighted Material

Permission must be obtained from the copyright owner to reproduce copyrighted materials where:

- a) copying is not fair use
- b) advice of the Office of General Counsel (OGC) has not been received
- c) copying extends beyond the boundaries of the guidelines contained in Appendix I of the UT System Photocopying Copyrighted Materials policy.



[Click here](#) for additional information regarding University of Texas System Copyright Policy.



[Click here](#) for UTSA's Copyrighting policy found in the HOP.

Most works should be presumed to be copyright protected unless further information from the copyright holder or express notice reveals that the copyright holder intends the work to be freely used by the public.

Q: I would like to photocopy a portion of a certain book for use in my training class. Would this be okay?

A: UT System has published Guidelines within the link below for Classroom Copying of Books and Periodicals. These guidelines should be consulted. If you have additional questions, contact the Office of Legal Affairs.

<http://www.utsystem.edu/ogc/intellectualproperty/clasguid.htm>

Intellectual Property

It is the basic policy of The University of Texas System and its institutions that intellectual property be developed primarily to serve the public interest via the advancement of research, education, and commercialization. The UT System also encourages the development of inventions to serve the needs of the creator and research sponsors, if any, by permitting timely disclosure and protection of such intellectual property whether by development and commercialization, by publication, or both. The UT System generally does not assert its interest in certain copyrights such as scholarly or educational materials which reside with the faculty and staff.

Intellectual property includes copyright materials, inventions, discoveries, trade secrets, artwork, technology, creations, scientific or technological developments, computer software or other forms of expression. This applies to persons employed by UTSA, anyone using university facilities under the supervision of university personnel, students working on sponsored research, and pre- and post-doctoral fellows.

If intellectual property is developed by an employee of UTSA or invented at UTSA facilities under the supervision of UTSA personnel, the Board of Regents of the UT System owns the intellectual property. Each inventor must assign his or her rights in the intellectual property to the Board. This includes all faculty, staff and students.

An inventor must disclose the intellectual property created to the university as early in the development process as possible by completion of an Invention Disclosure Form, which can be

obtained at ypr.utsa.edu/commercialization. The process for submitting and managing an invention is provided on the web page. Disclosure should occur well before submitting any information about intellectual property for publication, or making any public disclosure, oral or written, or even a private disclosure. The university has Intellectual Property Management Office that reviews and makes recommendations on whether the university should assert its interest in certain intellectual property.



[Click here](#) for UT System's Intellectual Property policy.



[Click here](#) for UTSA's Intellectual Property policy found in the HOP.

Q: I had a great idea while eating lunch at home. Do I own my idea?

A: While ideas are your own, there are many conditions that need to be cleared that may indicate institutional ownership of such intellectual property developed while with the university. If your idea is related to your job, is developed on UTSA time, was supported by UTSA, or you used UTSA resources, the UT System Board of Regents has the ownership rights to the idea.

Gifts and Gratuities

Gifts Made to Influence Decisions

An employee must not accept or solicit any gift, favor or service that might reasonably tend to influence the employee in the discharge of their official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct.



[Click here](#) for UT System's Ethics Web site.

[Click here](#) for the UT System Ethics Policy.

Gifts from Persons Doing Business with UTSA and/or UT System

An employee must not solicit, accept or agree to accept any benefit from a person the employee knows may have a business relationship with UT System or UTSA, except as permitted under Section 36.10 of the Texas Penal Code. If in doubt, an individual should not accept a benefit offered because of his or her status as a UTSA employee, under Texas Penal Code, Section 36.08.

Q: As a department head, I have been working with a UTSA vendor for several years. This vendor recently offered to do some landscaping work for me at a substantial discount. May I let him landscape my yard?

A: No. A substantial discount would mean that the vendor was giving you special service with the expectation that you could provide continued or additional UTSA business for this vendor.

Gifts to UTSA

Faculty and staff are not authorized to accept gifts or endowments on behalf of the university. The Development Office or the individual college development offices handle this process.



[Click here](#) for additional information regarding Procedures Governing Private Gift Solicitation

Honoraria

An employee must not solicit, accept or agree to accept an honorarium (payment, compensation, fee, etc.) in consideration for services he or she performs if the employee would not have been asked to provide those services except for the employee's official position or duties at UTSA. For example, an employee may not accept a gift or payment for giving a speech if the employee's official position was a reason for his/her being asked to give the speech. The employee may, however, accept meals, transportation and lodging in connection with a speech as long as his/her speech is more than merely perfunctory. Also, the employee may accept a gift that is not a "benefit" such as a plaque or something of minimal value like a coffee cup, key chain or baseball cap.



[Click here](#) for additional information regarding UT System's Ethics policy

Q: A corporation is donating some used equipment to my department and provided a gift agreement requiring a signature from UTSA. May the faculty member who will use the equipment sign the agreement?

A: No. Contact The University Advancement Office for instructions on handling the agreement.

Political Activities and Contributions

Political Activities

UTSA employees are not allowed to support or oppose legislation (orally or in writing) as representatives of UTSA. Employees should ask their supervisors or the university's Ethics Officer (Chief Legal Officer) if they are unsure about any specific issue.



[Click here](#) for additional information regarding Involvement of the University and University Personnel in Community or Political Affairs

UTSA employees may participate in political activities only if such activities:

- are not conducted during working hours
- are in compliance with the Constitution and laws of the State of Texas
- do not interfere with the discharge and performance of the employee's duties and responsibilities
- do not involve the use of equipment, supplies or services of UTSA



- do not involve the attempt to coerce faculty, staff or students to participate in or support the political activity
- do not involve UTSA in partisan politics
- do not depict the employee as representing UTSA or the UT System.

Political Contributions

Political contributions from any source of UTSA funds are prohibited.

Q: I noticed a flyer posted in my supervisor's office advertising a party for a political candidate. Is it okay for the ad to be posted?

A: No. No one should ever post any type of advertisement for any political candidate on any UTSA property, leased or owned.

Q: My neighbor is running for city council. May I bring him to UTSA to meet everyone in my office?

A: No. It is not appropriate to advertise any political activity or involve UTSA administration in any partisan politics.

Contacts

ASSOCIATE VICE PRESIDENT FOR ADMINISTRATION (BUSINESS AFFAIRS) (210) 458-6551	ENVIRONMENTAL HEALTH, SAFETY AND RISK MANAGEMENT (210) 458-5250
SR. ASSOCIATE VICE PRESIDENT FOR RESEARCH ADMINISTRATION (210) 458-6185	PRESIDENT (210) 458-4101
AUDITING AND CONSULTING SERVICES (210) 458-4237	EMPLOYEE RELATIONS (210) 458-7891
DEVELOPMENT (210) 458-4130	PROVOST (210) 458-4110
ETHICS OFFICER-LEGAL AFFAIRS (210) 458-4105	RESEARCH INTEGRITY AND COMPLIANCE (210) 458-6767
HELPDESK / INFORMATION TECHNOLOGY (210) 458-5538	UNIVERSITY COMMUNICATIONS (210) 458-4550
DEPARTMENT OF HUMAN RESOURCES (210) 458-4250	UNIVERSITY POLICE (210) 458-4249
INFORMATION TECHNOLOGY (210) 458-4555	VICE PRESIDENT FOR BUSINESS AFFAIRS (210) 458-4201
INSTITUTIONAL COMPLIANCE AND RISK SERVICES (210) 458-4992	VICE PRESIDENT FOR STUDENT AFFAIRS (210) 458-4136
EQUAL OPPORTUNITY SERVICES (210) 458-4120	VICE PRESIDENT FOR EXTENDED SERVICES (210) 458-2401
LEGAL AFFAIRS (210) 458-4105	VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT (210) 458-4131
PURCHASING AND DISTRIBUTION SERVICES (210) 458-4060	VICE PRESIDENT FOR RESEARCH (210) 458-4341