ETHICS

Brought to you by The Office of Institutional Compliance & Risk Services. The estimated time to review this lesson is 20 minutes.
OVERVIEW AND OBJECTIVES

As a UTSA employee, you are required to acknowledge that you have read the statutes prescribed under Texas State Law as well as the UTSA policy that governs your ethical conduct as a public employee.

In this Ethics course covers topics such as Gifts, Acceptable Use of Resources, Outside Employment and Conflict of Interest.
As a public servant, you have a responsibility to act as a good steward to the people of Texas in the performance of your official duties.

Management personnel are expected to be role models for ethical behavior in their departments.

Each employee has the personal obligation to report any activity that appears to violate laws, policies, rules and regulations.

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

Whenever possible, specific ethics or employee questions should first be directed to your supervisor. In addition, questions regarding ethics or other employee compliance questions can be directed to the following:

UTSA Ethics Officer (Chief Legal Officer) at (210) 458-4105

Office of Institutional Compliance & Risk Services at (210) 458-4992

To report issues of non-compliance anonymously, call the toll-free UTSA Ethics and Compliance Hotline at 1-877-270-5051

Or, go to the Web Reporting System at
As an employee, there are several ways to report concerns or questions. Click over each number for more information.
COMPLIANCE

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
MANAGERS’ & SUPERVISORS’ RESPONSIBILITIES

Whenever possible, specific ethics or employee compliance questions should first be directed to the employee’s supervisor.

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 the UTSA Standards of Conduct and compliance policies and procedures specifically related to their job function.
ANONYMOUS REPORTING

You may report issues anonymously through the UTSA Hotline at 1-877-270-5051. 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.
**GIFTS**

Chapter 36 of the Texas Penal Code prohibits public servants from accepting certain gifts or benefits.

Violations of the laws in that Chapter carry criminal penalties.

A benefit is any gift, favor or service that might reasonably appear to influence the employee in the discharge of his or her job duties.

As a public servant, under Section 36.02 of the Texas Penal Code, you commit bribery if you solicit, offer or accept a "benefit" in exchange for your decision, opinion, recommendation, vote or other exercise of official discretion.
Taking or receiving a benefit may be prohibited in certain circumstances.

A gift is one form of benefit. A state employee who "exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions" of the agency may not accept a benefit from a person the employee knows is interested in or likely to become interested in such a transaction.

Click on each tab to learn about gifts that you may accept.
You may accept benefits in the form of food, lodging, transportation or entertainment if you accept them as a “guest,” which means the donor must be present. All applicable reporting requirements must be followed.

Click on each tab to learn about gifts that you may accept.

- Benefits
- Food, Lodging, and Transportation
- Awards and Mementos
- Special Events
- Gifts
You may accept a benefit from a person such as a friend, relative, or business associate with whom you have a relationship independent of your official status if the benefit is given on account of that relationship rather than your official status.

Click on each tab to learn about gifts that you may accept.
You may accept awards and mementos such as plaques, T-shirts, caps, souvenirs and other gifts of minor value under $50.

Click on each tab to learn about gifts that you may accept.

Food, Lodging, and Transportation
Benefits
Special Events
Awards and Mementos
Gifts
You may accept athletic or special events tickets if you accept them as a "guest", the value of the ticket is less than $50 and the donor is present.

Click on each tab to learn about gifts that you may accept.
You may accept gifts valued at less than $50 as long as the gift is not cash or a negotiable instrument, such as a gift card.

Click on each tab to learn about gifts that you may accept.

- Food, Lodging, and Transportation
- Benefits
- Awards and Mementos
- Special Events
- Gifts
**GIFTS AND GRATUITIES**

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 [for UT System’s Ethics Website.](#)

+ Click over each box below for more information before proceeding.

- GIFTS TO UTSA
- GIFTS FROM PERSONS
- HONORARIA
GIFTS TO UTSA

Faculty and staff are not authorized to accept gifts or endowments on behalf of the university. All private gift contributions to UTSA must be processed through the Development Office.

Click here for UTSA's HOP 9.23 – Procedures Governing Private Solicitation, Acceptance, and Management
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.
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. An 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 UT System's Ethics Website.
A benefit is any gift, favor or service that might reasonably appear to influence the employee in the discharge of his or her job duties.

- True
- False
YOU’RE RIGHT.

A benefit is any gift, favor or service that might reasonably appear to influence the employee in the discharge of his or her job duties.
Mary's assignment was to find a new video projector for the conference room. She did quite a bit of research - she contacted different departments asking if someone had the same equipment, she reviewed the approved vendor list and requested information from the different companies. She then contacted 3 companies asking for a price quote. One of the vendors recognized the fact that Mary was a "new" customer so he provided her with incentives to purchase the video projector from them.

From the items listed below, what (if any) can Mary accept from the vendor?

- A $100 HEB gift card
- Inexpensive pens to hand out in the office
- $200 San Antonio Stars tickets
YOU’RE RIGHT.

You may accept gifts valued at less than $50 as long as the gift is not cash or a negotiable instrument.
You must use government property for governmental purposes, not for personal or private purposes.
TELEPHONE AND ELECTRONIC MAIL
State law requires telephone and e-mail to be used for institutional purposes. Incidental personal use of UTSA e-mail, a state telephone to make a local telephone call, or the Internet is permissible provided that the use complies with all applicable policies and does not result in additional cost to the university.

Personal long-distance phone calls should not be charged to the institution and must be reimbursed by the employee if charged inadvertently. UTSA telephone logs and e-mail are public property and may be subject to open records requests.

EXPENSE CLAIMS
Vouchers for travel expenses must be accurate and requested only for expenses related to official business.

Personal or private use of travel awards (e.g., frequent flyer miles) accrued on state business is not a crime.

INSTITUTIONAL CREDIT CARDS
Employees shall not use credit cards issued by the institution for personal expenses unrelated to institutional business.
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 UTSA's HOP 4.19 - Involvement of the University and University Personnel in Community or Political Affairs

Click to verify which political activities UTSA employees may participate in.
POLITICAL ACTIVITIES UTSA EMPLOYEES MAY PARTICIPATE IN

- Are not conducted during work 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
What can state employees do when it comes to political campaigns? *Drag and drop the statements on the right to the appropriate orange box.*

**As a state employee, you **MAY**:**

- Use your official authority to interfere with or attempt to influence the result of an election.
- Participate in political activities on your own time.
- Dedicate state time or state equipment to work on an individual's political campaign.
- Spend appropriated funds in connection with a political campaign.

**As a state employee, you **MAY NOT**:**

- Contribute to campaigns or candidates with your own money on your own time.
MISUSE OF OFFICIAL INFORMATION

As a state employee you may have access to information that has not been made public; however, you may NOT:

- Use the information to acquire or help another person to acquire a pecuniary interest in any property, transaction or enterprise affected by the information.

- Speculate or aid another to speculate on the basis of the information.

- Disclose or use the information with the intent to obtain a benefit or to harm another.
People have enjoyed working with Joe since the very first day Joe started working at UTSA. Joe is great to talk to. He is very personable, has wonderful people skills and is very knowledgeable. Although his phone calls are not always related to UTSA business, the office doesn't mind because he is such a well-liked guy.

**What is UTSA's practice concerning phone calls?**

- Employees may make unlimited personal long distance calls using UTSA phones without reimbursing UTSA.
- Incidental use for local phone calls not interfering with work responsibility is permissible.
YOU’RE RIGHT.

Personal long-distance phone calls should not be charged to the institution and must be reimbursed by the employee if charged inadvertently.
CONFLICTS OF INTEREST

OUTSIDE EMPLOYMENT

The responsibility of all employees is to accomplish the duties and responsibilities assigned to their position of employment with UTSA. Employees may participate in outside activities, including outside employment as long they adhere to the requirements set forth in HOP policy 1.33 - Conflict of Interest, Conflict of Commitment, and Outside Activities. Conflicts of interest should be avoided in all cases of outside activities that intrude upon or detract from the individual’s responsibilities to UTSA’s programs, policies and objectives.
OUTSIDE EMPLOYMENT

Consulting, professional practice, and other professional commitments are permissible, with particular attention to University policies for intellectual property, data ownership, and use of state property and resources.

With a few exceptions, all outside activities require prior approval annually and must be disclosed according to UTSA policy. Additionally, employees covered under the policies listed below may be required to disclose the amount of compensation received from outside sources.

- HOP 1.33 Conflict of Interest, Conflict of Commitment, and Outside Activities
- HOP 10.04 Conflicts of Interest in Research and Intellectual Property
OUTSIDE EMPLOYMENT

Click for UT System’s Board of Regents’ Rules on Standards of Conduct (Rule: 30103)

Click for UT Systemwide Policy - UTS180 - Conflicts of Interest, Conflicts of Commitment and Outside Activities

Click for UT Systemwide Policy - UTS175 - Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research

OUTSIDE EMPLOYMENT

UTSA’s HOP 1.33 - Conflicts of Interest, Conflict of Commitment and Outside Activities

UTSA’s HOP 4.05 - Outside Employment of UTSA Employees and the Appointment of Employees of Other Texas State Agencies and Public Education Institutions to Positions at UTSA (for anything not covered under HOP 1.33)

UTSA’s HOP 10.04 - Conflict of Interest in Research and Intellectual Property
May I work for a local department store at times when I am not working my normal hours at UTSA?

- Yes, as long as you work at UTSA part-time.
- Yes, as long as the outside employment is seasonal work only.

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. Full-time employees must obtain prior approval from their supervisor.
YOU’RE RIGHT.

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. Full-time employees must obtain prior approval from their supervisor.
Pat, a magnificent artist, found a website to help him sell his artwork online and decided to open up an online store. Everything was going great for Pat until the online store started getting busy. Pat was not able to keep up with the administrative duties for his online store so he started doing them at UTSA during his regular work hours.

**According to the UTSA HOP, what is the policy regarding outside employment?**

- As long as you request and receive prior approval for Outside Employment you may use UTSA resources for your outside job.
- As a UTSA employee, you may not use UTSA resources in connection with any outside employment.
YOU’RE RIGHT.

You may never use UTSA resources in connection with outside employment.
FINANCIAL AND OTHER CONFLICTS OF INTERESTS

UTSA is committed to maintaining high ethical standards and serving as good stewards of the resources that have been entrusted to it. UTSA employees are required to fulfill professional obligations to UTSA without being unduly influenced by outside interests. Outside interests may include a direct or indirect interest, financial or otherwise, in a corporation or business, a professional activity, or an obligation of any nature that might reasonably tend to influence the performance of an employee’s official duties at UTSA. Any employee planning to conduct business with UTSA on behalf of another company or business entity must obtain annual approval from the president or his designee. Employees also should discuss possible conflicts of interest with their supervisor.
FINANCIAL AND OTHER CONFLICTS OF INTERESTS

In addition, the following categories of individuals/employees are required to submit annual disclosure forms describing their financial interests:

**A.** Any individual (a) with direct responsibility for the design, conduct, or reporting of research (b) listed on a research protocol using human or animal subjects at UTSA must:

1) file an annual Disclosure of Financial Interests form via UTSA’s Electronic Research Portal and
2) amend the annual Disclosure form within thirty calendar days of any change in a financial interest or creation of a new potential financial conflict of interest.

Disclosures that report a potential conflict of interest are reviewed by the University’s Committee on the Conflict of Interest in Research and Intellectual Property in accordance with UTSA’s conflict of interest policy.

In addition the following categories of individuals/employees are required to submit annual disclosure forms describing their financial interests:

**B.** Those UTSA employees who have been determined to be exempt from the Fair Labor Standards Act and are, therefore, not entitled to overtime pay. Also, employees designated by their vice president as having authority to exercise discretion with regard to the award of contracts or other financial transactions.
CONTRACTS AND AGREEMENTS

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 an employee are restricted by UT System Policy 159 and UTSA 4.31. Questions about purchasing regulations may be directed to the Office of Purchasing and Business Contracts Office.

Click for the UTSA's Business Contracts Office Website.

Click for the UT System's Board of Regents' Delegation to Act on Behalf of the Board (Rule: 10501).

Click for UTSA's Office of Sponsored Projects Administration.
CONFLICTS OF INTEREST IN RESEARCH & INTELLECTUAL PROPERTY

UTSA policy requires some employees to file an annual disclosure of financial interests and outside activities.

All **Tenure and Tenure Track (T/T-T) Faculty members, Principal Investigators and Project Directors** must make an annual disclosure as required by federal regulations and UTSA HOP policy 10.04. Also included is anyone else directly responsible for the design, conduct, or reporting of research, as identified by the Principal Investigator.

**HOP 10.04 Conflicts of Interest in Research & Intellectual Property**

Contact the Office of Research Integrity at (210) 458-4233 for further information.
FINANCIAL DISCLOSURE, CONFLICTS OF INTEREST, AND OUTSIDE ACTIVITIES

All Non-Tenure Track Faculty and Covered Staff (as defined by UTSA HOP 1.33) are required to disclose and/or request approval for outside activities.

Covered Staff: Those UTSA employees who have been determined to be exempt from the Fair Labor Standards Act and are, therefore, not entitled to overtime pay. It also includes employees designated by their vice president as having authority to exercise discretion with regard to the award of contracts or financial transactions.

HOP 1.33 Conflicts of Interest, Conflicts of Commitment, and Outside Activities

Contact the Office of Institutional Compliance & Risk Services at (210) 458-4992 for further information.
**Alert! Conflicts of Interest Policy**

All UTSA employees must read HOP 4.31, Conflicts of Interest. You may wish to save the HOP link as a favorite in your Internet browser for future access.

Employees with questions or concerns about the policy should contact the UTSA Office of Legal Affairs at (210) 458-4105.

- The Office of Legal Affairs - (210) 458-4105
- The Office of Institutional Compliance & Risk Services - (210) 458-4992
- UTSA’s policy regarding outside employment and financial interest: HOP 1.33
- Regents’ Rules and Regulations Series 30103 Standards of Conduct:
- UTS 180 - Conflicts of Interest, Conflicts of Commitment, and Outside Activities:
You have completed the Ethics lesson. What would you like to do next?

- e-mail The Office of Institutional Compliance and Risk Services
- Review Lesson

Scroll up and click the orange EXIT ACTIVITY button above this lesson to return to the course homepage and click on the FRAUD lesson.