

CLARK ATLANTA UNIVERSITY

Policy 2.4.0: University Code of Ethical Conduct (Amended 2015)



CLARK ATLANTA UNIVERSITY		
Policy and Procedures	Subject: University Code of Ethical Conduct	
Department: Office of Compliance Office Division of the Office of General Counsel	Review Date: 8/20/15 10/18/2022 (<i>Amended 2015</i>)	Issued By: Office of the President, & Compliance Office.
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1.0 POLICY STATEMENT

Clark Atlanta University (“University” or CAU) maintains and promotes a reputation for excellence and integrity as promulgated by this policy, which sets forth the general principles which all employees shall adopt; including, but not limited to, part-time and full-time employees, faculty member, administrators, officers, trustees, and advisory council committee members. The principles discussed throughout this policy are in accordance with federal, state, and local laws and regulations, University policies and procedures, contractual and grant obligations, and generally accepted principles of ethical conduct. These principles focus on key attributes of Integrity, Excellence, Accountability, and Respect that are aligned with the University’s Mission, Vision, Core Values, and Cultural Creed. Each person at CAU is accountable for his or her actions and for adhering to the ethical principles discussed in this policy while collaborating and partnering with other CAU colleagues.

This Code of Ethical Conduct exists for the benefit of the entire University and its members. This policy is intended to operate in concert with all other University policies and does not contradict or limit other University policies, procedures, and rules.

2.0 POLICY NARRATIVE

2.1 STATEMENT OF ETHICAL VALUES AND STANDARDS OF ETHICAL CONDUCT

Members of the Clark Atlanta University community are committed to the highest ethical standards in furthering our mission of teaching, research, and public service. We recognize that we hold the University in trust for the people of the campus community. Our policies, procedures, and standards guide the application of the ethical values stated below in our daily life and work as members of this community.

We are committed to the following:

- **Integrity** - We will conduct ourselves with integrity in our dealings with and on behalf of the University.
- **Excellence** - We will conscientiously strive for excellence in our work.
- **Accountability** - We will be accountable as individuals and as members of this community for our ethical conduct and compliance with applicable laws and University policies and directives.
- **Respect** - We will respect the rights and dignity of others.

2.2 STANDARDS OF ETHICAL CONDUCT

PURPOSE

Pursuit of the Clark Atlanta University mission of teaching, research, and public service requires a shared commitment to the core values of the University and the ethical conduct of all University activities. In that spirit, the Standards of Ethical Conduct are a statement of our belief in ethical, legal, and professional behavior in all our dealings inside and outside the University.

FAIR DEALING

Members of the University community are expected to conduct themselves ethically, honestly, and with integrity in all dealings. This means principles of fairness, good faith, and respect consistent with laws, regulations, and University policies govern our conduct with others inside and outside the community. Each situation needs to be examined by the Standards of Ethical Conduct. No unlawful practice or practice at odds with these standards can be justified based on customary practice, expediency, or achieving a “higher” purpose.

RESPECT FOR OTHERS

The University is committed to treating each community member with respect and dignity. The University prohibits discrimination and harassment and provides equal opportunities for all members of the community regardless of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran. Further, romantic or sexual relationships between those responsible for supervision or evaluation are prohibited. The University is committed to creating a safe, drug-free environment. Following is a list of the principal policies and reference materials available in support of this standard:

- The Faculty Code of Conduct
- Academic Personnel Policy Manual
- The Faculty Handbook
- The Staff Handbook
- Policies Applying to Campus Activities, Organizations, and Students
- Policy on Sexual Harassment and Procedures for Responding to Reports
- University policies on nondiscrimination and affirmative action
- Campus, laboratory, and Research policy and procedures

COMPLIANCE WITH UNIVERSITY POLICIES, PROCEDURES, AND OTHER FORMS OF GUIDANCE

University policies and procedures are designed to inform our everyday responsibilities, set minimum standards, and give the University community members notice of expectations. Members of the University community are expected to transact all University business in conformance with policies and procedures and accordingly have an obligation to become familiar with those that bear on their areas of responsibility. Each member is expected to seek clarification on a policy or other University directive he or she finds unclear, outdated, or at odds with University objectives. It is not acceptable to ignore or disobey policies if one does not agree with them or to avoid compliance by deliberately seeking loopholes. In some cases, University employees are also governed by ethical codes or standards of their professions or disciplines—some examples are attorneys, auditors, physicians, and counseling staff. It is expected that those employees will comply with applicable professional standards in addition to laws and regulations.

ETHICAL CONDUCT OF RESEARCH

All members of the University community engaged in research are expected to conduct their research with integrity and intellectual honesty at all times and with appropriate regard for human and animal subjects. To protect the rights of human subjects, all research involving human subjects must be reviewed and approved by *Institutional Review Boards (IRB)*. Similarly, to protect the welfare of animal subjects, all research involving animal subjects is to be reviewed by the institutional animal care and use committees. The University prohibits research misconduct. Members of the University community engaged in research are not to: fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. All those engaged in research are expected to pursue the advancement of knowledge while meeting the highest standards of honesty, accuracy, and objectivity. They are also expected to demonstrate accountability for sponsors' funds and to comply with specific terms and conditions of contracts and grants.

INTERNAL CONTROLS

Internal controls are the processes employed to help ensure that the University's business is carried out in accordance with these Standards, University policies and procedures, applicable laws and regulations, and sound business practices. They help to promote efficient operations, accurate financial reporting, protection of assets, and responsible fiscal management. All members of the University community are responsible for internal controls. Each business unit or department head ensures that internal controls are established, properly documented, and maintained for activities within their jurisdiction. Any individual entrusted with funds, including principal investigators, is responsible for ensuring that adequate internal controls exist over the use and accountability of such funds.

FINANCIAL REPORTING

All University accounting and financial records, tax reports, expense reports, timesheets, effort reports, and other documents, including those submitted to government agencies, must be accurate, clear, and complete. All published financial reports will make full, fair, accurate, timely, and understandable disclosures as required under generally accepted accounting principles for government entities, bond covenant agreements, and other requirements. Certain individuals with responsibility for the preparation of financial statements and disclosures, or elements thereof, may be required to make attestations in support of the Standards.

APPLICABILITY

The Standards of Ethical Conduct apply to all members of the University community, including The Board of Directors, faculty and other academic personnel, staff, students, volunteers, contractors, agents, and others associated with the University. The Standards apply to campus organizations, foundations, alumni associations, and support groups.

INDIVIDUAL RESPONSIBILITY AND ACCOUNTABILITY

Members of the University community are expected to exercise responsibility appropriate to their position and delegated authorities. They are responsible to each other, the University, and the University's stakeholders both for their actions and their decisions not to act. Each individual is expected to conduct the business of the University in accordance with the Core Values and the Standards of Ethical Conduct, exercising sound judgment and serving the best interests of the institution and the community.

COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

Institutions of higher education are subject to many of the same laws and regulations as other enterprises, as well as those particular to public entities. There are also additional requirements unique to higher education. Members of the University community are expected to become familiar with the laws and regulations on their areas of responsibility. Many but not all legal requirements are embodied in University policies. Failure to comply can have serious adverse consequences both for individuals and for the University, in terms of reputation, finances, and the health and safety of the community. University business is to be conducted in conformance with legal requirements, including contractual commitments undertaken by individuals authorized to bind the University to such commitments. The Office of the General Counsel has responsibility for the interpretation of legal requirements.

CONFLICT OF INTEREST OR COMMITMENT

Employee members of the University community are expected to devote primary professional allegiance to the University and the mission of teaching, research, and public service. Outside employment must not interfere with University duties. Outside professional activities, personal financial interests, or acceptance of benefits from third parties can create actual or perceived conflicts between the University's mission and an individual's private interests. University community members who have certain professional or financial interests are expected to disclose them in compliance with applicable conflict of interest/conflict of commitment policies. In all matters, community members are expected to take appropriate steps, including consultation if issues are unclear, to avoid conflicts of interest and the appearance of such conflicts.

RECORDS: CONFIDENTIALITY/PRIVACY AND ACCESS

The University is the custodian of many types of information, including that which is confidential, proprietary, and private. Individuals who have access to such information are expected to be familiar with and comply with applicable laws, University policies, directives, and agreements pertaining to access, use, protection, and disclosure of such information. Computer security and privacy are also subject to the law and University policy. Information on the University's principles of privacy or on specific privacy laws may be obtained from the respective campus or laboratory information privacy office. The public right to information access and the individual's right to privacy are both governed by state and federal law, as well as by University policies and procedures. The legal provisions and the policies are based upon the principle that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person, as is the right of individuals to privacy.

USE OF UNIVERSITY RESOURCES

University resources may only be used for activities on behalf of the University. They may not be used for private gain or personal purposes except in limited circumstances permitted by existing policy where incidental personal use does not conflict with and is reasonable in relation to University resources (e.g., audio or other multi-media-based systems). Members of the University community are expected to treat University property with care and to adhere to laws, policies, and procedures for the acquisition, use, maintenance, record keeping, and disposal of University property. For purposes of applying this policy, University resources are defined to include but not be limited to the following, whether owned by or under the management of the University (for example, property of the federal government at the National Laboratories):

- Cash and other assets, whether tangible or intangible; real or personal property;
- Receivables and other rights or claims against third parties;
- Intellectual property rights;
- Efforts of University personnel and any non-University entity billing the University for effort;
- Facilities and the rights to use University facilities;
- The University's name;
- University records, including student and patient records; and
- The University's information technology infrastructure.

3.0 REPORTING VIOLATIONS AND PROTECTIONS FROM RETALIATION

Members of the University community are strongly encouraged to report all known or suspected improper governmental activities (IGAs) under the Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy). Managers and persons in supervisory roles are required to report allegations presented to them and to report suspected IGAs that come to their attention in the ordinary course of performing their supervisory duties. Reporting parties, including managers and supervisors, will be protected from retaliation for making such a report under the Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Retaliation Policy).

3.0A REPORTING PROCEDURES

Each member of the University is expected to uphold the standards of Clark Atlanta University and to report suspected violations of the Code or any other apparent irregularity to either his or her supervisor, Human Resources, Athletic Compliance Officer, Research Compliance of the Office of Research and Sponsored Programs, the Office of the General Counsel, the University Chief Compliance Officer, or the **University NO CALLER ID COMPLIANCE HOTLINE (404) 589- 8006**. Also, if a member prefers, he or she may report anonymously by mail to the Clark Atlanta University Compliance Office or online at compliance@cau.edu.

The University will, if requested, make every reasonable effort to keep confidential the identity of anyone reporting a suspected violation to the extent permitted by law, except if doing so would effectively prevent the University from conducting a full and fair investigation of the allegations. The Compliance Office will make every effort to notify the reporter if his or her identity is disclosed. This Code of Ethical Conduct will be enforced. Reports of suspected violations will be investigated by authorized University personnel.

Officers, managers, and supervisors have a special duty to adhere to the principles of the Code, to encourage their subordinates to do so, and to recognize and report suspected violations. Each member of the University is expected to cooperate fully with any investigation undertaken. If it is determined that a violation has occurred, the University reserves the right to take corrective and disciplinary action against any person who was involved in the violation or who allowed it to occur or persist due to a failure to exercise reasonable diligence. Additionally, the University may disclose appropriately to governmental agencies (including law enforcement authorities).

3.1 COMPLIANCE OFFICE

CAU expects its employees to maintain the highest ethical standards and to protect the resources and reputation of the University. To help achieve this, the University's Audit Committee of the Board of Trustees established the Compliance Office. The Chief Compliance Officer is responsible for providing oversight for all functions of the Compliance Office. The primary function of the Compliance Office is to promote a culture of compliance and accountability. This office is responsible for making compliance a part of daily operations of the University, including but not limited to developing and updating University policy; developing and delivering training programs related to compliance; monitoring the effectiveness of compliance activities, policies, and training; and investigating reported compliance violations.

3.1.1 University Compliance Committee

The CAU Compliance Committee provides direction and guidance to the Compliance Office and assists the President in his oversight of the compliance function. The committee's role is an essential component of the compliance program focusing on CAU compliance with applicable legal, ethical, and regulatory requirements. The compliance committee is responsible for identifying and recommending appropriate disciplinary actions in response to specific types of compliance violations.

3.1.2 Compliance Training

All individuals employed by CAU shall participate in the Code of Ethical Conduct and related compliance training and will certify compliance with the Code periodically. All new employees receive compliance training as part of their new employee orientation. All employees who work with government-sponsored grants, contracts, or agreements attend an annual compliance training developed to guide management in these programs.

4.0 Entities Affected by This Policy

This policy applies to all employees, faculty and staff, all divisions, departments, units, and constituents of Clark Atlanta University.

5.0 APPENDIX

EMPLOYEE CERTIFICATION

Employee Certification

I have read and understand Clark Atlanta University's policies as stated in this Code of Conduct.
I am complying and will continue to comply with the policies stated in the Code of Conduct.

Signature

Date

Print Name

Area or Unit in the University

