



# FLORIDA A&M UNIVERSITY OFFICE OF COMPLIANCE AND ETHICS

The mission of the Office of Compliance and Ethics (OCE) is to support the University's mission and strategic plan by proactively partnering with faculty, staff, and management to:

- Ensure compliance risks are identified, prioritized and managed appropriately;
- Establish a control environment, level of accountability, and ethical framework that promotes commitment to the highest standards of ethics, integrity, and lawful conduct by promoting adherence to all applicable federal, state, and local laws, regulations, as well as standards and internal policies and protocols;
- Provide general compliance training to employees and faculty and guidance to managers;
- Provide an avenue for anonymous reporting of potential non-compliance or unethical behavior; and
- Develop effective policies and procedures to promote compliance and ethical behavior.

Some OCE highlights:



### **Support 'FAMU Rising'**

Support the University's Strategic Plan in developing a world-class business infrastructure and effective compliance and ethics program.

Working collaboratively with university leadership and management to support a culture of compliance and ethical decision-making.

Please review our University Code of Conduct at:  
<https://bit.ly/2V50577>



### **Compliance Risk Mitigation**

Provides oversight and guidance regarding university-wide ethics and compliance activities through the established Enterprise Compliance Committee and Compliance Partners throughout the University. This group focuses on continuous mitigation of compliance risk.

OCE investigates misconduct related to compliance and ethics. Reporting misconduct is the responsibility of every member and is encouraged through the Compliance and Ethics Hotline (<https://bit.ly/2Il6Q0V>).



### **Outreach and Communication**

Focuses on consistent communication and training for all members of the University community. Assesses university culture through annual surveys and events.

Please visit our office at 510 Orr Drive (Journalism Building), Room 4058 for more information. We are here to help!

Questions? Contact OCE at 850-412-7520 or [rica.calhoun@fam.u.edu](mailto:rica.calhoun@fam.u.edu)  
For more information, you can also visit: <https://fam.u.sharepoint.com/sites/FAMUOCE>  
(use your FAMMAIL login credentials to access the page).

## Florida Agricultural and Mechanical University



### 1.019 University Code of Conduct (Substantial Rewrite)

*(1) Preamble.* As members of the Florida Agricultural and Mechanical University (University) community, all faculty, staff, students, members of the Board of Trustees, University officers and affiliates are responsible for sustaining the highest ethical standards of professional conduct and integrity for this institution, and for the broader community in which we function. We share responsibility for this institution and for its enterprises. The University's mission outlines the values we hold as essential to responsible professional behavior, which include: integrity, openness, respect and fairness in dealing with others. The ethical principles espoused by the Florida Code of Ethics for Public Officers and Employees in Chapter 112, Part III of the Florida Statutes (Code of Ethics), reinforce our commitment to the University's mission. Therefore, adherence by trustees, officers, faculty, staff, student employees, contractors and others acting on behalf of the University to the standards set forth in this Code of Conduct is an integral part of the University's goal of attracting quality students, faculty and staff, as well to ensure a safe and healthy environment for all members of the campus community. The Code of Conduct outlines standards for members of the University community and for those acting on behalf of the University.

*(2) Applicability.* This Code of Conduct applies to the following members of the University community: a) faculty, staff, and students who are paid for working for the University; b) Board of Trustees; c) consultants, vendors and contractors and other individuals using University resources or facilities, or receiving funds administered by the University; and d) individuals who perform services for the University as volunteers and who assert an association with the University. Any reference to members of the University community as provided in this regulation shall refer to the above referenced persons.

*(3) Compliance with Laws and University Rules and Policies.* Per 1012.80, Fla. Stat., members of the University community shall comply with the applicable standards, policies, rules, regulations and state and federal laws that govern and guide their work. The University promotes ongoing and open communication at all levels of the institution. As such, administrators, supervisors and managers are responsible for supporting and monitoring compliance. Members of the University community have an obligation to report any behavior of which they become aware that is unethical or in violation of state or federal law, regulations, or university policies.

*(4) Conflicts of Interest and Commitment.* Faculty and staff of the University owe their primary professional allegiance to the University and its mission to engage in education, scholarship and research. The University has obligations to parents and students, government, external organizations, and donors to use their resources responsibly and, where required, for designated purposes. Thus, all officers, faculty, principal investigators, staff, student employees and others acting on behalf of the University hold

positions of trust, and the University expects them to carry out their responsibilities with the highest level of integrity and ethical behavior. In order to protect the University's mission, members of the University community with private or other professional or financial interests in addition to their primary responsibilities with the University must disclose those interests in compliance with the University's conflict of interest policies (including University Regulations 6.002 and 10.122) and the Code of Ethics.

(5) *Political Activities.* Employees with intentions to seek election to and hold public office must notify the President or President's designee of such intentions. The President or President's designee will determine whether the employee's candidacy for holding public office will interfere with the full and faithful discharge of the employee's duties, as outlined in the University Regulation 10.123 and Section 104.31, F.S.

(6) *External Communication on Behalf of the University.* Pursuant to the University Communications Policy, the Office of Communications is the official University representative to the media and is tasked with establishing and cultivating relationships with journalists, publications and broadcast networks/channels, as well as responding to media inquiries, issuing official statements and announcements and providing guidance and leadership to the University community about relevant media guidelines and best practices. All University leaders, faculty, staff, partners, vendors and contractors must coordinate with the Office of Communications to develop and distribute news and information about the University and to participate in solicited and unsolicited media interviews or media events. Use of University logos and identity must be used in accordance with the University Style Guide and other

applicable policies.

(7) *Contract Authority.* The acceptance of an agreement, including sponsored project funding, may create a legal obligation on the part of the University to comply with the terms and conditions of the agreement and applicable laws and regulations. Therefore, only individuals who have authority delegated by an appropriate University official are authorized to enter into agreements on behalf of the University. All agreements, understandings, and contracts must be reviewed by the Office of General Counsel before execution.

(8) *Confidentiality and Privacy.* The University community shall use confidential information acquired in the course of University business only for official or legal purposes, and not for personal or illegal advantage, during or after such affiliation. It is imperative that each community member complies with all state and federal laws, agreements with third parties, and University policies, regulations and procedures pertaining to the use, protection and disclosure of such information. Such policies apply even after the business relationship with the University ends.

(9) *Gifts and Entertainment.* Employees must abide by expectations outlined in University regulation, policy, and the Code of Ethics regarding the solicitation or acceptance of anything of value from third parties. Members of the University community are prohibited from soliciting or accepting anything of value based on the understanding that their official position will be influenced by such a gift. Employees identified as a financial disclosure reporting individual or procurement employee have additional restrictions from donors who are lobbyists, principals, political action committees or vendors doing business with the university.

(10) *Record Keeping.* Employees are expected to demonstrate a commitment

to transparency in the retention and management of records that have sufficient administrative, legal, fiscal, or historical value pursuant to University policy, the Public Records Law (Chapter 119, Florida Statutes), and the general records schedule published by the Division of Library and Information Services.

Records are defined as “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form or characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by an agency.” Employees are prohibited from destroying documents in violation of law or policy, in response to, or in anticipation of, an investigation, audit, or litigation.

(11) *Proper Use and Protection of University Assets.* The University community will strive to preserve, protect and enhance the University’s assets by making prudent and effective use of University resources and property and by accurately reporting its financial condition. All funds provided for research must be spent in ways consistent with funding requirements and in compliance with guidelines on allowable costs.

(12) *Misuse of Public Position.* Employees may not use or attempt to use their official position or any property or resource within their trust to obtain special privilege, benefit, or exemption for themselves or others.

(13) *Fraud.* Fraud is defined as the intentional, false representation, or concealment of a material fact for the purpose of personal gain or to mislead others. University management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Members of the University

community must mitigate the risk of fraud by fulfilling their duties honestly, while immediately reporting any observed or suspected irregularities to their immediate supervisor. Additional options for reporting include the University Compliance and Ethics Hotline, the Division of Internal Audit, the Office of Compliance and Ethics, the University Police, and the Office of the General Counsel. In addition to the actual perpetration of fraud, failure to report incidents or good-faith suspected incidents of fraud is a violation of this policy. Examples of fraud include, but are not limited to:

- Any dishonest or fraudulent act.
- Falsification of documents
- Misappropriation of funds, supplies, or other assets.
- Impropriety in the handling or reporting of money or financial transactions.
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment.
- Any similar or related irregularity.

The Division of Internal Audit has the primary responsibility for the investigation of all suspected fraudulent acts as defined above. The Division of Audit will issue reports to appropriate designated personnel detailing the findings.

(13) Health and Safety. Members of the University community are expected to perform their duties in accordance with applicable health and safety laws, regulations, policies, and procedures. Members are also responsible for compliance with the health, safety, and risk management program and are required to immediately report workplace/campus injuries, illnesses, and unsafe conditions to the University Department of Environmental Health and Safety and the Office of Risk Manager.

(14) Sustainability. We are all responsible for the continued viability of Florida A&M University and our local and regional communities. The University is committed to operating in an environmentally responsible manner, from the procurement of services to the operation of offices and facilities, and other business activities. Members of the University community must comply with all applicable environmental laws and regulations as well as commitments to sustainable practices and environmental protection outlined by the University's Sustainability Institute.

(15) Information Technology. Pursuant to University Regulation 5.003 (Electronic Connectivity), members of the University community play a role in safeguarding information systems by adhering to established University controls and applicable law and policy. Members do not have an expectation of privacy in the use of University computers and systems. Cyber security and systems training are required of all employees before they are permitted access to these systems. Members are prohibited from using University computers or systems in furtherance of personal or political business.

Information Technology Services tracks software vulnerabilities and applies patches as soon as they become available. To that end, users of the University network shall not:

- Undermine the security or the integrity of computing systems or networks or attempt to gain unauthorized access;
- Use any computer program or device to intercept or decode passwords or similar access control information;
- Knowingly or intentionally transmit, download, or upload any material that contains viruses, trojan horses, worms, time bombs, cancelbots, phishing, or any other harmful programs;

- Transmit, download, or upload any material that contains software or other material protected by federal or state intellectual property laws unless the user owns or controls the rights thereto or has received all necessary consents; or
- Use FAMU electronic connectivity for the exchange of pirated software.

*(16) Reporting Suspected Violations.*

- Members of the University community are required to report violations of applicable University policy, government contracts, and grant requirements, as well as state and federal laws and regulations. Complainants may initially report their concerns through normal management chain of command, beginning with one's immediate supervisor. If it is not appropriate to report to the immediate supervisor, (e.g., the suspected violation is by the manager or the complainant is generally uncomfortable), individuals may go to a higher level of management within the college, department, or report directly to the Office of Compliance and Ethics, Division of Audit, and the Office of General Counsel. Managerial and supervisory personnel must maintain an open-door policy and take proactive measures to assure their staff that the institution supports a culture that values ethical behavior and compliance.
- Managers/Supervisors are responsible for reporting complaints received to the Office of Compliance and Ethics, either directly or through the University's Compliance and Ethics hotline. The Office of Compliance and Ethics coordinates all investigations with the Division of Internal Audit, the Office of General Counsel, and other relevant areas, both internal and external. Employees are not exempt from the consequences of wrongdoing

by self-reporting, although self-reporting may be considered in the determination of an appropriate course of action.

- c. Compliance and Ethics Hotline. Members of the University community may use the University Compliance and Ethics Hotline to report complaints of misconduct outlined in this policy. The Hotline allows reporting by phone or online, with an option for anonymous reporting.
- d. Other Reporting Avenues. While the Office of Compliance and Ethics coordinates investigations, violations may also be reported internally to the Division of Internal Audit or the Office of the General Counsel. Externally, suspected violations of state and federal laws may be reported to the Florida Board of Governors Office of Inspector General and Director of Compliance or the State of Florida Whistleblower's Hotline.

*(17) Investigation. Preliminary Review and Investigation.* University offices tasked with investigation take every reported concern seriously. All concerns will be assessed through intake to determine the appropriate course of action. If an investigation is warranted, such initial investigation will be completed within a reasonable timeframe. If an investigation takes more than 30 business days from the date of intake, the principal investigator will notify both parties to the complaint of such need.

- a. Independence. Investigators are responsible for establishing and maintaining independence so that conclusions and recommendations are impartial in both fact and appearance. The principal investigator must consider organizational, personal, and external impairments that impact the investigators' ability to perform work impartially
- b. Confidentiality. Such reports may be made confidentially, and even anonymously. Confidentiality will be maintained to the extent legal and

practicable, informing only those personnel who have a need to know such information.

c. Cooperation. All members of the University community are expected to cooperate fully in investigations of any misconduct. A copy of this policy will be provided to all employees.

d. Interference. The integrity of an audit, investigation, or administrative action is vital in ensuring a fair and equitable outcome for all parties involved. Members of the University community are prohibited from impeding any audit or investigation. Examples of interference includes, but is not limited to: disclosing information inappropriately, making false statements, failing to respond timely to requests for information or tampering with evidence.

e. Referral. Decisions to prosecute or refer the investigation results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management.

f. Investigative Reports. Despite the disposition, investigative activity will result in a written report. Reports shall be fair, and objective, and present the results of investigation in a clear manner.

(18) Retaliation. Members of the University community are prohibited from engaging in retaliation against another for reporting compliance or ethics related concerns or participating in an investigation due to such reports. Findings of retaliation are independent of the underlying claim of violation and will result in disciplinary action, up to and including termination.

(19) Enforcement. Members of the University community are responsible for maintaining compliance with law, regulation, and policy and making ethical

decisions. Failure to follow the standards outlined serves as a violation of this policy, as well as the originating policy, if applicable. Members of the University community who violate this policy will be subject to personnel action, up to and including termination.

*(20) Equal Opportunity.* It is the policy of Florida A&M University that each member of the University community is permitted to work or attend class in an environment free from any form of discrimination including race, religion, color, age, disability, sex, sexual harassment, sexual orientation, gender identity, gender expression, marital status, national origin, and veteran status as prohibited by State and Federal Statutes. This commitment applies to all areas affecting students, employees, applicants for admission and applicants for employment. It is also relevant to the University's selection of contractors, suppliers of goods and services and any employment conditions and practices.

*Specific Authority: Chapter 112, Part III, Florida Statutes; Section 7(c), Art. IX, Fla. Const., BOG Regulation 1.001. History–New 2005; Amended 1- -20.*



## **Code of Conduct: The Code and the Road**

You're driving to a wedding. You thought the directions to the address were clear but suddenly nothing looks familiar. You drive in circles, turning the directions over and over in your mind as you anxiously watch the hands of the clock. Finally, in a moment of clarity, you remember the road map in your glove box. Quickly, you re-orient yourself to your current location and arrive breathlessly just as the ceremony begins.

Like a good road map, our University Code of Conduct (Regulation 1.019) can help you get your bearings in a tough situation. Our Code is a navigation tool specifically designed to guide your daily decisions in the right direction. But just like the map in the glove box, the Code won't help if it's sitting on the shelf in your office. To reap its benefits, you have to understand its contents and access it when needed.

### **The Code as a Road Map**

Our Code is a road map for appropriate behavior on the job. It outlines our University's base expectations and the responsibility of each employee. It summarizes our policies and procedures about important topics such as Gifts, Conflicts of Interest, Health and Safety, and Confidentiality and Privacy. The Code applies not only to employees but also to those doing business with our University. It is distributed internally to every employee as well as publicly available on our University website.

The Code also reinforces our mission and suggests ways to apply these principles. For example, the guiding principle of "respect in dealing with others" may translate to a statement such as "we don't use degrading or offensive language in the workplace."

## How to Use the Code

Just like the road map, the Code is a resource. Here are some ways to use the Code that may make your trip easier.

- Become very familiar with the Code
- Ask for clarification on sections that may be unclear to you.
- The Code contains resources, including points of contact to answer your questions and for reporting issues and concerns. Review the code and decide where you would turn first, and second, if you had a concern.

Items of Note:

- If applicable, consider ways to help your direct reports understand the topics in the Code and to realize that the Code is a resource for ethical decisions.
- Determine which topics of the Code present higher risk for your division/department/unit. These are the areas where you will need to provide the most guidance in order to avoid problems.
- Check your own behavior to be sure that you are applying the policies in the Code evenly and accurately no matter who is involved.
- Practice ethical decision-making. Include consideration of ethics, our guiding principles, policies and laws in every decision that you make. Be a model of ethical action by ensuring that employees around you or your direct reports know that you always include ethical considerations in your decisions.

## Reaching Our Destination

Our Code of Conduct sends a clear message about where our University is today and what our emphasis is as we move down the road toward the future. When you read, understand, and reflect the Code in your decisions, you are protecting our University's good reputation and demonstrating our University values. If you have any doubts or questions, always ask for guidance from your supervisor, the Office of Human Resources, or the Office of Compliance and Ethics.

## Question & Answer

*I can't find my copy of the Code of Conduct. How do I get a new one?*

Contact your supervisor, the Office of Human Resources, or the Office of Compliance and Ethics. The Code is also publicly available on [famu.edu](http://famu.edu).

*My work is very specialized and I have received training on many applicable laws and regulations. What should I pay attention to, the Code of Conduct or these specialized regulations?*

You need to pay attention to both! The laws and regulations that govern your work are more detailed and therefore should be carefully applied on the job. Our Code guides your decision-making in a more generic way, but is no less important. Nothing in our Code violates the law, and vice-versa.


*My job brings me into constant contact with outside vendors and suppliers. On occasion they suggest "creative" solutions that would be good deals for our University, but might be considered violations of our Code of Conduct. How do I respond to these?*

Any business deal that's a violation of our Code is unacceptable, no matter how "creative" it is. Companies with whom we do business need to understand our commitment to integrity. The short-term benefits of unethical solutions never outweigh the long-term harm done to our University's reputation.

*I'm in a situation that doesn't seem to be covered by any of the examples in our Code. What should I do?*

If you have a question that isn't answered by our Code of Conduct, ask your supervisor. If for any reason you feel uncomfortable asking him or her about the situation, contact the Office of Human Resources or the Office of Compliance and Ethics.

# FAMU Ethics Guide: Gifts / Journey Map

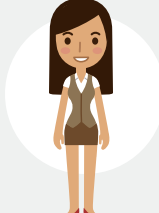
  
**Reporting Individual**  
(who file  
form 1 or 6,  
regardless of title)

Do not solicit or accept gifts with the understanding that the gift was given to influence or gain a favorable action or decision from you in your official capacity.

Do NOT solicit a gift from a lobbyist or principal, PAC or vendor doing business with FAMU

Do NOT accept or solicit any expenditure from a lobbyist or principal (including honorarium). May NOT accept a gift worth more than \$100 from a vendor doing business with FAMU

Honorarium: Do NOT solicit if related to public office or duties. Do NOT accept from lobbyist. Do not accept from vendor doing business with FAMU unless actual event expense (reportable).


  
**Procurement/  
Purchasing  
Employees**

Do not solicit or accept gifts with the understanding that the gift was given to influence or gain a favorable action or decision from you in your official capacity.

Do NOT solicit a gift from lobbyist or principal, PAC, or vendor doing business with FAMU

Do NOT accept a gift worth more than \$100 from lobbyist or related, or vendor doing business with FAMU

Honorarium: Do NOT solicit if related to public office or duties. Do NOT accept from lobbyist or vendor doing business with FAMU unless actual event expense (reportable).

  
**Faculty and Staff**  
(who do not fit  
into a category  
above)

Do not solicit or accept gifts with the understanding that the gift was given to influence or gain a favorable action or decision from you in your official capacity.

Be aware of your status. For example, if you have participated in the procurement process in the last 12 months, you are held to the standard of a procurement employee (above).

Honorarium: OK to accept if you have not participated in the procurement process within the last 12 months.

\*What if you received a prohibited gift?

Immediately contact the Chief Compliance and Ethics Officer at [rica.calhoun@famu.edu](mailto:rica.calhoun@famu.edu).

\*Unsure of definitions or which category you are in?

No problem. Turn the page over.

## Definitions (Fla. Stat. 112.313)

Gift: Anything of value, including without limitation:

- |  |  |
|--|--|
| <ol style="list-style-type: none"><li>1. Real property</li><li>2. The use of real property.</li><li>3. Tangible or intangible personal property.</li><li>4. The use of tangible or intangible personal property.</li><li>5. A preferential rate or terms on a debt, loan, goods, or services</li><li>6. Forgiveness of an indebtedness.</li><li>7. Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.</li><li>8. Food or beverages</li></ol> | <ol style="list-style-type: none"><li>9. Membership dues.</li><li>10. Entrance fees, admission fees, or tickets to events, performances, or facilities.</li><li>11. Plants, flowers, or floral arrangements.</li><li>12. Services provided by persons pursuant to a professional license or certificate.</li><li>13. Other personal services for which a fee is normally charged by the person providing the services.</li><li>14. Any other similar service or thing having an attributable value not already provided for in this section.</li></ol> |
|--|--|

“Gift” does not include: Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with your employment, business, or service as an officer or director of a corporation or organization.

Reporting individual: A university official required to complete limited or full financial disclosure forms 1 or 6 with the Florida Commission on Ethics.

Procurement Employee: any employee who, in the last 12 months, has participated in the procurement process for services and commodities in excess of \$10,000.

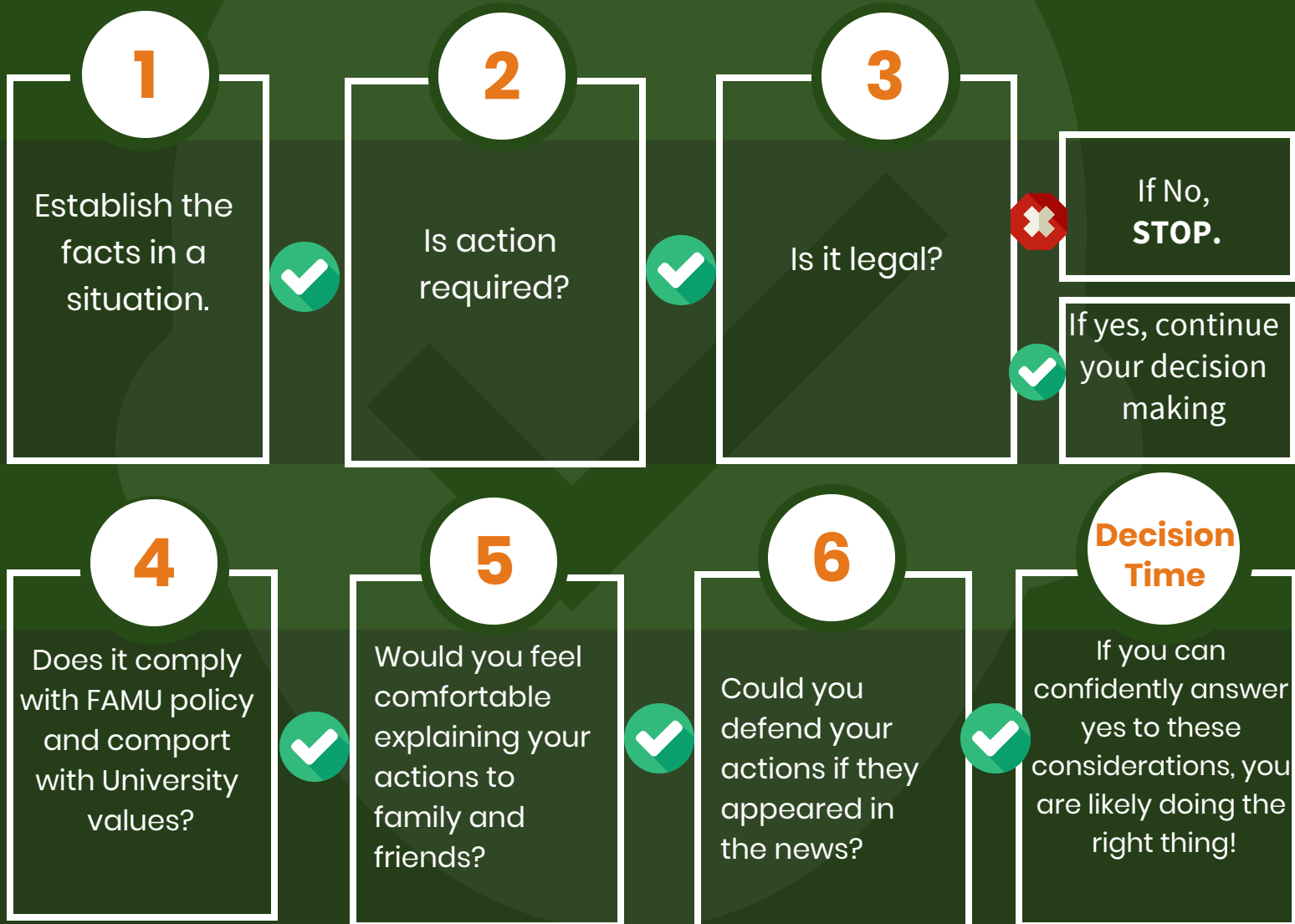
Exemptions: Gifts accepted on behalf of the University.

Public Officer includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body. § 112.313, F.S.

# COMPLIANCE and ETHICS: Do the Right Thing!

## A Simple Guide to Ethical Decision Making

You may feel unsure about a situation and a decision, since there seem to be a number of acceptable alternatives. If you consider the following, you will likely be able to respond appropriately to the situation.



If you cannot confidently answer "yes" to all of these considerations, contact the Office of Compliance and Ethics, the Office of Human Resources, or the Office of the General Counsel for advice!



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## FLORIDA A&M UNIVERSITY COMPLIANCE AND ETHICS HOTLINE

Florida Agricultural and Mechanical University is committed to the highest standards of ethical conduct in all aspects of the University environment. In its ongoing effort to ensure excellence in all activities, the University has instituted the FAMU Compliance and Ethics Hotline as an additional method for reporting violations of University policy, compliance concerns or misconduct.

FAMU has established policies and procedures for addressing concerns of the University community and encourages its faculty and staff to use these avenues to resolve their concerns whenever possible. The FAMU Compliance and Ethics Hotline and web reporting system provide a supplementary reporting channel where an individual is unwilling or unable to use the internal resources available, including instances where he or she wishes to remain anonymous.

In a workplace as rigorous, fast-paced, and diverse as a multi-campus land grant university, doing things right can be complicated. But at its core, doing things right means acting for our mission and sticking to our essential values. Share in the University's reputation and continued success through your own responsible conduct.

FAMU's Compliance and Ethics Hotline is an effective way to report activities that may be in violation of the law, including, but not limited to the following violations or concerns:

- **Discrimination**
- **Workplace Health and Safety Violations**
- **University Code of Conduct Violations**
- **Falsification of Financial Records, Travel or Expense Reports**
- **Legal or Regulatory Violations**
- **Misuse or Theft of University Property**
- **Research Misconduct**

When it comes to any of the above issues or another issue of significance, silence doesn't help, it hurts. The FAMU Compliance and Ethics Website enables you to confidentially, anonymously, and openly communicate a suspicion of misconduct. Calls are not recorded and web-reports are not traceable. There shall be no reprisals for good faith reporting of actual or possible violations.

To file a report, click the "**Submit a Report**" link below. You may follow up on a report that has already been submitted by clicking on the "**Follow-Up on an Existing Report**" link. **FAMU's Code of Conduct** is also available by clicking the appropriate link below.

You may also call FAMU's Compliance and Ethics Hotline directly at **866-445-4YOU**.

**This website should not be used for emergency matters. If you have an emergency and are in need of Police, Fire, and/or Emergency Medical Assistance, please dial 911 or call the FAMU Police Department at (850)599-3256.**

[\*\*Submit a new report\*\*](#)

[\*\*Follow up on an existing report\*\*](#)

[\*\*Read the FAMU Code of Conduct\*\*](#)