

CCS Administrative Procedure

2.10.06 – A General Ethics for Employees and Officers

Implementing Board Policy [2.10.06](#)

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1.0 Ethics (summary of Board of Trustees Policy 2.10.06)

Community Colleges of Spokane (CCS) is committed to standards of performance which comply with Washington State's laws and establish a minimum guideline for ethical conduct. This procedure is intended to provide information about some of the more popular and relevant ethics topics at CCS and does not include all possible ethics topics. The Ethics in Public Service law [RCW 42.52](#) and related regulations apply to all state employees and state officers. No employee or officer (hereafter "employee") of CCS may have a financial interest or engage in any activity that is in conflict with the proper discharge of the employee's official duties.

2.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

- 2.1 Assist: to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person.
- 2.2 Compensation: anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.
- 2.3 Confidential information: information that is not releasable upon public demand, specific information, rather than generalized knowledge not available to the general public on request, or information made confidential by law.
- 2.4 Contract or grant: an agreement between two or more persons creating an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to: an employment contract, federal funding award, state funding award, cooperative agreements, lease, license, purchase agreement, or sales agreement.
- 2.5 Family member: means an individual's spouse or domestic partner, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person. (from [RCW 42.17.005](#) cross reference [RCW 42.52.010](#))
- 2.6 Gift: anything of economic value for which no consideration is given.
- 2.7 Honorarium: money or thing of value offered to an employee for a speech, appearance, article, or similar item or activity in connection with the employee's official role.
- 2.8 Official duty: those duties within an employee's scope of employment defined by CCS, WAC, RCW, statute, or the state Constitution.
- 2.9 Responsibility in connection with a transaction involving the state: the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of a transaction.

- 2.10 Action: any action on the part of an agency, including, but not limited to a decision, determination, finding, ruling, or order; and a grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.
- 2.11 Officer: every person holding a position of public trust. Includes chief executive officers, presidents, members of the board and advisory committees and employees who are engaged in supervisory, policy-making, or policy-enforcing work.
- 2.12 Employee: an individual who is employed by CCS, inclusive of its employed officers.
- 2.13 Thing of economic value: in addition to its ordinary meaning, includes:
- 2.13.1 a loan, property interest, interest in a contract;
 - 2.13.2 employment or another arrangement involving a right to compensation;
 - 2.13.3 an option, irrespective of the conditions to the exercise of the option; and
 - 2.13.4 a promise or undertaking for present or future delivery or procurement.
- 2.14 Transaction involving the state: means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter the employee in question believes, or has reason to believe is or will be:
- 2.14.1 the subject of state action;
 - 2.14.2 one in which the state is a party of; or
 - 2.14.3 one in which the state has a direct and substantial proprietary interest.
- 2.15 Transactions involving the federal government: means an application, submission, request for funding or other grant, cooperative agreement or contract in which the employee believes or has reason to believe is or will be:
- 2.15.1 the subject of federal action;
 - 2.15.2 one in which the federal government is a part of, or
 - 2.15.3 one in which the federal government has a direct or substantial interest in the oversight or outcomes of the funding or project.

3.0 Personal Use of District Resources

If an employee wants to make personal use of a district resource, they must follow the Use of State Resources Rules ([WAC 292.110.010](#)) and they cannot use the resource for prohibited uses. No employee may use their official position to secure special privileges for either themselves or any other person, nor may receive compensation from any person or entity except the State of Washington for performing their official duties.

- 3.1 An employee may make an occasional but limited use of state resources only if each of the following conditions are met:
- 3.1.1 There is little or no cost to the state;
 - 3.1.2 Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;
 - 3.1.3 The use does not interfere with the performance of the officer's or employee's official duties;
 - 3.1.4 The use does not disrupt or distract from the conduct of state business due to volume or frequency;
 - 3.1.5 The use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and

- 3.1.6 The use does not compromise the security or integrity of state property, information, or software.

4.0 Prohibited Uses

Certain uses of state resources are strictly prohibited. Prohibited uses include, but are not limited to:

- 4.1 Any use for the purpose of conducting an outside business or private employment;
- 4.2 Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including but not limited to: A private business, a nonprofit organization, or a political party (unless provided for by law or authorized by an agency head or designee);
- 4.3 Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such use of state resources is specifically prohibited by [RCW 42.52.180](#), subject to the exceptions in [RCW42.52.180\(2\)](#);
- 4.4 Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by [RCW 42.17A.635](#), subject to the exceptions in [RCW 42.17A.635\(4\)](#);
- 4.5 Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy;
- 4.6 Any private use of any state property that has been removed from state facilities or other duty stations, even if there is no cost to the state; and
- 4.7 Illegal activities or activities incompatible with a professional workplace, e.g. accessing adult-oriented sites or gambling on the Internet.

5.0 Confidential Information

- 5.1 No employee may accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce them to make an unauthorized disclosure of confidential information acquired through the employee's official position.
- 5.2 No employee may disclose confidential information to any person not entitled or authorized to receive the information.

6.0 Special Privileges

Except as required to perform duties within the scope of employment, no employee may use their position to secure special privileges or exemptions for him/herself, family members, or other persons.

7.0 Conflicts of Interest

- 7.1 An employee, except as provided in [RCW 42.52.030\(2\)](#), may not have a beneficial interest, financial or otherwise, direct or indirect, or engage in a business, transaction or professional activity, or incur an obligation, that is in conflict with the proper discharge of the employee's official duties ([RCW 42.52.020](#)).
- 7.2 No CCS officer or employee, except as provided in [RCW 42.52.030\(2\)](#), may have a beneficial interest, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly a reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant.

- 7.3 CCS has the responsibility to ensure that all employees, and any other person who conducts federally sponsored programs or research under the auspices of the college or district, adheres to the highest ethical standards in managing potential conflicts of interest. Therefore CCS has adopted Administrative Procedure 2.10.06-D Conflict of Interest in Research and Federally Sponsored Programs for disclosing and mitigating any significant financial conflicts of interest in relationship to federal grant funding and consistent with federal agency guidelines.
- 7.4 Except in the course of official duties, employees may not assist others in a transaction involving CCS. [RCW 42.52.040](#) prohibits:
- 7.4.1 An employee from assisting another person, directly or indirectly, whether or not for compensation, in a transaction if:
- 7.4.1.1 The employee has at any time participated in the transaction; or
- 7.4.1.2 The transaction has been under the official responsibility of the employee within a period of two years preceding the assistance.
- 7.4.2 An employee from sharing in compensation received by another for assistance the employee is prohibited from providing.

8.0 Responsible Conduct of Research and Federal Guidelines

- 8.1 Education on the responsible and ethical conduct of research is critical to public support for and confidence in research conducted in the academic and scientific communities. CCS faculty, staff and students conducting any research, and in particular research supported by federal funding, have an obligation to ensure that all work is carried out responsibly and ethically in compliance with college policies and government regulations.
- 8.2 CCS has adopted Administrative Procedure [7.40.01-B](#) for Responsible Conduct of Research (RCR) requirements and Administrative Procedure [7.40.01-A](#) Research Involving the Use of Human Subjects to provide established guidelines for review of all research projects involving human subjects.

9.0 Supporting Outside Organizations (including charities)

- 9.1 In order to use resources to support an outside organization according to [WAC 292-110-010](#), the following must take place:
- 9.1.1 It must be specifically allowed by law.
- 9.1.2 Approved by the Appointing Authority (Chancellor or College President) ensuring sections 3.0 through 7.0 of this procedure are met.
- 9.1.3 The employee(s) may only make a minimal use of state resources.
- 9.1.4 The activity must support or promote organizational effectiveness.
- 9.2 A CCS employee can serve or assist on a board or committee that is organized for the benefit and support of the district. For example:
- It is allowable to use resources to put together a college team to participate and raise money to support the Combined Fund Drive, as long as each state employee follows the use of state regulations ([WAC 292-110-010](#)), the activity supports organizational effectiveness and the college's participation is approved by the Appointing Authority or designee.
 - An employee is not permitted to bring in Girl Scout cookies to co-workers for the purpose of selling or soliciting orders.

The focus of this example is for college employees to avoid direct personal solicitations of co-workers and colleagues and opt for voluntary participation. This is especially important

if you are a supervisor or manager so that others do not feel pressured to buy something or make a donation.

- 9.3 Any use of college resources that result in an expenditure of funds should be avoided when conducting charity work on state time. State agencies should avoid direct involvement in commercial activities even if the event's proceeds may benefit a charity. Examples of improper direct involvement include:

- Distributing commercial product sales brochures and order forms to district employees.
- Collecting product order forms in the workplace or on state paid time, and distributing products in the workplace.

10.0 Compensation for Outside Activities or Private Employment

- 10.1 No employee may receive any thing of economic value under any contract or grant outside of his or her official duties. The prohibition in this section does not apply where the employee has complied with each of the following conditions:
- 10.1.1 the contract or grant is bona fide and actually performed;
 - 10.1.2 the performance or administration of the contract or grant is not within the course of the employee's official duties, or is not under the employee's official supervision;
 - 10.1.3 performance of the contract or grant is not prohibited by [RCW 42.52.040](#) or by applicable laws or rules governing outside employment for the employee;
 - 10.1.4 the contract or grant is neither performed for nor compensated by any person from whom such employee would be prohibited from receiving a gift;
 - 10.1.5 the contract or grant is not one expressly created or authorized by the employee in their official capacity.
 - 10.1.6 the contract or grant would not require unauthorized disclosure of confidential information.
- 10.2 In addition to satisfying the requirements of section 10.1, an employee may have a beneficial interest in a grant or contract with a state agency if the:
- 10.2.1 contract or grant is awarded or issued as a result of an open and competitive bidding process in which more than one bid or grant application was received; or
 - 10.2.2 contract or grant is awarded or issued as a result of an open and competitive bidding or selection process in which the employee's bid or proposal was the only bid or proposal received and the employee has been advised by the ethics board, before execution of the contract or grant, the contract or grant would not be in conflict with the proper discharge of the employee's official duties; or
 - 10.2.3 process for awarding the contract or issuing the grant is not open and competitive, but the employee has been advised by the ethics board the contract or grant would not be in conflict with the proper discharge of the employee's official duties.
- 10.3 An employee cannot do business with a company for which the employee is an officer, agent, employee, or member, or in which the employee owns a beneficial interest.
- 10.3.1 Exception: An employee may serve as an officer, agent, employee, or member, or on the board of directors, board of trustees, advisory board, or committee or review panel for any nonprofit institute, foundation, or fundraising entity.

11.0 Honoraria

- 11.1 An honorarium is any money or thing of value offered for a speech, appearance, article or similar items in connection with the employee's official role at CCS. An honorarium can only be accepted if specifically approved by CCS and not prohibited in section 10.2.
- 11.2 An Appointing Authority or designee is prohibited from approving honoraria under the following circumstances:
- 11.2.1 The person offering the honorarium is seeking or is reasonably expected to seek contractual relations with, or a grant from the district, and the employee is in a position to participate in the terms or the award of the contract or grant; or
 - 11.2.2 The person offering the honorarium is regulated by the employee and the employee is in a position to participate in the regulation; or
 - (a) The person offering the honorarium is seeking or opposing or is reasonably likely to seek or oppose enactment of or adoption of administrative rules or actions, or policy changes by CCS; and
 - (b) the employee may participate in the enactment or adoption.
- 11.3 An employee may use state time and resources to prepare materials for a speech or presentation for which an honorarium will be paid if the activity is related to the employee's official role at CCS. If an Appointing Authority or designee does not allow the employee to use state time and resources, any payment the employee receives is not an honorarium subject for approval but is instead considered outside compensation and subject to [RCW 42.52.120](#).
- 11.4 Employee's State Work Experience and Knowledge: The experience and knowledge an employee gains during employment at CCS is not considered a "state resource." Therefore, an employee can use their knowledge and experience to perform outside work, such as being an expert witness (Executive Ethics Board Advisory Opinion 96-07).

12.0 Gifts

- 12.1 An employee may not accept or solicit a gift, if it could reasonably be expected to influence the performance or nonperformance of the employee's official duties.
- 12.2 An employee may not accept a gift from any person with a value in excess of \$50 a year.
- 12.2.1 The value of gifts given to an employee's family member shall be attributed to the employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member.
- 12.3 The following items are presumed not to influence and may be accepted without regard to the value limit established by section 11.2 if you are not a "section 4" employee:
- 12.3.1 unsolicited flowers, plants, and floral arrangements;
 - 12.3.2 unsolicited advertising or promotional items of nominal value, such as pens and note pads;
 - 12.3.3 unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
 - 12.3.4 unsolicited items received by an employee for the purpose of evaluation or review, if the employee has no personal beneficial interest in the eventual use or acquisition of the item by CCS;
 - 12.3.5 informational material, publications, or subscriptions related to the recipient's performance of official duties;
 - 12.3.6 food and beverages consumed at hosted receptions where attendance is related to the employee's official duties;

- 12.3.7 admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and
 - 12.3.8 unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature.
- 12.4 A “Section 4” employee is defined as: if an employee whose duties include regulating certain members of an industry or include decisions about contracting or purchasing from any current or potential future contractor or vendor. “Section 4” gift restrictions apply to gifts from those industries, contractors or vendors. Employees’ work that is covered by “Section 4” may only accept the following:
- 12.4.1 Items from family members where it is clear that the gift was not made as part of any effort to gain or maintain influence in the agency of which the recipient is an employee.
 - 12.4.2 Items related to the outside business of the recipient which are customary and not related to the recipient’s performance of official duties.
 - 12.4.3 Items exchanged among employees, or a social event hosted by a state employee for co-workers.
 - 12.4.4 Items a state employee is authorized by law to accept.
 - 12.4.5 Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt.
 - 12.4.6 Campaign contributions reported under [RCW 42.17A.235](#).
 - 12.4.7 Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group.
 - 12.4.8 Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.
 - 12.4.9 Unsolicited advertising or promotional items of nominal value.
 - 12.4.10 Unsolicited tokens or awards of appreciation: plaques, trophies, desk items.
 - 12.4.11 Unsolicited items for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the use or acquisition of the item by the agency.
 - 12.4.12 Informational material, publications, or subscriptions related to official duties.
 - 12.4.13 Food and beverages at hosted receptions where attendance is related to official duties.
 - 12.4.14 Admission to and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic charitable, governmental or community organization.
- 12.5 A “Section 4” employee cannot accept any food or drink—not even a doughnut—by a person whom the employee regulates or who wishes to do business with CCS, i.e. any current or potential future contractor or vendor, in the ordinary course of state business. For example, if a vendor or contractor brings the employee food, the employee may put the food in a public area with a sign “free food.” Since the gift or reward has been given away, it is available to the public at large (taxpayers) and the employee has avoided a potential state ethics violation.

13.0 Waiving Conference Fees

If an employee's conference fees are waived for participating in a conference, the rules are the same as those for reimbursing travel expenses. The waiver is not a gift for most employees and not considered an honorarium.

14.0 Use of Persons, Money, Property or Equipment for Private Gain

No employee may employ any employee of CCS or use any money, property or equipment owned by CCS for the private benefit or gain of the employee or another.

15.0 Faculty and Textbooks

15.1 Authored Faculty Using Their Textbooks In Their Classes. The Ethics Act states faculty members may not have a beneficial interest in a textbook they have assigned to their own students. ([RCW 42.52.030](#)) This does not mean that faculty members are precluded from using their own textbooks in their classes. This restriction means faculty cannot financially benefit from their decision to use their textbook in classes at CCS. However, if a chair or committee, that does not include the faculty author, selects or designates the textbook per Article XIII of the Master Contract, the faculty author can use the textbook and legally receive royalties from the textbook. This restriction also applies if the faculty author is a decision maker in the choice of textbooks for other classes if their textbook is used in classes taught by other faculty. ([RCW 42.52.020](#), [42.52.030](#), & [42.52.110](#))

15.2 Selling or Disposing Textbooks Sent to Faculty for Evaluation or Review (Executive Ethics Board Advisory Opinion 03-04 titled "Selling Textbooks Sent to Faculty for Evaluation or Review."). Textbooks which are provided to higher education faculty members by publishers for the purpose of review where the faculty member retains the textbook or situations where faculty members receive "courtesy copies" or "desk copies" of textbooks that the faculty members are using to teach their classes.

15.2.1 District employees may accept gifts of informational material, publications or subscriptions such as textbooks which are related to the recipient's performance of official district duties.

15.2.2 Once these items have been received, state employees may

15.2.2.1 Use or retain items to perform official duties.

15.2.2.2 Dispose of items by either giving them to the college or to a charitable organization, as provided in [RCW 42.52.010\(9\)\(g\)](#); or dispose of them in accordance with district surplus property procedures.

15.2.2.3 Per [RCW 42.52.010\(9\)\(g\)](#) the recipient may return the textbook to the publisher or donate it to a charitable organization within 30 days of receipt.

15.2.2.4 Faculty members are not allowed to sell "review textbooks" and then donate the proceeds to a charitable organization.

15.2.2.5 Faculty members that participate in deciding which textbooks will be used in classes are allowed to receive and retain "review" or "desk copy" textbooks from the publisher.

15.2.3 Faculty members must use a limited amount of resources to facilitate the donation of their review textbooks.

15.3 Faculty Accepting Compensation to Review a Textbook

15.3.1 Accepting compensation for reviewing textbooks is prohibited. The basic premise of the gift rules states CCS employees cannot receive a gift if it could be reasonably expected that the gift would influence the action or judgment of state employees in the performance of their official duties.

15.3.2 A Faculty member who is offered compensation for providing a written review of a textbook can reasonably be expected to be influenced by the compensation under some circumstances.

- 15.4 Textbook Adoption - Each department shall have the opportunity to recommend its own textbooks consistent with the guidelines established by the district wide Textbook Committee as currently existing or hereafter modified as provided for in the Master Contract, Article XIII.

16.0 Off Duty Activities

- 16.1 Off-duty activities that are a conflict of interest under chapter RCW [42.52](#), [WAC 292-110](#), or this procedure, that are detrimental to the employee’s work performance or district programs, bring discredit upon the institution, or otherwise, constitute violation of Board Policy [2.10.06](#) and this procedure may be cause for disciplinary action, up to and including termination.

- 16.1.1 Employees shall report all arrests and any court-imposed sanctions or conditions that affect their ability to perform assigned duties to their Appointing Authority within twenty-four (24) hours of occurrence or prior to their scheduled work shift, whichever occurs first.

17.0 Related Information

- 17.1 [Administrative Procedure 2.10.06-D CCS Conflict of Interest in Research and Federally Sponsored Programs](#)
- 17.2 [Administrative Procedure 7.40.01-A Research Involving the Use of Human Subjects](#)
- 17.3 [Administrative Procedure 7.40.01-B. Responsible Conduct of Research \(RCR\)](#)

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