

# A&M System Ethics Policy Review

Text Version (last updated March 2018)

## Introduction Section

### A&M System Policy Review: Ethics

Welcome to the Ethics course. If you need this course in an alternative format, please contact System Training at [training@tamus.edu](mailto:training@tamus.edu).

Select Start to begin.

### Course Navigation

Use the course player buttons or keyboard shortcuts to navigate the course. The TAB key skips to objects on the course player and slide. Use the ENTER key to submit a selection for questions and buttons. The SPACEBAR will pause and play slides when the content focus is on the slide. The LEFT and RIGHT arrow keys advance to the previous or next slides, respectively, when the content focus is on the slide. The speech bubble icon toggles the close captioning when selected.

### Introduction

The responsibility for educating and training the future leaders of the state and nation carries with it the duty to adhere to the highest ethical standards and principles.

[System Policy 07.01, Ethics](#)

### Welcome

Welcome to the A&M System Ethics Policy Review course.

The purpose of this course is to familiarize you with ethics policies and regulations affecting A&M System employees and to provide you with an overview of common ethics issues you may encounter on the job.

## Why Do I Have to Take This Course?

Why do you have to take this course?

- **It's the Law:** State employees are required by law to have ethics training.
- **It's Complicated:** Although A&M System ethics policies are based on simple principles, understanding them can be confusing. This training is intended to help you understand what these policies really mean, so that you may avoid embarrassing mistakes.
- **Commitment to Excellence:** The people of Texas have entrusted us with resources and responsibilities, so we are committed to providing them our highest level of performance. Each system employee plays a part in making this happen, so remember that your actions are a reflection on your institution or agency and the system as a whole.

## Course Objectives

Upon completion of this course, you will be able to:

- Understand the proper use of system property, resources, and time.
- Identify gifts, benefits, and honoraria you may not accept.
- Recognize and avoid situations that could be a conflict of interest.
- List political activities in which you may and may not participate.

## Section 1: Use of System Property, Resources, and Time

The idea is pretty simple: System property and resources, including a system employee's work time, belong to the people of Texas.

This is why it is so important to use system property, resources, and time in an appropriate manner. The following explains in more detail what is and is not acceptable.

## General Guidelines

In general, system resources should not be used for personal purposes. However, minimal personal use of some resources is acceptable as long as it:

- Does not result in additional expense to the system
- Does not impede normal business functions
- Is not for non-approved private commercial purposes
- Is not used for any illegal activity
- Is not used to intentionally access, create, store, or transmit obscene materials, **AND**
- Is not used to compete unfairly with private sector entities or private consultants.

## Telephones & Other Information Resources Equipment

Minimal personal use of system computers, telephones, fax machines, and other communication devices is acceptable as long as it meets the general usage guidelines previously described. Most importantly, use of such equipment must not interfere with your normal job duties or those of other co-workers.

## System Vehicles

System vehicles are one of the most visible types of public property we use. When someone sees a public employee using a public vehicle for what looks like personal business, they may rightfully question whether public resources are being abused. System vehicles should only be used for official system business. System vehicles cannot be used for:

- Personal or recreational activities (including transporting family members)
- Activities associated with political campaigns *OR*
- Other non-official purposes

Be sure to consult System policies and your institution/agency's rules and procedures if you have any questions.

## Credit/Procurement Cards, Petty Cash, & Other Accounts

You may only use system credit cards, procurements cards, petty cash, working funds, or centrally-billed accounts for official system business. They should NEVER be used for any personal business or in connection with a political campaign.

One common point of confusion is non-reimbursable charges. If the item in question qualifies as official business, but is not fully reimbursable under state and/or system

guidelines, you may still charge the item on a system credit card. An example would be a hotel rate that exceeds the state rate.

### **Other System Resources**

Use of library books, recreational facilities, and other things that have a well-established history of usage for personal enjoyment or benefit is generally allowable.

However, personal usage of any system property or resource can be prohibited or regulated by the system at any time. When in doubt, consult system policies, your institution/agency's rules and procedures, or ask your supervisor.

### **Use of Time**

The time spent by A&M System employees on the job is a public asset. Use of work time for non-work related matters should be kept to a minimum. Personnel policies and procedures explain how various types of leave may be used for personal matters.

### **External Employment**

Under certain circumstances, you may hold another job or run a business outside of your official system position. You may not engage in external employment or activities, including seeking or negotiating for employment, that conflict with your official system duties and responsibilities. Your department head or supervisor, and your institution/agency's CEO or designee must also approve each instance of external employment. The requirements are very detailed, so it is important that you review system policies and regulations FIRST. These include:

- [System Policy 31.05](#)
- [System Regulation 31.05.01](#)
- [System Regulation 31.05.02](#)

**Note:** Even if your external employment has been approved and is in compliance with system policies, participating in system business transactions with a company that you own or work for—even if someone else makes the decisions—may appear inappropriate. To protect the system's and your integrity, please let your supervisor know whenever you have a job assignment that might be viewed as a conflict of interest.

Also, supervisors should avoid involving an employee in decisions about business transactions or in the processing of business transactions with the employee's business or outside employer.

## Learn More

For additional information on the use of system property, resources, and time, please review:

- [System Policy 33.04, Use of System Resources](#)
- [System Regulation 33.04.01, Use of System Resources for External Employment](#)
- [All related rules established by your system member](#)

## Section 1 Practice

Select the appropriate answer(s) for each question presented and then click the **Submit** button to check your answer. These questions are intended as practice and are not graded.

### Question 1:

Marcus and Ted drove a system vehicle to a job site across town. Since they are so far from the main office, they go to eat lunch at a restaurant down the street. The parking lot is packed. They can either wait a couple of minutes for a parking spot or they can park in front of the liquor store. What should they do?

- Park in front of the liquor store. No sense in waiting.
- Wait for a parking spot in the restaurant lot. It won't take long.

Feedback: People often notice state vehicles, so appearance counts. They should wait for a spot to open in the restaurant lot. Parking in front of the liquor store would invite negative attention.

### Question 2:

Elise will be using an A&M System vehicle for an out-of-town meeting. Since she will need to get an early start, her supervisor allows her to take the car home the afternoon before. As she leaves the office in the system vehicle, she remembers she needs to run by the grocery store and the post office. What should Elise do?

- Go to the grocery store and post office on her way home.
- Drop off the system vehicle at her house and then drive her own car to the grocery store and post office.

Feedback: System vehicles should only be used for system business. Running personal errands does not qualify.

**Question 3:**

Which of the following activities are NOT appropriate uses of system resources?

Select *all* applicable responses, and then click the Submit button.

- a. Using your office phone to make sales calls for your private consulting business
- b. Using your staff ID card to borrow a novel from the university library
- c. Using office envelopes and stamps to mail out 25 party invitations
- d. Sending an occasional e-mail message to family or friends
- e. Using your office phone to make a doctor's appointment

Feedback: Using your office phone to make sales calls for your private consulting business is not appropriate because using telecommunication services for private, commercial purposes is prohibited. Using envelopes and stamps for your personal mail is also not appropriate because this results in extra expense to the system to replace the supplies.

## **Section 2 Gifts and Benefits**

As a system employee, it is important to understand the state laws and system policies which define the gifts and benefits you may and may not accept from clients, vendors, and other third parties.

While an offer of a gift or benefit may seem like a nice gesture that would be rude to refuse, you must ask yourself a couple of questions:

- Is it legal to accept it?
- Even if it is legal, is it appropriate to accept it?

This section will provide you with basic information to help you answer such questions and make a good decision.

*(Continued on next page.)*

## Court Interpretations

It is a *crime* to take a bribe of any value.

A gift or benefit is a bribe if it involves the following elements:

- An agreement between you and someone else
- for you to do—or refrain from doing—something
- that is part of your official duties
- in exchange for something else.

**Note:** The value of what you receive is irrelevant, except in determining the punishment that can be imposed. If you and another party make an agreement that you will do something in return for a gift or benefit—whether it's worth 10 cents or \$10,000—you may be guilty of bribery.

## Opportunities for Bribery

So what are some situations where opportunities for bribery lurk?

Most commonly, in the areas of:

- Purchasing
- Admissions
- Hiring
- Promotions

### Purchasing

Suppose you are the travel coordinator for your department. A travel agent offers you a free round trip ticket for your personal use for booking all departmental flights through them.

### Admissions

Your air conditioner repairman offers you a special discount if you use your official position to help facilitate his son's acceptance to an A&M System university.

### Hiring

A neighbor offers you premium tickets to three upcoming football games if you hire their spouse for the open position in your department.

### Promotions

Suppose you are a manager. An employee in your department approaches you and offers to paint your house if you give him a promotion.

## **When to Refuse Gifts and Benefits**

To protect the System's and your own integrity, you may not ask for, accept, or agree to accept gifts or benefits in the following situations:

- If you are a decision maker and the giver is likely to benefit from your decision. For example, if you make office supply purchasing choices for your office, it may not be appropriate to accept personal gifts or benefits from office supply retailers.
- If you work for an agency that regulates, inspects, or investigates the giver.
- If you know the giver is in a lawsuit against you or your system institution/agency.

When in doubt, just say no! No gift is worth the risk.

## **What Gifts and Benefits are Acceptable?**

You are allowed to accept some benefits, even from people who fit within the three situations previously listed, as long as they fit within certain categories.

### **You're a Guest**

You may accept meals, entertainment, lodging, or transportation, IF you are a *guest* of the giver. This means that the giver—or a representative—must accompany you during the meal, event, or trip.

Note: If the gift includes lodging, your hosts don't have to share your room; but they do need to be reasonably nearby.

### **Under \$50**

You may accept items having a value under \$50. This includes items such as:

- Mugs
- Pens
- T-shirts
- Caps



However, you may NOT accept cash or negotiable instruments, such as checks, that are under \$50. But remember:

- You may not know the value of an item, so it's a good idea to ask the giver if there's any question of value.
- If you agree with the giver that you will do something in exchange for a gift, it doesn't matter how cheap it may be, it could be bribery!

### **Donate It**

You may also accept a gift or benefit that normally would not qualify under these rules IF you:

- Donate it to a governmental entity that has authority to accept it
- Donate it to a tax-exempt charity formed for education, religious, or scientific purposes

If you elect to do this, be sure to disclose the situation to your supervisor and document what you do for future reference.

Often the best approach, particularly with gifts such as food or flowers, is to share them with others in your office. (Your coworkers will appreciate it, too!)

### **Family or Personal**

You may accept gifts from family and gifts based on personal relationships which are independent of your official status (neighbors, other friends), and gifts from fellow members of your profession or occupation which are based on your status as a fellow member.

### **Personal Business Relationships**

You may accept gifts and benefits based on personal business relationships that are not related to your job, such as from your doctor, attorney, CPA, etc.

### **Lawfully Entitled**

You may accept payments that you are lawfully entitled to because of a non-system-related activity or status. For example, if you have a consulting business or other outside employment you may accept payments for your services. If you sell property or win damages in a private lawsuit, you may receive the benefits.

### **Learn More**

For additional information on gifts and benefits, please review:

- [System Policy 07.04, Benefits, Gifts, and Honoraria](#)
- [All related rules established by your system member](#)

## Section 2 Practice

Select the appropriate answer(s) for each question presented and then click the **Submit** button to check your answer. These questions are intended as practice and are not graded.

### Question 1

Which of the following is considered bribery?

- a. Accepting a gift of any value
- b. Accepting a gift of any value in exchange for an official action
- c. Accepting a gift with a value of \$50 or greater

Feedback: Bribery involves the idea of an exchange. The value of the gift is irrelevant.

### Question 2

In which of the situations presented may you accept the gift being offered? Select the correct option.

- a. After the purchase of a new home, your mortgage broker sends you a \$75 gift certificate to a local home improvement store.
- b. A meal at a fancy restaurant accompanied by a sales representative of a vendor bidding for a contract from your department
- c. A coffee mug and bag of coffee with a value under \$50 is sent to you from a client for all of your hard work on a recent project.
- d. All of the above

Feedback: You may legally accept all of the benefits listed. However, you should always be concerned about appearances, so in some circumstances you may wish to avoid some of these situations.

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### Question 3

You arrive at work to find a large flower arrangement, box of cookies, and some gourmet coffee from a vendor with a note thanking you for your business. You know the gift must have cost over \$50, but it has already been delivered. What should you do?

- a. Take the gifts home to enjoy. They were sent to you, so you should be able to keep them.
- b. Share the gifts with the whole office. The flowers will be nice on the front desk and everyone loves cookies and coffee!

Feedback: Sharing the gifts with the entire department is the best choice in this situation.

### Question 4

Knowing your love for classical music, a vendor representative sends you a pair of tickets (orchestra section) to hear the Houston Symphony Orchestra play. World-famous cellist Yo-Yo Ma will be the guest soloist. An accompanying note says, "I was planning to go, but something has come up. Have fun!" What should you do?

- a. Decline the tickets
- b. Go to the concert and send a thank you note afterwards.

Feedback: Since the vendor representative would not be attending with you and the tickets cost more than \$50, you should decline the tickets.

### Question 5

While at a conference, a vendor offers you a t-shirt. Can you accept it?

- a. Yes
- b. No

Feedback: You may legally accept a T-shirt or any other item with a value of less than \$50, as long as it is not given as a bribe.

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## Section 3 Conflicts of Interest

A conflict of interest exists when a decision that you make as part of your job may potentially benefit you, your family members, or friends—thus putting you in a position of having competing loyalties. Here are some examples of conflicts of interest:

- You're responsible for selecting a vendor to print your departmental brochure, and your brother's printing company submits a bid.
- A real estate selection committee—of which you are a member—is considering purchasing a lot that you own.
- You serve on a scholarship committee and are given your neighbor's daughter's application to review.
- You are responsible for setting the prices of food in the campus cafeteria, but you are also part-owner of a fast-food restaurant across the street.

Although you may have every intention of making an objective decision, the *mere appearance* of a conflict of interest can cause real problems.

### Conflicts of Interest and State Law

Conflicts of interest are also addressed in state law. Section 572.051(a) of the Government Code states that state officers and employees should not:

- Accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position.
- Accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties.
- Make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest.

To access this document, go to:

<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.572.htm#572.051>

## **Is It or Isn't It?**

There are a few basic questions to ask yourself anytime you think a conflict of interest could potentially exist. If you can answer Yes to one or more of the questions, there may be a conflict of interest.

### **Question 1**

First, you should ask: Could I personally gain or lose a benefit from this situation?

### **Question 2**

Second, you should ask: Could my family or friends gain or lose a benefit from this situation?

### **Question 3**

If you answered "yes" to question 1 and/or question 2, you should ask: Could this benefit to me, my family, or friends affect my judgment in performing my job duties or create a perception that my judgment will be affected?

## **Now What?**

So, what do you do if you think you have a conflict of interest?

The best way to handle this situation is to disclose it to your supervisor, who can work with you to resolve the issue. It may not be a conflict at all, may be easily resolved, or may disqualify you from handling the matter. In any case, early and prompt disclosure is always helpful for you, your employer, and the public we serve.

## **Public Disclosure Statements**

To ensure that factors that could influence a person's decisions are made publicly available, certain persons are required to file disclosure statements that describe their financial interests.

### **Texas Ethics Commission**

The following persons are required by state law to file a financial statement annually with the Texas Ethics Commission:

- System board members
- Chancellor
- System Member CEOs

Each person must use the forms prescribed by the commission. With the exception of board members, a copy of such forms shall be filed in the Office of the Board of Regents.

### **Annual Financial Disclosure**

The following persons must file annually with their respective member chief executive officer (CEO) an Annual Financial Disclosure Report:

- Deputy chancellors
- Vice chancellors
- The chief auditor
- The general counsel
- The system ethics and compliance officer
- Other members of the chancellor's executive committee
- Vice presidents
- All system employees who exercise discretion with regard to the investment of funds under system control

The statement is required to provide detailed information regarding the individual, their spouse, and their dependent children.

### **Potential Conflicts of Interest**

Employees are prohibited from having a direct or indirect financial or other interest, engaging in a business transaction or professional activity, or incurring any obligation that is in substantial conflict with the proper discharge of the employee's official duties and responsibilities.

Any member employee who exercises discretion or makes decisions regarding the award of a bid or contract with a private vendor shall promptly disclose to the member CEO or designee on the Potential Conflict of Interest Disclosure Form any potential conflict of interest that is known by the employee with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor by the member.

A "potential conflict of interest" under this section means an interest, financial or otherwise, that could potentially conflict with the conscientious performance of an employee's official duties and responsibilities, including interests that could create the appearance of impropriety.

### **Financial Interest Disclosure and Certification Form-Contracting Prohibition**

The system and its members are prohibited from entering into a contract for the purchase of goods or services with a private vendor if any of the following employees or their close family members have a financial interest in the vendor:

### **System employees**

- chancellor
- chief financial officer
- chief auditor
- general counsel
- chief compliance officer
- chief procurement officer or procurement director

### **Member employees**

- CEO
- provost
- chief financial officer
- dean
- deputy or associate agency director
- chief compliance officer
- chief procurement officer or procurement director

Definition of Financial Interest – An employee covered by the above contracting prohibition has a financial interest in a private vendor if the employee or the employee's close family member:

(a) owns or controls, directly or indirectly, an ownership interest of at least one percent in the private vendor, including the right to share in profits, proceeds, or capital gains; or

(b) could reasonably foresee that a contract with the private vendor could result in a financial benefit to the employee.

### **Disclosure Requirement**

These employees shall file a completed Financial Interest Disclosure and Certification Form with the Office of General Counsel (OGC), no later than the end of January each year. OGC will coordinate with the System Office of Budgets and Accounting to ensure system and member compliance with the contracting prohibition.

### **Learn More**

For additional information on conflicts of interest, please review:

- [System Policy 07.03, Conflicts of Interest, Dual Office Holding, and Political Activities](#)
- [All related rules established by your system member](#)

### Section 3 Practice

Select the appropriate answer(s) for each question presented and then click the **Submit** button to check your answer. These questions are intended as practice and are not graded.

#### Question 1

Priya is serving on a departmental committee in charge of procuring some new lab equipment. One evening her husband tells her that his brother has just taken a job as an engineer with one of the companies bidding for the contract. Priya knows that this company has a good chance of being awarded the contract. On the other hand, her brother-in-law isn't aware of her involvement on this procurement, and he wasn't working at the company at the time they submitted the bid. What should Priya do?

- a. Inform her supervisor and disclose the potential conflict by submitting a Potential Conflict of Interest Disclosure Form to her member CEO or designee.
- b. Nothing—just wait and see what happens
- c. Privately advise her brother-in-law not to get involved with the bid. Don't mention the matter to her supervisor.

Feedback: Priya should inform her supervisor of the situation. Any member employee who exercises discretion or makes decisions regarding the award of a bid or contract with a private vendor shall promptly disclose to the member CEO or designee on the Potential Conflict of Interest Disclosure Form any potential conflict of interest that is known by the employee.

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## Question 2

Which of the following A&M System personnel must file an Annual Financial Disclosure Report with their system member CEO?

Select all applicable responses, and then click the Submit button.

- a. Deputy & vice chancellors
- b. Chief auditor
- c. General Counsel
- d. System ethics and compliance officer
- e. Other members of the chancellor's executive committee
- f. Vice presidents
- g. All employees who exercise discretion with regard to the investment of funds under system control

Feedback: All listed personnel must provide an Annual Financial Disclosure Report to their respective system member chief executive officer (CEO).

## Section 4 Travel

A&M System travel policies are very detailed and complex. For this reason, presenting a comprehensive summary of them is beyond the scope of this training. However, expenses and activities associated with travel are often the subject of ethics issues and questions. This section covers the issues that come up most often.

### Official Business

There is one basic rule when it comes to travel: *Only official business* qualifies for travel reimbursement or use of system vehicles or aircraft.

The primary purpose of the trip must be to benefit the A&M System—not your personal or private interests. Some personal benefit, such as sightseeing, is allowable, BUT it should never be the real reason for the travel, and it should not result in added costs to the system.

### Reimbursement

"So how much will you be reimbursed?"

In most cases, you must be on an official business trip that requires an overnight stay to be eligible for reimbursement.

Trips meeting this requirement entitle you to reimbursement for the actual cost of meals and lodging up to the maximum amount allowed by the law or the system member's rules. In some cases, you may be reimbursed for actual expenses exceeding the state maximum, but this is rare.

Check with your fiscal office for additional details on reimbursement.

## **Commonly Asked Questions about Travel & Reimbursement**

Many questions arise concerning travel and reimbursement guidelines. Below is a list of the most commonly asked questions on this subject.

### ***If you didn't or couldn't claim an expense for one trip can you claim it on the next one?***

No. Every trip you take must be accounted for on its own, regardless of what you didn't claim or receive reimbursement for on some other trip.

### ***If someone else pays, can you claim it as an expense?***

No. You cannot file for travel reimbursements from the system for trip expenses that were paid by someone else (also known as double dipping). For example, if someone else pays for your meal while you are on a trip, you cannot claim that meal as an expense.

Also, if you are unexpectedly reimbursed for some or all of your travel expenses by another source after you've been reimbursed by the system, you must reimburse the system for the amount of the overpayment. Notify your supervisor immediately if you are double-reimbursed! Criminal charges could result from this type of incident.

### ***Since you pay the bill, can you use your state credit card for non-business-related expenses?***

No. While it is true that payment to the credit card company is your responsibility, you may only use your state credit card for legitimate, business-related expenses.

Note: Legitimate business expenses may be charged even if they are not reimbursable. For example, if your meals are very expensive and your restaurant bill totals exceed the daily allowance for meals, you may still use your state credit card to charge the expense. However, you will only be reimbursed for the maximum allowable amount.

***Can family members accompany you on business trips?***

In general, spouses and other family members may accompany you on business trips, if:

1. You are responsible for their expenses **AND**
2. You are not using a system vehicle.

In rare cases, spouses and other relatives of employees may be permitted to have travel expenses paid by the system if their presence is for an official purpose and benefits the system or the State of Texas. Requests for reimbursement of expenses or for direct departmental payment of travel expenses for these persons must be approved in writing by the chief executive officer of the system component.

Remember, unless they are along for a legitimate business purpose, family members should NOT accompany you in a system vehicle or on system aircraft.

***Can you keep your Frequent Flyer miles and points?***

Yes, you can! If you earn credits with airlines, hotels, etc. for official travel, you do not have to account for those credits. You are also not required to use those credits for business travel.

**Learn More**

For additional information on travel guidelines, please review:

- [System Regulation 21.01.03 Disbursement of Funds](#)
- [All related rules established by your system member](#)

**Section 4 Practice**

These questions are intended as practice and are not graded.

**Question 1**

You're traveling to Colorado to attend a series of meetings with a new customer. On the last day of your trip, you invite the customer to lunch. It's time to pay the bill. Can you use the state credit card?

- a. Yes, it's okay.
- b. No, it's not okay.

Feedback: It's okay for you to use the state credit card to pay for the meal since it's a legitimate business expense.

## Question 2

When you return from Colorado, you realize that your meal expenses exceed the maximum reimbursable amount. Should you keep the receipt for the unreimbursed meal and claim it for another trip?

- a. Yes. As long as it was a legitimate expense, you can submit it next time.
- b. No. Every trip must be accounted for on its own.

Feedback: It's never okay to "make up" for non-reimbursable or forgotten expenses by claiming them on a different trip.

## Question 3

Next month, Parker will attend a conference being held in San Diego, California. Since her wedding anniversary is that same month, she hopes it'll be okay for her spouse to travel with her. When booking the trip, what can she pay for using the credit card?

Select all that apply.

- a. Her plane ticket
- b. Her spouse's plane ticket
- c. Hotel (assuming no extra charge for her spouse)
- d. Tickets for a San Diego Harbor Dinner Cruise
- e. Conference Fees

Feedback: Parker's plane ticket, the conference registration fees, and hotel (assuming that there is no extra charge for her spouse) can all be paid for using the state credit card. Her spouse's plane ticket and tickets for the dinner cruise are not business expenses, and therefore can't be charged.

## Section 5 Honoraria

Employees and faculty are often asked to give a speech or perform some other occasional service for which they receive a payment or other benefit as an honorarium. Before responding to such an offer, you should understand the law regarding honoraria.

### Making a Decision

The key to complying with the law regarding honoraria is to understand why you are being invited.

### **When You May Accept**

You may accept an honorarium only if the services you perform are based primarily upon *your personal knowledge or expertise* rather than on your official position as an A&M System employee.

### **When You Can't Accept**

You cannot accept an honorarium if the services you perform are based primarily on your official position as an A&M System employee.

For example, if you are a director at an A&M System agency, you cannot accept an honorarium if your invitation is based primarily on your job title. However, you may accept an honorarium if your invitation is based primarily on your professional expertise in your field.

### **Invitations**

So how do you ensure that this requirement is fulfilled?

The best way is to ask for a written invitation to perform the service. The invitation should clearly state why you are being asked.

If the invitation is based on a certain office or position you hold, you may not accept an honorarium.

You may not avoid this prohibition by having the payment made to a third party.

### **Travel Expenses**

Regardless of whether you can or cannot accept an honorarium, you may accept direct provision of or reimbursement for transportation and lodging expenses in connection with a speaking engagement at a conference or similar event. Meals provided as a part of the event or reimbursement for actual expenses for meals may also be accepted.

However, your participation in the event must be more than merely routine or ceremonial. For example, ribbon-cuttings are a type of perfunctory service.

### **Learn More**

For additional information on honoraria, please review:

- [System Policy 07.04 Benefits, Gifts, and Honoraria](#)
- [All related rules established by your system member](#)

## Section 5 Practice

Select the appropriate answer(s) for each question presented and then click the **Submit** button to check your answer. These questions are intended as practice and are not graded.

### Question 1

Which of the invitation details below meet the criteria for accepting an honorarium?

- a. Invitation to attend a ribbon cutting ceremony as an honored guest.
- b. Invitation to speak at a community fundraising event, where invitation is based on community recognition as the university president.
- c. Invitation to publish an article in a professional journal to present your latest research.

Feedback: An invitation must show that the services you perform are based primarily on your personal knowledge or expertise rather than on your official position as an A&M System employee. In addition, participation in the event must be more than merely routine or ceremonial.

### Question 2

An out-of-town university offers to pay travel and lodging expenses so you can be one of their guests of honor at the groundbreaking ceremony for a new building. You will not need to speak or to provide any service. Can you accept their offer of travel and lodging?

- a. Yes
- b. No

Feedback: You may only accept an offer of travel and lodging if your participation in an event is more than routine or ceremonial-e.g., if you are delivering a speech. Attending as a guest of honor does not meet this standard.

## Section 6 Political Activities

In general, system employees enjoy the same general privileges and are bound by the same general obligations as other citizens. However, with regard to politics, public employees are required to comply with some laws that do not affect private sector employees.

This section provides a brief overview of ethics policies related to political activities.

## **Use of Official Authority**

You may not use your official authority or influence to affect the result of an election or nomination of a candidate or to achieve any other political purpose.

For example, you may support a particular political candidate or cause as a private citizen. However, you may not use your title or other official connection as an A&M System employee in doing so.

## **Use of System Resources**

You may not spend or authorize spending of any A&M System funds for the purpose of influencing the outcome of any election or for the passage or defeat of any legislative measure. Additionally, you may not use system resources for any personal political activity.

For example, you should not carry political materials in a system vehicle or use a system computer or telephone to promote a personal political cause.

## **Running for Office**

If you choose to run for office, be aware that there are different guidelines for local and non-local offices.

### **Local Governmental District Office**

You may run for election and serve as a member of the governing bodies of school districts, cities, towns, or other *local* governmental districts. However, you may not conduct any campaign activities during official business hours unless you have requested and received permission to use leave time for such purpose.

Note: If you are elected to a local position, you may not receive any salary or other payment for your services.

### **County, State or Federal Office**

If you wish to announce as a candidate and seek election to a county, state, or federal office, you may not conduct campaign activities during official business hours unless you've requested and received permission to use leave time for such purpose. You shall not use any system resource for campaign purposes.

Federal law may prohibit an employee whose salary is paid completely by federal funds from becoming a candidate for elective office. You should contact your human resources office if you have questions.

## Learn More

For additional information on political activities, please review:

- [System Policy 07.03 Conflicts of Interest, Dual Office Holding, and Political Activities](#)
- [System Regulation 07.03.01 Political Campaign Events on Property Under the Control of The Texas A&M University System](#)
- [System Policy 33.04 Use of System Resources](#)

## Section 6 Practice

Select the appropriate answer(s) for each question presented and then click the **Submit** button to check your answer. These questions are intended as practice and are not graded.

### Question 1

A system employee is assisting with a political campaign and needs to print 100 campaign flyers. She is in a hurry to get to a rally and wonders if she can use the office printer to print the flyers. Can she?

- a. Yes
- b. No

Feedback: System employees may not use state resources to support a particular candidate or to achieve a political purpose.

### Question 2

Select the office(s) in which a system employee could continue working while running for election. Select all that apply.

- a. Mayor (unpaid)
- b. State representative
- c. School board member (unpaid)
- d. All of the above

Feedback: A system employee can continue working while running for election for all of the offices listed. Federal law may prohibit an employee whose salary is paid completely by federal funds from becoming a candidate for elective office. Contact your HR office for more information.



### Question 3

Dr. Harris is angry about the placement of a new manufacturing plant near his home because of air quality concerns. He decides to write an angry letter to the city council. When writing the letter, he should:

- a. Be sure to use system stationery
- b. Prominently mention his high rank within the A&M System
- c. Avoid placing emphasis on his official status as a system employee

Feedback: System employees may not use system resources or their official authority to achieve personal political purposes. Dr. Harris is free to write a letter to express his views, but must do so as a private citizen.

## Conclusion

### The Three Question Test

Sometimes we are faced with a choice. If you are not sure if what you are doing or want to do is ethical, ask yourself these three questions:

#### **How would this look to your harshest critic?**

Suppose your worst enemy was watching you. Would that make a difference in what you decide to do?

#### **How would this look on the front page of the newspaper?**

Assume that your actions are going to be revealed to the whole world.

#### **If there is a doubt in your mind, will there also be a doubt in the minds of the taxpayers?**

If you have to justify it to yourself, how does it look to the outside world?

### Reporting Ethics Policy Violations

If you see another A&M System employee doing something that appears to be a violation of the A&M System Ethics policies, you may submit an anonymous report by calling (888) 501-3850 or by using the "Risk, Fraud & Misconduct Hotline" link located at the bottom of the home page for every System university or agency.

For more details, see the online course entitled *Reporting Fraud, Waste and Abuse*.

## Learn More

If you would like additional information on this topic, click the RESOURCES link located in the upper right portion of the course player to access the following course resources:

- List of key points from each section of this course
- Complete text version of this course
- List of internet information sources

Remember, you have the ultimate responsibility for keeping up-to-date on any changes to system policies, regulations, and rules.

## Course Review

This has been a brief overview of the A&M System ethics policies. You should now be able to:

- Understand the proper use of system property, resources, and time.
- Identify gifts, benefits, and honoraria you may not accept.
- Recognize and avoid situations that could be a conflict of interest.
- List political activities in which you may and may not participate.

## Mastery Test

The Mastery Test consists of 12 questions, covering the information presented in each of the course sections. In order to receive credit for completing this course, you must pass the Mastery Test with a score of 100%.

1. It is okay to use a System vehicle to drop family members off while on the way to your business destination.  
  
A. Yes  
B. No
2. You created a flyer advertising some home and lawn maintenance services you perform outside of work. Is it okay to use a System copier to make the 100 copies you need?  
  
A. Yes  
B. No

*(Continued on next page.)*

3. While attending a conference, you win a dinner for two (valued at \$30) at a local restaurant. Can you accept this offer?
  - A. Yes
  - B. No
4. For your birthday, you receive an original signed oil painting from a vendor. Can you accept it?
  - A. Yes
  - B. No
5. You are responsible for selecting a printer for a brochure that your department is preparing. A vendor offers you a coupon for a free music CD (valued at \$15) if you select her firm. Can you accept her offer?
  - A. Yes
  - B. No
6. You are in charge of hiring a student worker for your department. Your neighbor's daughter applies for the position. Would it be a potential conflict of interest for you to participate in the selection process?
  - A. Yes
  - B. No
7. While on a business trip, the person you are visiting buys you dinner. Can you claim the cost of the meal as a travel expense?
  - A. Yes
  - B. No
8. You may make up for unreimbursed expenses from one business trip by claiming a little extra on another trip.
  - A. Yes
  - B. No

9. Phil is a high ranking official at an A&M System university. A local technical college has built a new building and Phil has been invited to speak at the dedication ceremony because of his affiliation with the university. Can Phil accept an honorarium for his speech?
- A. Yes
  - B. No
10. What must you know before you can determine if you can accept an honorarium? (select all that apply)
- A. How much is the honorarium?
  - B. What will I be doing?
  - C. Where will the conference be held?
  - D. Why are you inviting me?
11. You may use A&M System stationery and your title to write a letter on a political topic to the editor of your local newspaper.
- A. True
  - B. False
12. You may use your System e-mail account to encourage your co-workers to vote for a political candidate.
- A. True
  - B. False

End of course.