

# Business Ethics and Conduct

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## Purpose

The ASI Policy on Business Ethics and Conduct is intended as a guide to acceptable and appropriate behavior at the Associated Students, Incorporated. Any person or organization conducting business under the auspices of ASI is expected to comply with the contents of this policy. This applies to all directors, officers, employees and volunteers of ASI and its subsidiaries, as well as agents of any program, activity, or function financially supported and administered by ASI (hereinafter known collectively as “representatives”).

## Policy Statement

It is the policy of ASI to maintain the highest standards of ethical conduct in the performance of its business affairs. Representatives must familiarize themselves with this policy so that they may readily distinguish any proposal or act that would constitute a violation. Each representative is responsible for his or her actions. Violations of this policy may result in disciplinary action, including dismissal and criminal prosecution.

This policy may be modified or revised from time to time as deemed necessary to address new situations. Nonetheless, representatives are responsible for exercising the highest ethical

standards applicable to a circumstance even in the absence of a specific guideline, practice, or instruction covering that particular situation.

If a representative has doubts regarding a questionable situation or practice, that individual should immediately consult his or her supervisor, program advisor, or ASI Executive Director. This policy strictly prohibits any reprisal against a representative who in good faith reports a violation or suspected violation.

## Who Should Know This Policy

- Budget Area Administrators
- Elected/Appointed Officers
- Grant Recipients
- Management Personnel
- Program Advisors
- Staff
- Supervisors
- Volunteers

## Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Antitrust	The body of law designed to protect trade and commerce from restraints, monopolies, price-fixing, and price discrimination
Conflict of interest	A situation in which a person has a duty to more than one person or organization, but cannot do justice to the actual or potentially adverse interests of both parties. This includes when an individual's personal interests or concerns are inconsistent with what is best for a customer, or when a public official's personal interests are contrary to his/her loyalty to public business.
Gifts	Any items or services of value, excluding normal business entertainment items such as meals and beverages, items of minimal value given in connection with sales campaigns and promotions, contributions or donations to recognized charitable and non-profit organizations, and items or services with a total value under \$50
Political contributions	In addition to direct cash contributions, the donation of property or services, or the purchase of tickets to fund-raising events for the benefit of political parties or candidates
Supplier	Vendors providing services and/or materials to ASI, including consultants, financial institutions, advisors, and any other person or institution that does business with ASI.
Unfair competition	Wrongful and/or fraudulent business methods to gain an unfair advantage over competitors, including: a) untrue or misleading advertising, b) misleading customers by imitative trademark, name or package, c) falsely disparaging another's product.

## Regulations

### 1.0 Competition and Antitrust

The Associated Students, Incorporated supports competition based on quality, service, and price. We will conduct our affairs honestly, directly and fairly. To comply with our policy of fair competition, representatives of ASI:

- Shall never discuss with competitors any matter directly involved in competition between us and the competitor (e.g. sales price, marketing strategies, and sales policies).
- Shall never agree with competitors to restrict competition by fixing prices, allocating markets, or other means.
- Shall not arbitrarily refuse to deal with or purchase goods and services from others simply because they are competitors in other respects.
- Shall not require others to buy from us before we will buy from them.
- Shall not require customers to take from us a service they don't want just so they can get one they do want.
- Shall never engage in industrial espionage or commercial bribery.
- Shall be accurate and truthful in all dealings with customers and be careful to accurately represent the quality, features, and availability of products and services.

## 2.0 Compliance with Laws and Regulatory Orders

The applicable laws and regulatory orders of every jurisdiction in which ASI operates must be followed. Each representative is charged with the responsibility of acquiring sufficient knowledge of the laws and orders relating to his or her duties in order to recognize potential dangers and to know when to seek legal advice.

In particular, when dealing with public officials, representatives must adhere to the highest ethical standards of business conduct. When seeking the resolution of regulatory or political issues affecting ASI's interests, representatives must do so solely based on the merits of such interests and pursuant to proper procedures for dealing with such officials. Representatives may not offer, provide, or solicit, directly or indirectly, any special treatment or favor in return for anything of economic value or the promise or expectation of future value or gain. In addition, there shall be no entertaining of employees of the federal government.

## 4.0 Confidential Information and Privacy of Communications

Confidential information includes all information, whether technical, business, financial, or otherwise concerning ASI, which ASI regards as confidential and/or which is not available or is not made available publicly. It also includes any private information of, or relating to, customer records, personnel records, other persons, or other companies.

ASI policy and various laws protect the integrity of ASI's confidential information that must not be divulged except in strict accordance with established policies and procedures. The obligation not to divulge confidential information is in effect even though material may not be identified as confidential and the obligation exists during and continues after employment with ASI.

A few examples of prohibited conduct are:

- Selling or otherwise using, divulging, or transmitting information considered confidential by ASI;
- Using confidential information to knowingly convert an ASI business opportunity for personal use;

- Using confidential information to acquire real estate which a representative knows is of interest to ASI;
- Using, divulging, or transmitting confidential information in the course of outside employment or other relationship or any succeeding employment or other relationship at any time;

Furthermore, representatives shall not seek out, accept, or use any confidential information of or from a competitor of ASI. In particular, should ASI acquire a volunteer or employee who previously worked for a competitor, ASI shall not accept nor solicit confidential information concerning that competitor.

## 5.0 Associated Students, Incorporated Assets

All cash and bank account transactions must be handled so as to avoid any question or suspicion of impropriety. All cash transactions must be recorded in ASI's general ledger.

All accounts of ASI funds shall be established and maintained in the name of the Associated Students, Incorporated or one of its subsidiaries and may be opened or closed only on the authority of the university Associate Vice President for Financial Management. No funds shall be maintained in the form of cash, except authorized petty cash funds, and no representative or subsidiary of ASI shall maintain an anonymous account at any bank. No disbursements of any nature may be made into anonymous bank accounts or other accounts not clearly identified to ASI as to their ownership.

No payments may be made in cash (currency) other than regular, approved disbursements from petty cash funds supported by signed receipts and other appropriate documentation. Furthermore, corporate checks shall not be written to "cash", "bearer", or similar designations.

Compliance with prescribed accounting procedures is required at all times. Representatives having control over ASI assets and transactions (including fixed assets) are expected to handle them with the strictest integrity and ensure that all transactions are executed in accordance with management's authorization. All transactions shall be accurately and fairly recorded in reasonable detail in ASI's accounting records.

Representatives are personally accountable for ASI funds and property over which they have control. Representatives who spend or otherwise commit ASI funds should ensure that ASI receives good value in return and must maintain accurate records of such expenditures. Representatives who approve or certify the correctness of a bill or voucher should know that the purchase and amount are proper and correct. Obtaining or creating "false" invoices or other misleading documentation or the invention or use of fictitious sales, purchases, services, loans, entities, or other financial arrangements is strictly prohibited.

### 5.1 Expense Reimbursements

Expenses actually incurred by a representative conducting ASI business must be documented on a Request for Payment or Purchase (RPP) or Revolving Fund Expense Report in accordance with ASI procedures. In preparing expense reports, representatives should review these procedures for the documentation that must be submitted in order to be reimbursed for business expenses.

## 5.2 Corporate Credit Cards

Associated Students, Incorporated credit cards may be provided to representatives for convenience in conducting company business. No personal expenses may be charged on company credit cards unless otherwise authorized. Associated Students, Incorporated credit cards shall not be used to avoid preparing documentation for direct payment to vendors. Where allowed by law, charges on company credit cards for which a properly approved expense report has not been received at the time of an employee's termination may be deducted from the employee's last paycheck. ASI will aggressively pursue repayment by representatives of any unauthorized amounts it has to pay on their behalf.

## 5.3 Information Management Systems

Computerized information and computer software are valuable assets of ASI that must be protected from misuse, theft, fraud, loss and unauthorized use or disposal.

Use of mainframe computers or network servers must be customer service or business-related. Employees may not access company records of any kind for their personal use. Misappropriation of computer space, time or software includes, but is not limited to:

- Using a computer to create or run unauthorized jobs;
- Obtaining, possessing, and/or using a security password for which you are not authorized;
- Operating a computer in an unauthorized mode; or
- Intentionally causing any kind of operational failure.

Personal computers may be used for ASI-sanctioned education programs as well as personal use incidental to ASI business. However, personal use cannot be allowed for personal financial gain.

## 6.0 Political Contributions

Federal law and many state laws prohibit contributions by corporations to political parties or candidates. The term "political contributions" includes, in addition to direct cash contributions, the donation of property or services, and the purchase of tickets to fund-raising events. Representatives may make direct contributions of their own money, but such contributions are not reimbursable.

It is improper for a representative to use his or her position within ASI to solicit political contributions from other representatives for the purpose of supporting a political candidate or influencing legislation. It is also improper for a representative to make a political contribution in the name of ASI or any of its subsidiaries.

## 7.0 Personal Conduct

Dishonest or unlawful activities committed on ASI premises or while on ASI business will not be condoned and can result in disciplinary action, including dismissal and criminal prosecution. The following will not be tolerated on ASI premises, in ASI owned or leased vehicles, or while engaging in ASI business:

1. Consumption and storage of alcoholic beverages, except where legally licensed or authorized by an officer of ASI.
2. The unlawful manufacture, distribution, dispensation, possession, transfer, sale, purchase, or use of a controlled substance.
3. Driving vehicles or operating ASI equipment while under the influence of alcohol or controlled substances.
4. Illegal betting or gambling.
5. Carrying weapons of any sort on ASI premises, in ASI owned or leased vehicles, or while conducting ASI business. Even employees with permits or licenses may not carry weapons on ASI property or while on ASI business.

ASI reserves the right to inspect any property that may be used by employees for the storage of their personal effects when presented with reasonable cause to suspect wrongdoing. This includes desks, lockers, and vehicles owned by ASI. It is a violation of policy to store any contraband, illegal drugs, toxic materials, or weapons on or in ASI property.

## 8.0 Reporting Ethical Violations

All representatives are responsible for compliance with these rules, standards, and principles. In the area of ethics, legality, and propriety, each representative has an obligation to ASI that transcends normal reporting relationships. Representatives should be alert to possible violations of this policy anywhere in ASI and are encouraged to report such violations promptly. Reports should be made to the representative's supervisor, program advisor, or ASI Executive Director as the circumstances dictate. Representatives will also be expected to cooperate in any investigation of violations.

All cases of questionable activity involving this policy or other potentially improper actions will be reviewed for appropriate action, discipline, or corrective steps. Whenever possible, ASI will keep confidential the identity of representatives about or against whom allegations of violations are brought, unless or until it has been determined that a violation has occurred. Similarly, whenever possible, ASI will keep confidential the identity of anyone reporting a possible violation. Reprisal against any representative who has, in good faith, reported a violation or suspected violation is strictly prohibited.

All employees are required to notify ASI within five (5) days of any conviction of any criminal statute violation occurring on the job. In addition, any employee who is convicted of a felony, whether related to these rules or not, should report that fact.

## 9.0 Discipline

Violation of this policy can result in serious consequences for ASI, its image, its credibility, and the confidence of its customers and constituents. It can also include substantial fines and restrictions on future operations, as well as the possibility of fines and prison sentences for individual representatives. Therefore, it is necessary that ASI ensure that there will be no violations. Representatives should recognize that it is in their best interest, as well as ASI's, to follow this policy carefully.

The amount of any money involved in a violation may be immaterial in assessing the seriousness of a violation since, in some cases, heavy penalties may be assessed against ASI for a violation involving a relatively small amount of money, or no money at all.

Disciplinary action involving employees shall be coordinated with ASI Human Resources Manager. Disciplinary actions involving non-employees shall be referred to the Office of Judicial Affairs or Public Safety, as appropriate. The overall seriousness of the matter will be considered in setting the disciplinary action to be taken against the individual. Such action may include:

- Reprimand
- Probation
- Suspension
- Demotion
- Combination of the above
- Dismissal or expulsion

In addition, individual cases may involve:

- Reimbursement of losses or damages
- Referral for criminal prosecution or civil action
- Combination of the above

Disciplinary action may also be taken against directors, officers, supervisors or program advisors who condone, permit, or have knowledge of illegal or unethical conduct by those reporting to them and do not take corrective action. Disciplinary action may also be taken against representatives who make false statements in connection with investigations of violations of this policy.

Within the scope of its authority, ASI will determine at its sole discretion the disciplinary action appropriate to a given matter. The above listing of possible actions is informative only and does not bind ASI to follow any particular disciplinary steps, processes, or procedure.

ASI's rules and regulations regarding proper representative conduct will not be waived in any respect. Violation is cause for disciplinary action including dismissal. All representatives will be held to the standards of conduct described in this policy.

ASI never has and never will authorize any employee to commit an act that violates this policy or directs a subordinate to do so. Consequently, it is not possible to justify commission of such an act by saying someone in higher authority directed it. In such cases, it is incumbent upon the individual to report the individual who directed the activity.

## Forms

The following forms and procedures are to be used in the execution of this policy.

Form Name	Purpose	Responsible Office	Approved By	Timeline for Submission
Conflict of Interest Disclosure Statement	To disclose the existence of any business relationship between a director, officer, or employee and the ASI that could potentially represent a conflict of interest	Office of the Executive Director	N/A	Annually at or near the beginning of the fiscal year (July 1) or near the beginning of the academic year (June 1). Signed form must be on file before signing the Signature Authorization Card.
Signature Authorization Card	To identify and provide specimen signatures of those persons authorized to make transactions on an ASI budgetary account	A.S. Business Office	Authorized budget area signatory and A.S. Business Office	At or near the beginning of the fiscal year (July 1) and revise anytime signature authority changes