

Table of Contents

I.	Philosophy and Scope.....	1
II.	Definitions for the Purpose of this Policy and Procedures	1
III.	Nepotism.....	2
IV.	Acceptance of Gifts and Free Goods or Merchandise.....	2
V.	Outside Employment.....	3
VI.	Acceptance of Honoraria	3
VII.	Ownership Interest and Procurement.....	3
VIII.	Procurement Conflict of Interest	4
IX.	Financial Aid Conflicts of Interest.....	4
X.	Use of Confidential Information (Privacy of Records)	4
XI.	Filing a Complaint.....	4

Employee Code of Ethics

I. Philosophy and Scope

Frederick Community College (“FCC” or the “College”) employees are expected to uphold the highest standards of ethical and professional behavior. Employees must avoid a conflict of interest, or the appearance of a conflict of interest, between personal interests and public responsibilities. Employees’ actions reflect not only on the individual employee but also on the entire College community.

It is a violation of this Employee Code of Ethics:

When an employee influences, or is in the position to influence, either directly or indirectly, College business or other decisions in ways that could lead to personal gain for the employee, his/her family member (nepotism), or that would unfairly benefit a third party.

When an employee uses College facilities, equipment, supplies, or reputation for personal gain or to sell goods or services.

Employees must be especially sensitive to conflicts of interest, and to the appearance of such conflicts between their roles in the institution and their private activities and interests. Whenever a conflict of interest or the appearance of a conflict of interest exists, the individual should consult with his or her supervisor or the Associate Vice President (AVP) for Human Resources (HR) and should excuse him or herself from involvement in the conflicting activity.

FCC employees may not have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, which is in conflict with the proper discharge of the employee’s duties.

Members of the Board of Trustees and employees of the College are subject to the Maryland Public Ethics Law and certain employees are required to file financial disclosure statements with the Maryland State Ethics Commission.

II. Definitions for the Purpose of this Policy and Procedures

- A. **“Conflict of interest”** refers to a situation that may undermine the impartiality of a person’s judgment because his/her interest or financial interest may conflict with the public interest.
- B. **“Interest”** refers to a legal or equitable economic interest that is owned, received, or held wholly or partly, jointly or severally, or directly or indirectly, whether or not the economic interest is subject to an encumbrance or condition.
- C. **“Financial interest”** means:
 - 1. Ownership of an interest as the result of which the owner has received within the past three years, is currently receiving, or in the future is entitled to receive, more than \$1,000 per year; or
 - 2. Ownership of more than 3% of a business entity by an employee or his/her spouse; or
 - 3. Ownership of securities of any kind that represent, or are convertible into, ownership of more than 3% of a business entity by an employee or his/her spouse.

Employee Code of Ethics

- D. **“Gift”** refers to the transfer of anything of economic value, regardless of form, without adequate and lawful consideration.
- E. **“Honorarium”** refers to the payment of money or anything of value for speaking to, participating in, or attending a meeting or other function; or writing an article that has been or is intended to be published. Honorarium does not include payment for writing a book that has been or is intended to be published.
- F. **“Direct reporting relationship”** refers to chain of command; line of supervisory authority; or decision making that directly affects an employee.
- G. **“Faculty”** refers to those who are responsible for the delivery of credit and non-credit instruction and/or the assessment of academic work.
- H. **“Family member”** refers to a close relative (either by birth or marriage to include in-laws) including but not limited to: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, spouse, domestic partner, step-parent, step-child, or any relative residing in the supervisor’s or faculty member’s household.

III. Nepotism

Nepotism is favoritism or the appearance of favoritism shown to a family member. Employees may not engage in any form of nepotism. An employee cannot be directly involved in employment-related processes, supervision, or decisions impacting a family member.

All employees and applicants are required to disclose to the AVP for HR, the identity of any of his/her family members who are employed by the College. No family members of anyone in a direct reporting relationship of a vacant position are eligible to apply for or be hired for the position. If a direct reporting relationship between family members develops during employment, family members must notify the AVP for HR immediately. The College must take action to ensure that the direct reporting relationship does not continue to exist. Such action may include transfer, reassignment or voluntary separation from employment, which will require the approval of the Senior Leadership Team.

No faculty member shall provide academic instruction leading to assessment of any family member, unless approved by the Provost/Vice President for Academic Affairs or the Vice President for Continuing Education and Workforce Development. A faculty member is required to notify the Provost/Vice President for Academic Affairs or the Vice President for Continuing Education and Workforce Development immediately if a family member enrolls in a course taught by him/her.

IV. Acceptance of Gifts and Free Goods or Merchandise

Any gifts of money, food, beverages, personal or real property from students or vendors either doing business with the College or desiring to do business with the College may not be solicited. Gifts from students or vendors either doing business with the College or desiring to do business with the College that are \$20 or less in value and could not reasonably be expected to influence any official action, judgment, decision or duty may be accepted, but still may not be solicited. Free desk copies or review copies of textbooks or other instructional materials may be accepted, but become the property of the College.

Employee Code of Ethics

No person may offer, give, solicit or receive anything of value to/from an employee, or his/her family member and/or organization that would influence or be perceived to be an attempt to influence an employee's official actions, judgments, decisions, or manner of performing his/her duties.

All free goods or merchandise premiums awarded for the purchase of specific supplies or equipment by the College become the property of the College and are to be used in the College, sold through its bookstore with proceeds going to the store, or sold for fair market value with proceeds credited to the account from which the original purchase resulting in the gift was made.

Any employees offered gifts with a value in excess of \$20 which they believe the College could benefit from should contact the Office of Institutional Advancement/Foundation.

V. Outside Employment

To protect both employees and the College from actual or perceived conflicts of interest, outside employment must be disclosed.

Prior to accepting outside employment, full-time and part-time administrators and full-time faculty must disclose outside employment in addition to their assignment(s) at the College to the Vice President for Finance and Human Resources through the [Outside Employment Disclosure form](#). This disclosure will be reviewed to ensure that there is no conflict of interest or commitment. Full-time faculty do not need to disclose outside employment when not under contract.

Full-time administrators and full-time faculty are considered full-time employees of the College and therefore cannot hold full-time employment with any other employer.

Employees cannot accept monetary compensation from a student related to their professional duties at the College.

VI. Acceptance of Honoraria

FCC employees may accept an honorarium for services provided to outside entities. Prior to accepting an engagement, the employee must complete the [Approval to Accept Honorarium form](#) and submit the form to the Vice President for Finance and Human Resources. The honorarium will be reviewed to ensure that a conflict of interest does not exist. The Vice President for Finance and Human Resources will notify the employee who submitted the form whether acceptance of the honorarium is approved.

VII. Ownership Interest and Procurement

Any regular employee who owns or controls, directly or indirectly, any interest in a privately traded business or at least 10% interest in a publically traded business or any interest in real or personal property, must refrain from any participation in any procurement or sale from the business to the College or in any lease or sale of the property to the College and must further disclose the interest. Exceptions must be approved by the Board of Trustees.

Employee Code of Ethics

VIII. Procurement Conflict of Interest

College employees must not participate in decisions or actions regarding the procurement of products or services when the employee, or the employee's family member, has an interest or financial interest in the product or service, or creates an unfair benefit for a third party.

Employees engaged in the selection, award, and administration of federal grants/contracts must adhere to federal law and regulations. Failure to do so will result in disciplinary action as outlined in the Employee Misconduct Policy and Procedures.

IX. Financial Aid Conflicts of Interest

FCC participates in Federal Student Aid loan programs. To avoid conflicts of interest between College financial aid processes and the students for whom aid is being sought, all employees must adhere to the following:

A. Revenue Sharing Restrictions

FCC employees may not receive anything of value from any lending institution in exchange for any advantage sought by the lending institution. Lenders cannot pay to get on the FCC preferred lender list.

B. Gift and Trip Restrictions

FCC employees may not take anything, including but not limited to trips of more than nominal value from any lending institution, when such things are offered in connection with the employee's financial aid work.

C. Advisory Board Compensation Rules

FCC employees with responsibility for financial aid work may not receive anything of value for serving on the advisory board of any lending institution.

X. Use of Confidential Information (Privacy of Records)

An employee may not use confidential information gained in the course of employment other than in the performance of official duties.

In addition, Frederick Community College accords to students all rights under the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended. No one outside of the institution shall have access to, nor will the institution disclose any information from a student's educational record without the written consent of the student except when prior written consent is not required by FERPA or the implementing regulations.

XI. Filing a Complaint

Anyone may file a complaint with the Maryland State Ethics Commission alleging a violation of the Public Ethics Law by an employee. A complaint may be mailed or hand-delivered to 45 Calvert Street, Annapolis, Maryland 21401. Complaints sent by email or facsimile will not be accepted. If a complaint is accepted by the Commission, information related to the complaint, including the identity of the complainant and respondent, may not be disclosed by the Commission, its staff, the respondent or the complainant.