

Appropriate Use of University Resources

Standards of Conduct

EWU Policy 901-02

Authority: Board of Trustees

Effective November 18, 2016

Proponent: University President

Summary: This policy prescribes standards for the use of university, equipment and resources. It includes descriptions and restrictions related to personal use of university resources.

History: This policy revises Appropriate Use of University Resources, dated November 18, 2011.

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CHAPTER 1 – GENERAL

1-1. Introduction

Access to Eastern Washington University facilities, equipment and resources is generally restricted to university students, faculty and staff in support of academic and administrative activities.

This policy prescribes standards for the legitimate use of university equipment, materials and other resources. It also describes circumstances in which university resources may be used for non-official purposes.

University resources exist to support official University activities, including teaching, learning, research, service and administrative functions.

1-2. Definitions

a. **University Resources**, as used in this policy, includes all equipment, materials, supplies, services and other items that are owned, leased, or operated by the university. This policy applies to all university resources regardless of their source of funding. University resources also include staff time. Facilities are not governed by this policy. Use of university facilities is governed by chapter 172-137, WAC.

b. **Service Activities** are activities that enhance or augment the agency's ability to perform its mission.

1-3. References

- a. RCW 42.52, Ethics in Public Service
 - b. WAC 292-110-010, Use of State Resources
 - c. Washington State Executive Ethics Board website, www.ethics.wa.gov
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CHAPTER 2 – EMPLOYEE USE OF RESOURCES

2-1. Policy

University employees may not use state resources (including any person, money, or property) under their official control or direction or in their custody, for

personal benefit or gain, or for the benefit or gain of any other individuals or outside organization.

2-2. Employee Responsibility

Proper stewardship of state resources, including funds, facilities, tools, property, employees and their time, is a responsibility that all state officers and employees share.

Responsibility and accountability for the appropriate use of University resources ultimately rests with the individual employee who uses University resources as well as the employee who authorizes the use of University resources.

University employees may make independent assessments, consistent with this policy, of the permissibility of the use of University equipment and resources for other than official state job purposes.

University employees are encouraged to consult with and seek approval from their supervisors when they are uncertain about the permissibility of a use of University resources. Supervisors at all times retain discretion to restrict uses of state resources in response to concerns regarding an employee's work performance or use of University resources that exceeds the permissible uses outlined in this policy.

University employees should contact the Washington State Executive Ethics Board if they have any questions or concerns that they are unable to resolve locally.

2-3. Permitted Uses

University resources may be used when such use:

- a. Is reasonably related to the conduct of official university duties, or which is otherwise allowed by statute;
- b. Promotes organizational effectiveness or enhances the job-related skills of a university employee as determined by the president or designee; or,
- c. Supports service activities, as determined by the president or designee, which have been approved by the employee's supervisor.

Examples include, but are not limited to:

- a. Communication with other University employees to convey greetings and announcements, and to build interpersonal rapport (e.g., birthday greetings, birth/death announcements, and carpool solicitations).
- b. Announcement of and participation in social gatherings to acknowledge accomplishments of colleagues or celebrate holidays and events (e.g. retirement parties and holiday gatherings).
- c. Development of competency in the use of information technologies and computer resources done outside of normal work hours.
- d. Personal student classroom work that can reasonably be expected to enhance the employee's job-related skills or promote organizational effectiveness, as determined by the supervisor, and done outside of normal work hours.
- e. Occasional notices of charitable activities such as blood drives and special events.
- f. Coordination of the Combined Fund Drive.

2-4. Limited Personal Use

A university employee may use state resources for personal use only if such use is de minimis and meets all of the following conditions(per WAC 292-110-010):

- a. There is little or no cost to the state;
- b. Any use is brief in duration and occurs infrequently;
- c. The use does not interfere with the performance of the employee's or any other employee's official duties;
- d. The use does not disrupt or distract from the conduct of university business due to volume or frequency (e.g. sending large email attachments);
- e. The use does not compromise the security or integrity of university property, information, or software;
- f. The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain; and,
- g. The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group.

Examples of permissible personal use include, but are not limited to:

- a. Electronic communication with children and dependents.
- b. Scheduling personal appointments.
- c. Checking the benefits you receive as a state employee, such as medical, retirement, life insurance, etc.

2-5. Prohibited Uses

The state Constitution, state and federal laws, and the Ethics in Public Service Act strictly prohibit certain private activity and certain uses of state resources. Any use of state resources to support such activity clearly undermines public confidence in state government and reflects negatively on state employees generally. This rule explicitly prohibits at all times the private uses of state resources described in this section.

a. Outside Business or Employment: Any use for the purpose of conducting an outside business, private employment, or other activities conducted for private financial gain.

Examples include, but are not limited to:

- (1) University offices or laboratories may not be used as a place of business for an employee's outside enterprise;
- (2) University affiliations and titles may not be used in connection with an outside business in any manner which misrepresents the University's association with that business; employees must clearly acknowledge the independent nature of their outside work from his or her University responsibilities;
- (3) University stationery and other office or consumable supplies may not be used by an employee in the conduct of an outside business;
- (4) University resources may not be used for product sales (online book sales or referral links to book publishers or sales houses), even though not for remuneration;
- (5) University telephone numbers and addresses, including email and Web addresses, may not be used or listed regarding an employee's outside business or paid consulting.

b. Consulting: Work performed by faculty and staff with remuneration from any source other than EWU.

c. Personal business: Any use of University resources for purposes of conducting personal business, e.g., use of university resources to buy or sell personal or real property, is prohibited.

d. Private Use: University property, including equipment, tools, materials and supplies may not be removed from university facilities and used by employees for personal or private activities, even if there is no cost to the state, i.e. use of University tools or equipment for home improvement projects. Taking university property for personal use, even property that is to be salvaged or disposed of, is prohibited.

e. Soliciting: 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. Exception: Supporting an outside group is allowed if provided for by law or authorized by the University President or designee when such use

promotes organizational effectiveness (e.g. conducting the Combined Fund Drive as authorized by law and approved by the President or designee; or organizing a campus blood drive when approved by the President or designee).

f. Campaigning: 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. While an election or initiative is pending, employees are prohibited from using state resources to distribute newspaper articles, editorial opinions, blogs, tweets, etc. that would tend to support or oppose a candidate for public office, an initiative, or a referendum. Such use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2). Examples of prohibited activities include, but are not limited to: using work hours to solicit signature for ballot propositions, sending e-mails advocating for or against candidates, using University contact information to distribute materials, or using University property to campaign for or against a candidate or ballot measure. Faculty are permitted to distribute such materials for classroom instruction. Additionally, a supervisor's knowing acquiescence to an employee's use of state resources for campaigning purposes is a violation of the Ethics in Public Service Act, RCW 42.52.180.

g. Lobbying: Any use of state resources for the purpose of participating in or assisting in an effort to lobby members of congress, the state legislature, or other federal or state agency representatives, unless such use is part of the employee's official duties and conforms to all applicable laws, including, but not limited to chapter 42.17A RCW. **h. Prohibited by Law or Policy:** Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy.

Examples of prohibited uses include, but are not limited to:

- (1) Illegal discrimination. Transmission of sexually or racially explicit messages sent to harass or intimidate.
- (2) Illegal Pornography. Intentionally disseminating, accessing, or providing a hyperlink to obscenity, as that term is defined by the law, unless such activities are directly related to an employee's legitimate research or scholarship purpose or to a student's completion of an academic requirement.
- (3) Copyright infringement. Transmission of copyrighted material without necessary permissions or payment.
- (4) License infringement. Use of software or documentation for any purpose not authorized by the license for that software. Use of software or documentation that has been unlawfully acquired, reproduced, distributed or transmitted.

- (5) Chain letters. Dissemination of chain letters or petitions.
- (6) Advertising. Sending e-mails advertising your personal business.

g. Specific Union Activities: Conduct that may directly conflict with the Ethics in Public Service Act, such as the use of state resources to support or oppose a ballot initiative, or a candidate to public office, or efforts to lobby on matters of interest to the Union are prohibited. Also prohibited are the use of state resources for Union activities that are not reasonably related to the negotiation and administration of collective bargaining agreements, such as Union organizing, internal Union business, or advocating for a Union in a certification, union shop, or other election.

2-6. No Expectation of Privacy

There is no expectation of privacy with regard to the use of University communication technologies (e.g., email, facsimile transmissions, voicemail, and Web sites visited). Electronic records are public records and may be subject to disclosure under the Public Records Act, or may be disclosed for audit or legitimate state operational or management purposes, even if a person was using them for a personal use.

CHAPTER 3 – ADMINISTRATION

3-1. Violations

University employees are obligated to report misuse of University resources to their supervisor or the vice president for business and finance, or designee.

The university will investigate all reports of violations of this policy. Employees who violate this policy are subject to appropriate disciplinary or corrective action, including dismissal.

3-2. State Investigation and Enforcement Activity

It is the University's policy to permit de minimis personal use in parallel with the rules adopted by the state Executive Ethics Board, as they exist now or may be amended. In the event those rules are more restrictive than the university's, the Executive Ethics Board rules apply.

The state Executive Ethics Board has the authority to investigate allegations of improper use of state resources (per RCW 42.52.360), and it is charged with enforcing laws and rules prohibiting state employees from improperly using state resources. The Executive Ethics Board's determinations and actions are independent of any disciplinary or corrective action taken by the University. The University is not permitted to defend or indemnify an employee who is charged with an ethics violation before the Executive Ethics Board.

CHAPTER 4 – GOVERNMENT RELATIONS & LOBBYING

4-1. OFFICIAL GOVERNMENT POSITIONS OF THE UNIVERSITY

The President, in consultation with the Board of Trustees, the Provost, the Director of Government Relations and other necessary University officials, initiates and develops annual agendas for federal, state, regional, and local government relations advocacy, including lobbying agendas [see RCW 42.17A.005(30)]. Upon Board of Trustees approval, these government relations agendas serve as the basis for all official University advocacy efforts. When governmental policy or budget questions arise that are not on the University's government relations agendas, the President or his or her designee will determine the official position and the priority of the policy or budget issue on behalf of the University.

4-2. UNIVERSITY GOVERNMENT RELATIONS PERSONNEL

The Office of Government Relations and its staff serve as the official government relations officers for the University, and have the following primary duties and responsibilities:

- Represent the University with the U.S. Congress and the federal government, the state legislature and state government, and city and county governments;
- Represent the University in pursuit of federal, state, and regional or local policy and appropriations priorities;
- Coordinate visits between elected officials, government officials, staff, and the University community;
- Manage external consultants engaged in a governmental lobbying capacity on behalf of the University;
- Educate and advise the University community on their role and obligations to comply with the federal, state, and local lobbying laws and guidelines;
- Monitor all lobbying activities on behalf of the University and file registration and reports as appropriate to ensure full compliance with the federal and state requirements.

4-3. CONTACT WITH ELECTED OFFICIALS BY UNIVERSITY EMPLOYEES

As noted in Section 2, the responsibility for representing the University with elected officials and government agencies rests with the Office of Government Relations. However, educating elected officials about the work of the University and sharing professional expertise is an important shared goal for all University employees. In

general, interactions by University employees with elected officials is encouraged, including responses to requests for information and invitations to appear before committees or panels to share expertise, provide education, or otherwise inform elected officials about University programs or initiatives. University employees must notify the Office of Government Relations in advance of such interactions and also report back on the substantive matters presented and discussed.

4-4. EXTERNAL CONSULTANTS

The Director of Government Relations is designated as the only University employee permitted to retain external consultants to assist the University in achieving its government relations advocacy agenda, including official policy and funding initiatives. External consultant expenditures are regularly reported as "lobbying activity" as required by applicable federal and state laws.

4-5. PERSONAL AND PROFESSIONAL SOCIETIES

Personal and professional society contacts by University employees with elected officials or governmental agencies, whether in person or in writing, must be done in the name of the individual or the professional society. University letterhead may not be used. In each instance, the employee is obligated to make clear that the contact is not made on behalf of the University. Nothing in this policy shall prevent faculty or staff from expressing personal views on personal time, with personal resources.

4-6. REPORTING LOBBYING ACTIVITY

Any University employee who engages in approved lobbying activities, as a University employee, at either the state or federal levels, must file a report of these activities on a quarterly basis with either the Office of Government Relations in the manner prescribed by that office. This reporting generally consists of a brief description of the issues lobbied, elected officials contacted, time spent, and an estimate of expenses on a quarterly basis. For a definition of what constitutes reportable federal and state lobbying, University employees should contact the Government Relations or refer to definitions of lobbying on their respective websites.