ETHICS: CONSIDERATIONS FOR UNIVERSITIES AND COLLEGES

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ETHICS: CONSIDERATIONS FOR UNIVERSITIES AND COLLEGES

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1. WHY THE NEED FOR ETHICS?

"Ethics and integrity are the foundation of our customer relationships, team member engagement, corporate citizenship and, ultimately, of our success."

Michael Dell, Chairman & CEO
Dell Technologies
From ***Ethisphere Magazine***, "Integrity in Technology" (2016), available at www.ethispere.com

Ethics informs business standards and practices and helps shape corporate culture in every interaction within higher education. The quote from the Chairman and CEO of Dell Technologies, Michael Dell, describes the role of ethics as part of the company's corporate foundation. For universities and colleges, ethical practices enhance institutional mission while setting a standard for student and campus community conduct.

The following are additional reasons to include ethics in higher education as a way of advancing institutional compliance, risk management, and strategic performance.

1. Ethics Inspires and fortifies the public trust.
2. Ethics sets the tone for business performance and engagement with others.
3. Ethics revitalizes and stabilizes corporate culture.
4. Ethics promotes business and educational practices that further align with institutional missions, visions, and goals.
5. Ethics contributes to open, active, and diverse learning communities.
6. An enterprise culture of ethics can help decrease retaliatory conduct, fraud, waste, and abuse.

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2. FACTORS TRIGGERING UNETHICAL CONDUCT

Several factors can trigger unethical conduct or behavior. Some of the main triggers include:

- Stress
- Work deadlines
- Financial pressure
- Personal/family challenges
- Family death
- Misguided loyalty
- Self-interest
- Uncertainty or lack of knowledge

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3. BUSINESS MISCONDUCT: RECOGNIZE THE SIGNS

Misconduct in the workplace can take on many forms. The following are behaviors and actions that can create potential violations of an institution's policies and codes of ethics:

- Violating safety rules
- Abusive behavior (verbal, physical, or through email communications)
- Internet abuse (wasting University resources)
- Discrimination (i.e. racial, gender, gender-identity, age, sexual orientation, national origin, disability)
- Misrepresenting reported hours worked
- Lying to internal or external stakeholders and employees (e.g. lying about reports or the submission of reports; lying about resources needed; lying about financial activities that affect the University; lying about credentials)
- Advancing personal interests to the detriment of the University
- Utilizing the University's resources to advance personal interests
- Threatening comments or behavior
- Harassment (physical, sexual, or through phone or email)
- Making or submitting a false allegation of abusive or threatening conduct as a form of retaliation
- Making or submitting comments that place a University employee, Officer, Trustee, Faculty member, or the University as an enterprise, in a false light
- Providing confidential University information to outside vendors, persons, or entities unless otherwise authorized.

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4. ETHICS AND TRANSPARENCY

Corporate, ethical behavior often begins with transparency of business practices, which promotes trust in the marketplace. When viewed as a compliance and enterprise risk management tool, ethics programming becomes the fuels for transparent communication and service delivery. Like ethics, corporate transparency is an essential element of trust building and a necessary component of any compliance program.

As in the corporate sector, transparency continues to be a focus in higher education. In 2015, the United States House Committee on Education and the Workforce introduced House Bill 3178, the ***Strengthening Transparency in Higher Education Act*** (H.R. 3178), which was sponsored in part by Representative Virginia Foxx (R-NC). The purpose of H.R. 3178 was to help students make informed decisions about entering a college or university. The bill also sought to modify consumer disclosure information related to college costs and expenses and the characteristics of students already in attendance.

While H.R. 3178 was never passed by the Senate and did not become law, higher education reforms and an emphasis on transparency and financial value for the degree or certificate earned remain among the Department of Education's priorities.

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5. THE LINK BETWEEN ETHICS AND RISK MANAGEMENT

Another foundational element of ethics is risk management. Ethics and risk are inextricably linked together because each involves process, guidelines, and decision-making that often informs strategic and operational results, such as in the case of financial benchmarks, academic program outcomes, or corporate culture and values. Good risk management also requires ethics in action.

In addition, both risk and ethics share fundamental commonalities regarding workplace safety (safety practices), respect for others (civility, sensitivity, and awareness), and liability avoidance (doing the right things to advance an organization's reputation, operations, mission, donor development, and strategic goals).

Ethics and risk also are linked within the contexts of shared governance and leadership. Including ethics as part of an institution's risk management planning can help identify issues and/or challenges before they arise. Additionally, including ethics within an institution's overall compliance and risk management internal control system has the potential to both reduce and combat incidences of fraud, waste, and abuse regarding institutional and/or state resources.

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6. ETHICS IN ACTION: BEST PRACTICES

Creating a culture of ethics begins at the top of any organization. Some best practices to consider include:

1. Create a conflict of interest policy for both the organization's Board and employees.
2. Create a Code of Conduct, and incorporate the Code as a part of the organization's community standards.
3. Discuss ways ethical practices enhance mission delivery and metric achievement.
4. Review industry examples of ethical and unethical practices and behaviors.
5. Facilitate sessions or seminars that discuss scenarios in which ethics issues can arise in daily operations.

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7. ETHICS RESOURCES AT MTSU

At MTSU, ethics is embedded in our institutional mission, code of conduct, and ***True Blue Pledge***. Ethical practices are exemplified from the top, Executive Management office to the experienced Faculty and staff who support the University's academic programs and business operations.

The following is a list of some of the Ethics resources at MTSU:

- Ethics and Code of Conduct – **Policy 10**
- Conflict of Interest – **Policy 12**
- **Office of Student Conduct**
- **Student Code of Conduct and Statement of Community Standards and Expectations**
- **Office of Research Services**
- **Office of Research Compliance**
- **Office of Human Resources**
- **Office of University Counsel**
- **Division of Business and Finance**
- **Office of Compliance and Enterprise Risk Management**

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8. CASE SCENARIOS: ETHICS BY DEGREE

Take a look at the following scenarios. To what degree is the scenario unethical, if at all?

Case Scenario #1. A Principal Investigator (PI) is conducting research involving a particular student population. The PI reviews the data and determines the research would be better if there was an additional student group to test. Not wanting to return to the Institutional Review Board or to go through an additional informed consent process, the PI decides to utilize the students in one of the evening courses he teaches. Are the PI's actions unethical? If so, to what degree?

Case Scenario #2. A manager has a university payment card to purchase office supplies and membership dues. The manager sees the office is running short on supplies and decides to go to a local big-box store to pick up the supplies quickly instead of ordering from the university's vendor catalog. While at the local big-box store, the manager remembers that she needs to pick up some things for home. When the manager arrives at the register, she decides to split the transactions into two, totaling $3500, which is just under the university's threshold for allowable purchases in one transaction. The manager utilized the payment card for both the office supplies and for her home supply needs and planned to reimburse the university from her paycheck. Are the manager's actions unethical? If so, to what degree?

Case Scenario #3. A staff member is hosting an event for a local charity but neglected to make enough copies at the program at the local copy store. The staff member decides to make the remaining 20 copies he needs using his company's printer and colored paper. Is the staff member's behavior unethical? If so, to what degree?

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QUESTIONS?

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