

**College Procedure:** 400.1 - Code of Ethics and Conduct  
**Policy Reference:** 400 - Employee Ethics and Conduct  
**Responsible Department:** Human Resources  
**Approval Authority:** Cabinet  
**Procedure Owner:** Vice President, Human Resources  
**Effective Date:** 5/30/2014

**Version Number:** 3  
**Legal Counsel Reviewed (yes/no):** No  
**Legal Reference(s):**  
**Scope:** College-wide

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## Reason for Procedure

Administrators, Staff and Faculty have a duty to place the interest of the College foremost in all dealings with or on behalf of the College. No member shall use his or her position, or the knowledge gained from that position, in a way that would create a conflict of interest. Kirkwood's Code of Ethics and Conduct outlines the general ethical standards that all employees are expected to live by.

## The Procedure

Kirkwood Community College values integrity, respect and truthfulness, along with a strong commitment to the highest ethical standards. These principles apply to employee interactions with students, coworkers, vendors, government and regulatory agencies and the general public. Kirkwood Community College employees must be familiar with this Code and adhere to its guidelines.

This Code is not a comprehensive guide of all ethical issues that employees may face, but merely highlights specific dilemmas. In dealing with ethical dilemmas not detailed in this Code, employees are expected to use common sense and their best moral judgment. If an employee has ethical questions, please contact Vice President, Human Resources; Vice President and CFO/COO; or Vice President, Student Services.

## Compliance with Applicable Laws and Regulations

Kirkwood Community College is committed to observing all laws, rules and regulations of government agencies and authorities. This specifically includes requirements under the Higher Education Act, as amended, regulations of the United States Department of Education, Iowa Department of Education, the policies of accrediting agencies, as well as other state and federal laws. If federal, state or local law exists that is either contradictory or stricter than this procedure, employees must follow the law.

### **Conflicts of Interest**

Kirkwood Community College employees must avoid having a personal, business, financial, or other interest, activity or relationship, outside Kirkwood Community College that has or may be in conflict with the interests of the College or its students. Any material transaction or relationship, including a personal or social relationship between an employee and student or prospective student, which may give rise to an actual or perceived conflict of interest, should be discussed with Wes Fowler, Vice President, Human Resources; Jim Choate, Vice President and CFO/COO; or Jon Buse, Vice President, Student Services.

Conflicts of interest may include, but are not limited to, the following situations:

- Outside Employment - employees should not perform work or render direct consulting or managerial services for an organization that competes or does business with Kirkwood Community College without appropriate approval from management.
- Having a romantic relationship with a student or prospective student.
- Managers or supervisors may not engage in a sexual, romantic, or dating relationship with subordinate employees, including those outside of their direct reporting structure.
- Accepting loans, gifts of entertainment, or cash from students, staff employees, regulatory or any outside organization that does or seeks to do business with or is a competitor to Kirkwood Community College. (**Note:** Please reference Iowa Gift law for dollar amounts for outside organizations.)
- Obtaining a personal financial benefit in any sale or loan of company property.
- Performing services for students outside those consistent with Kirkwood's mission of providing higher education and career training programs.
- Using or disclosing any confidential or trade secret information gained during employment for an employee's personal benefit or the benefit of others, including a future employer.
- Individuals must disclose to the College any personal interest in any matter pending before the College and shall refrain from participation in or attempting to influence related decisions.

### **Discrimination and Harassment**

- Kirkwood Community College prohibits discrimination and/or harassment of students or employees whether or not the incidents occur on Kirkwood's premises and whether or not the incidents occur during business hours.
- Kirkwood Community College follows federal, state, and local law to ensure equal recruitment, employment, compensation, development and advancement opportunity for

all qualified individuals, and prohibits discrimination/harassment based on sex, race, color, creed, religion, national origin, age, sexual orientation, gender, gender identity, genetic information, physical attributes, physical or mental ability, marital status, veteran status or socioeconomic status.

- Kirkwood Community College does not tolerate workplace violence including threats, threatening behavior, harassment, intimidation, assaults or similar conduct.

### **Records**

- Employees must act in good faith not to misrepresent facts in Kirkwood's documents/records or in any internal or external correspondence, memoranda, or communication of any type, including telephone or electronic communications.
- All Kirkwood funds, assets, liabilities and receipts must be recorded in accordance with generally acceptable accounting procedures.
- Kirkwood maintains documents/records in accordance with all applicable laws and regulations. If Kirkwood employees receive a subpoena, a request for records or other legal papers or if we have reason to believe that such a request or demand is likely, the law requires Kirkwood to retain all relevant records.
- Kirkwood employees must cooperate fully with internal and outside auditors during examination of Kirkwood's books, documents, records, and operations.

### **College Communications**

Employees should not make public statements on behalf of Kirkwood Community College or its affiliates unless they are authorized spokespersons. If an employee is contacted by the media and they are not an authorized spokesperson they should refer the inquiry to Justin Hoehn, Director of Media and Legislative Relations.

All advertised products or services such as literature, exhibits or other public statements should be supported by documentation, and should not mislead students and/or employees.

### **Use of College Resources**

All equipment and supplies purchased by Kirkwood Community College remain Kirkwood's property, including but not limited to office supplies, office furniture, fax machines, computers, software, hardware, supplies and equipment, and may not be used by Kirkwood employees for personal reasons, unless stated otherwise under a Kirkwood policy.

Kirkwood employees may not use Kirkwood facilities to promote non-Kirkwood or non-work related interests of the employee or of third parties without prior consent of their supervisor.

### **Privacy and Confidentiality**

Kirkwood employees must exercise care to avoid disclosing non-public, internal, confidential, or proprietary information related to Kirkwood or its students to unauthorized persons, either within or outside Kirkwood during employment or afterwards, except as such disclosure is legally mandated or approved by Kirkwood.

- Only Kirkwood employees that truly need to know confidential information to conduct their business have access to confidential information and must take necessary steps to keep this information private and confidential.
- Employment and medical records of Kirkwood employees are confidential and private. Employment or medical records may only be disclosed if the employee provides a written release or required by applicable law.
- Employees with access to student records must comply with federal FERPA (Family Educational Rights and Privacy Act) laws and Kirkwood Student Records policy. FERPA prohibits the release of student records without proper authorization. For further explanation of FERPA policy, please refer to Kirkwood's website ([www.kirkwood.edu](http://www.kirkwood.edu)).

### **Health and Safety**

Kirkwood is committed to providing a safe and healthy workplace. Creating a safe and healthy work environment is a shared responsibility. It is requested that employees immediately report to their manager or any available manager any unsafe or hazardous conditions and any job related illness or injury.

### **Compliance with the Code**

All Kirkwood employees are responsible for adhering to this Code. If you have questions, please contact Wes Fowler, Vice President, Human Resources; Jim Choate, Vice President and CFO/COO; or Jon Buse, Vice President, Student Services.

Supervisors must assure that staff employees are complying with these guidelines. Supervisors are responsible for misconduct by employees if the supervisor orders the misconduct or if the supervisor has direct authority and knows of the conduct but fails to act appropriately; or should have known with reasonable diligence that the actions occurred.

### **Reporting Actual or Suspected Violations of the Code**

- Kirkwood employees must report any actual or suspected violations of this Code to Wes Fowler, Vice President, Human Resources; Jim Choate, Vice President and CFO/COO; or Jon Buse, Vice President, Student Services. Failure to report any actual or suspected violations of the Code is in itself a violation of this Code.
- Kirkwood employees will not be retaliated against or subject to any form of reprisal for raising a good faith concern under this Code or participating in an investigation into any

such concerns. Retaliation is a serious violation of this Code and should be reported immediately.

- Inquiries, complaints, and reports will be promptly addressed and investigated as appropriate. Employees are expected to cooperate in the investigation. Reasonable measures will be taken to preserve confidentiality of the claim and the identity of anyone who reports a suspected violation or participated in the investigation. If you are unsure whether a violation has occurred, you are encouraged to seek advice from Wes Fowler, Vice President, Human Resources; Casey Dunning, Vice President and CFO/COO; or Melissa Payne, Vice President, Student Services before acting.

## References

## Definitions

Term	Definition
Term 1	
Term 2	
Term 3	
Term 4	

## Revision Log

Version Number	Date Approved	Approved by	Brief Description of Change
1	5/30/2014	Jim Choate, Vice President, Finance	
2		Mick Starcevich, President	New template 05/10/2017
3		Cabinet	Procedures template 7/10/2019