



Santa Fe College Rules Manual

Title: Conflict of Interest and Code of Ethics Rule X.X

General Authority: FS 1001.64

Law Implemented: FS 112.311 – 112.326

Effective Date: January 19, 2022

Purpose: To ensure compliance with Florida's Code of Ethics for Public Officers and establish institutional commitment to ethical standards.

Introduction

The District Board of Trustees is committed to the highest standards of excellence and professionalism for both the Board and the College. Consistent with the Florida Constitution and Florida statutes, the achievement of these standards necessitates the establishment of a code of ethics and of professional conduct that reflects these standards.

Both the Trustees and College officials shall promote and maintain an organizational environment and culture that promotes ethical conduct by setting high standards for professional conduct. All Trustees and employees of the College are expected to carry out their duties in a professional manner with integrity, respect, and civility and in accordance with all applicable College policies and procedures and controlling federal and state law.

Statutory Standards of Conduct for Trustees and Employees

Members of the District Board of Trustees and College employees shall be governed at all times by the applicable provisions of the Code of Ethics for Public Officers and Employees (ss. 112.311-112.326, F.S.), as may be amended from time to time, with regard to matters including but not limited to the following:

1. Solicitation or acceptance of gifts

No Trustee or employee shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service,

based upon any understanding that the official action or judgment of the recipient would be influenced thereby.

2. Doing business with one's agency

Subject to certain exemptions as set forth in Section 112.313, Florida Statutes, no Trustee or employee acting in a private capacity shall rent, lease, or sell any realty, goods, or services to the College. In addition, no Trustee or employee acting in his or her official capacity as a purchasing agent, or otherwise acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the College from any business entity of which the Trustee, employee, or his or her spouse or child is an officer, partner, director, or proprietor or has a material interest.

Prohibitions against doing business with the College shall be construed to prohibit College employees, acting in a private capacity, from engaging in the sale of instructional materials to students except as a regular part of the operation of the College such as sales through the college bookstore.

3. Unauthorized compensation

No Trustee or employee or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such person knows, or, with the exercise of reasonable care, should know that it was given to influence any action in which the person was expected to participate in his or her official capacity.

4. Misuse of public position

No Trustee or employee shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself or herself or others.

5. Conflicting employment or contractual relationship

Subject to certain exemptions as set forth in Section 112.313(12), no Trustee or employee shall have or hold any employment or contractual relationship with any business entity which is doing business with the College; nor shall a Trustee or employee have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her duties.

6. Disclosure or use of certain information

No Trustee or employee shall disclose or use information not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

7. Voting conflicts

No Trustee or employee shall vote in an official capacity upon any measure which would inure to his or her private gain or loss; which he or she knows or should have known would inure to the private gain or loss of a relative or business associate; or which he or she knows or should have known would inure to the private gain or loss of a parent organization or subsidiary of a corporate principal by which he or she is retained. Such person shall, prior to the vote being taken, publicly state the nature of the person's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the Office of the College President.

8. Filing statements of financial interests

Trustees and employees as required by Statute shall file their statements of financial interests in a timely manner with Florida Commission on Ethics or other appropriate state, county, or local government office.

Nothing in this rule shall be construed to prevent any employee of the College from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by such employee of their duties to the College.

Board Members' Performance of Duties and Responsibilities:

In carrying out their duties and responsibilities, the members of the Board shall perform in the following manner:

1. Acquaint themselves with laws, rules, and policies relating to public higher education and to observe and enforce them.
2. Understand that the basic function of the members of the Board is to make policy, not to administer or implement, and to discriminate between these two functions.
3. Represent the entire College community.
4. Transact College business in Board meetings only. Individual members have no legal status to bind the Board outside such meetings.
5. Give the President full administrative authority for properly discharging professional duties and hold the President responsible for acceptable results.

6. Accept all Board decisions once they are made and assist in carrying them out effectively.
7. Attempt to provide the best program of education possible within the means available.
8. Attempt to procure adequate financial support for the College.
9. Bring any possible conflict of interest to the attention of the other members of the Board and the President.

Employees' performance of duties and responsibilities:

In performing their duties and responsibilities on behalf of the College, employees are expected to treat others with respect regardless of differences or points of view. Every College employee is expected to contribute to a safe environment where the free exchange of ideas is encouraged and to treat one another with dignity and respect.

Employees are expected to steward resources in the most thoughtful and prudent manner. Employees are expected to ensure that all resources are used for the designated purpose.

Employees are expected to conduct their business with integrity. Potential conflicts of interest or commitment must be thoughtfully considered and disclosed to the immediate supervisor and/or the President or any Vice President as soon as possible.

No employee shall use a position of authority for personal/private gain or advantage, to influence or encourage others to perform inappropriate or illegal acts, or to violate laws, regulations, or College policies.

Employees should avoid any apparent conflict and must avoid any actual conflict between his or her professional responsibilities and personal interests in dealings or relationships with students.

Committees and Advisory Boards:

In performing their duties, responsibilities, and service on behalf of the College, employees and community members are expected to treat others with respect regardless of differences or points of view. Every committee member is expected to contribute to a safe environment where the free exchange of ideas is encouraged and to treat one another with dignity and respect.

In an effort to avoid the appearance of impropriety, any committee member acting in a professional, business, or familial relationship with any College employee, vendor, or contractor participating in the procurement process shall disclose that relationship in writing to the President or any Vice President. An employee that fails to disclose a known relationship or conflict may result in appropriate disciplinary action including, but not limited to, dismissal from employment.

Reporting concerns or violations:

Each member of the College community is expected to report violations or concerns about possible violations of this rule that come to his/her attention.

Supervisors have a special duty to promote adherence to the ethical standards set forth in this document, recognize and report violations, and enforce the standards.

Violations of applicable laws, College policies and procedures, may result in appropriate disciplinary action including, but not limited to, dismissal from employment. In addition, violations of relevant Florida law may subject the employee to the civil penalties provided in Section 112.317, Florida Statutes, as well as subject the violator to the criminal penalties provided in Section 112.3173, Florida Statutes.

The College is committed to the protection of all parties (the reporting and responding parties) related to the reporting of a concern or a violation of the standards set forth in this rule. Making a knowingly false or frivolous report of violation or suspected violation of this policy is prohibited and may result in disciplinary action.

The President is authorized to adopt procedures to implement this rule.