

MANUAL OF POLICY

POLICY NUMBER: II-23

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POLICY TITLE: All Personnel: Conflict of Interest and Code of Ethics

LEGAL AUTHORITY: Chapter 112, Florida Statutes

DATE OF LAST REVIEW: 7/21/2009, 7/19/2011 and 7/16/2013

DATE OF BOARD ACTION: 10/16/2007, 7/21/2009 and 7/19/2011

All College employees are governed by the provisions of the Code of Ethics of the State of Florida, Chapter 112, Florida Statutes, which prohibits certain actions or conduct and certain employment and business relationships.

All employees are required to follow a code of conduct which avoids any conflict of interest or appearance of conflict of interest between the performance of the employee's public duties and any outside personal interests. Conflicts of interest, including those arising from College or outside activities, are prohibited.

A. "Conflict of Interest" shall mean:

- (1) any conflict between the private interests of the employee and the public interests of the College, the Board of Trustees or the State of Florida, including conflicts of interest specified under Florida Statutes; or
- (2) any activity which interferes with the full performance of the employee's professional or institutional responsibilities or obligations.

B. All employees shall adhere to the applicable provisions of the Code of Ethics for Public Employees, as set forth in Chapter 112, Florida Statutes, which include but are not limited to the following:

1. **SOLICITATION OR ACCEPTANCE OF GIFTS.** No 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 vote, official action, or judgment of the employee would be influenced thereby. Generally, employees, in conjunction with their supervisors' approval, may accept gifts with a value of no more than \$100 as a token of appreciation for assistance with or support for a College-related program. However, acceptance of such gifts would be prohibited if it were to result in a conflict with an individual's separate professional standard of conduct or if accepting such gifts were not permitted by the bylaws or regulations of other entities applicable to the conduct of College personnel.
2. **UNAUTHORIZED COMPENSATION.** No employee, or his or her spouse, or domestic partner, as defined in College Procedure 2136: All Full-Time Employees Benefit Insurance Plans, or minor

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child shall, at any time, accept any compensation, payment, or item of value when such employee knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the employee was expected to participate in his or her official capacity.

3. **MISUSE OF PUBLIC POSITION.** No 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, herself, or others.
 4. **CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.** No employee shall have or hold any employment or contractual relationship with any business that is doing business with the College, subject to limitations set forth in Florida Statutes. Further, an employee may not 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 public duties at the College.
 5. **DISCLOSURE OR USE OF CERTAIN INFORMATION.** An employee may not disclose or use information that is not available to the public and learned by reason of his or her position at the College, for personal gain or benefit, or for personal gain or benefit of any other person or business entity.
- C. In accordance with the provisions of Section 112.316, Florida Statutes, it is not the intent of the Code of Ethics for Public Officers and Employees or of the District Board of Trustees, nor shall this policy 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 of College duties by such employee.
- D. All College employees are required to observe and comply with the laws and regulations that govern the College's operations. Whenever a question or appearance of conflict could arise between the employee's obligation to the College and any activity, the employee is expected to report the situation to the immediate supervisor or any other individual in his or her supervisory chain for discussion and, if required, to provide a report disclosing the information prior to engaging in the activity. Should anyone in the supervisory chain require assistance in interpreting the legal requirements of compliance efforts, questions should be directed to the College's Office of Legal Affairs.

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E. Separate College policies and procedures address:

Equal Access/Equal Opportunity (Policy I-21)

Political Issues and Correspondence (Policy I-71)

Outside Employment (Policy II-18)

Candidates for Public Office (Policy II-20)

Coaches Code of Ethics (Policy IV-60)

Use of Computing Resources at Miami Dade College (Policy VII-1)

Communications (Procedure 1701)

Nepotism (Procedure 2121)


Travel Reimbursement (Procedure 3400)

Travel Advances (Procedure 3450)

Conflict of Interest Relative to Employees of the Purchasing Department (Procedure 6013)

Correspondence with Vendors (Procedure 6309)

Report and Investigation of Fraud (Policy I-91)

	7/16/13
CHAIRMAN	DATE