

Simmons University Business Conduct Policy

Issued: January 2019

I. PURPOSE

Simmons is committed to maintaining both the highest standards of ethical conduct in business and education, and an environment that fosters and reinforces these standards. Central to this policy is the University's commitment to the principle of treating others fairly, civilly and professionally.

II. POLICY

Over the years, the University has adopted various policies that have, as their central purpose, outlined the proper way of conducting matters when representing Simmons. These policies have the twin goals of: (a) preserving the assets and reputation of the University and (b) promoting ethical or appropriate choices. For this reason, Simmons University strongly encourages and expects all members of the Simmons community, including officers, faculty, staff, students, volunteers and representatives when they speak or act on behalf of the University, to conduct themselves with honesty and integrity and to exercise sound judgment.

All members of the Simmons community charged with business responsibilities should be familiar with policies relevant to their area, including those referred to in this overarching policy. This overarching policy provides a framework and guidance on a variety of business and ethical concerns that are further detailed and refined in the individual policies referenced. More specific information can be found not only in the referenced policies and links.

At Simmons, the basic principles of ethical business conduct are:

1. Be honest, ethical and truthful.
2. Obey the law. If you are uncertain about what the law or applicable regulations require, seek assistance from your supervisor or the Office of the General Counsel.
3. Take personal responsibility for following University policies and procedures. Make sure you understand your responsibilities. If you have questions about specific issues, ask your supervisor.

III. GUIDELINES

A. Use of Simmons University Resources

As a nonprofit institution, the University has a fiduciary duty to perform its educational mission. Accordingly, Simmons faculty, staff and students are responsible for protecting and preventing the misuse of University resources, property and other assets, including, but not limited to, funds, information, intellectual property, facilities, office supplies, equipment, computers, networks, software, telephone and internet services, voice mail and e-mail.

Simmons resources are to be used for University business and must be used responsibly only for lawful and authorized purposes within acceptable parameters of use and permission. Unauthorized access, use or disclosure of University records or assets, including, but not limited to, misappropriation, forgery and falsification or fraudulent alteration of University records are strictly prohibited.

B. Acceptable Use Policy

University systems such as computers and e-mail may be used for reasonable incidental personal use. But when University systems are used for personal use, the individual has no reasonable expectation of privacy from oversight by relevant University authorities who monitor such use. Additional guidance on acceptable use is available at through this [link](#).

C. Purchasing and Vendor Practices

Simmons faculty, staff and students must act in a fair and professional manner when engaging in commercial activities such as purchasing goods and services for, or on behalf of, Simmons. Commercial transactions typically should take place in a competitive environment free from conflicts of interest. The University's goal is to have a diverse pool of vendors and suppliers and to obtain the best possible value based on quality, price, service, reliability and delivery terms. Wise and thoughtful purchasing of goods and services reflects the University's mission as a fiduciary for the students, staff and faculty of both today and tomorrow. Goods and services may only be purchased by authorized individuals consistent with the Procurement/Disbursements Policies found via the Purchasing and Procurement [link](#):

D. Gifts and Gratuities

Sometimes business gifts and gratuities are courtesies that are offered to build or enhance business relationships and to foster goodwill. Ethical issues can arise from the acceptance of such items, particularly if it is perceived that the gifts or gratuities will influence or have

influenced how Simmons makes its decisions. Contracts and University business should never be awarded on the basis of personal or familial relationships, gifts, promotions, entertainment or other gratuities that vendors, potential vendors or others who hope to do business with Simmons may offer. See the Simmons University Vendor Gift and Gratuity Policy [link](#) for more information. The Purchasing Office can also provide guidance concerning the full spectrum of University commercial activities involving the purchase of goods and services.

E. Compliance with the Law

Simmons complies with all applicable laws governing its activities and expects that all students, staff or faculty will likewise comply with local, state and federal laws. Compliance with law is not the only goal. Proper ethical conduct starts with compliance with law but also includes conducting one's affairs and the University's business with integrity, sound judgment and a sense of our personal and educational responsibility toward others.

F. Conflicts of Interest & Commitment

The University understands members of the community may have outside financial, business, professional, academic, public service or other activities. However, all members of the Simmons community are expected to avoid actions or engagements that are in conflict with their position or that create an actual or perceived conflict between personal and/or external interests and the interests of Simmons. Faculty, staff and students must report potential conflicts, and may not use their position for personal advantage.

A **conflict of interest** is a situation, arrangement or circumstance where the outside or private interests or relationships interfere, or appear to interfere, with those of the University or cast doubt on the fairness or integrity of the University's business dealings.

A **conflict of commitment** occurs when, in the course of performing external activities, an employee's ability to meet her or his workload and professional obligations to Simmons is negatively affected.

*Note to **Staff** about Conflicts of Interest and Commitment*

Simmons has an [Outside Employment Policy](#) that governs how and when full-time, 12-month non-faculty staff employees may take on outside employment. Outside employment is also addressed in the Employee Handbook.

*Note to **Faculty** about Conflicts of Interest and Commitment*

The Simmons Faculty Policy Manual contains important information for Simmons faculty about outside employment, conflicts of interest and conflicts of commitment.

A faculty member's outside teaching appointment and/or other professional activity may not exceed 20% of the responsibilities of a full-time faculty member. When a faculty member engages in outside non-teaching activities during the academic year (whether paid or voluntary) related to the faculty member's area of expertise at Simmons, the faculty member is responsible for informing their Dean in writing prior to engaging in the outside activity. See Section xxx of the Faculty Policy Manual.

G. Employment of Family Members

Similarly, **familial relationships** can raise questions of conflicts of interest to which all involved must be sensitive and should seek to avoid. The University has a policy governing employment of members of the same family and reporting relationships. See the [Employment of Relatives](#) (Anti-Nepotism) policy.

The Federal government has established rules specifically related to **Conflict of Interest while working on Federal Awards**. See additional [information](#) on these requirements.

H. Confidentiality and Privacy

Simmons University entrusts faculty and staff with proprietary, private and confidential information concerning colleagues, students, alumnae, donors or others associated with the University, as well as information regarding University business. Faculty, staff and students are responsible for protecting this information and preventing misuse or unauthorized disclosure.

Confidential information must be accessed, disclosed, transmitted, used, stored or disposed of with great care and only for appropriate University purposes. You can obtain additional information on Confidentiality from the Human Resources and Technology Offices. For information on confidentiality at Simmons, refer to these [policies](#).

In particular, see this [link](#) for Red Flag Rules and the protection of sensitive information.

I. Simmons University Records

All University accounting, financial records, expense reimbursements, time and attendance records and submissions to governmental agencies must be truthful, timely, complete and accurate. Contact the Finance Office for more guidance regarding University financial transactions and records.

J. Record Retention

University records serve many different purposes and they need to be maintained, managed and protected for a variety of legal, fiscal, administrative and historical purposes. There are too many types of records to have a one-size-fits-all rule governing retention,

management and destruction. Links to information regarding records management can be found on the [sidebar](#) of the University Archives web page.

Simmons's overarching records management policy can be found by clicking on the [Records Management Policy](#) link in the body of the text on that same web page. This policy outlines various procedures and guides for managing different types of records. More detailed guidance on record retention ownership, retention and disposition of specific records can be found on the sidebar of policies of the University Archives [web page](#).

Members of the Simmons community should familiarize themselves with the records retention policies applicable to their work for Simmons. Questions should be referred to the University Archives Office or to the Office of the General Counsel. One particular rule applicable to all is that, if a matter is in litigation or if litigation has been threatened, all records concerning that matter are to be preserved and exempted from any routine document destruction policy until the Office of the General Counsel instructs otherwise.

IV. BUSINESS CONDUCT REPORTING RESPONSIBILITIES AND PROCEDURES

All Simmons Officers are required to promptly report any known or suspected violations of this business conduct policy to the President or the General Counsel.

All other members of the Simmons community should report their concerns to a supervisor, Dean, unit head, the Senior Employee Relations Specialist, the Office of General Counsel, the Chief Financial Officer or the Simmons Internal Auditor, as appropriate. A report would include suspicion of fraud, misappropriation of funds, theft, other misuse of University resources or assets, accounting irregularities, other violation of business conduct principles or University policy.

If members of the Simmons community believe that their concern has not been appropriately addressed by the relevant department head or supervisor, they may contact the Office of the General Counsel or follow up with a hotline report.

V. WHISTLEBLOWING REPORTING

Concerns may also be reported to the University's **Whistleblower hotline** at 1-888-260-5947. This [link](#) provides more information on policies governing Reporting Suspected Financial Improprieties.

Visit this [website](#) to use the Whistleblower hotline.

VI. NON-RETALIATION

Simmons University will not tolerate retaliation or discrimination against anyone who makes a good faith report of a suspected violation of laws, regulation or University policy, including this Business Conduct policy. Individuals who take retaliatory action will be

subject to disciplinary action up to and including termination of employment. More information on non-retaliation can be found in the [Employee Handbook](#).

VII. POLICY VIOLATIONS

Every member of the Simmons community is personally responsible for complying with these principles and for taking action for reporting violations. Those who fail to comply with the principles, including not reporting known unethical conduct, or who fail to cooperate in an investigation, will be subject to corrective action up to and including termination of employment.