## A. ETHICS POLICY ETHICAL STANDARDS

The following sections describe major principles from the ethics law that apply to all employees of Wenatchee Valley College.

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### 1. Conflict of Interest

No [state officer](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) or [state employee](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties. ([RCW 42.52.020](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.020))

Wenatchee Valley College employees may not [participate](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) in activities in either their personal or professional lives that conflict with their official duties or participate in decision-making where they or their [family](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) members have a personal or family financial interest. Employees and family shall not accept a [gift](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), favor or preferential treatment that comes with personal benefit or obligations (explicit or implied) or that does not adhere to the limitations on gifts as set forth under [RCW 42.52.150](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.150).

### 2. Gifts

No [state officer](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) or [state employee](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) may receive, accept, take, seek, or solicit, directly or indirectly, any [thing of economic value](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) as a [gift](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction. ([RCW 42.52.140](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.140))

Employees shall not accept any gift (to themselves or to their family members, or a combination of gifts to themselves and their family members) that totals more than $50 from one source in one calendar year; or a single gift totaling more than $50 from multiple sources in one calendar year. This gift rule does not apply to employees whose role is to seek to acquire goods or services, who participates in those regulatory or contractual matters (“Section 4” employees) as set forth under [RCW 42.52.150(4)](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.150).

Section 4 employees whose role is to seek to acquire goods or services, who participates in those regulatory or contractual matters may ONLY accept those items listed in [RCW 42.52.150(4)(a)-(g)](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.150) from a person regulated by the agency or from a person who seeks to provide goods or services to the agency.

All other college employees MAY accept the following gifts provided the gifts are unsolicited:

#### a. Floral arrangements or candy.

#### b. Promotional items of nominal value such as pens and note pads.

#### c. Awards of appreciation (plaque, trophy, desk item, or similar items).

#### d. Informational material, and/or subscriptions related to performance of official duties.

#### e. Food and beverage consumed at hosted receptions related to official duties, and/or admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization.

#### f. Gifts from dignitaries from another state or a foreign country that are intended to be personal in nature.

#### g. Co-worker gift exchanges.

#### h. Gifts from family or friends.

Employees receiving gifts, other than the statutory exceptions, are to report the receipt of the gift to their supervisor in writing and contact the college foundation office to ensure the gift is properly accepted by the college.

If accepted, the gift will be recorded in the college inventory (if required), and put in general use to benefit college programs and our students. Gifts that bear a value greater than $50 but have no general use that would benefit college programs and students are to be sent to the purchasing manager in fiscal services for disposal.

### 3. Honoraria

No state officer or state employee may receive [honoraria](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) unless specifically authorized by the college where they serve as state officer or state employee. ([RCW 42.52.130](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.130))

Employees of Wenatchee Valley College must receive authorization from the college, using the college’s honorarium request and approval form, before accepting any honoraria.

### 4. Compensation for Official Duties or Nonperformance

No state officer of state employee may, directly or indirectly, ask for or give or receive or agree to receive any [compensation](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), [gift](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), reward or gratuity from a source other than the state of Washington for performing or omitting or deferring the performance of any [official duty](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), unless otherwise authorized by law. ([RCW 42.52.110](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.110))

### 5. Compensation for Outside Activities

No state officer or state employee may receive any [thing of economic value](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) under any [contract or grant](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) outside of his or her official duties. ([RCW 42.52.120](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.120))

This provision is to prohibit outside employment or other financial arrangements that could have or could become a conflict with the employee’s ability to perform duties and responsibilities to achieve the best results for the college. When considering decisions dealing with employment, remember that the definition of employee includes your spouse and immediate family. There are many specific instructions and requirements under this provision, including a six-part exception for bona fide outside [compensation](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) that does not violate other restrictions.

Wenatchee Valley College employees who desire to contract with other state agencies for work to be performed on non-state time must follow the requirements set forth in [WAC 292-110-060](http://apps.leg.wa.gov/WAC/default.aspx?cite=292-110-060).

### 6. Use of State Resources for Personal Benefit

No state officer or state employee may employ or use any person, money, or property under the officer’s or employee’s official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another. This section does not prohibit the use of public resources to benefit others as part of a state officer’s or state employee’s public duties. ([RCW 42.52.160](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.160))

Wenatchee Valley College employees shall not use college resources for personal gain, personal convenience or avoidance of personal expense. This includes allowing others (family, friends, neighbors) to use state resources. “Personal benefit or gain” may include a use solely for personal convenience, or a use to avoid a personal expense. Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual state officer and state employee, and/or the state officer or state employee who authorizes such use.

College resources include tangibles: phone systems, electronic networks (Internet, email), equipment, furniture, facilities, (offices, bulletin boards, grounds, parking) consumables (paper, markers, and food) mail service, and data (employee lists, databases). College resources also include people: both the employee’s time during scheduled work hours, and the scheduled work time of employees under the direction or influence of another employee.

The state constitution, state and federal laws, and the ethics in public service act strictly prohibit certain private activity and certain uses of state resources, including: ([WAC 292-110-010](https://apps.leg.wa.gov/WAC/default.aspx?cite=292-110-010))

#### a. Any use for the purpose of conducting an outside business or private employment;

#### b. Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to: a private business, a nonprofit organization, or a political party (unless provided for by law or authorized by an agency head or designee);

#### c. Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition;

#### d. Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head;

#### e. Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy; and

#### f. Any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state.

[WAC 292-110-010](https://apps.leg.wa.gov/WAC/default.aspx?cite=292-110-010) also allows occasional use by employees of property having *de minimis* costs and value. The rule permits an employee to make occasional but limited use of state resources for private benefit if:

#### a. There is little or no cost to the state;

#### b. Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;

#### c. The use does not interfere with the performance of the officer's or employees official duties;

#### d. The use does not disrupt or distract from the conduct of state business due to volume or frequency;

#### e. The use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and

#### f. The use does not compromise the security or integrity of state property, information, or software.

For example, an employee may use an office telephone to make local calls, an office bulletin board to post notices, or office space to hold meetings on breaks.

### 7. Use of Public Resources for Political Campaigns

No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include but are not limited to use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency. ([RCW 42.52.180](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.180))

While Wenatchee Valley College employees have the right to free speech, there are limitations as to how they exercise that right while at work. For example, employees cannot use their positions at the college to influence votes for or against any candidate or ballot issue. No college resources may be used to lobby for or against a candidate, ballot issue or legislative action.

### 8. Confidential Information

No state officer or state employee may:

#### a. Accept employment or engage in any business or professional activity that the officer or employee might reasonably expect would require or induce him or her to make an unauthorized disclosure of [confidential information](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) acquired by the official or employee by reason of the official's or employee's official position.

#### b. Make a disclosure of confidential information gained by reason of the officer's or employee's official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another, unless the disclosure has been authorized by statute or by the terms of a [contract](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) involving (a) the state officer's or state employee's agency and (b) the person or persons who have authority to waive the confidentiality of the information.

#### c. Disclose confidential information to any person not entitled or authorized to receive the information.

#### d. Intentionally conceal a record if the officer or employee knew the record was required to be released under the [Public Record Act RCW 42.56](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.56&full=truehttp://apps.leg.wa.gov/rcw/default.aspx?cite=42.56&full=true), was under a personal obligation to release the record, and failed to do so. This subsection does not apply where the decision to withhold the record was made in good faith. ([RCW 42.52.050](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.050))

Wenatchee Valley College employees must keep confidential information confidential. Only other staff members who need to know should be included in the information loop. Employees should be aware of the downfalls of using emails (no expectation of privacy; others may forward emails outside your anticipated distribution area; emails may be subpoenaed and are public record.) Also, employees should guard their casual conversations to ensure confidentiality is maintained both inside and outside the workplace.

### 9. Financial Interest in Transactions

No state officer or state employee may be [beneficially interested](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), directly or indirectly, in a [contract](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly, any [compensation](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase or grant.

No state officer or state employee may [participate](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) in a [transaction involving the state](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) in his or her official capacity with a person of which the officer or employee is an officer, agent, employee, or member, or in which the officer or employee owns a beneficial interest. ([RCW 42.52.030](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.030))

Wenatchee Valley College employees may not participate in college decisions that benefit, or appear to benefit, the employee or any person or organization in which the employee has or appears to have a beneficial interest. A beneficial interest commonly means a financial interest or a potential financial benefit. Beneficial interest includes spouses, family members, and businesses and organizations in which an employee has a level of management power and owner interest but excludes ownership interest in mutual funds, investment pools, and corporation stocks where there is no management power.

### 10. Assisting in Transactions

Except in the course of official duties or incident to official duties, no state officer or state employee may [assist](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) another person, directly or indirectly, whether or not for [compensation](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010), in a [transaction involving the state](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010):

#### a. In which the state officer or state employee has at any time participated; or

#### b. If the transaction involving the state is or has been under the official responsibility of the state officer or state employee within a period of two years preceding such assistance.

No state officer or state employee may share in compensation received by another for assistance that the officer or employee is prohibited from providing.

A business entity of which a state officer or state employee is a partner, managing officer, or employee shall not assist another person in a transaction involving the state if the state officer or state employee is prohibited from doing so. ([RCW 42.52.040](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.040))

Wenatchee Valley College employees must not use ‘inside knowledge’ to help any outside organization, business or individual transact business with the college.

### 11. Special Privileges

Except as required to perform employment duties, no employee or officer of the college may use his or her position to secure special privileges or exemptions for that employee, the employee's spouse, children, or parents, or other persons. ([42.52.070](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.070))

### 12. Post State Employment

Wenatchee Valley College employees who leave college employment are restricted by RCW 42.52.080. The restrictions relate to contracting and grant activities, [compensation](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) or future employment given in response to performance or non performance of duties influenced by the promise of compensation or future employment, or participating in a [transaction involving the state](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.010) in which the former state officer or state employee at any time participated during state employment. Anyone who leaves a position and seeks a position with an organization doing business with the college or other state agencies should closely review [RCW 42.52.080](https://apps.leg.wa.gov/rcw/default.aspx?cite=42.52&full=true#42.52.080).

### 13. Publisher's Samples

Employees may, in the course of their employment with Wenatchee Valley College, receive samples of textbooks, software or other goods from vendors. Because the materials are received as a direct result of the employee’s position at the college, selling the materials and keeping the profit violates the state ethics law. Materials may be donated to students, libraries, the Wenatchee Valley College Foundation or staff resource areas.

8/30/19 tm