

# Florida Polytechnic University Board of Trustees

## Ethics Policy

**Preamble:** Section 8 of Article II of the Constitution of the State of Florida states: “A public office is a public trust.” The Board of Trustees is the governing board for the Florida Polytechnic University. Members of the Board of Trustees serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this fact.

As a member of the Board, each Trustee agrees to keep, at all times, the welfare of the University paramount, putting aside all conflicts of interest, thereby assuring that a Trustee’s independence of judgment is not compromised, that the public’s and the University’s confidence and respect in the integrity of the Board are preserved, and that the mission of the University is protected and well served.

In both their official acts and their personal affairs, each member of the Board of Trustees is to act in a manner that promotes public trust and confidence, to act with complete transparency and honesty, and to avoid even the appearance of impropriety.

**Nature and Scope:** In undertaking their duties and official actions, the Trustees are governed by the following ethical codes:

- The Code of Ethics for Public Officers and Employees set forth in Part III of Chapter 112 of Florida Statutes (the “State Ethics Code”);
- The Florida Polytechnic University Board of Trustees Bylaws; and
- This Ethics Policy for the Florida Polytechnic University Board of Trustees (“Ethics Policy”).

This Ethics Policy incorporates the primary ethical requirements and restrictions of the State Ethics Code. To the extent this Ethics Policy conflicts with the State Ethics Code, this Ethics Policy shall govern, but only to the extent its requirements and restrictions are more stringent than the State Ethics Code.

**Ethical Restrictions and Requirements:** In undertaking the duties, powers, and official actions of the Florida Polytechnic University, each Trustee shall comply with the following Ethics Policy:

1. Solicitation or Acceptance of Gifts.
  - A Trustee may not solicit or accept a gift or money or anything of value to the Trustee, 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 Trustee would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

- A Trustee is prohibited from soliciting a gift from a vendor doing business with the University, a political committee, or a lobbyist who has lobbied the Trustee or the University within the past 12 months, or partner, firm, employer, or principal of the lobbyist. [Sec. 112.3148(3), Fla. Stat.]
  - A Trustee is prohibited from accepting a gift worth more than \$100 from a vendor doing business with the University, a political committee, or a lobbyist who has lobbied the Trustee or the University within the past 12 months, or partner, firm, employer, or principal of the lobbyist. [Sec. 112.3148(4), Fla. Stat.]
2. Unauthorized Compensation. A Trustee may not accept any compensation, payment, or thing of value when the Trustee knows or should know that it was given to influence a vote or other action in which the Trustee was expected to participate in his or her official capacity. [Sec. 112.313(4), Fla. Stat.]
  3. Doing Business with the University.
    - A Trustee acting in his or her official capacity may not directly or indirectly purchase, rent or lease realty, goods, or services for the University from a business entity of which the Trustee or the Trustee's spouse or child (or combination) is an officer, partner, director, proprietor, or the owner of more than a 5% interest. [Secs. 112.312(16); 112.313(3), Fla. Stat.]
    - A Trustee acting in his or her private capacity may not to rent, lease or sell any realty, goods or services to the University. [Sec. 112.313(3), Fla. Stat.]
  4. Conflicting Employment or Contractual Relationships.
    - A Trustee may not have or hold any employment or contractual relationship with any business that is doing business with the University, subject to limited exceptions set forth in Florida Statutes. [Sec. 112.313(7) (a), Fla. Stat.]
    - A Trustee 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 as a Trustee. [Sec. 112.313(7) (a), Fla. Stat.]
  5. Voting Conflicts. A Trustee must abstain from voting on any matter which results in a special private gain or loss for the Trustee. If a Trustee abstains from voting upon such a matter, or if a Trustee votes on a matter that he or she knows would provide a special private gain or loss to (i) any principal by whom the Trustee is retained, or (ii) the parent organization or subsidiary of a corporate principal by which the Trustee is retained, or (iii) a relative or business associate of the Trustee, the Trustee shall disclose the nature of his or her interest as a public record on Commission on Ethics Form 8A with the Board's recording secretary, who shall incorporate Form 8A in the minutes. If it is not possible for the Trustee to file Form 8A before the vote, the Trustee must file Form 8A with the recording secretary no later than 15 days after the vote. [Sec. 112.3143(2) (a), Fla. Stat.]
  6. Misuse of Public Position. A Trustee may not 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. [Sec. 112.313(6), Fla. Stat.]

7. Disclosure or Use of Certain Information. A Trustee may not disclose or use information for personal gain or benefit for him or herself, or for personal gain or benefit of any other person or business entity which is not available to the public and which is learned by a reason of the Trustee's position. [Sec. 112.313(8), Fla. Stat.]
8. Solicitation or Acceptance of Honoraria.
  - A Trustee is prohibited from soliciting honoraria related to his or her public office or duties as a Trustee for the University. [Sec. 112.3149(2), Fla. Stat.]
  - A Trustee is prohibited from accepting an honorarium from a political committee, a vendor doing business with the University, a lobbyist who has lobbied the University within the past 12 months, or the employer, principal, partner, or firm of such a lobbyist. [Sec. 112.3149(3), Fla. Stat.]
9. Disclosure of Financial Interests.
  - On or before July 1 of each year, a Trustee must file a Florida Commission on Ethics Form 1 -- Limited Financial Disclosure with the Commission on Ethics. Form 1 must also be filed within 30 days of the date a Trustee is appointed.
  - Within 60 days of leaving the board, unless a Trustee begins serving on another board which requires the Trustee file Form 1 or Form 6, a Trustee must file a Florida Commission on Ethics Form 1F.
  - Quarterly, a Trustee must file a Florida Commission on Ethics Form 2 -- Quarterly Client Disclosure with the Commission on Ethics if the Trustee, or a partner or associate of the Trustee's professional firm, represents a client for compensation before another university or college.
  - Each quarter in which a Trustee receives a gift worth more than \$100, other than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business employment, and gifts otherwise required to be disclosed, a Trustee must file a Florida Commission on Ethics Form 9 -- Quarterly Gift Disclosure with the Commission on Ethics.

**Continuing Obligations:** Each Trustee has a continuing obligation to (i) be familiar with the State Ethics Code and the terms of this Ethics Policy, and (ii) disclose to the Board of Trustees any possible personal, familial, or business relationship that might reasonably give rise to a conflict of interest involving the University.

*Adopted by the Board of Trustees on: September 16, 2014.*