



University of Rochester

# CODE OF CONDUCT





# I. Introduction

This Code of Conduct and Whistleblower Policy (the “Code”) is intended to guide the University community in adhering to the highest standards of ethical and professional conduct. It is not meant to be an exhaustive list of prohibited behaviors, nor does it replace or supersede specific University policies.

This Code of Conduct applies to all members of the University community, including

- Trustees
- Officers
- Faculty and other academic personnel
- Staff
- Students
- Volunteers
- Contractors

The University of Rochester Medical Center also has a Health Care Compliance Code of Conduct that is specific to its personnel, faculty, medical staff, residents, students, and vendors. Members of the Medical Center community must abide by that code as well. Undergraduate and graduate students are also bound by the Standards of Student Conduct.

This Code applies to all activities that are, or may reasonably be perceived to be, related to University programs and services, whether on or off University property.

Links to some relevant University policies referred to in this Code appear throughout this document. The links are to representative policies and do not represent an exhaustive list. Any conflicts between this Code and specific University policies will be governed by the more specific policy.

Violations of this Code, as well as other University policies, laws, and regulations, may result in discipline, up to and including separation from the University. Violations of laws and regulations may also lead to civil and criminal penalties, including fines and imprisonment.

In addition, behavior that does not violate specific policies or laws may nonetheless be unacceptable at the University and, depending on the circumstances, may lead to discipline or may be addressed in other ways, such as counseling by a supervisor, required training, a warning not to repeat the conduct, or a requirement to participate in a restorative practice or to reflect on or to write an apology for the behavior.

Information about reporting violations of the Code and its enforcement can be found in Section IV.

This Code shall be distributed to all Trustees, Officers, employees, students, and volunteers who provide substantial services to the University by posting a copy of this Code on the University website. In addition, there will be periodic communication of its availability and applicability.

The University's Senior Vice President for Administration and Finance and Chief Financial Officer ("Senior VP/CFO") shall serve as the University Officer responsible for administering this Code. Such Officer shall generally oversee and administer this policy and make an annual report to the Audit and Risk Assessment Committee of the University Board of Trustees ("A&RA Committee") concerning reports, investigations, and determinations.



# II. Principles of Conduct

## Integrity, Accountability, and Respect

The ultimate success of the University of Rochester depends upon the actions of the people who work, study, and live here. All members of the University community are expected to hold themselves to the highest standards of integrity and accountability, as expressed in the University's Vision and Values statement ([rochester.edu/aboutus/values](https://rochester.edu/aboutus/values)). These expectations apply in the context of all activities engaged in at the University: not only teaching and learning, research, and health care but also the administrative functions and business practices that support those activities. These expectations also apply to professional activities undertaken as representatives of the University outside the campus, at conferences and other professional meetings, and in the community.

All community members must be personally and individually accountable for their actions and also for their decisions not to act. In their professional capacities, members of the University community should exercise sound judgment and act in the best interests of the institution.

## Discrimination and Harassment Prohibited

The University is a diverse and inclusive community. Every member of the community deserves to be treated equally and respectfully, without regard to such factors as age, color, disability, domestic violence status, ethnicity, gender identity or expression, genetic information, marital status, military/veteran status, national origin, citizenship status, race, religion/creed, sex, sexual orientation, or any other status protected by law. The University provides equal opportunities and access to its programs and facilities for all community members and applicants. The University's Policy 106 addresses legally prohibited discrimination and harassment.

### Related Policies

- Workplace Values and Equal Opportunity Policy (Policy 100)  
[rochester.edu/working/hr/policies/pdf/policies/100.pdf](https://rochester.edu/working/hr/policies/pdf/policies/100.pdf)
- Policy Against Discrimination and Harassment (Policy 106)  
[rochester.edu/working/hr/policies/pdf/policies/106.pdf](https://rochester.edu/working/hr/policies/pdf/policies/106.pdf)
- Student Sexual Misconduct Policy  
[rochester.edu/sexualmisconduct/assets/pdf/StudentSexualMisconductPolicy.pdf](https://rochester.edu/sexualmisconduct/assets/pdf/StudentSexualMisconductPolicy.pdf)
- Standards of Student Conduct  
[rochester.edu/college/cscm/assets/pdf/standards\\_studentconduct.pdf](https://rochester.edu/college/cscm/assets/pdf/standards_studentconduct.pdf)



# III. Compliance with Laws, Policies, Contractual Commitments, and Ethical Codes

The work of the University is subject to a vast number of complex laws and regulations. The University has also developed policies to assist in applying these laws and regulations to our work environment. Examples include, but are not limited to, laws and policies related to research, health care, financial aid, workplace safety, and privacy. Members of the University community must become familiar with the laws, regulations, and policies affecting their individual work and are expected to conduct their activities in compliance with those authorities. Supervisors are responsible for ensuring that their subordinates receive adequate information and training and are monitored for compliance. Failure to comply with laws, regulations, and policies can have serious negative consequences for individuals and the University in terms of reputation, finances, and/or the health and safety of the community. Violations of laws and regulations may also lead to civil or criminal penalties, including fines and/or imprisonment. Anyone who is unsure of their responsibilities under law or policy has many resources available for guidance, including supervisors, the Office of Counsel, Human Resources, Environmental Health and Safety, Office of University Audit, and others. All are expected to ask for guidance when in doubt about their obligations.

The University is also bound by its contractual commitments with third parties. Faculty, staff, and students must understand and comply as well with the terms of the University's agreements.

University faculty, staff, and students are also expected to abide by ethical codes or standards applicable to their professions or disciplines (e.g., physicians, nurses, and other licensed professionals). In many cases, compliance with ethical codes is essential to maintaining accreditation, earning degrees, receiving funding, and achieving other goals that are integral to the University's success.

## 1. Conflicts of Interest or Commitment, Gifts and Solicitations

Members of the University community should at all times avoid conflicts of interest or even the perception of a conflict of interest. Generally, a potential for conflict of interest exists when a University Trustee, faculty or staff member, or student (or close relative of any of those listed here) holds a position of authority or ownership or a financial interest in an organization doing business with the University. A person with a real or perceived conflict shall not be involved in transactions involving the other organization. Decisions must be made in the best interest of the University and not for personal gain.

Staff and faculty should devote primary professional allegiance to the University and its teaching, research, and public service missions. Outside employment permitted under specific policies must never unduly interfere with an individual's performance of their University duties. Outside professional activities, personal financial interests, or acceptance of gifts and benefits from third parties can create actual or perceived conflicts between the University's mission and an individual's private interests and should generally be avoided. University community members who have outside interests are expected to disclose them as required by our conflict of interest/conflict of commitment policies and to abide by plans to manage any conflicts.

Faculty and other personnel in the Medical Center are strictly prohibited from accepting gifts, as described in the URM Policy on Interactions with Industry. That policy supersedes this Code as it affects any person subject to that policy.

Staff and faculty outside the Medical Center must not accept anything of material value given by contractors, vendors, or persons providing services to the University. In general, this means that non-Medical Center staff and faculty may not accept cash gifts of any amount nor other gifts valued greater than \$100 (or greater than \$250/year) from current University vendors. No gifts of any kind or amount may be accepted, nor any funds solicited, from prospective vendors or bidders seeking to do business with the University (except as part of gift transactions approved by University Advancement or as tokens received at conferences and trade shows). Invitations to events, such as dinners or sports competitions, may be acceptable but must be disclosed to and approved by the individual's supervisor or, in the case of expense-paid trips outside Rochester, by the Dean or Vice President with oversight of the employee's or faculty member's department.

Staff or faculty members may not solicit or accept gifts, payments, or any other item or service of any value or type from or on behalf of prospective undergraduate or graduate students or their families or representatives. Nor may gifts be accepted from or on behalf of current students when circumstances indicate that the student's intent is to influence a future grade or other evaluation or to receive any other benefit or favorable treatment.

Nothing of value should be given to any government official or employee, domestic or foreign, for the purpose of gaining favorable treatment of the University. To do so is unlawful as well as against University policy.

Solicitation of money from staff for charitable contributions, office parties, or staff recognition should be limited, and contributions should never be tied to continued employment, favorable performance reviews, or other benefits.

#### **Related Policies**

- ORPA Compliance Policies  
[rochester.edu/orpa/compliance](https://rochester.edu/orpa/compliance)
- HR Conflict of Interest Policy (113)  
[rochester.edu/working/hr/policies/pdfpolicies/113.pdf](https://rochester.edu/working/hr/policies/pdfpolicies/113.pdf)
- Corporate Purchasing Conflict of Interest Guidelines  
[urmc.rochester.edu/purchasing/supplier/information-for-suppliers.cfm#Conflict\\_Of\\_Interest](https://urmc.rochester.edu/purchasing/supplier/information-for-suppliers.cfm#Conflict_Of_Interest)

## **2. Ethical Conduct of Research**

All members of the University community engaged in research are expected to conduct their activities with integrity and intellectual honesty and with appropriate regard for human and animal subjects. Researchers must never fabricate or alter data or results or misappropriate the ideas, writings, research, or findings of others. They are also expected to demonstrate accountability for sponsors' funds, to manage sponsor resources appropriately, to report their efforts accurately and otherwise to comply with specific terms and conditions of contracts and grants along with relevant laws, regulations, and guidance.

#### **Related Policies**

- ORPA Sponsored Research Administration Policies  
[rochester.edu/orpa/policies](https://rochester.edu/orpa/policies)
- Faculty Handbook Policy on Misconduct in Scholarship and Research  
[rochester.edu/provost/assets/PDFs/Faculty\\_handbook.pdf](https://rochester.edu/provost/assets/PDFs/Faculty_handbook.pdf)

## **3. Confidentiality and Privacy**

The University holds information that is legally confidential, proprietary, and private. Examples include but are not limited to health care information, student records, donor information, and employee data. These examples are not exhaustive. Confidential information must be handled with great care, appropriately protected, and not disclosed except as allowed by law and University policy. Confidential information must be protected from unauthorized access, and such access must immediately be reported to a supervisor, Public Safety, University Audit, the Office of Counsel, or the relevant Privacy Office. Individuals who have access to confidential information in their University roles must use that access only according to established procedures and

only to perform their University function and not for any personal, commercial, or other purpose. No member of the University community may access or alter information about themselves, their family, or acquaintances unless necessary to perform their University responsibilities. It is every person's responsibility to understand and comply with all laws, University policies, directives, and agreements pertaining to access, use, storage, protection, and disclosure of confidential information. Unauthorized access to or disclosure of confidential information can lead to disciplinary action up to and including separation from the University.

#### **Related Policies**

- HIPAA policy page  
[sites.mc.rochester.edu/departments/hipaa/](https://sites.mc.rochester.edu/departments/hipaa/)
- Student Records (FERPA) policy  
[rochester.edu/registrar/policies.html#ferpa](https://rochester.edu/registrar/policies.html#ferpa)
- HR Policy on Confidentiality (108)  
[rochester.edu/working/hr/policies/pdfpolicies/108.pdf](https://rochester.edu/working/hr/policies/pdfpolicies/108.pdf)

## **4. Use of University Resources**

As a tax-exempt, charitable organization, the University must use its resources only for its educational, research, and patient care missions and in compliance with regulations relating to its tax exemptions. The term “resources” here includes but is not limited to cash, equipment, personnel (including students), space in University facilities, computers and networks, the University's name and logo, and University-owned intellectual property.

Members of the University community must employ sound business practices and exercise prudent financial management in their stewardship of University resources. Funds should never be paid to others in excess of the fair value of their work or property received in return. Resources may not be used for private gain or commercial or personal purposes except as payment for value provided to the University. Department heads or others with authority to approve expenses must establish and implement appropriate internal controls.

## **5. Information Technology**

The University's information technology (IT) resources, which include its computers and related equipment, networks, communication devices, software licenses, and social media accounts, are major tools of communication, research, teaching, and patient care. Use of IT resources must comply with the University's IT policies.

Users must pay special attention to security, because unauthorized IT access and security breaches can lead to government fines, cause harm to members of the community, and erode public trust in the University's ability to protect confidential information. Passwords must not be shared, and users should avoid sharing or storing confidential information by nonsecure means. Anyone who knows or suspects that a

University password has been compromised must promptly report that to a supervisor, Information Technology staff, Public Safety, Privacy Office, or other appropriate University department.

#### **Related Policies**

- Information Technology policy page  
[tech.rochester.edu/policies/information-technology-policy](http://tech.rochester.edu/policies/information-technology-policy)

## **6. Alcohol and Drugs**

The University complies with all laws relating to the use of alcohol and other drugs. All members of the University are expected to comply with laws and University policies. No person should ever be at work at the University under the influence of alcohol or illegal drugs.

#### **Related Policies**

- Standards of Student Conduct  
[rochester.edu/college/cscm/assets/pdf/standards\\_studentconduct.pdf](http://rochester.edu/college/cscm/assets/pdf/standards_studentconduct.pdf)
- Think Safe  
[publicsafety.rochester.edu/2018\\_ThinkSafe.pdf](http://publicsafety.rochester.edu/2018_ThinkSafe.pdf)
- HR Policy 171  
<https://www.rochester.edu/working/hr/policies/pdfpolicies/171.pdf>

## **7. Financial Transactions and Reporting**

All University accounts, financial reports, tax returns, expense reimbursements, time sheets, and other documents, including those submitted to government agencies, must be accurate, clear, and complete. All entries in the University's books and records, including departmental accounts and individual expense reports, must accurately reflect each transaction.

Costs shall be properly recorded to the appropriate account. The University's direct and indirect charges to the government must be accurate and only for allowable costs. Reimbursement shall be requested only for costs that are reasonable. Questions about how to properly process costs and requests for reimbursement may be addressed to the University Controller's Office, the Office of Research Accounting and Costing Standards (ORACS), or the Office of Research and Project Administration (ORPA).



# IV. Reporting Violations and Whistleblower Protection

## 1. Reporting Violations

Every member of the University community is expected to report violations of University policies, laws, or this Code. In general, staff should report to supervisors, faculty should report to Chairs or Deans, and students should report to Deans or their advisors unless, in any given case, specific policies require reporting to other individuals. Those who may not be comfortable reporting along those lines have many other options, including the Integrity Hotline, (585) 756-8888, which is staffed by the URM Compliance Office. This Hotline is available to all members of the University community, regardless of campus (or other) location. Callers may report concerns anonymously. Reports may also be made to University Audit, the Office of Counsel, Deans and Department Heads, the University Intercensors, and University Officers (which include the President, the Provost, and the Vice Presidents). All good-faith reports will be taken seriously and acted upon as described under “Enforcement” below.

When requested by an individual who reports a suspected violation, the University will take reasonable steps to keep the subject matter of such reports and the identity of the reporter confidential, subject to applicable legal requirements and the need to conduct an appropriate investigation, afford fair process to accused individuals, and resolve actual violations.

Knowingly (i) making a false or misleading report or (ii) giving false or misleading information in an investigation will violate this Code and may lead to such discipline. All members of the University community are required to cooperate in the investigation of any report of a violation.

Nothing in this Code is intended to prevent any person from reporting suspected violations of law to the appropriate governmental enforcement authority. Such reports may be made in addition to, or instead of, internal reports as described in this Code.

## 2. Investigation and Enforcement

Following every report of a violation of this Code, a thorough and prompt investigation appropriate to the nature of the report will be conducted by a person with subject matter knowledge and oversight responsibility (e.g., Office of University Audit, HR, Compliance, etc.). In no instance will a report be investigated by the subject of the report and/or anyone subordinate to such person. Avoidance of bias and conflict of interest will be an important consideration in assigning investigators. In the event of a complaint against a University Officer or Trustee, the investigation will be done or directed by the Audit & Risk Assessment Committee.

Complainants who are not anonymous will generally be advised about which office is investigating their complaint. At the conclusion of the investigation, complainants will be informed of the completion of the investigation and, when appropriate, will be apprised of the determination and steps to be taken as a result.

Any person who feels that his or her report has not been adequately addressed should feel free to make an additional report to such person or office that is above the level of the individual responsible for acting on the initial report. In the case of reports about high-level personnel not satisfactorily being addressed, additional reports may be made to the A&RA Committee.

The exact enforcement process for violations of this Code will depend on the facts of the reported violation. In most cases, violations by staff will be enforced by supervisors and others according to Human Resources policies. Violations by students and faculty, likewise, will typically be dealt with according to disciplinary processes applicable to them. In some cases, subject-specific processes and policies, like those for scientific misconduct or harassment and discrimination, may be used to determine whether a violation occurred and the appropriate sanction.

Sometimes enforcement will not be disciplinary. Measures such as conversations, warnings, plans for improvement, or education and reflection are also ways in which conduct that conflicts with this Code may be addressed.

## 3. Retaliation Prohibited

No Trustee, Officer, employee, student, or volunteer of the University who in good faith reports any action or suspected action taken by or within the University that is illegal, fraudulent, or in violation of any adopted policy of the University shall suffer intimidation, harassment, discrimination, or other retaliation or, in the case of employees, adverse employment consequence. Any person, regardless of position or title, who has been determined to have engaged in retaliation in violation of this Code will be subject to appropriate disciplinary action, up to and including termination of employment or other separation from the University. Reports of retaliation may be made to any person or office identified in Section IV.1, above, and such reports will be investigated and acted upon in the same manner as reports of other types of violations of this Code.

#### **4. Report to Board of Trustees**

The Senior Vice President/Chief Financial Officer shall report annually regarding administration of this Code to the A&RA Committee.

#### **5. Participation of Employees in Board Deliberations**

The President of the University shall not participate in, nor be present for, any Board of Trustees (or committee thereof) deliberations or voting with respect to administration of this Code. In addition, no employee who is the subject of a complaint under this Code shall be present for, or participate in, any deliberation or vote by the Board of Trustees (or committee thereof) relating to such complaint; however, the Board or committee may request that such person present information or answer questions prior to deliberations or a vote on the matter.



# V. For More Information

For questions about this Code or more information about relevant University policies, please contact any of the following:

- Office of Senior VP for Administration and Finance and CFO  
[rochester.edu/adminfinance/contact.html](https://rochester.edu/adminfinance/contact.html)  
(585) 275-2800
- Human Resources Business Partners  
[rochester.edu/working/hr/contact/contact\\_list.html](https://rochester.edu/working/hr/contact/contact_list.html)
- Office of University Audit  
[rochester.edu/adminfinance/audit](https://rochester.edu/adminfinance/audit)  
(585) 275-2291
- Office of Counsel  
[internal.rochester.edu/counsel](https://internal.rochester.edu/counsel)  
(585) 273-2167
- University Intercessor  
[rochester.edu/intercessor](https://rochester.edu/intercessor)  
(585) 275-9125
- ORPA  
[rochester.edu/orpa](https://rochester.edu/orpa)  
(585) 275-4031