

Draft UVI Standards of Behavior Policy

September 19, 2007

(This Policy shall take effect 30 days after its approval by the UVI Board of Trustees)

Purpose

This Policy provides guidelines by which administrators, faculty, and staff (“University Personnel”) are expected to adhere during the course of their employment or contract with the University. It is expected that each University Personnel will read and acquaint themselves with the contents of this Policy and sign the Standards of Behavior Agreement Form indicating that they understand and agree to comply with the UVI Standards of Behavior Policy (“Policy”).

The Policy applies to all officers and employees of the University, whether full-time or part-time. Visiting and adjunct academics, consultants and contractors, and others acting in a voluntary capacity, are also expected to comply with the Policy

while participating in University related activities.

Background

The University of the Virgin Islands believes in respecting the inalienable human rights of individuals. It also believes in promoting the need for University Personnel to adhere to and abide by fundamental ethical principles and obligations that are in keeping with good governance, human dignity, and principled leadership.

The University further recognizes that its strength lies in a value system that embodies the principles, ideals and beliefs of its students, faculty, staff, administrators and trustees, and forms the foundation for its actions. The following ten core values reveal what UVI strives to become as a University and are essential to ensuring the fulfillment of the University's mission and vision.

- Students first
- Learning and scholarship
- Excellence
- Teamwork
- Collegiality and shared governance
- Inclusiveness of ideas
- Principled leadership
- Supporting out community
- Effective use of technology
- Equitable reward system

It is within this context and the broader setting of Vision 2012 that the University hereby puts forward this Policy as the fundamental underpinning and standard of behavior for University Personnel. It should enhance the effectiveness of the University and improve respect, service, accountability, collegiality, cross-functionality, and tolerance across the University. The University's culture and heritage should be further engrained in its Personnel and by extension to the U. S. Virgin Islands community and the wider Caribbean.**Overview1. Introduction**

1.1 The University recognizes its Personnel as its greatest asset. The purpose of the Policy is to guide and enhance the conduct of University Personnel in performing their duties in the collegial environment of the University. The Policy has the support of the University's Board of

Trustees and the University Senate (proposed), and applies to all officers and employees of the University.

1.2 There are five fundamental ethical principles to which all University Personnel should adhere. The ethical obligations are summarized in this section. More detailed advice on these ethical obligations is contained in the description below and in other University policies and procedures.

The U. S. Virgin Islands Code underpins the following fundamental ethical values, which should guide the behavior of University Personnel in public sector organizations. These are:

- Respect for the law and system of government
- Respect for persons
- Integrity
- Diligence
- Economy and efficiency
- 1.3

Respect for the Law and System of University Governance

- University Personnel should observe the laws of the United States applicable to the U. S. Virgin Islands, the laws of the U. S. Virgin Islands, and the policies, regulations and rules of the University.
- This obligation is not intended to detract from the concept and practice of academic freedom, which is essential to the proper conduct of teaching, research and scholarship or in any way inhibit any University Personnel in the performance of their duties and responsibilities.
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- 1.4

Respect for Persons

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- University Personnel should treat students, other University Personnel and members of the community equitably and with respect. This involves:
- Courtesy and responsiveness in dealing with others
- A responsibility of fairness in supervising other University Personnel
- Making decisions that are procedurally fair to people
- Avoiding unfair discrimination, for example, on grounds such as gender, race, religion or sexual orientation

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- Engaging in rational debate and allowing alternative points of view to be expressed
- Avoiding behavior which might reasonably be perceived as harassing, bullying or intimidating
- A responsibility of fairness and the encouragement of independent scholarly learning in the teaching, research, and community engagement role.

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Integrity

- University Personnel should be honest in carrying out their duties, and avoid conflicts between their private interests and their University responsibilities with respect to:
- Personal relationships
- Sexual relationships
- Financial relationships
- Receipt of gifts
- Outside work
- Use of confidential information obtained in the course of University duties
- External activities and public comment.
- University Personnel are supported in innovative and independent research, but in doing so, should adhere to principles for the ethical conduct of research.

• 1.6

Diligence

- University Personnel should carry out their duties in a professional and conscientious manner. This involves:
- Carrying out official decisions and policies faithfully and impartially
- Seeking to attain the highest possible standards of performance
- Exercising care for others in employment-related activities
- Ensuring that personal use of alcohol and other drugs does not interfere with the proper performance of University duties, responsibilities and activities
- Adhering to professional codes of conduct and/or standards of behavior where applicable.
- University Personnel are encouraged to report fraud or corrupt conduct to appropriate University or external authorities.

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Economy and Efficiency

- University Personnel should use University material and financial resources only for legitimate University purposes
- University Personnel should avoid waste
- University Personnel should maintain adequate security over University property, facilities and resources
- University Personnel should adhere to the University's energy Policy in the use of buildings and facilities.
- 1.8 University Personnel should familiarize themselves with the Policy and endeavor to ensure that its principles are observed at all times. Significant departures from the principles outlined in the Policy may amount to misconduct on the part of the individual University Personnel.
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- 1.9 As a companion to this document the University has also produced the UVI Employee Handbook and the UVI Faculty Manual, which explains in some detail standards of behavior expected of University Personnel.

Description

2.1 The University is a learner-centered institution dedicated to the success of its students and committed to enhancing the lives of the people of the U. S. Virgin Islands and the wider Caribbean through excellent teaching, innovative research, and responsive community service.

2.2 In achieving this mission, the University recognizes that its Personnel are its greatest assets. The purpose of the Policy is to guide and enhance the conduct of University Personnel in performing their duties in pursuit of this

mission and to do so in an atmosphere of collegiality and community.

2.3 The University community is complex, with a large and diverse population of University Personnel and students. As an organization, it plays an important role in society generally (by the provision of teaching, research and community service) and it receives a significant proportion of its funding from public moneys. The primary role of the University in advancing knowledge requires that it safeguards its institutional autonomy and protects academic freedom. In advancing knowledge, research ethos encourages independence and innovation in ideas and methods. The University values a collegiate environment as the best means of fostering the advancement of knowledge.

2.4 These aspects of the University's character and status as an organization, together with the ethics obligations inherent in the U. S. Virgin Islands Code are reflected in the principles outlined in the University's Standards of Behavior.

2.5 Traditionally, universities are places where Personnel have been encouraged to observe and to comment upon or criticize society and its activities. Universities also encourage the development of new concepts through research and open discussion. The exploration of unconventional and alternative views is not merely tolerated but encouraged. The Policy is not intended to derogate from this traditional and independent right to comment on matters of public concern or to pursue research on matters of public controversy. University Personnel, in facilitating academic and research endeavors, should also seek to protect the

appropriate exercise of academic freedom within the scope of their duties.

2.6 While the Policy expresses the professional commitment of University Personnel in their service to the University, the University as an institution also encourages its Personnel to aspire to the highest standards of conduct. The focus is therefore supportive and educative. Reference is made to specific University policies, which provide detailed guidance on particular points and which will assist University Personnel in carrying out their duties and responsibilities appropriately.

2.7 However, the Policy does regulate University Personnel behavior. Thus, where conduct falls below the standards outlined, University Personnel may be counseled in accordance with normal performance evaluation/management

strategies. Significant departures may amount to misconduct on the part of the individual University Personnel.

2.8 University Personnel or students having concerns regarding the application or contravention of the Policy in a particular situation should be aware that grievance procedures exist in respect of many University policies. Where grievance procedures do exist, concerns should be raised with the officer designated in that Policy.

2.9 In other situations, University Personnel or students should consult their immediate supervisor, head of department, or if applicable, recommend a facilitated discussion process.

3. Respect for the Law and System of University Governance

3.1 Obligation to Observe the Law

3.1.1 University Personnel, in common with all citizens, have an obligation to observe the laws of the United States applicable to the U. S. Virgin Islands and the laws of the U. S. Virgin Islands.

University Personnel should comply with all the rules, regulations, and policies of the University.

3.2 Academic Freedom
3.2.1 The obligation is not intended to detract from the concept and practice of academic freedom, which is regarded by the University as fundamental to the proper conduct of teaching, research, scholarship and community service. University Personnel should be guided by a

commitment to freedom of inquiry. This commitment is expressed in their teaching and research and in their role in advancing the intellectual heritage of their society. University Personnel should exercise their traditional rights to examine social values and to criticize and challenge the belief structures of society in the spirit of a responsible and honest search for knowledge and its dissemination. For example, academic freedom entitles University Personnel to challenge and criticize ideas and methods but not to defame others. University Personnel should also note that with academic freedom comes academic responsibility and should, therefore, be guided accordingly.

Respect for Persons

4.1 The University seeks to create an environment where all persons are treated equitably and with respect, where persons' rights are respected and where University Personnel and student efforts are encouraged and their achievements given due recognition.

4.2 Respect for persons extends to the manner in which University Personnel deal with students, other University Personnel and members of the U. S. Virgin Islands community. The University regards University Personnel personal behavior towards and interaction with others as a vital part of the duties of their position. A collegial working environment is particularly encouraged.

4.3 Courtesy and Responsiveness
4.3.1 University Personnel are expected to be responsive, courteous and prompt in dealing with others, whether students, other University Personnel (irrespective of their position, rank or seniority) or members of the community. For example, persistently rude or insulting behavior towards other University Personnel is unacceptable.

4.4 Obligations of University Personnel Supervising Other University Personnel

4.4.1 University Personnel who supervise other University Personnel have special responsibilities to treat their colleagues fairly and to afford them equality of opportunity, to maintain open and honest communication with them and to ensure that they understand the performance standards expected of them. Evaluations of University Personnel performance should be undertaken against these standards objectively and without bias. For example, a supervisor should make available development and training opportunities without patronage or favoritism. Formal and informal mechanisms for consultation and communication with University Personnel within a department or component are encouraged.

4.5 Making Fair Decisions

4.5.1 When making a decision, taking action of a discretionary nature or resolving a grievance which may adversely affect a person's rights, liberties, interests or legitimate expectations, the principles of procedural fairness should be applied. This means that persons affected should have the opportunity to respond to allegations or assertions made and to have a decision made without bias. Decisions should be based on considerations relevant to the matter at hand. Decisions may be accepted more readily if reasons are given. For example, where an adverse report is received concerning a University Personnel's performance or conduct that individual should be given the opportunity to respond.

4.6 Discrimination

4.6.1 University Personnel should treat other persons equitably, irrespective of gender, sexual orientation, race, disability or medical condition, cultural background, religion, marital status, age or political conviction.

4.7 Respect for the Opinions of Others

4.7.1 At UVI, different opinions and perspectives are accommodated and respected, and disagreements are dealt with by rational debate. Rational debate presupposes open communication and the freedom to voice alternative points of view. University Personnel should not cut off rational debate by verbal or physical violence or intimidation. Criticism of ideas should be distinguished from personal criticism; and University Personnel should not verbally abuse, malign, defame, vilify or belittle students or other University Personnel (including their supervisors and/or Component Heads) either personally or to others, or by/through any established means/channels of University

communication.**4.8 Harassment and Bullying Unacceptable****4.8.1** University Personnel must not engage in conduct, which amounts to or may be perceived as sexual, racial or gender-based harassment. University Personnel should not behave towards other persons in a manner, which may reasonably be perceived as intimidating, overbearing or bullying. Shouting at other University Personnel or students is commonly perceived as intimidating or bullying, which is not acceptable; harassment of a person who has disclosed misconduct or impropriety is unacceptable.**4.9 Obligations of University Professors/Researchers****4.9.1** University Personnel involved in teaching or research should encourage the pursuit of independent scholarly learning, critical judgment, academic integrity and ethical sensitivity in their students, and should themselves demonstrate these qualities in their interactions with students. University Personnel should behave courteously towards students and should be sensitive to students' need for feedback and consultation. The interests of students should be given primary consideration in the relationship of trust, which exists between University Personnel and their students. Evaluations of students should reflect each student's true merit. For example, significant scholarly or academic assistance or contributions from students should be acknowledged where this has given rise to publication; expectations of students in respect of assessment criteria should be explained clearly and in a timely fashion; University Personnel should make themselves available for individual consultation by students for reasonable periods of time, whether in person or by other means; a student should not be unfairly penalized for adhering to a defensible alternative view or approach.**5. Integrity**

5.1 University Personnel are placed in a position of trust: they manage University resources, have access to University information and make decisions that affect the interests of others. University Personnel may be in a position of power over more junior University Personnel or students. Research undertaken by University Personnel will be considered by other members of the academic community and may be relied upon by government or members of the community generally as the basis for future conduct.

5.2 Avoiding Conflicts of Interest**5.2.1** The trust that is placed in University Personnel requires that University Personnel conduct themselves with honesty, fairness and propriety. This means that University Personnel should avoid conflicts between their private interests and University responsibilities and should avoid situations where there is a reasonable basis for the perception of such a conflict. The obligations outlined in the following paragraphs detail specific occasions when conflicts of interest might occur. The UVI Employee Handbook, the UVI Faculty Manual, and the Conflict of Interest Policy explain in detail standards of conduct expected of University Personnel.**5.3 Personal Relationships****5.3.1** A conflict of interest can arise where a University Personnel makes or participates in decisions affecting another person with whom the University Personnel has a personal relationship (such as near relative, spouse, close friend or personal associate). There are a number of situations in the course of a University Personnel's duties in which a conflict may arise, for example, in the marking of student assignments or examination papers, in appointment, supervision and promotion of University Personnel and in the awarding of research or other financial assistance to University Personnel or students. Where such a conflict arises in a clear case, University Personnel should withdraw themselves from the situation. Where the relationship is not so close, the University Personnel should discuss the issue with someone in authority.**5.4. Sexual Harassment**

5.4. Sexual Harassment

Sexual harassment is a form of sex discrimination and is prohibited by Title VII of the Civil Rights Act of 1964, as amended. University employees have the right to enjoy a workplace free from all forms of harassment, including sexual harassment. Accordingly, the University is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of all forms of harassment, exploitation or intimidation. The University is strongly opposed to sexual harassment and will take whatever action is necessary to prevent, correct, and, if necessary, discipline behavior that violates this policy. Sexual harassment can be a grievous action

having serious and far-reaching effects on the careers and lives of individuals. False accusations can have a similar impact. Thus, the charge of sexual harassment is not to be taken lightly by a charging party, a respondent, or any other member of the University community.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Some examples of when such behavior will be considered a violation of University policy are when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or
- Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting an individual (i.e., denial of pay increase, withholding of grades, promotion, transfer, leave of absence, imposing disciplinary action, promising to withhold disciplinary action, etc.), or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive working or academic environment.

- **5.5 Sexual Relationships**

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- 5.5.1 University Personnel involved in a sexual relationship giving rise to a potential conflict of interest should discuss the matter with their component head, department or immediate supervisor. Alternatively, in personally delicate situations, the University Personnel should discuss the issue with a more senior supervisor or officer who may not be in daily contact with those involved. In every case, it is in the University Personnel's best interests that a responsible University officer knows of the situation in enough detail to provide advice if it becomes necessary.

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- 5.5.2 University Personnel who become involved in a situation where a sexual relationship is a source of a significant conflict of interest must withdraw from the situation, giving rise to the conflict.

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- 5.5.3 University Personnel in supervisory positions, in particular, must be alert to conflicts such relationships may create in the workplace, and to the need to handle such situations in a sensitive manner.

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- **5.5.6 Financial Relationships**

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- 5.6.1 Financial relationships (for example, where a University Personnel has a pecuniary interest in a company from which equipment is purchased or services obtained) can also give rise to a conflict of interest. Such a relationship must be disclosed before any question of purchasing or other financial or contractual decisions or dealings may arise. In general, University Personnel should avoid involvement in such transactions.

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- **5.7 Receipt of Gifts**

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- 5.7.1 University Personnel should not ask for or encourage the giving of any form of gift or benefit in connection with the performance of their duties. Receipt of gifts can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest.

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- **5.7.2** A University Personnel may, of course, give or accept an occasional gift of nominal value, which is offered in accordance with social or cultural practice, for example, when a University Personnel retires or leaves the University or visits another University.
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- **5.8 Acceptance of Consultancy/Outside Work**
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- 5.8.1 The University permits University Personnel to undertake consultancies/paid outside work in accordance with University Policy and guidelines (see Consultancy and Business Interest Policy), but it must be recognized that University Personnel have a primary commitment to the duties of their appointment and position in the University. Any use of University facilities in connection with outside work may only occur where prior approval has been obtained; the University must be reimbursed for the full cost of such use.
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- 5.8.2 In the case of University Personnel, prior approval must be sought and obtained from the Component Head before outside work is undertaken. It is recognized that such work can be beneficial in forging links between the University and the community, and the work should not therefore create any unfair competition with others working in the professions or with any external community activity.
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- 5.8.3 Outside work must not be accepted where it may cause a conflict between the University Personnel's private interests and duties to the University. University Personnel should not seek to secure as paid outside consultative work tasks that would rightly be regarded as part of their University duties.
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- **5.9 Appropriate Use of University Information**
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- 5.9.1 University Personnel will gain access to information while engaged in teaching, research, administrative, technical and support activities. Some information may be unavailable to the University community generally or the public. University Personnel should respect the privacy of others and ensure that information of a personal nature, for example, is accessed and used only for University purposes and is not disclosed except where University Policy expressly permits this. Information of a commercial or strategic nature should also be handled with the utmost sensitivity, and should not be used for personal gain. University Personnel should also abide by FERPA and HIPPA guidelines and the University's Public Access Policy in this regard.
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- **5.10 External Activities and Public Comment**
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- 5.10.1 University Personnel are free to engage in political parties, professional interest groups and charitable activities, provided that participation does not give rise to a conflict of interest or impede the performance of a University Personnel's duties and responsibilities. For example, party political activity should not be undertaken during working hours or, in the case of University Personnel, at the expense of their University duties and commitments.
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- 5.10.2 University Personnel regarded as experts in a particular field of scholarship may comment publicly in their capacity as a University Personnel but should consult with their supervisor before doing so. This may be coordinated through the Public Relations Office.
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- 5.10.3 Where a University Personnel comments publicly in connection with trade/labor union, political party or interest group activities, it should be made clear that such comment is made on behalf of the union, political party or association which they represent and not in their capacity as Personnel of the University.
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- 5.10.4 Public comment by University Personnel in their capacity as a private citizen is certainly permitted. In making private comment (including via electronic means such as electronic mail and the Internet), every effort must be made to ensure that the opinions expressed are not represented as an official view of the University. Other guidelines in this regard are outlined in the **University's Acceptable Use Policy**.
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- 5.10.5 Comment made by University Personnel in a private capacity should not compromise or be perceived to compromise the ability of University Personnel to carry out his, her, or their duties or implement duly approved University Policy.
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- **5.1 Ethical Conduct of Research**
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- 5.11.1 University Personnel undertaking or assisting research should do so in a manner consistent with intellectual honesty and the public interest. In practice, this means that research should be designed to enhance knowledge in the particular field of scholarship, that it should employ sound methodology, and that the accuracy and integrity of data should be safeguarded. Harm to experimental subjects should be avoided, and the ethical principle of voluntary informed consent to research participation by human subjects must be respected. The ideas, information or intellectual contribution of others should be acknowledged appropriately and the intellectual property of others respected. Ethical clearances must be gained where appropriate.

6. Diligence

6.1 The University aims to achieve the highest standards of excellence in teaching, research, administration and community service. All University Personnel contribute to the achievement of this aim when they carry out their duties honestly and to the best of their ability.

6.2 Duties to be Carried Out in Professional Manner
6.2.1 University Personnel are expected to carry out their duties in a professional, responsible and conscientious manner, and to be accountable for their official conduct and decisions.
6.2 Duty to Carry Out Official Policies and Decisions
6.2.1 Generally, University Personnel have an obligation to carry out official decisions and policies faithfully and impartially. This obligation applies even though University Personnel have the right to institute grievance procedures where they believe a decision is improper or they seek to have decisions or policies changed through appropriate channels.
6.3 Standards of Performance
6.3.1 University Personnel should endeavor to maintain and enhance their skills and expertise and keep up-to-date the knowledge associated with their particular field or area of work. High standards of performance and a focus on client service (whether clients are students, other University Personnel, or members of the academic or wider community) are expected. University Personnel should not allow outside work to interfere with the performance of their University duties.
6.4 Duty to Take Care
6.4.1 University Personnel should exercise due care in undertaking their activities, particularly where others will rely on advice or information offered. University Personnel have a duty to take reasonable care to avoid causing harm (including physical harm) to anyone. Thus, University Personnel should actively promote safe working practices and environments for everyone using University facilities. For example, University Personnel giving advice to students about University administrative or academic procedures must ensure that the information is up-to-date and accurate; University Personnel training others in the workplace relative to health and safety practices should make available written instructions, explain or give demonstrations and follow all EPA and OSHA guidelines; University Personnel teaching, researching or assisting in laboratories must dispose of hazardous or infectious material in an appropriate fashion, and ensure that students using laboratories are instructed in safe handling and waste disposal procedures of chemicals and other hazardous materials.
6.5 Substance Abuse
6.5.1 University Personnel should ensure that the personal use of alcohol or other drugs does not affect work performance or the safety and well being

of themselves or others. The University's Employee Assistance Program (Cigna) provides services to help University Personnel resolve problems, which affect their performance, including alcohol or substance abuse. **6.6 Professional Ethical Standards**6.6.1 University Personnel who work in a professional capacity, or teach or undertake research related to professional activities (such as research scientists, nurses, lawyers, teachers, therapists, psychologists, accountants, etc.) may have obligations or conventions related to their profession. The Policy is generally consistent with professional ethical standards. University Personnel subject to additional professional ethical standards beyond this Policy should act in a way, which satisfies the ethical standards of the University and of their profession.6.7 **Disclosure of Fraud or Corrupt Conduct**6.7.1 Fraud, corrupt conduct or mal-administration is contrary to law and is to the detriment of the University community generally. University Personnel are therefore encouraged to report genuinely suspected or known fraud or corrupt conduct to appropriate University or external authorities.6.7.2 Where a person discloses impropriety or corrupt conduct to appropriate authorities, this must not result in harassment or other reprisal action by University Personnel.7. **Economy and Efficiency**

7.1 The resources required for the provision of teaching, research and community service by the University are significant. University Personnel therefore have a responsibility to ensure that these resources are managed effectively and without harm to the community or the environment.

7.2 **Use of Property and Resources for University Purposes**7.2.1 Material, financial and computerized resources should be used only for the legitimate University purposes for which they are provided. For example, electronic mail and access to the Internet and computerized information systems are provided to University Personnel to support their employment activities, and should be used for this purpose. University Personnel should not remove University equipment from the campus, except where this is necessary for use by the University Personnel for University purposes and where they have appropriate permission.7.2.2 University Personnel may occasionally need to use University resources, for example, to make a telephone call for private purposes, or to use computerized systems such as the Internet to enhance their skills in respect of these technologies. University Personnel should be sensitive that in doing so they are using University resources and should endeavor to ensure that such use is kept to a minimum. As a companion to this document the University has also produced the Acceptable Use Policy, which explains in some detail standards of behavior expected of University Personnel.7.3 **Avoidance of Waste and Security of University Property and Facilities**7.3.1 Resources should be used economically and waste avoided. Equipment, materials and University facilities should be treated with appropriate care and secured against theft or misuse. This ensures that the maximum levels of resources are available to discharge the University's functions.7.3.2 The skill and time of University Personnel is the most significant University resource. Effective interpersonal and human resource management skills, and the provision of training and development opportunities, enhances this resource for the benefit of University Personnel, of the University generally and the wider community which the University serves.

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