

**WALLA WALLA COMMUNITY COLLEGE**  
**ETHICS**  
**ADMINISTRATIVE POLICY 5610**

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**I. POLICY BACKGROUND/PURPOSE**

Government derives its power from the people. Ethics in government is the foundation on which the structure of government rests. State officials and employees of government hold a public trust that obligates them, in a special way, to honesty and integrity in fulfilling responsibilities to which they are elected and appointed. Paramount in that trust is the principle that public office, whether elected or appointed, may not be used for personal gain or private advantage (RCW 42.52.900). Walla Walla Community College (WWCC) is an agency of the State, individuals employed by the College are employed by the state and are considered public employees.

**II. AUTHORITY**

Board Policy 1370, [RCW 42.52](#), [WAC 292.110.010](#).

**III. SCOPE OF POLICY**

This policy applies to all WWCC employees.

**IV. POLICY**

The Washington Ethics Law, [RCW 42.52](#), defines standards of ethical conduct governing the actions and working relationships of WWCC employees with current or potential customers, fellow employees, suppliers, the media, government representatives, and anyone else with whom WWCC employees have contact.

**A. Expectations**

It is expected that each employee places the College's interest above his or her own self-interest in all education, business, and other matters and decisions, where there is any actual or potential conflict or the appearance of a conflict. Public employees:

1. Must place the public's interest before any private interest or outside obligation—choices need to be made on the merits.
2. Should not make decisions in order to gain financial or other benefits for themselves, their family, or their friends.
3. Have a duty to conserve public resources and funds against misuse and abuse.
4. Must practice open and accountable government. They should be as open as possible about their decisions and actions, while protecting truly confidential information. Public employees should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in performance of their official duties.
5. Who provide services to students or other employees (including instruction, advising, financial aid awarding, credentialing), are considered "Section 4" employees.
6. Are responsible for learning and complying with all of the law's provisions that apply to them.

**B. Use of Resources for Personal Benefit**

The uses of state resources for private purposes is prohibited, including to avoid a cost or expense, or pay a discounted government rate by using a state resource for personal use. 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](#)

1. Permissible Use of State Resources:

- a. An employee may make occasional local telephone calls for medical and dental appointments, child or elder care arrangements, transportation, coordination, etc.
- b. An employee may send occasional and brief personal email messages.
  - i. Electronic mail, facsimile transmissions, and voice mail are technologies that may create an electronic record, and therefore may be distinguished from other forms of communication such as telephone conversations. Electronic records also are reproducible, so they cannot be considered private. Such records may be subject to the public disclosure law, or legitimately may be disclosed for audit or management purposes. *WAC 292-110-010(7)*
  - ii. Additional information on the acceptable use of email and the internet can be found in the college's [Information Resources Acceptable Use Policy](#).

2. Occasional use by employees of property which results in "*de minimis*" costs is allowable. "*De minimis*" use is defined as use that:

- a. Results in little or no cost to the state;
- b. Does not interfere with the performance of official duties;
- c. Is brief in duration and frequency;
- d. Does not disrupt other state employees and does not obligate them to make a personal use of state resources; and
- e. Does not compromise the security or integrity of state information or software.

3. Prohibited Use of State Resources:

- a. Any use for the purpose of conducting an outside business, whether or not for profit;
- b. Any use for the purpose of assisting the campaign of any candidate for election to any office, or to oppose or promote a ballot proposition;
- c. Any use for commercial purposes, such as advertising or selling;
- d. Illegal activities or activities incompatible with a professional workplace, i.e., accessing adult-oriented sites or gambling on the internet;
- e. Lobbying activity unless authorized by law; and
- f. Any use to promote, support, or solicit for an outside organization or group unless the activity is approved by an agency head or his/her designee.
- g. No personal use may be made of state resources that are removed from a state facility.

C. 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. [RCW 42.52.180](#)

1. 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. [RCW 42.52.180](#)
2. 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](#)

#### D. Confidential Information

College employees are required to maintain confidential information and not to use confidential information for personal gain or for gain by anyone not entitled to receive the information. Likewise, outside employment and other circumstances that are likely to compromise information received from the College must be avoided. No state officer or state employee may:

1. 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 acquired by the official or employee by reason of the official's or employee's official position. [RCW 42.52.050](#)
2. Make a disclosure of confidential information acquired by the official or the employee by reason of the employee's or official's position. [RCW 42.52.050](#)
3. 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. [RCW 42.52.050](#)
4. Intentionally conceal a record if the officer or employee knew the record was required to be released under chapter 42.17 RCW, 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](#)

#### E. Honoraria

An Honorarium is defined as money or thing of value offered for a speech, appearance, article, or similar item in connection with your official role in state government. No state officer or state employee may receive honoraria unless specifically authorized by the agency where they serve as state officer or state employee. [RCW 42.52.130](#)

1. WWCC employees may be authorized to accept honoraria, **except** under the following circumstances:
  - a. The person or organization offering the honoraria is seeking, or is reasonably expected to seek, a contract with, or a grant from the College or from a College employee, and the employee receiving the honoraria is in a position to participate in the terms or award of the contract or grant; or
  - b. The person offering the honorarium is regulated by the College and you are in a position to participate in the regulation; or
  - a. The person or organization offering the honoraria is seeking or opposing, or is reasonably likely to seek or oppose, enactment or adoption of administrative rules or actions, or policy changes by the College, and the employee receiving the honoraria may participate in this enactment or adoption.
2. Employees must receive approval in advance of receiving honorarium. Refer to the [Ethics Administrative Procedure 5610](#) for procedural steps.

#### F. Gifts

WWCC employees may not solicit a gift for personal benefit from students, other employees, vendors, and/or individuals, organizations or companies that may transact business or have a relationship with the College currently or in the future. The term "gift" means anything of economic value for which no consideration is given in return. No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, anything of economic value as a gift, 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](#)

1. A gift is something of value received by a state officer or state employee that the officer or employee did not pay for or otherwise earn. There are certain statutory exceptions, such as:
  - a. Items received from family or friends;
  - b. Items exchanged among co-workers;
  - c. Reimbursement for business expenses;
  - d. Payment for approved work-related training; or
  - e. Awards, prizes, scholarships or other items provided in recognition of academic or scientific achievement.
2. Unsolicited gifts from vendors and other organizations having or seeking to have a relationship with the College that are received by a College employee are property of the College. Exceptions may include unsolicited tokens of appreciation such as plaques and desk items, and minor promotional items, with a total annual value of less than \$50.00. Questions regarding minimal exceptions to this rule should be directed to the Vice President of Administrative Services.
3. Complimentary Textbooks routinely received for faculty from various publishers for review and potential use in the classroom are considered State of Washington/WWCC property and pursuant to the Executive Ethics Board Advisory Opinion 03-04, "Selling Textbooks Sent to Faculty by Publishers," faculty may not seek personal gain from the sale of said materials, however they may accept textbooks and other publications from publishers and use the items to conduct official business. The procedure for disposal of complimentary textbooks can be found in the [Ethics Administrative Procedure 5610](#).
4. Employees receiving gifts, other than the statutory exceptions, must follow steps outlined in the [Ethics Administrative Procedure 5610](#).

G. Compensation for Outside Activities

This provision prohibits public employees from placing themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of official duties. No state officer or state employee may receive any thing of economic value under any contract or grant outside of his or her official duties if the contract or grant is related to or appears to be related to the employee's official duties and responsibilities. [RCW 42.52.120](#)

1. For this provision, spouse and immediate family are included in the definition of employee.
2. There are specific instructions and requirements under this provision, including a six-part exception for bona fide outside compensation that does not violate other restrictions. If you have questions regarding this provision, please contact the College's Vice President of Human Resources.
3. A state officer or employee seeking to contract with a state agency to perform work that is unrelated to their official duties may need to obtain Ethics Board approval to do so. Procedural steps can be found in the [Ethics Administrative Procedure 5610](#).

H. Assisting in Transactions

Except in the course of official duties or incident to official duties, no state officer or state employee may assist another person, directly or indirectly, whether or not for compensation, in a transaction involving the state (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. [RCW 42.52.040](#)

I. Financial Interest in Transactions

WWCC 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. No state officer or state employee may:

1. Be beneficially interested, directly or indirectly, in contract, 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, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant. [RCW 42.52.030](#)
2. Participate in a transaction involving the state 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](#)
3. A beneficial interest is the right to enjoy, profit, benefit, or advantage from a contract or other property.
4. This prohibition applies to employees' spouses, family members, and businesses and organizations in which an employee has a beneficial interest.

J. Post State Employment

A WWCC employee considering leaving the College and seeking employment with a business that may do business with the College or other state agencies should carefully read and study this section of the ethics law as it contains several restrictions on former state employees.

1. No former state officer or state employee may, within a period of one year from the date of termination of state employment, accept employment or receive compensation from an employer if the officer or state employee, during the two years immediately preceding termination of state employment, was engaged in the negotiation or administration on behalf of the state or agency of one or more contracts with that employer and was in a position to make discretionary decisions affecting the outcome of such negotiation or the nature of such administration and such contract or contracts have a total value of more than ten thousand dollars. [RCW 42.52.080](#)

K. Dissemination of Policy

Upon hire, all employees will receive a copy of this policy. The Human Resources Office is responsible for ensuring employees receive training at least once every three (3) years.

L. Resources

The State of Washington's Executive Ethics Board maintains an informative website (<https://ethics.wa.gov/>) that has the relevant law, questions and answers, and all the advisory opinions issued by the Board. You can also refer to the [Executive Ethics Board FAQ's and Examples](#) which is intended to illustrate how the Ethics Board would interpret RCW 42.52.160, RCW 42.52.180 and WAC 292-110-010 regarding common occurrences in the state workplace.

<b>Policy Contact:</b> <u>VP of Human Resources</u>
<b>Approved by (Department/Body):</b> <u>Dr. Chad Hickox, President</u>
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