

Chapter 3 – General Institution

AP 3050 Institutional Code of Ethics

Reporting a Timely Incident

The College strongly encourages individuals who believe that members of the campus community are not adhering to BP 3050, Institutional Code of Ethics, to report incidents in a timely manner. All supervisors and managers are expected to address incidents that infringe upon the College's Institutional Code of Ethics.

Institutional Code of Ethics incidents may be reported using the College's anonymous reporting mechanism, The Network. The Network is operated by an outside agency; incident reports may be made via toll-free telephone number (866) 367-7970 or web site <https://www.reportlineweb.com/mtsac>. Reports of fiscal waste, fraud, or other forms of fiscal abuse will be sent to the Chief Compliance Budget Officer, or designee. Reports of other forms of unethical or unwelcome conduct will be sent to the Vice President of Human Resources, or designee. Employees may also report incidents to their immediate supervisor or administrator and/or Human Resources.

Communicating that the Conduct is Unwelcome

The College encourages individuals to inform others when their conduct is perceived to fail to meet the expectations for ethical behavior and the responsibilities identified in the College's Institutional Code of Ethics.

Oversight of Incident Procedure

The immediate supervisor or administrator of the reportee, with assistance from Human Resources, as needed, is the "responsible College officer" charged with receiving, reviewing, evaluating, and processing incidents that encroach upon the Institutional Code of Ethics.

Informal Resolution of Incidents

Upon receiving notification of a reported incident, the immediate supervisor or administrator, with assistance from Human Resources, as needed, is expected to undertake efforts to informally resolve the incident. Those efforts may include, but are not limited to, mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling and/or training, or other informal action that brings resolution to the reported incident.

Formal Resolutions of Incidents

If informal resolution of the incident is not appropriate or the incident cannot be resolved informally, the immediate supervisor may formally review the incident and take appropriate action. Appropriate action by the immediate supervisor of the reportee will include the following steps:

- a. Request a written account of the incident from the reporting party.
- b. Review the reporting party's written account of the incident and meet with other relevant involved parties, as needed.
- c. Analyze the incident as it relates to applicable board policies, laws, regulations, collective bargaining agreements, and board policies and administrative procedures.
- d. Recommend a course of action to the appropriate Vice President, or designee.
- e. Provide the reporting party with notification that the incident has been investigated and addressed.

The immediate supervisor shall take reasonable steps to ensure the confidentiality of the reported incident and to protect the privacy of all parties to the extent possible without impeding the College's ability to review and respond effectively to an incident. The College shall take reasonable steps to protect the reporting party and other participants from retaliation as a result of communicating the reported incident and/or assisting with a review of the reported incident.

Courses of action may be remedial or disciplinary in nature. Remedial action may include, but is not limited to, referral to counseling, revision of department procedures, or additional training and education. Disciplinary action may include, but is not limited to, any action up to and including termination.

If an individual does not adhere to the Institutional Code of Ethics, the College may take disciplinary action against the individual and any other remedial action it determines to be appropriate. The action will be timely, effective, and commensurate with the severity of the circumstances. If discipline is imposed, the nature of the discipline will not be communicated to the reporting party unless required by College policy or State or federal law.

Disciplinary action against employees and students will conform to all relevant statutes, regulations, and board policies and administrative procedures, including the provisions of any applicable collective bargaining agreement.

Approved: December 12, 2018