



Standards of Ethical Conduct

POLICY STATEMENT

Cornell University expects all executive officers, trustees, faculty, staff, student employees, and others, when acting on behalf of the university, to maintain the highest standard of ethical conduct.

REASON FOR POLICY

The university's commitment to the highest standard of ethical conduct is an integral part of its mission to "foster initiative, integrity and excellence, in an environment of collegiality, civility and responsible stewardship." That commitment upholds the reputation of the university, both locally and globally, and encourages compliance with applicable laws and regulations.

ENTITIES AFFECTED BY THIS POLICY

- All units of the university

WHO SHOULD READ THIS POLICY

- Executive officers, trustees, faculty, staff, and student employees
- Anyone acting on behalf of the university

WEB ADDRESS FOR THIS POLICY

- This policy: www.dfa.cornell.edu/tools-library/policies/standards-ethical-conduct
- University Policy Office: www.policy.cornell.edu

POLICY 4.6 Standards of Ethical Conduct

CONTENTS

Policy Statement	1
Reason for Policy	1
Entities Affected by this Policy	1
Who Should Read this Policy	1
Web Address for this Policy	1
Related Resources	3
Contacts – Ithaca Campus Units	4
Contacts – Weill Cornell Campus Units	5
Definitions	6
Responsibilities	7
Principles	8
Standards of Ethical Conduct	8
1. Abuse of Power	8
2. Communication	8
3. Computer Use	8
4. Confidentiality	8
5. Conflicts of Interest and Commitment	9
6. Financial Transactions	9
7. Gifts	9
8. Grants and Contracts	9
9. Intellectual Property	9
10. Kickbacks	10
11. Patient Care	10
12. Statutory Reporting	10
13. Stewardship	10
14. Policies and Procedures	10
Procedures	11
Seeking Clarification	11
Reporting a Violation	11
Retaliation	11
Enforcement	11
Abuse of this Policy	12
Appendix A: Statement Of Ethical Conduct	13
Appendix B: Related Laws, Regulations, and Guidelines	14
Introduction	14
Anti-Kickback Act of 1986	14
Federal Sentencing Guidelines	14
Foreign Corrupt Practices Act of 1977	15
National Science Foundation (NSF) Requirements, Misconduct in Science	15
Office of Federal Procurement Policy Act Regarding Procurement Integrity	15
Index	17

POLICY 4.6

Standards of Ethical Conduct

RELATED RESOURCES

University Policies and Documents Applicable to All Units of the University

[University Policy 1.7, Financial Conflict of Interest Related to Research](#)
[University Policy 3.1, Accepting University Gifts](#)
[University Policy 3.6, Financial Irregularities](#)
[University Policy 3.25, Procurement of Goods and Services](#)
[University Policy 4.14, Conflicts of Interest and Commitment \(Excluding Financial Conflict of Interest Related to Research\)](#)
[University Policy 5.1, Responsible Use of Information Technology Resources](#)
[University Policy 6.4, Prohibited Discrimination, Protected Status \(Including Sexual\) Harassment, and Bias Activity](#)
[Campus Code of Conduct](#)
[President's Statement on Affirmative Action](#)

University Policies and Documents Applicable to Only Ithaca Campus Units

[University Policy 3.14, Business Expenses](#)
[Faculty Council of Representatives Resolution on Romantic and Sexual Relationships Between Students and Staff, Chapter 6, Faculty Handbook](#)
[Faculty Handbook](#)
[Human Resources Policy 6.6.12, Special Employment Circumstances](#)
[Human Resources Policy 6.13.1, Conflict of Commitment: Dual Appointment, Exempt Staff](#)

External Documentation (See Appendix B)

[1991 Federal Sentencing Guidelines](#)
[Anti-Kickback Act of 1986](#)
[Foreign Corrupt Practices Act](#)
[Higher Education Act of 1965](#)
[National Science Foundation \(NSF\) Requirements, Misconduct in Science](#)
[New York State SLATE Law \(Article 13-B of the New York State Education Law\)](#)
[Office of Federal Procurement Policy \(OFPP\) Act, Procurement Integrity](#)
[U.S. Department of Education Regulations](#)

POLICY 4.6 Standards of Ethical Conduct

CONTACTS – ITHACA CAMPUS UNITS

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

Contacts, Ithaca Campus Units

Subject	Contact	Telephone	E-mail/Web Address
Academic Misconduct	Dean of Faculty	(607) 255-4843	
Business Matters	University Controller	(607) 255-6240	
Financial Matters	University Audit Office	(607) 255-9300	
Personnel Matters	Division of Human Resources	(607) 254-8370	
Other Trustee, Student, Employee, Faculty, or Volunteer Inquiries	Dean of Faculty	(607) 255-4843	
	Judicial Administrator	(607) 255-4680	
	University Counsel	(607) 255-5124	
	University Ombudsman	(607) 255-4321	
Research Matters	Senior Vice Provost for Research	(607) 255-3732	

If you feel your questions have not been answered or you wish to remain anonymous, you may file a report through [Cornell University's Hotline](#).

POLICY 4.6 Standards of Ethical Conduct

CONTACTS – WEILL CORNELL CAMPUS UNITS

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

Contacts, Weill Cornell Campus Units

Subject	Contact	Telephone	E-mail/Web Address
Academic Misconduct	Assistant Dean, Faculty Affairs	(212) 821-0737	
Business Matters	Weill Cornell Medical College Controller	(646) 962-3635	
Financial Matters	Weill Cornell Medical College Audit Director	(212) 746-1449	
Personal Matters	Senior Director, Human Resources	(212) 746-1231	
Other Trustee, Student, Employee, Faculty, or Volunteer Inquiries	Deputy University Counsel	(212) 746-0463	
Research Matters	Assistant Dean for Research Integrity	(212) 746-4809	

If you feel your questions have not been answered or you wish to remain anonymous, you may file a report through [Cornell University's Hotline](#).

POLICY 4.6

Standards of Ethical Conduct

DEFINITIONS

These definitions apply to terms as they are used in this policy.

Abuse of Power	Wrongful use of a position of authority to influence employees, students, colleagues, or volunteers (e.g., coercion to participate in activities or decision making in violation of laws, regulations, or policies).
Conflict of Commitment	A situation in which an employee's additional employment or other activity, whether internal or external to the university, interferes with his or her performance in the primary appointment at the university.
Conflict of Interest	<p>A situation in which an individual or any of his or her family has an existing or potential financial or other material interest that impairs or might appear to impair the individual's independence and objectivity of judgment in the discharge of responsibilities to the university.</p> <p>A conflict of interest also arises when an individual evaluates the work or performance of a person with whom he or she is engaged in a romantic or sexual relationship.</p>
Ethical Conduct	Behavior conducted according to this policy and the university's "Statement of Ethical Conduct" (see appendix A).
Financial Irregularity	An intentional misstatement, omission, or failure to disclose information related to financial transactions that is detrimental to the interests of the university, including embezzlement, fraud, or falsification of records to misappropriate assets.
Fraud	An intentional act of misrepresentation, dishonesty, trickery, or deceit (including the concealment or suppression of truth), designed to obtain information or assets without approval.
Intellectual Property	Property of an intellectual nature belonging to an individual or entity, including but not limited to proprietary information that is protected by a patent, copyright, or non-disclosure agreement.
Kickback	The act of accepting a payment to improperly obtain or reward with favorable treatment in connection with either a contract or subcontract relating to a prime contract.
Misconduct	Cheating, falsification, fabrication, misappropriation, plagiarism, or other practice that seriously deviates from those commonly accepted as proper.
Stewardship	The management of tangible and intangible assets of the university.

POLICY 4.6

Standards of Ethical Conduct

RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

College Dean/Vice President	Ensure that department chairs and unit managers are aware of the need for complete compliance with the Statement of Ethical Conduct (see appendix A). Report suspected violations to appropriate university personnel (see the Reporting a Violation segment of this document).
Unit Manager/Department Chair	Encourage and support efforts by employees to perform duties and responsibilities at the highest standards. Ensure that supervisors are promoting excellence in ethical practices through periodic training and daily reinforcement. Report suspected violations to appropriate university personnel (see the Reporting a Violation segment of this document) to protect both the alleged violator and the individual reporting a potential violation.
University Audit	Investigate alleged policy violations and determine whether a violation has occurred, and whether action is required.
University Counsel	Provide advice to individuals who believe that a violation may have occurred.
You	Conduct university-related activities according to the Statement of Ethical Conduct (see appendix A).

POLICY 4.6

Standards of Ethical Conduct

PRINCIPLES

Standards of Ethical Conduct

An environment that encourages the highest level of integrity from its members is critical to the university. Therefore, adherence by executive officers, trustees, faculty, staff, student employees, and others acting on behalf of the university to the standards of ethical conduct set forth in this document is an integral part of the university's long-range goals of attracting quality students, faculty, and staff; ensuring proper stewardship of its resources; and attracting gifts, grants, and other forms of support.

University executive officers, trustees, faculty, staff, student employees, and others acting on behalf of the university should not commit acts contrary to these standards or support the commission of such acts by others.

A practice will not be condoned on the grounds that it is "customary," "easy," or "expedient" if it does not meet these standards of ethical conduct; condoning such practices may compromise the integrity and reputation of the university. If you are asked to act against these standards, you should decline. You are empowered to say something, such as the following:

"University policy doesn't allow me to do this. Please discuss this matter further with..." or "I'm uncomfortable with what you've asked me to do and I'd like to discuss the matter with..." If you act in good faith, the university will act to protect you from being disciplined or suffering reprisal for making such a statement.

Further, members of the university community are expected to assume personal responsibility and accountability for their actions by maintaining these standards. In an effort to ensure that employees are adequately informed of the university's expectations, all employees will be asked to read a Statement of Ethical Conduct (see appendix A).

The following is a list of some of the areas where frequent ethical questions arise, and some general principles of ethical conduct:

- 1. Abuse of Power**
 - Support the creation and maintenance of an environment in which abuse of power is not tolerated.
- 2. Communication**
 - Communicate judgments, opinions, and other information – both positive and negative – fairly and objectively.
- 3. Computer Use**
 - Use electronic communications and systems in a responsible manner.
- 4. Confidentiality**
 - Use confidential information acquired in the course of university affiliation only for official or legal purposes, and not for personal or illegal advantage, during or after such affiliation.
 - Disclose confidential information acquired in the course of employment or

POLICY 4.6 Standards of Ethical Conduct

PRINCIPLES, continued

- university affiliation on a need-to-know basis and only when authorized to do so.
- 5. Conflicts of Interest and Commitment**
- Advise appropriate parties of potential conflicts in accordance with applicable university conflicts policies.
 - Refrain from engaging in a romantic or sexual relationship with a student whom you teach, advise, coach, or supervise in any way.
 - Avoid any activity that hinders your ability to carry out responsibilities to the university.
- 6. Financial Transactions**
- Conduct, process, and report all financial transactions with integrity.
- 7. Gifts**
- No gifts or accommodations of any nature may be accepted by any individual when to do so could possibly place that individual in a prejudicial or embarrassing position, interfere in any way with the impartial discharge of duties to the University, or reflect adversely on that individual's integrity or that of the University. Vendor relationships require special care (see University Policy 3.25, Procurement of Goods and Services).
- Subject to this restriction, individuals may accept, with supervisory approval, modest gifts or other social amenities so long as such amenities are not extravagant under the circumstances and comply with state and federal regulations. Supervisor approval is not required for reasonable, infrequent meals.
- ◆ **Caution:** Supervisors seeking guidance should consult with the appropriate university officials (e.g., University Counsel's Office). Specific legal restrictions apply for gifts to individuals involved with student financial aid and student lending, as established by state and federal law or regulation.
- ◆ **Note:** This restriction is not meant to cover gifts given to individuals on behalf of the university, such as an exchange of goodwill gifts (see University Policy 3.1, Accepting University Gifts), or gifts purchased with university funds (see University Policy 3.14, Business Expenses).
- 8. Grants and Contracts**
- Adhere to grant and contractual obligations of the university, including proper allocation of expenses.
 - Comply with applicable laws and regulations governing the receipt and disbursement of sponsored funds.
- 9. Intellectual Property**
- Honor non-disclosure agreements.
 - Abide by all rules and laws governing the use of copyrighted materials, patented ideas, licenses, and proprietary information.
 - Refrain from any activity that constitutes infringement of individual or Cornell intellectual property.
-

POLICY 4.6 Standards of Ethical Conduct

PRINCIPLES, continued

- 10. Kickbacks**
 - Attribute the ideas and work of others properly.
 - Refrain from making or accepting payments to improperly obtain or reward with favorable treatment in connection with either a contract or subcontract relating to a prime contract.
- 11. Patient Care**
 - Provide competent and compassionate patient care.
 - Bill appropriately for services provided, abiding by federal and state regulations.
 - Maintain the integrity and confidentiality of all patient information.
- 12. Statutory Reporting**
 - Meet accurately and fully reporting obligations that are required by federal and state regulations.
- 13. Stewardship**
 - Use university resources or assets legally and properly.
 - Refrain from engaging in personal use of university facilities, equipment, employees, students, or voluntary help unless written permission is obtained in accordance with applicable procedures.
- 14. Policies and Procedures**
 - Comply with all applicable university policies and procedures.

POLICY 4.6

Standards of Ethical Conduct

PROCEDURES

Seeking Clarification If you have read the appropriate sections of this policy, other university policies, and applicable regulations, you may need additional clarification about the propriety of actions, in the following instances:

- When university policies appear ambiguous or difficult to interpret or apply
- When it is difficult to identify your responsibilities in situations of potential violations of standards of ethical conduct

In such cases, contact your immediate supervisor, department chair, college dean, vice president, the Office of University Counsel, University Audit, or the responsible office for the applicable policy.

Reporting a Violation

You are expected to report violations of this policy to appropriate university personnel. To report an actual or suspected violation:

1. Discuss the violation with the immediate supervisor, except when the supervisor is involved, in which case, discuss it with the person at the next supervisory level.
2. If you cannot address the situation in this manner, you may contact the university office responsible for your area of concern.
3. If it appears that there may have been a violation of ethical conduct, report it to the appropriate university office (e.g., Audit, University Counsel), or report it through [Cornell University's Hotline](#).

◆ **Caution:** Failure of a supervisor to report actual or possible violations may be a subject of appropriate university discipline.

Retaliation

The university will not tolerate retaliation toward or harassment of employees who report actual or possible violations. The identity of individuals providing information concerning possible violations, including fraud, will be protected within legal limits. Individuals who take retaliatory action will be subject to discipline, up to and including discharge.

Enforcement

Suspected violations will be investigated by the appropriate office, depending on the nature of the violation. Disciplinary measures may be taken, in accordance with applicable regulations, if appropriate to the circumstances, by one of the following:

- Immediate supervisor

POLICY 4.6 Standards of Ethical Conduct

PROCEDURES, continued

- Department chair
- College dean
- Relevant vice president
- Responsible university office

Abuse of this Policy

The university is committed to the protection of both the accused and the accuser in the reporting of any violation of this policy. Therefore, attempts by individuals to discredit others through inappropriate use of this policy are not permitted and will be considered for disciplinary action.

POLICY 4.6 Standards of Ethical Conduct

APPENDIX A: STATEMENT OF ETHICAL CONDUCT

View a [printable version](#) of this statement.

**Cornell University
Statement of Ethical Conduct**

Cornell University's reputation for excellence in the community, the state, the nation, and the world is sustained by the commitment embodied in its mission statement to "...foster initiative, integrity, and excellence, in an environment of collegiality, civility, and responsible stewardship." Executive officers, trustees, faculty, staff, student employees, and others acting on behalf of the university are expected to maintain the highest ethical standard, observing applicable policies, practices, regulations, laws, and professional standards. The absence of a specific guideline or instruction covering a particular situation does not relieve an individual of the responsibility to apply the highest ethical standards when reacting to that situation. Actions in accordance with these standards will be upheld by the university.

Conflicts of Interest and Commitment	All executive officers, trustees, faculty, principal investigators, staff, student employees, and others acting on behalf of the university hold positions of trust, and should conduct their activities accordingly. They must abide by university conflict statements, striving to avoid conflict between private and official responsibilities. Activities that impair or appear to impair the ability to perform their duties or affect independence and objectivity of judgment in the discharge of responsibilities to the university should be avoided.
Harassment and Abuse of Power	Cornell University supports an environment in which harassment of others is not tolerated. Executive officers, trustees, faculty, principal investigators, staff, student employees, and others acting on behalf of the university may not use positions of authority to influence others to perform inappropriate or illegal acts, or violate regulations, university policies or practices.
Laws, Grants and Contracts, Regulations, Policies, and Procedures	All executive officers, trustees, faculty, principal investigators, staff, student employees, and others acting on behalf of the university are expected to comply with relevant laws, grant and contract requirements, regulations, policies and practices, and all applicable university and professional standards. No unethical practice will be condoned on the grounds that it is "customary" or that it serves worthy or honorable goals.
Stewardship	All executive officers, trustees, faculty, principal investigators, staff, student employees, and others acting on behalf of the university have a responsibility to ensure that all funds received are used prudently, ethically, and for their designated purposes. Neither tangible nor intangible assets of the university may be used for personal or illegal gain. Permission must be obtained for personal use of facilities and equipment, in compliance with applicable procedures. It is imperative that those with access to confidential, proprietary, or private information not make unauthorized disclosures or use of this information.
Reporting	All executive officers, trustees, faculty, principal investigators, staff, student employees, and others acting on behalf of the university are expected to report violations of these or other applicable standards to appropriate university offices, e.g., the employee's supervisor, senior unit officer, University Audit, or University Counsel. Confidentiality of individuals reporting violations of these standards will be maintained whenever possible.

Listed above are some of the most prevalent areas of concern. This list is not intended to be comprehensive. See University Policy 4.6, Standards of Ethical Conduct, for guidance on specific issues.

POLICY 4.6 Standards of Ethical Conduct

APPENDIX B: RELATED LAWS, REGULATIONS, AND GUIDELINES

Introduction

The federal government provides significant support to Cornell University. Included in this section is a brief overview of some of the laws, regulations, and guidelines that may be used to evaluate the actions of the university, as well as its executive officers, trustees, faculty, staff, student employees, and others. The university and these individuals are expected to be in full compliance with all federal and state laws.

Anti-Kickback Act of 1986

This act was passed to deter subcontractors from making payments and contractors from accepting payments to improperly obtain or reward with favorable treatment in connection with either a contract or subcontract relating to a prime contract.

Federal Sentencing Guidelines

The Federal Sentencing Guidelines, as revised effective November 1, 2004, provide that to have an effective compliance and ethics program (hereinafter "compliance program") an organization will exercise due diligence to prevent and detect criminal conduct, and promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law. This requires the following:

1. A compliance program will be established consisting of standards and procedures to prevent and detect criminal conduct by the employees or agents of the organization.
2. The governing board will be knowledgeable about, and exercise reasonable oversight of, the implementation and effectiveness of the compliance program. High-level personnel will aim to provide the organization with an effective compliance program and be assigned oversight responsibility. Individuals with operating responsibility for the compliance program will report periodically to high-level personnel and, as appropriate, to the governing board, or a subgroup thereof, on the effectiveness of the program.
3. The organization will use reasonable efforts not to include within its substantial authority personnel any individual whom the organization knew, or should have known, has engaged in illegal activities or other conduct inconsistent with an effective compliance program.
4. The organization will take reasonable steps to communicate periodically its standards and procedures, and other aspects of the compliance program, to the governing board, the organization's employees, and agents through training programs and dissemination of information appropriate to such individuals' roles and responsibilities.

POLICY 4.6 Standards of Ethical Conduct

APPENDIX B: RELATED LAWS, REGULATIONS, AND GUIDELINES, continued

5. The organization will take reasonable steps so that the compliance program is followed, including monitoring and auditing to detect criminal conduct, evaluating periodically the effectiveness of the program, and providing and publicizing a system whereby criminal conduct may be reported without fear of retaliation.
6. The program will be promoted and enforced consistently through appropriate incentives, and appropriate disciplinary measures for engaging in, or failing to take reasonable steps to prevent or detect, criminal conduct.
7. The organization will take reasonable steps to respond appropriately to criminal conduct and to prevent recurrence, including making any necessary modifications to its compliance program.

Foreign Corrupt Practices Act of 1977

The anti-bribery provisions of this act require that books, records, and accounts be maintained that accurately and fairly reflect the transactions and disposition of assets, and that a system of internal accounting control be maintained.

National Science Foundation (NSF) Requirements, Misconduct in Science

The National Science Foundation (NSF) developed these regulations to assure that both grant recipients and the NSF had procedures in place to deal with misconduct allegations. These requirements include the following:

- Contracting institutions must develop procedures that respond to allegations of misconduct, which do not include honest misinterpretations or misjudgment of data. There will be no retaliation of any kind against a person who reports or provides information about suspected or alleged misconduct and who has not acted in bad faith.
- Policies and procedures must be developed to ensure an impartial process for receipt and disposition of allegations of scientific misconduct; notification to the agency; protections of the integrity of the research, research subjects, and the public; observance of legal requirements and responsibilities; protections of the person(s) bringing the allegation; and maintenance of records.
- Awardees are subject to suspension, termination, and/or department actions.

Office of Federal Procurement Policy Act Regarding Procurement Integrity

This act states that no competing contractor or any officer, employee, representative, agency, or consultant of such competing contractor will knowingly:

- Make, directly or indirectly, any offer or promise of future employment with any procurement officer of such agency
- Offer or give, directly or indirectly, any money, gratuity, or other thing of

POLICY 4.6
Standards of Ethical Conduct

**APPENDIX B: RELATED LAWS, REGULATIONS, AND GUIDELINES,
continued**

value to any procurement officer of such agency

- Solicit or obtain, directly or indirectly, any proprietary or source selection information regarding such procurement

The responsible institutional officer must certify, concurrently with submission of the proposal and/or the award, that to the best of his or her knowledge and belief, the institution has abided by the requirements of the Procurement Integrity regulations.

POLICY 4.6 Standards of Ethical Conduct

INDEX

Assistant Dean for Research Integrity, WCMC	5	License.....	9
Assistant Dean, Faculty Affairs, WCMC	5	Misconduct	3, 4, 5, 6, 15
Bribery	15	Patent	9
Clarification	11	Power, abuse of.....	6
Conflict of Commitment	3, 6	Relationships.....	6, 9
Conflict of Interest	3, 6	Reporting	7, 11
Contract.....	6, 10, 14	Responsibilities	6, 7, 9, 11, 15
Contractor	15	Retaliation.....	11, 15
Copyright.....	6, 9	Senior Director, Human Resources, WCMC.....	5
Dean.....	4, 5, 7, 11	Senior Vice Provost for Research.....	4
Dean of Faculty	4	Sponsored funds	9
Department chair	7, 11	Staff.....	1, 8, 14
Deputy University Counsel, WCMC	5	Stewardship.....	6
Division of Human Resources	4	Student	1, 4, 5, 6, 8, 9, 10, 14
Equipment, university	10	Subcontract.....	6, 10, 14
Ethical Conduct.....	1, 6, 7, 8, 13	Supervisor.....	11
Executive officers	1, 8, 14	Trustee	1, 4, 8, 14
Facilities, university.....	10	Unit manager	7
Faculty	1, 3, 4, 5, 8, 14	University Audit Office	4, 7, 11
Federal Sentencing Guidelines	3	University Controller	4
Financial Irregularity.....	6	University Counsel.....	4, 7, 9, 11
Fraud	6	University Ombudsman	4
Gifts	8, 9	Vice president	7, 11
Grants	8, 9, 15	Violation	6, 7, 11, 12
Intellectual property	9	Volunteer	4, 5
Intellectual Property	6, 9	Weill Cornell Medical College Audit Director	5
Judicial Administrator	4	Weill Cornell Medical College Controller.....	5
Kickback.....	3, 6, 14		