SUMMARY:

I. Faculty, staff and student employees of Coastal Carolina University are subject to the provisions of the State Ethics Act, codified in Sections 8-13-700 through 8-13-1520 of the S. C. Code of Laws, including compliance with the financial disclosure statement.

II. The following policy provides a summary of pertinent sections of the State Ethics Act, but is not meant to be inclusive, exhaustive, or to replace the Act. For additional information, clarification, or for questions, please contact the Office of University Counsel.

POLICY:

I. For the purposes of this policy, employee means any member of the faculty, staff, or a student worker.

   A. Section 8-13-700: Use of Official Position for Financial Gain; Disclosure of Potential Conflict of Interest

      1. No employee may use his/her employment with the University to obtain an economic interest or benefit for themselves, a family member, or a person or business with whom the employee is associated.

      2. No employee may participate in the decision making process of any governmental decision that may benefit him/her, their family member, or a person or business with whom the employee is associated.

   B. Section 8-13-705: Offering, giving, soliciting, or receiving anything of value to influence action of public employee.

      1. An employee may not accept anything of value offered to them in an effort to influence their official responsibilities, allow the perpetration of a fraud, or to act in violation of the employee’s official responsibilities.
2. An employee may not ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive anything of value in return for being influenced in the discharge of his/her official responsibilities, allow the perpetration of a fraud, or to act in violation of his/her official responsibilities.

3. A person in violations of SC Code §8-13-705 is guilty of a felony and, upon conviction, must be punished by imprisonment for not more than ten (10) years and a fine of not more than $10,000.

4. “Anything of value” is defined as:
   
a. a pecuniary item, including money, a bank bill, or a bank note;
   
b. a promissory note, bill of exchange, an order, a draft, warrant, check, or bond given for the payment of money;
   
c. a contract, agreement, promise, or other obligation for an advance, a conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
   
d. a stock, bond, note, or other investment interest in an entity;
   
e. a receipt given for the payment of money or other property;
   
f. a chose-in-action;
   
g. a gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
   
h. a loan or forgiveness of indebtedness;
   
i. a work of art, an antique, or a collectible;
   
j. an automobile or other means of personal transportation;
   
k. real property or an interest in real property, including title to realty, a fee simple or partial interest in realty including present, future, contingent, or vested interests in realty, a leasehold interest, or other beneficial interest in realty;
   
l. an honorarium or compensation for services;
   
   This form of honorarium policy include those in violation of Coastal Carolina University policy FINA-106.

m. a promise or offer of employment; or
n. any other item that is of pecuniary or compensatory worth to a person. Section 8-13-100(1)(a)-(xiv).

C. Section 8-13-715: Speaking engagements of public officials, members or employees

An employee acting in their capacity as a Coastal Carolina University employee may not receive anything of value for speaking before a public or private group. You are not prohibited from accepting a meal provided in conjunction with a speaking engagement, so long as all participants are entitled to the same meal, and the meal is incidental to the speaking engagement.

D. Section 8-13-725: Use or disclosure of confidential information by public official, member, or employee for financial gain.

1. An employee may not use or disclose confidential information gained in the course of or by reason of his/her employment that would affect his/her economic interest, that of a member of his family, or that of an individual or business with which he/she is associated.

2. A person convicted of violating this section must be fined not more than $5,000 or imprisoned not more than 5 years, or both, and shall reimburse the cost of prosecution. Upon conviction, the employee will be terminated from his/her employment.

E. Section 8-13-750: Employment, promotion, advancement, or discipline of family member of public official, member, or employee.

No employee may cause the employment, appointment, promotion, transfer, or advancement of a family member to a position in which the employee supervises, nor may an employee participate in an action relating to the discipline of his/her family member. See FAST-209 Nepotism and Preferential Treatment.

F. Section 8-13-780: Remedies for breaches of ethical standards by employees

1. In addition to those included in this Act, the State Ethics Commission may impose an oral or written reprimand.

2. The value of anything received by the employee in the breach may be recovered by the State or other governmental entity at the discretion of the Attorney General.

3. Prior to termination, notice and a hearing will take place.
G. Section 8-13-1110: Persons required to file a statement of economic interests.

1. Each of the following employees is required to file an annual statement of economic interest:
   a. the chief administrative official or employee and the deputy or assistant administrative official or employee or director of a division, institution, or facility of any agency
   b. the chief finance official or employee and the chief purchasing official or employee of each agency

II. REPORTING VIOLATIONS

A. If you witness, become aware, or suspect a potential violation of the South Carolina Ethics Act, please report the incident.

1. Methods of Reporting:
   a. To the South Carolina State Ethics Commission:
      Follow the instruction on:  
      http://ethics.sc.gov/Complaints/Pages/index.aspx
   b. To Coastal Carolina University:
      i. https://www.coastal.edu/universitycompliance/reporting/
         aa. You may report the violation to other University departments by choosing the appropriate link, or
         bb. You may report anonymously via EthicsPoint by selecting “File a Report”