

2-2.38 USE OF STATE PROPERTY

(1) Use of University Resources - Overview (In conformity with RCW 42.52.160 and WAC 292-110-010)

University officers and employees are obligated to conserve and protect state resources for the benefit of the public interest, rather than their private interests. Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual university officer and employee, or with the officer or employee who authorizes such use.

A university employee may not use state resources under his or her official control, direction, or custody for private benefit or gain of the employee or any other person. Resources include any person, money or property.

A university employee may use his or her own business stationery or letterhead carrying his or her university title and may use his or her official title in correspondence and reports pertaining to work outside the university, but may not use university stationary for these purposes.

(2) Resource Use Prohibitions – The following private uses of state resources are specifically prohibited (as set forth in WAC 292-110-010) even if there is no cost to the university and the use does not interfere with the performance of official duties:

1. Any use for the purpose of conducting an outside business;
2. Any use to promote, support, or solicit for an outside organization, charity, or group unless provided for by law or authorized by the university president or designee;
3. Any use for the purpose of assisting a campaign for election of a candidate to any office or to oppose or promote a ballot proposition;
4. Any use for commercial purposes such as advertising or selling;
5. Any illegal activity or activities incompatible with a professional workplace; or
6. Any lobbying activity unless authorized by law.

“Resource use prohibitions” are subject to the following qualifications and limitations:

1. Use of university resources in political campaigns (RCW 42.52.180): The facilities of the university are broadly construed to include, but are not limited to, stationary, postage, machines, equipment, use of state employees during working hours, vehicles, office space, publications of the university, and client lists of persons served by the university. It is a violation of the ethics law to use public resources for political campaigns. Knowing acquiescence by an employee with authority to direct, control, or influence the action of an employee using public resources in violation of this section constitutes a violation of the ethics law.

Exceptions to this prohibition apply to elected officials and to activities that are normal and regular conduct of the university.

A university employee may not make private use of any university property (laptop computer, equipment, tools, vehicles, etc), which has been removed from the university facilities or other official duty station, even if there is no cost to the state.

A university employee or student may, with appropriate approval, temporarily use state property at his or her place of residence to facilitate the performance of services for which he or she is contracted. However, a property removal/identification authorization form should be completed and approved by the appropriate supervisor before any property is relocated from the university. The form may be obtained from the inventory control officer or the web site.

Materials of the university library, the IMC center, or a university storeroom, are exempted from these procedures and subject to unit procedures.

(3) Occasional/Limited Use of Resources – The Executive Ethics Board has adopted guidelines for exceptions to the no personal use standard. These exceptions are narrowly construed and do not apply

to all uses. University officials may authorize occasional but limited (de minimis) personal use of state resources only if:

1. The use is not specifically prohibited or subject to the qualifications and limitations noted in section 2-2.38.2;
2. There is little or no cost to the university;
3. The use of university resources does not interfere with the performance of official duties;
4. The use is brief in duration and frequency;
5. The use does not disrupt or distract other university employees and does not obligate them to make personal use of state resources; and
6. The use does not compromise the security or integrity of university information or software.

Occasional local telephone calls for medical and dental appointments, childcare arrangements, transportation coordination, etc. are acceptable. Occasional and brief personal email messages are acceptable. Regularly using university resources for activities addressed by this de minimis section during break periods is not acceptable.

A university employee may use university computers, electronic mail, and Internet web pages for occasional or limited private use if the use is limited in time and is infrequent, not every day. Personal use of university e-mail distribution lists is prohibited.

(4) Authorized Personal Use – University officials may authorize a personal use that promotes organizational effectiveness or enhances the job-related skills of a university employee. In addition, university officials may authorize a use of state resources that is related to an official university purpose but not directly related to an employee's official duty, for example, conducting the university's combined fund campaign. The designated university employee to provide authorization is the executive assistant to the president.

(5) Reimbursement – A university employee may not avoid a violation of the use of resources policy by making private use of university resources and subsequently reimbursing the university so there is no actual cost to the university.

(6) Consultation – A person seeking advice or an interpretation regarding activities that may constitute violations of the state ethics law should consult with the university's Department of Internal Audit.

Although the Department of Internal Audit does not have institutional authority to make final decisions regarding ethics matters, it may provide advice based on the facts presented. The advice includes relevant criteria university employees should consider when making decisions regarding potential violations of the state ethics law.

[PAC: 10/02/02]