



Appropriate Use and Disposition of University Resources

Responsible Official:	Campus Ethics and Compliance Officer
Responsible Office:	Office of Campus Culture and Compliance (OC3)
Issuance Date:	January 25, 2016
Effective Date:	January 25, 2016
Summary:	Describes the requirements and responsibilities for appropriate use and disposition of University resources.
Scope:	This policy applies to all UC employees and others using and disposing of University resources.

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I. REFERENCES AND STANDARDS

California State Law:

- Political Reform Act of 1974
- State of California Public Contract Code Section 10334
- State of California Education Code Section 92000
- California Whistleblower Protection Act, Government Code Section 8547–8547.12:

University of California Policies:

- University of California Whistleblower Policy
- University of California Whistleblower Protection Policy
- University of California Statement of Ethical Values and Standards of Ethical Conduct
- University of California Bylaws of the Regents 2.2
- University of California Restrictions on the Use of University Resources and Facilities for Political Activities
- UCOP Financial Policy and Business and Finance Bulletins (BFB)
 - BUS 29, Management and Control of University Equipment
 - BUS 38, Disposition of Excess Property and Transfer of University-owned Property
 - BUS 43, Materiel Management
 - BUS 46, Use of University Vehicles
 - G-28, Travel Regulations
 - G-39, Conflict of Interest Policy and Compendium of Specialized University Policies, Guidelines and Regulations Related to Conflict of Interest
 - G-46, Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources
- IS-3, Electronic Information Security
- University of California Electronic Communications Policy

II. POLICY/PROCEDURE SUMMARY & SCOPE

UC Merced values and strives to comply with requirements of laws, UC policies, best business practices and the UC Statement of Ethical Values and Standards of Ethical Conduct. The goal of this policy is to outline the requirements and responsibilities of UC Merced employees to use and dispose of University property consistent with these standards in support of our mission of teaching, research and public service.

It is the responsibility of all employees to familiarize themselves and comply with all applicable laws and policies. If an employee has any questions regarding their responsibilities for the proper use and disposition of University resources, they should contact their supervisor or the resources identified in Section VI of this document. Failure to comply with applicable laws and policies will result in discipline regardless of whether the employee has actual knowledge of the applicable requirements. Violation of law may also be referred to the UC Merced Police Department for investigation and possible action.

This policy applies to all UC Merced employees and others that are entrusted with UC Merced resources, including all tangible and intangible property.

III. DEFINITIONS

University resources include tangible and intangible property including but not limited to, cash, name and trademarks, patents, personnel, time due to UC Merced by employees, equipment, electronic information resources, and other items of value owned by or entrusted to the University. Resources which should have rightfully become assets of UC Merced but did not are also included.

Disposition of University resources, includes but is not limited to, disposal, recycling, re-use and sale.

Employees includes all faculty, staff, student employees and others that are entrusted with University resources.

Misuse of University resources includes but is not limited to the following:

- Inappropriate use or disposition of University resources for non-University purposes regardless of whether the material is considered surplus, excess, recyclable or beyond its useful life;
- Unauthorized use of University resources which results in a loss to the University or a gain to the individual;
- Fraud, theft, inappropriate usage or removal of University resources;
- Inappropriate and/or unauthorized use of personal information and/or campus electronic information resources;
- Other financial irregularities including but not limited to;
 - Mischarging time worked to the University
 - Using University credit cards for unauthorized or inappropriate purposes
 - Using University vehicles for unauthorized or inappropriate purposes

IV. POLICY/PROCEDURES/ADDITIONAL INFORMATION

A. GENERAL CONDITIONS

The University requires that individuals understand their administrative and ethical responsibilities to safeguard and handle University resources in accordance with laws and University of California policies. Misuse of University resources is a violation of the University's standards of ethical conduct and is prohibited. This policy summarizes the most significant laws and policies that control the use and disposition of University resources and provides references to guidance and UCM resources when there is a question.

Employees are responsible for familiarizing themselves and complying with all applicable laws and policies.

B. POLITICAL REFORM ACT OF 1974

State law prohibits University employees from participating in governmental decisions when personal financial interests might be affected by those decisions.

C. STATE OF CALIFORNIA PUBLIC CONTRACT CODE SECTION 10334

State law provides that no state employee shall acquire any goods from the state, unless the goods are offered to the general public in the regular course of the state's business on the same terms and conditions as those applicable to the employee.

D. STATE OF CALIFORNIA EDUCATION CODE SECTION 92000

This statute specifies that the name "University of California" is the property of the state and outlines acceptable use of the University name. This law prohibits the use of the University name in an unauthorized manner.

E. CALIFORNIA WHISTLEBLOWER PROTECTION ACT

California Government Code Section 8547.2 defines an improper governmental activity as an activity by a state agency or by an employee that is undertaken in the performance of the employee's duties, undertaken inside a state office, or, if undertaken outside a state office by the employee, directly relates to state government, whether or not that activity is within the scope of his or her employment, and that (1) is in violation of any state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty, or (2) involves gross misconduct, incompetency, or inefficiency.

F. UNIVERSITY OF CALIFORNIA WHISTLEBLOWER POLICY

This policy governs reporting and investigation of allegations of suspected improper governmental activities, and together with the Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints, represents the University's implementing policies for the California Whistleblower Protection Act (Government Code Section 8547- 8547.12). Additional information can be found in the policy and UCOP

provides further guidance on the Ethics, Compliance and Audit services website.

G. UNIVERSITY OF CALIFORNIA STATEMENT OF ETHICAL VALUES AND STANDARDS OF ETHICAL CONDUCT

Pursuit of the University of California mission of teaching, research and public service requires a shared commitment to the core values of the University as well as a commitment to the ethical conduct of all University activities. In that spirit, the Standards of Ethical Conduct are a statement of our belief in ethical, legal and professional behavior in all of our dealings inside and outside the University. Standard No. 10 specifically applies to Use of University resources and states they may only be used for activities on behalf of the University. Additional information can be found under [Standards of Ethical Conduct](#) on UCOP's Ethics, Compliance and Audit Services website.

H. UNIVERSITY OF CALIFORNIA BYLAWS OF THE REGENTS 2.2

Regents Bylaw 2.2 outlines acceptable use of the corporate seal. The corporate seal shall be used only in connection with the transaction of business of The Regents of the University and of the University.

I. UNIVERSITY OF CALIFORNIA RESTRICTIONS ON THE USE OF UNIVERSITY RESOURCES AND FACILITIES FOR POLITICAL ACTIVITIES

The policy restricts the use of University resources and facilities for political activities. It specifically states the name, insignia, seal, or address of the University or any of its offices or units shall not be used for or in connection with political purposes or activity except as consistent with University regulations. Additionally, in correspondence, statements, or other material relating to political activities or issues, the University title of a faculty or staff member shall be used only for identification. If such identification might reasonably be construed as implying the support, endorsement, advancement, or opposition of the University with regard to any political activity or issue, the identification must be accompanied by an explicit statement that the individual is speaking for himself or herself and not as a representative of the University or any of its offices or units. Finally, University equipment, supplies, and services may not be used for or in connection with political purposes or activities.

J. UCOP FINANCIAL POLICY - FINANCIAL ACCOUNTABILITY, FINANCIAL MANAGEMENT, DATA INTEGRITY, COMPLIANCE

Financial policies include specific requirements and expectations related to financial accountability, financial management, data integrity and compliance. It includes specific language regarding conducting business on behalf of the University, that actions must be for the benefit of the University, that there should be no potential for personal gain, and individuals conducting business on behalf of the University are personally responsible for the consequences of any violations they commit. Additional information can be found in the policy and UCOP provides further guidance on the Office of the Chief Financial Officer website.

K. BFB BUS-29, MANAGEMENT AND CONTROL OF UNIVERSITY EQUIPMENT

[BUS 29](#) includes specific requirements and authorities for determining custodial

requirements for University equipment. It includes specific language that University facilities may be used only for University-related purposes or in furtherance of such purposes. University employees may not use University materiel or property in the care and custody of the University for personal purposes, except with the approval of the Chancellor. Additional information can be found in the policy and UC Merced provides further guidance on the Equipment Management website (equipment.ucmerced.edu).

L. BFB BUS-38, DISPOSITION OF EXCESS PROPERTY AND TRANSFER OF UNIVERSITY-OWNED PROPERTY

[BUS 38](#) includes specific requirements for disposing and transferring excess or surplus property and equipment within and outside of the University. It includes specific limitations and requirements covering sales to employees and their near relatives. It also restricts personal use of excess property, regardless of value or condition, and states that in no case may a University employee remove, or cause to be removed, excess property from University premises for personal use, distribution to third parties, or sale. Additional information can be found in the policy and on the UC Merced Equipment Management website (equipment.ucmerced.edu/pages/surplus-property.aspx)

M. BFB BUS-43, MATERIEL MANAGEMENT

BUS 43 is the policy on material management in the UC system. It provides specific guidance on personal purchases stating that University credit, purchasing power, facilities, and services shall not be used to purchase goods or services for individuals or for non-University activities. Additional information can be found in the policy and UC Merced provides further guidance on the Procurement website. ([BFB BUS-43](#))

N. BFB BUS-46, USE OF UNIVERSITY VEHICLES

BUS 46 is the policy on use of University Vehicles in the UC system. It includes specific language on personal use of University vehicles and states that University vehicles shall be used only for official University of California business. Additional information can be found in the policy and UC Merced provides further guidance on the Facilities and TAPS website. ([BFB BUS-46](#))

O. BFB G-28, TRAVEL REGULATIONS

This Bulletin outlines the acceptable use of travel and reimbursement for official business. It is the policy of the University that all official travel shall be properly authorized, reported, and reimbursed in accordance with this Bulletin. Under no circumstances shall expenses for personal travel be charged to, or be temporarily funded by the University unless otherwise noted in the Bulletin. Additional information can be found in the Bulletin and UC Merced provides further guidance on the Travel and Entertainment services website. ([BFB G-28](#))

P. BFB G-39, CONFLICT OF INTEREST POLICY AND COMPENDIUM OF SPECIALIZED UNIVERSITY POLICIES, GUIDELINES, AND REGULATIONS RELATED TO CONFLICT OF INTEREST

G-39 includes Standing Order 103.1(b) of the Regents of the University of California which states that no portion of time due to the University shall be devoted to private purposes and no outside employment shall interfere with the performance of University duties. Additional

information can be found in the policy and UCOP provides further guidance on the Conflict of Interest website. ([BFB G-39](#))

Q. BFB G-46, GUIDELINES FOR THE PURCHASE AND USE OF CELLULAR PHONES AND OTHER PORTABLE ELECTRONIC RESOURCES

G-46 provides guidance as to the appropriate circumstances for University purchase of electronic communication resources including cellular phones, pagers, computers, software, equipment and other electronic communication devices for use by employees outside the workplace. In addition, it establishes the procedures for documenting the use of University-provided electronic communication resources and reimbursement to the University of any non-incident personal use of such devices. Additional information can be found in the policy and UC Merced provides further guidance on the Information technology Services website. ([BFB G-46](#))

R. UNIVERSITY OF CALIFORNIA ELECTRONIC COMMUNICATIONS POLICY (ECP)

The University of California Electronic Communications Policy establishes principles, rules and procedures applying to all members of the University community to specifically address issues related to the use of electronic communications.

The ECP includes restrictions to the use of University communications resources for unlawful activities, commercial purposes not under the auspices of the University, personal financial gain, personal use inconsistent with allowable uses or uses that violate other University or campus policies or guidelines.

This policy also precludes users of electronic communications resources from giving the impression that they are representing, giving opinions, or otherwise making statements on behalf of the University unless appropriately authorized to do so. Additional information can be found in the Bulletin and UC Merced provides further guidance on the Information technology Services website. ([ECP](#))

S. IS-3, ELECTRONIC INFORMATION SECURITY

IS-3 is the UC Policy on Electronic Information Security. It provides guidance on security and safety of information, as well as acceptable use restrictions. UC Merced provides further guidance on acceptable use and restrictions on using data and logos on the IT website and [Acceptable Use Guidelines](#).

V. RESPONSIBILITIES

It is the responsibility of all employees, including faculty, staff, and student employees, and others entrusted with University resources to understand their authority and when other approvals and exceptions are required to appropriately perform their stewardship responsibilities and ensure laws, policies, procedures and ethical principles and standards are consistently followed.

VI. CAMPUS RESOURCES

For questions about the requirements in this policy, contact your supervisor or the following offices:

Subject	Contact	Phone	Email
Primary Contact for this Policy	Policy and Accountability	228-4090	sireland@ucmerced.edu
Office of Campus Culture and Compliance (OC3)	Associate Chancellor	228-2407	lputney@ucmerced.edu
Office of Legal Affairs	Campus Counsel	228-2406	egunther@ucmerced.edu
Excess Equipment	Equipment Management	228-4350	icallaway@ucmerced.edu
Fleet Services	Facilities, TAPS	228-2277	jdavenport@ucmerced.edu
Information Technology	Information Security	228-4089	ndugan@ucmerced.edu

University of California Merced Procedures and Guidelines:

- [Transportation and Parking](#)
- [Acceptable Use Guidelines](#)
- [Equipment Management Guidelines](#)

VII. REVISION HISTORY

Date	Action/Summary of Changes
January 25, 2016	Original Policy Issued