

## Use, Transfer and Disposal of Public Property

This policy is to be used in conjunction with SBHE Policy 611.5 “*Employee Responsibility and Activities: Outside Employment of Consulting Practices; Use of Institution Property*”; SBHE Policy 1910.2 “*Use of State Vehicles*”; and SBHE Policy 1901.2 “*Computing Facilities*”.

### Equipment Purchases and Inventory

When an item costing over \$5,000 is purchased, the department purchasing the item will prepare a request for payment form and submit to the business office for processing with supporting documentation and proper approval. If the purchase was made by credit card, the department purchasing the item will submit supporting documentation and approval with the monthly credit card statement. The department purchasing the equipment will complete a new equipment worksheet form located at *J:\Staff\Forms and Policies\Business\_Office* and return to the business office. The business office will then enter the asset into the fixed asset system, assign an inventory tag number, and send that inventory tag to the department to attach to the equipment within one month of new equipment worksheet submission.

Each department Chair or Supervisor will be required to attest to their continued custody of each asset on a yearly basis in compliance with North Dakota Century Code (NDCC) Section 44-04-07. The business office will prepare and distribute a listing of equipment items to the campus departments each year prior to April 30<sup>th</sup>. The departments will verify the continued custody of the property and return the signed listing to the business office by May 31<sup>st</sup>.

### Equipment Disposal

Items that have a cost value of \$5,000 or more are to be approved for disposal by the business office. The disposing department will fill out the disposal of equipment worksheet located at *J:\Staff\Forms and Policies\Business\_Office*. The inventory tag should accompany this worksheet. If no inventory tag is present an explanation as to why the inventory tag does not accompany the worksheet should be included.

The business office shall report all equipment costing \$5,000 or more to state surplus property. If state departments or agencies do not express interest in the property at that time, then the university shall dispose of the item. No university employee shall receive any personal benefit from the disposal of the item. Equipment not inventoried (less than \$5,000 cost value) shall also be reported to surplus property if there is a possibility the item could be useful to another state agency or department.

Items to be disposed of that were originally purchased with federal funds need to be processed through the principal investigator of the grant or department Chair or Supervisor, as appropriate, prior to following the protocol listed above. The disposal must proceed in a manner consistent with the federal granting agency rules and regulations.

### Use of Public Property

State law prohibits employees from using public property for personal purposes when such use is unauthorized and the employee knows that there is some risk of loss or detriment to the government. It is at the discretion of the responsible supervisor whether to approve or deny a request to use equipment off campus or to take equipment home. Certain personal incidental uses of university property are allowed and within reason, so long as this limited use does not result in any loss of the property.

Employees are allowed unlimited use of campus owned PC equipment off campus for work related activities. There are circumstances when it is necessary for employees to take university equipment home, for a period of time, to facilitate the completion of specific job assignments. Employees may use university equipment at home provided the employee accepts full responsibility for any loss or damage to

the equipment, if the university's insurance does not cover the equipment. The university's insurance will only cover equipment that is temporarily off campus. "Temporarily" normally means no longer than three months.

The equipment must be returned to the university when its use at home is no longer necessary, or authorized, or when the employee terminates employment. Failure to return equipment may constitute theft of property and may result in criminal charges and other appropriate sanctions and actions against the employee.

### **Employee Reprisal Prohibited**

NDCC Section 34-11.1-04 protects an employee from negative job reprisals for, in good faith, reporting violations of law or misuse of public resources. Mayville State University encourages employees to come forward with reports of misuse of property. Employees may report violations of law or misuse of public resources, without fear of reprisal, to the President, Director of Human Resources, or to the employee's supervisor. Employees who make such reports cannot: be dismissed from employment, have salary increase or employment-related benefits withheld, be transferred or reassigned, be denied a promotion which they otherwise would have received, be demoted, or be discriminated against in any other term or condition of employment on the basis that they made such report. However, an employee who intentionally furnishes false information is subject to disciplinary action, up to and including termination.

The university employee who receives a report of violations of law or misuse of public resources must take action on such reports. That person is responsible for referring the issue to the appropriate vice president for follow-up. The determination made by the vice president as to the accuracy of the report of the violation of law or misuse of public property, and any subsequent disciplinary action taken, shall be documented.

**Adopted: November 15, 2010**

**Reviewed: Summer, 2012**

**Revised: June 18, 2012**

**Sponsor: Vice President for Business Affairs**