

MEMORANDUM

TO: Deans, Directors, and Department Heads

FROM: W. Randolph Woodson, Chancellor

SUBJECT: Reporting Misuse/Damage of State Property

DATE: August 21, 2013

I am writing to remind you of a mandatory reporting requirement under North Carolina General Statute §114-15.1, which requires each agency head to promptly report misuse of state property to the State Bureau of Investigation (SBI). Employees are to report misuse within three (3) days of discovery to their supervisor or to the Office of General Counsel, and the misuse report must be sent to the SBI within 10 days from when misuse was discovered.

“Misuse” includes unlawful use of or damage to State property regardless of whether the university knows who did it. Vandalism, theft, embezzlement, unlawful computer hacking and unauthorized personal use of State property are examples of “misuse.”

I have designated Eileen Goldgeier, Vice Chancellor and General Counsel, as the university contact with the SBI. As soon as you become aware of a misuse of state property, please report it immediately to General Counsel Goldgeier so that a timely investigation of the matter may be taken with the Office of Internal Audit and/or University Police and a report may then be submitted to the SBI, if necessary. The regulation that governs reporting misuse of state property is located at <http://policies.ncsu.edu/regulation/reg-07-40-02>.

Also attached to this memorandum is a summary of selected rules and regulations that govern the use of some types of state property. It is important that each dean, director and department head disseminate this information to all of their respective employees.

Attachment

cc: Executive Officers

SUMMARY OF SELECTED RULES AND REGULATIONS ON FREQUENTLY USED STATE PROPERTY

The use of state property for personal gain and the misuse of state property are violations of criminal laws and may result in disciplinary action or dismissal from university employment. State property must only be used for university business. This applies to all property – including but not limited to, vehicles, furniture, tools, music, art and film equipment, athletic and exercise equipment, office equipment, research equipment, and purchasing cards – as well as to classrooms, buildings, offices and other facilities. N.C.G.S. §14-91 makes it a felony for a State employee who has been entrusted with State property to knowingly or willfully embezzle, convert, or misapply that property or otherwise abuse the trust.

Any university employee who has information about the misuse of State property or knows of an individual using State property in a way that jeopardizes human life or safety should report as soon as possible, but not later than three (3) days, to their supervisor. Each department is required to report any suspected misuse of state property promptly to the University's Office of General Counsel. State law requires the Office of General Counsel to report the possible misuse to the State Bureau of Investigation. See Reporting the Misuse of State Property:

<http://policies.ncsu.edu/regulation/reg-07-40-02>

The following summary regarding frequently used equipment is provided to inform you or to remind you of your obligations. If you have any questions about your responsibilities or about the appropriate use of State property not listed below, please contact your supervisor, director, department head, or dean.

Computers:

The use of computers is governed by the university's administrative regulation on computer use. Limited personal use is allowed provided all conditions are met under section 3 of the regulation. See Computer Use regulation: <http://policies.ncsu.edu/regulation/reg-08-00-02>

Telephones and Facsimiles:

Telephones and fax machines are for university business. Occasional personal, local telephone calls are permitted. Long distance telephone and fax charges that result in a toll to the university are not permitted, even if it is your intended purpose to reimburse the university. Charging personal long distance telephone calls to the university is considered misuse of state property.

No personal calls, local or long distance, may be made with university-owned Mobile Communication Devices (MCD), except in emergency circumstances or in unpreventable instances. Effective June 1, 2011, the university set forth new rules for business use of MCD by permanent employees. See the Mobile Communication Device Procedures: <http://ncsu.edu/3d-memos/pdf/3d-memo-100.114-mobile.communication.device.procedures.pdf>

State Vehicles:

Under N.C.G.S. §14-247, it is unlawful to use any state-owned vehicle for private purposes whatsoever. The State Motor Pool guidelines that govern the use of state vehicles can be found

Section 5 at:

http://www.fis.ncsu.edu/controller/travel_guidelines/Travel_Requirements_Employees_Current.pdf

Use of State Property Off Campus or at Home:

Any State property that is taken away from campus, to your home or other locations is governed by the rules on capital assets <http://policies.ncsu.edu/regulation/reg-07-30-14>. Equipment may be taken off premises if (1) use will not interfere with the operational needs of the college/department; (2) the appropriate dean/director/department head gives written approval for such use; and (3) the equipment is used only for university purposes. NCSU Equipment Tracking Authorization Form must be completed <http://www.fis.ncsu.edu/controller/forms/ca2.pdf>.

Under State law, the university must collect from employees the cost of any State property they have not returned. In the case of a separating employee, State law allows the university to deduct the value of the property from a final paycheck.

Credit Cards (department stores, gasoline, office supply, etc):

Under no circumstances may university credit cards or purchasing cards be used for personal use even if you intend to reimburse the university for the charges. The regulation governing the use of purchasing cards is located at: <http://policies.ncsu.edu/regulation/reg-07-45-05>

University Mail System:

The university mail system is for the handling of official university mail. Employees should not use it for personal correspondence or for private business. The U.S. Postal Service regulations permit the university to have an internal mail system for business purposes, which is postage free under its "letters-of-the-carrier" exception. 39 C.F.R. ¶310.3. Violators may be fined, imprisoned or both and forced to pay postage.