UTDPP1110 - Institutional Conflicts of Interest

Policy Statement

It is the policy of The University of Texas at Dallas ("the University") that Institutional Conflicts of Interest ("ICOIs") cannot be allowed to compromise, or to appear to compromise, the academic integrity and freedom of faculty in teaching, research, or service; the administration's obligation to assure that institutional decisions serve the University's primary missions; or, the institution's obligation to use its economic and physical resources in the best interests of scholarship and its faculty, staff, and students. While the University recognizes that University-industry relationships are essential for advancing scientific frontiers and enabling the commercial development of academic discoveries to the benefit of the public, the University must balance the risk to its primary missions as the institution engages in relationships that lead to financial or reputational benefit for the institution or its responsible officials.

This policy supports the University in the identification, evaluation, and management of situations that create risk for the appearance of ICOI. This policy applies in addition to general University policies, such as policies on standards of conduct, as well as other policies governing conflict of interest.

Scope

This policy applies to all University employees.

Definitions

Executive Officer ("EO") includes the President and all individuals who report directly to the President (other than administrative support positions).

Institutional Conflict of Interest ("ICOI") may exist when the institutional interests or relationships of the University or an Institutional Official, acting within his or her official capacity on behalf of the University, compromises, or appears to compromise, decisions involving research, education, clinical care, business transactions, investments, or other institutional activities performed by the University.

Institutional interests or relationships of the University and of Institutional Officials that may require review by the Committee for ICOI are understood to
include, but are not limited to: royalty payments; equity and ownership interests; gifts; licensing activities; contracts for goods and services; governance or fiduciary roles; purchasing; educational and training activities; other financial interests; and, other administrative decisions.

**Institutional Official** ("IO") includes Executive Officers and any other employee who exercises broad and significant discretion over key institution functions.

**Management Plan** is a written agreement that imposes the conditions and/or prescribes any action necessary to ensure an institutional decision, function, or action is free from undue influence, or the appearance of undue influence.

**Authority**

The Institutional Conflict of Interest Committee is empowered to identify, evaluate, and manage ICOIs by the President.

**Responsibilities**

**University and Community Responsibilities**

1. The University will implement a system to allow anonymous disclosure of any situation suspected to involve an ICOI to the Committee for review.
2. The University will maintain a searchable database of identified ICOIs to be referenced and used when considering any new contract, agreement, or other arrangement that could create an ICOI. This database will be made available to Committee members, the Office of the Provost, the Office of the Vice President for Research, the Office of Budget and Finance, the Office of Development and Alumni Relations, Institutional Compliance, and any Institutional Officials responsible for institutional activities related to an ICOI.
3. All University employees, other than Institutional Officials, shall promptly disclose any perceived, potential, or actual ICOI of which he or she becomes aware to his/her unit head (e.g., department head, center director, and vice president) or supervisor in writing. The unit head or supervisor will notify the Committee Chair.
4. University students, affiliates, and community members may disclose any situation suspected to involve an ICOI to the Committee for review.

**Committee Responsibilities**

1. The Committee will evaluate potential ICOI and determine whether the University has an interest in managing the situation and, if so, recommend to the President the terms and conditions necessary to
minimize the risk of undue influence on University decisions, functions, and actions, up to and including the prohibition or elimination of the interest or relationship that creates the ICOI.

2. No member of the Committee may participate in an initial or continuing evaluation of an ICOI in which that member has an interest or relationship that compromises, or appears to compromise, the Committee's evaluation, except to provide information requested by the Committee.

3. The Committee will develop guidelines and procedures for specific categories of ICOIs that present minimal risk to the integrity of the institution and that can be handled administratively by Institutional Officials with monitoring plans and documentation.

4. The Committee will develop and provide awareness training and procedures for self-assessment and monitoring to employees and offices whose responsibilities may be affected by ICOI.

5. In the event that an ICOI relates to an institutional interest or relationship of the President, the Committee will report its recommendations directly to UT System Administration.

Institutional Official Responsibilities

1. Institutional officials shall disclose institutional interests or relationships that create the possibility for significant financial or reputational risk for the institution to the Committee for review before receiving or entering into the interest or relationship. Institutional officials shall disclose institutional interests or relationships that create the possibility for minimal financial or reputational risk for the institution to the Committee based on guidelines set by the Committee.

2. Institutional Officials will comply with the terms and conditions of all ICOI Management Plans.

3. This policy does not replace the responsibility of Institutional Officials to disclose individual interests and relationships, nor the responsibility of University officials to identify and manage individual conflicts of interest, under the standards and procedures of University policies governing individual conflicts of interest (UTDPP1101, UTDPP1102, UTDPP1029).

Noncompliance

Noncompliance with this policy may subject an employee to discipline in accordance with applicable procedures up to and including termination of employment.
Administration

Records

1. Records regarding the disclosure of institutional conflicts of interests, evaluations by the Committee, implementation of Management Plans, and other records of University actions, must be retained for the longer of at least three years after:
   1. the date of creation;
   2. the date of termination or completion of a research award or contract, or the submission of the final expenditures report, for research identified in a disclosure statement; or
   3. the date of final resolution of any investigation, audit, or similar action involving the records.
2. The University will provide for a centralized repository for disclosure statements, Management Plans, and related records.
3. The Committee Chair, or another person designated by the president, will provide the Chancellor of The University of Texas System with copies of all guidelines, procedures, and forms used by the University relating to Institutional Conflicts of Interest and must ensure that the Chancellor receives copies of any revised guidelines, procedures, and forms simultaneously with the implementation of the revision.

Audits

The University will provide for regular audits of disclosure statements and Management Plans to determine individual and University compliance with this policy.

Policy History

• Issued: 2019-01-31

Policy Links

• Permalink for this policy: https://policy.utdallas.edu/utdpp1110
• Link to PDF version: https://policy.utdallas.edu/pdf/utdpp1110
• Link to printable version: https://policy.utdallas.edu/print/utdpp1110