

**2014**

**CONFLICT**

**OF**

**INTEREST**

**CODE**

University of California

## FILING OFFICERS

The Conflict of Interest Code (COI) Filing Officer for all matters dealing with this Code, except for the Academic Decisions Regulation, is the University of California Office of the President COI Coordinator, 1111 Franklin Street, 5<sup>th</sup> Floor, Oakland, 94607-5200. For the Academic Decision Regulation, the Filing Officer is Provost and Executive Vice President-Academic Affairs, 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200.

## WHERE TO ASK FOR HELP

If you have any questions concerning this Code, other than the Academic Decisions Regulation, or your obligations under it, you should contact the appropriate campus or University Code Coordinator listed at <http://www.ucop.edu/ogc/coi/coord.html>.

## UNIVERSITY OF CALIFORNIA CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, California Code of Regulations, title 2, section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of California Code of Regulations, title 2, section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the University of California.

Pursuant to section 4 of the standard Code, designated employees shall file Statements of Economic Interests (Form 700) with the University who will make the statements available for public inspection and reproduction (Gov. Code, §81008). Upon receipt of the Statements (Form 700) filed by members of the Board of Regents, except ex-officio members who serve as such due to their elected state offices and are excluded by Government Code section 87302(b), and upon receipt of the Statements (Form 700) filed by the President, the Chief Investment Officer and Vice President for Investments, and the Associate Chief Investments Officer, the University shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

Pursuant to Title 2, California Code of Regulations, section 18702.4(c), principal investigators who become designated employees because their research is funded or supported in whole or in part by nongovernmental entities shall file Statements of Economic Interests with the University (Form 700-U).

## REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION (Division 6 of Title 2 of the California Code of Regulations)

Section 18730 Provisions of Conflict of Interest Codes (Gov. Code, §§ 87300 - 87302, 89501, 89502, 89503 and 89504).

## CONFLICT OF INTEREST CODE

Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a Conflict of Interest Code within the meaning of Government Code section 87300 or the amendment of a Conflict of Interest Code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a Conflict of Interest Code already in effect. A Code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Government Code sections 81000, *et seq.* The requirements of a Conflict of Interest Code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

All regulations of the Fair Political Practices Commission governing conflict of interest (Title 2, California Code of Regulations, Division 6, section 18730 *et seq.*) can be accessed at the FPPC's website at: <http://www.fppc.ca.gov/index.php?id=496>

## TERMS OF CONFLICT OF INTEREST CODE

The terms of a Conflict of Interest Code amended or adopted and promulgated pursuant to this regulation are as follows:

### (1) SECTION 1. DEFINITIONS.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18100, *et seq.*), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

### (2) SECTION 2. DESIGNATED EMPLOYEES.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

### (3) SECTION 3. DISCLOSURE CATEGORIES.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, *et seq.* In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

- (B) The disclosure assigned in the Code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and
- (C) The filing officer is the same for both agencies. <sup>1</sup>

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) SECTION 4. STATEMENTS OF ECONOMIC INTERESTS: PLACE OF FILING.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code. <sup>2</sup>

(5) SECTION 5. STATEMENTS OF ECONOMIC INTERESTS: TIME OF FILING.

- (A) Initial Statements. All designated employees employed by the agency on the effective date of this Code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial statement within 30 days after the effective date of the amendment.
- (B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- (C) Annual Statements. All designated employees shall file statements no later than April 1.
- (D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) SECTION 5.5. STATEMENTS FOR PERSONS WHO RESIGN PRIOR TO ASSUMING OFFICE.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or

become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an Assuming or Leaving Office Statement.

Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

- (A) File a written resignation with the appointing power; and
- (B) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) SECTION 6. CONTENTS OF AND PERIOD COVERED BY STATEMENTS OF ECONOMIC INTERESTS.

- (A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the Code and income received during the 12 months prior to the effective date of the Code.
- (B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.
- (C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code of Regs, section 18754.
- (D) Contents of Leaving Office Statements. Leaving Office Statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) SECTION 7. MANNER OF REPORTING.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:

- (1) A statement of the nature of the investment or interest;
- (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- (3) The address or other precise location of the real property;
- (4) A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:

- (1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
- (2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
- (3) A description of the consideration, if any, for which the income was received;
- (4) In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
- (5) In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity;

- (2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

#### (8) SECTION 8. PROHIBITION ON RECEIPT OF HONORARIA.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

#### (8.1) SECTION 8.1. PROHIBITION ON RECEIPT OF GIFTS IN EXCESS OF \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than four hundred forty (\$440) in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

#### (8.2) SECTION 8.2. LOANS TO PUBLIC OFFICIALS.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or

local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

- (B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution<sup>7</sup> shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
- (D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (E) This section shall not apply to the following:
- (1) Loans made to the campaign committee of an elected officer or candidate for elective office.
  - (2) Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
  - (3) Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
  - (4) Loans made, or offered in writing, before January 1, 1998.



(8.3) SECTION 8.3. LOAN TERMS.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

- (1) Loans made to the campaign committee of the elected officer.
- (2) Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
- (3) Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) SECTION 8.4. PERSONAL LOANS.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

- (1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
- (2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
  - a. The date the loan was made.
  - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
  - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

- (1) A loan made to the campaign committee of an elected officer or a candidate for elective office.
- (2) A loan that would otherwise not be a gift as defined in this title.
- (3) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
- (4) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
- (5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

#### (9) SECTION 9. DISQUALIFICATION.

No public official, including a designated employee, shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (A) Any business entity in which the official has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
- (B) Any real property in which the official has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the official within 12 months prior to the time when the decision is made;
- (D) Any business entity in which the official is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating four hundred forty dollars (\$440) or more provided to, received by, or promised to the official within 12 months prior to the time when the decision is made.

#### (9.3) SECTION 9.3. LEGALLY REQUIRED PARTICIPATION.

No public official, including a designated employee, shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a public official, including a designated employee, who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) SECTION 9.5. DISQUALIFICATION OF STATE OFFICERS AND EMPLOYEES.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) SECTION 10. DISCLOSURE OF DISQUALIFYING INTEREST.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) SECTION 11. VIOLATIONS.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

## ACADEMIC DECISIONS

### SECTION 1. Disqualification

Title 2, California Code of Regulations, section 18702.4(c) provides:

Except as provided in subsection (c)(2), neither disclosure of financial interests nor disqualification is required under Government Code sections 87100, 87302, or any Conflict of Interest Code, in connection with:

(A) Teaching decisions, including the selection by a teacher of books or other educational materials for use within his or her own school or institution, and other decisions incidental to teaching;

(B) Decisions made by a person who has teaching or research responsibilities at an institution of higher education to pursue personally a course of academic study or research, to apply for funds to finance such a project, to allocate financial and material resources for such academic study or research, and all decisions relating to the manner or methodology with which such study or research will be conducted. Provided, however, that the provisions of this subsection (c)(1)(B) shall not apply with respect to any decision made by the person in the exercise of institution or campus wide administrative responsibilities respecting the approval or review of any phase of academic research or study conducted at that institution or campus.

(C) Disclosure (consistent with 2 Cal. Code Regs. § 18755) shall be required under Government Code section 87302 or any Conflict of Interest Code in connection with a decision made by a person or persons at an institution of higher education with principal responsibility for a research project to undertake such research, if it is to be funded or supported, in whole or in part, by a contract or grant (or other funds earmarked by the donor for a specific research project or for a specific researcher) from a nongovernmental entity, but disqualification may not be required under Government Code sections 87100, 87302 or any Conflict of Interest Code in connection with any such decision if the decision is substantively reviewed by an independent committee established within the institution.

## SECTION 2. Statements of Economic Interests: Person or Persons at an Institution of Higher Education with Principal Responsibility for a Research Project.

Disclosure shall be required under Government Code section 87302 or any conflict of interest code in connection with a decision made by a person or persons at an institution of higher education with principal responsibility for a research project to undertake such research, if it is to be funded or supported, in whole or in part by:

- A. A contract or grant from a nongovernmental entity sponsor, or
- B. Other funds from a nongovernmental entity earmarked by the donor for a specific research project or for a specific researcher.

### Types of Statements of Economic Interests.

*Initial Statement:* The initial statement must be submitted to the university filing officer for the statements of economic interests before final acceptance of a contract, grant, or gift. The statement shall include reportable investments in and positions with the sponsor as of the date of the offer of funding, and income and gifts received from the sponsor within the 12 months prior to the date of the offer.

*Interim Statements:* A statement must be filed within 30 days after funding is renewed and shall disclose reportable investments, income and business positions held or received during the period between the date the initial statement was filed and the date the funding for the project was renewed.

Content.

The disclosure statement shall contain the name and address of the sponsor, a general description of the sponsor's business activity, if any, and the amount of funding.

- A. Business Positions with Sponsor. When the principal investigator is a director, officer, partner, trustee, employee, or holds any position of management with the sponsor, the disclosure statement shall contain the title of any position held in the entity by the principal investigator.
- B. Investments and Equity Interest in the Sponsor. When the principal investigator holds an investment or equity (ownership) interest in the sponsor, the disclosure statement shall contain a statement of the fair market value of the investment or interest and whether the value of the investment or interest is \$2,000 but does not exceed \$10,000; exceeds \$10,000 but does not exceed \$100,000; exceeds \$100,000 but does not exceed \$1,000,000; or greater than \$1,000,000.
- C. Income from the Sponsor. When the principal investigator has received reportable income from the sponsor, the disclosure statement shall contain:
  - a. A statement whether the aggregate value of income from the sponsor, or in the case of a loan, the highest amount owed to the sponsor, was \$500 but does not exceed \$1,000, exceeds \$1,000 but does not exceed \$10,000, exceeds \$10,000 but does not exceed \$100,000, or greater than \$100,000.
  - b. In the case of a loan, the annual interest rate and whether the loan was secured or unsecured.
- D. Gifts from the Sponsor. In the case of a gift of \$50 or more from the sponsor, the disclosure statement shall contain:
  - a. A description of the gift;
  - b. The amount or value of the gift; and
  - c. The date the gift was received.
- E. Payments for Travel from the Sponsor. In the case where a payment for travel was received from the sponsor, the disclosure statement shall contain:
  - a. A description of the nature of the payment and whether it is a gift or income;
  - b. The amount of the payment; and
  - c. The dates the travel occurred.

**Title 2, California Code of Regulations, section 18775(d)(1) provides:**

Disclosure shall not be required under Government Code section 87302 (or under a conflict of interest code) in connection with a decision made by a principal investigator to undertake

such research, if the nongovernmental entity funding or supporting the research is one of the following:

Alzheimer's Disease & Related Disorders Association  
American Academy of Dermatology  
American Academy of Pediatrics  
American Association for the Advancement of Science  
American Association for State & Local History  
American Association of Colleges of Pharmacy  
American Association of Obstetricians & Gynecologists  
American Association of Retired Persons  
American Cancer Society  
American Chemical Society  
American College of Obstetricians & Gynecologists  
American College of Radiology  
American Committee for the Weizmann Institute of Science  
American Council of Learned Societies  
American Diabetes Association  
American Foundation for Pharmaceutical Education  
American Fund for Dental Education, Inc.  
American Gastroenterologic Association  
American Health Assistance Foundation  
American Heart Association  
American Kidney Fund  
American Library Association  
American Liver Foundation  
American Lung Association  
American Lupus Society, The  
American Nurses Foundation  
American Parkinson Disease Association  
American Philological Association  
American Philosophical Society  
American Red Cross  
Amyotrophic Lateral Sclerosis Society of America  
Asthma & Allergy Foundation of America

Bush Foundation, The

California Association for Neurologically Handicapped Children  
California Division of the American Cancer Society  
California Heart Association  
California Lung Association  
Cargill Foundation  
Carnegie Corporation of New York  
Carnegie Foundation for the Advancement of Teaching  
Cerebral Palsy Foundation  
Chicago Community Trust, The  
Childs Memorial Fund, The Jane Coffin  
Christian Children's Fund  
Clark Foundation, The Edna McConnell  
Columbia Foundation

Commonwealth Fund, The  
Cooley's Anemia Foundation  
Council on Library Resources  
Culpeper Foundation, Inc., Charles E.  
Cystic Fibrosis Foundation

Deafness Research Foundation, The  
Donner Foundation, William H.  
Dover Fund, Inc.  
Dreyfus Foundation, Inc., The Camille & Henry  
Dreyfus Foundation, The Max & Victoria  
Dysautonomia Foundation

Earhart Foundation  
Easter Seal Research Foundation  
Epilepsy Foundation of America  
Eye Research Institute of Retina Foundation

Fight for Sight  
Ford Foundation, The  
Foundation for Child Development  
Fuller Fund, The Anna

German Marshall Fund of the U.S.  
Giannini Foundation  
Grant Foundation, The William T.  
Guggenheim Foundation, H.F.  
Guggenheim Memorial Foundation, John Simon

Haas Fund, The Walter & Elise  
Hartford Foundation, John A.  
Haynes Foundation, The John Randolph & Dora  
Hearst Foundation, William R.  
Hewlett Foundation, The William & Flora

Institute for Educational Affairs  
International Research & Exchanges Board

Japan Foundation  
Johnson Foundation, The Robert Wood  
Juvenile Diabetes Foundation

Kade Foundation, Inc., The Max  
Kaiser Family Foundation, The Henry J.  
Keck Foundation, William M.  
Kellogg Foundation, W. K.  
Klingenstein Fund, The Esther & Joseph  
Knights Templar Eye Foundation  
Kresge Foundation, The  
Kunstadter Family Foundation, The Albert

Leakey Foundation, The L.S.B.  
Leukemia Society  
Levi Strauss Foundation  
Lilly Endowment, Inc.  
Luce Foundation, Inc., The Henry  
Lupus Foundation of America  
MacArthur Foundation, John D. & Catherine T.  
McKnight Foundation, The  
March of Dimes  
Markle Foundation, The John & Mary R.  
Mellon Foundation, The Andrew W.  
Mott Foundation, Charles Stewart  
Muscular Dystrophy Association  
Myasthenia Gravis Foundation

National Academy of Sciences  
National Collegiate Athletic Association  
National Council of Teachers of English  
Nation Foundation of Ileitis & Colitis  
National Foundation for Infectious Diseases  
National Fund for Medical Education  
National Geographic Society  
National Head Injury Foundation  
National Hemophilia Foundation  
National Kidney Foundation  
National Leukemia Association  
National Migraine Foundation  
National Multiple Sclerosis Society  
National Research Council  
National Retinitis Pigmentosa Foundation  
National Society to Prevent Blindness  
National Sudden Infant Death Syndrome Foundation  
National Tuberos Sclerosis Association  
Northern California Society to Prevent Blindness  
Noves Foundation, Inc., Jessie Smith

Organization for Tropical Studies

Packard Foundation, The David & Lucille  
Paralyzed Veterans of America  
Pardee Foundation, Elsa U.  
Peierls Foundation, Inc., The  
Picker Foundation, James  
Population Council  
Presiding Bishop's Fund for World Relief  
Project HOPE

Research Corporation  
Research to Prevent Blindness  
Resources for the Future, Inc.  
Retirement Research Foundation



Richardson Foundation, Smith  
Rippel Foundation, Fannie E.  
Rockefeller Brothers Fund  
Rockefeller Foundation  
Rosenberg Foundation  
Rubin Foundation, Inc., Samuel  
Runyon-Walter Winchell Cancer Fund, Damon

Sage Foundation, Russell  
San Francisco Foundation  
Scaife Foundation, Inc., Sara  
Schiff Foundation  
Scottish Rite Schizophrenia Research Program  
Sherman Foundation, Nate H.  
Skaggs Foundation, L.J. & Mary C.  
Skin Cancer Foundation  
Sloan Foundation, Alfred P.  
Social Science Research Council  
Spencer Foundation, The

Teagle Foundation  
Tinker Foundation, Inc., The  
Treadwell Foundation, Nora Eccles

United Cerebral Palsy  
United Scleroderma Research Foundation  
U.S. Olympic Committee

Webb Foundation, Del E.  
Weingart Foundation  
Wenner-Gren Foundation for Anthropological Research, Inc.  
Whitehall Foundation  
Whitney Foundation, the Helen Hay  
Wood Charitable Trust, W.P.  
Woods Hole Oceanographic Institution

Zellerbach Family Fund

**Title 2, California Code of Regulations, section 18775(d)(2) provides:**

An entity shall be considered a qualified nonprofit entity under this section based on the following factors:

- i. The nonprofit organization has been in existence for an extended period of time;
- ii. The nonprofit organization does not receive major funding, nor is it tied to, a corporate source;
- iii. The nonprofit organization has a national reputation; and

- iv. The nonprofit organization serves, or funds research in, a broad geographic area.

## Footnotes

1. Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct Statements, provided that each copy of such expanded Statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.
2. See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officer and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.
4. Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.
5. A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.
7. University of California officers and employees are exempt from the state civil service system pursuant to subdivision (h) of section 4 of Article VII of the Constitution.

## Designated Positions and Assigned Disclosure Categories

### Appendix A

<u>TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Administrator .....	3
Architect/Engineer .....	3
Auditor .....	2, 3
Buyer with real estate-related authority <sup>i</sup> .....	2, 3
Buyer without real estate-related authority <sup>i</sup> .....	3
Chancellor and Executive Vice Chancellor .....	1
Chancellor (Associate, Assistant, or Vice) with real estate-related authority <sup>i</sup> .....	2, 3
Chancellor (Associate, Assistant, or Vice) without real estate-related authority <sup>i</sup> .....	3
Chief or Officer (campus) with real estate-related authority <sup>i</sup> .....	2, 3
Chief or Officer (non-campus) with real estate-related authority <sup>i</sup> .....	3, 4
Chief or Officer without real estate-related authority <sup>i</sup> .....	3
Chief Deputy and Deputy General Counsel .....	1
Consultant <sup>ii</sup> .....	1
Controller with real estate-related authority <sup>i</sup> .....	2, 3
Controller without real estate-related authority <sup>i</sup> .....	3
Coordinator .....	3
Counsel (campus) .....	2, 3
Counsel (non campus) .....	3, 4
Dean with real estate-related authority <sup>i</sup> .....	2, 5
Dean without real estate-related authority <sup>i</sup> .....	5
Director (campus) with real estate-related authority <sup>i</sup> .....	2, 3
Director (non-campus) with real estate-related authority <sup>i</sup> .....	3, 4
Director without real estate-related authority <sup>i</sup> .....	3
Investment-specific Officer, Director, or Manager .....	1
Librarian .....	3
Manager with real estate-related authority <sup>i</sup> .....	2, 3
Manager without real estate-related authority <sup>i</sup> .....	3
Principal Investigators .....	6
Provost (campus) .....	2, 3
Provost (non-campus) .....	3
Secretary and Chief of Staff of the Regents .....	1
Specialist, Strategist, or Analyst with real estate-related authority <sup>i</sup> .....	2, 3
Specialist, Strategist, or Analyst without real estate-related authority <sup>i</sup> .....	3
Vice President with real estate-related authority <sup>i</sup> (Not Reporting Directly to the President) .....	3, 4
Vice President without real estate-related authority <sup>i</sup> (Not Reporting Directly to the President) .....	3
Vice President (Reporting Directly to the President) .....	1

**(For a complete list of the University job titles that are encompassed by the omnibus positions specified above, please refer to the University’s “Glossary of Designated Positions”)**

## **Article 2 Designated Positions (Full Disclosure)**

### **TITLE**

Associate Chief Investments Officer

Chief Investment Officer and Vice President of Investments

President

Regent

<sup>i</sup> “Real estate-related authority” means that the job duties of the position include influencing or participating in decisions to purchase or lease property on behalf of the University.

<sup>ii</sup> Consultants/New Positions shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The Filing Officer may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described above. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The determination by the Filing Officer is a public record and shall be retained by the University and provided for inspection, upon request.

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APPENDIX B  
DISCLOSURE CATEGORIES

**INTRODUCTION**

Each designated employee is assigned to one or more of the following disclosure categories and must disclose reportable financial interests in each category assigned. Designated employees need not report any investment in a business entity or real property worth less than \$2,000 or any source of income, including gifts, loans and travel payments, which aggregated less than \$500 (if a gift, less than \$50) during the calendar year prior to filing. An interest in real property used as the designated employee's principal residence need not be reported.

Disclosure Categories:

1. All interests in real property, all investments, all income, including gifts, loans and travel payments, and business positions.

**Applicable schedules to be completed: A-1, A-2, B, C, D, E**

2. Interests in real property located within two miles of the laboratory or campus at which the designated employee works, or within two miles of land owned or used, or proposed for acquisition or use by such laboratory or campus.

**Applicable schedules to be completed: A-2, B**

3. Investments and business positions in business entities and income, including gifts, loans, and travel payments, from sources of the type which, within the last two calendar years, have contracted with the University to (a) supply goods or services to, and/or (b) receive licenses in existing patents, patent applications, and rights in patents and patent applications from, the University, campus, laboratory, or portion thereof (including but not limited to, department, section, or office) over which the designated employee has authority relevant to these contracts.

**Applicable schedules to be completed: A-1, A-2, C, D, E**

4. Interests in real property located within the State of California.

**Applicable schedules to be completed: B**

5. Investments and business positions in business entities and income, including gifts, loans and travel payments, from sources of the type which, within the previous two calendar years, have contracted with the University to supply goods or services (including providing grant, contract, or gift funds for research) to the unit(s) for which the designated employee has authority relevant to these contracts.

**Applicable schedules to be completed: A-1, A-2, C, D, E**

6. All investments and business positions in and income, including gifts, loans and travel payments, from any private, nongovernmental entity (other than one deemed by the FPPC as exempt from triggering a disclosure requirement) which will be providing funds, or support for the research project for which the filer is the principal investigator. (The required disclosure shall be made on FPPC Form 700-U).

**Applicable schedules to be completed: A-1, A-2, C, D, E**

7. All investments and business positions in business entities, and income (including gifts, loans and travel payments) from sources which are of the type in which University of California funds are or may foreseeably be invested.

**Applicable schedules to be completed: A-1, A-2, C, D, E**