

Executive Vice President – Business Operations

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1. Standing Order 103.1(b) of The Regents of the University of California, Special Provisions Concerning Officers, Faculty Members, and Employees of the University, Service Obligations.

Summary: No portion of time due the University shall be devoted to private purposes and no outside employment shall interfere with the performance of University duties.

2. Privileges and Duties of Members of the Faculty, University Regulation No. 3 (February 13, 1935), Academic Personnel Manual Section 005, Paragraph 3a.

Summary: A faculty member is assumed to devote full "working" time to the University. Service includes classroom teaching, conference with students, studying and writing, research, committee work, administration, and public service.

3. Special Services to Individuals and Organizations, University Regulation No. 4 (June 3, 1958), and Principles Underlying Regulation No. 4 (June 23, 1958), Academic Personnel Manual Section 020.

Summary: Faculty may render professional or scholarly services for compensation and may engage in the practice of their professions to maintain professional competency: (1) if such service does not interfere with University commitments and if it gives experience and knowledge of value to his or her teaching or research; (2) if it is suitable research through which the individual may make worthy contributions to knowledge; and/or (3) if it is appropriate public service.

When consultations or outside services are such as to interfere with recognized University duties, they may be undertaken only on the basis of a leave of absence, without University salary, for the period involved. University laboratories, bureaus, and facilities are not to be used for work of a purely commercial character except when it can be shown conclusively that satisfactory facilities for such services do not exist elsewhere.

4. Policy on Academic Freedom, University Regulation No. 5 (June 15, 1944), Academic Personnel Manual Section 010.

Summary: The function of the University is to seek and to transmit knowledge and to train students in processes whereby truth is to be made known. Its obligation is to see that conditions under which questions are examined are those which give play to intellect. To convert or make converts is alien and hostile to this dispassionate duty. When considering political, social, or sectarian

movements, they are to be dissected and examined—not taught—and the conclusion left to the logic of the facts.

4. Academic Personnel Manual Section 015, The Faculty Code of Conduct, and Academic Personnel Manual Section 016, University Policy on Faculty Conduct and the Administration of Discipline (January 1, 2002).

Summary: Academic Personnel Manual Section 015 asks that professors “give due regard to their paramount responsibilities within their institution in determining the amount and character of the work done outside it.” “Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes” is unacceptable conduct, and APM 016 contains sanctions to be applied when abuse is found.

5. Policy on Conflict of Commitment and Outside Activities of Faculty Members (July 1, 2001), Academic Personnel Manual Section 025.

Summary: Affirms responsibilities of faculty as members of the University of California and provides mechanisms to ensure that activities outside the University do not interfere with fulfillment of these responsibilities. This policy addresses compensated and uncompensated outside professional and non-professional activities, and provides specific guidelines designed to address potential conflicts of commitment arising when a faculty member wishes to undertake compensated outside professional activities. It also provides general guidance for: i) addressing potential conflicts of commitment for uncompensated outside professional activities; ii) addressing compensated and uncompensated outside non-professional activities; and iii) involving students in the outside professional activities of faculty.

7. Policy on Additional Compensation for Services as Faculty Consultant (December 14, 2000), Academic Personnel Manual Section 664.

Summary: If not regularly engaged on the project concerned, a member of the faculty may, on occasion, receive additional compensation for consultant services on projects conducted under the auspices of the University.

8. Statement on Conflicts of Interest (October 5, 1967 and October 12, 1967).

Summary: Recognizes the potential conflict of interest between the obligations a faculty or staff member may have under a research contract or grant and the obligations he may assume in other extramural activities. Illustrates for guidance the kinds of situations which may give rise to conflicts of interest (excerpted from a 1964 joint statement of the American Council on Education and the American Association of University Professors).

9. Instructions to Review and Appraisal Committees (February 1, 1994), Academic Personnel Manual Section 210.

Summary: The quality of the faculty of the University of California is maintained primarily through objective and thorough appraisal, by competent faculty members, of each candidate for appointment or promotion. In judging the fitness of the candidate, it is appropriate to consider professional integrity as evidenced in the performance of faculty duties. A useful guide for such consideration is furnished by the Statement on Professional Ethics issued by the American Association of University Professors attached for reference as Appendix A to APM 210.

10. University of California Patent Policy (October 1, 1997).

Summary: In order to administer intellectual property in support of the University's teaching, research, and public service mission, discoveries and inventions of University faculty, employees, and others associated with the University are subject to the University's Patent Policy. Specific requirements of the applicable patent policy are set forth, including an obligation to "promptly report and fully disclose the conception and/or reduction to practice of potentially patentable inventions" and to "assign inventions and patents to the University" under most circumstances.

11. Policy on Employment of Near Relatives, Academic Personnel Manual Section 520, and Personnel Policies for Staff Members, Policy 21 – Appointment, Section G - Near Relatives.

Summary: Appointment of near relatives in the same department is permitted, subject to reasonable safeguards against conflict of interest.

12. Policy and Guidelines Regarding Acceptance of Gifts and Gratuities by Employees Under California's Political Reform Act (January 2001).

Summary: Officers and employees shall comply with the provisions of state and federal law governing the acceptance of gifts and gratuities. In addition, they must avoid the appearance of favoritism in all of their dealings on behalf of the University. The Guidelines are to be followed in order to comply with the requirements of California's Political Reform Act, the state statute dealing with financial conflicts of interests, including the acceptance of gifts and honoraria.

13. Policies Applying to Campus Activities, Organizations, and Students, Section 40.00: Policy on Use of University Properties.

Summary: University facilities may be used only for University-related purposes or in furtherance of such purposes.

14. University of California Conflict of Interest Code (financial), Originally Approved by the Fair Political Practices Commission (January 26, 1978), and Re-approved Yearly Thereafter with Modifications.

Summary: Requires annual public filing of financial disclosure statements by approximately 1,500 designated officials, and disqualification from University decision-making by any employee who has a financial interest in that decision. When a research project is totally publicly funded, programmatic teaching and research decisions are not considered University decisions under the Code. Research decisions pertaining to research projects funded in whole or in part by private entities are subject to separate Code and policy requirements. (See Policy on Disclosure of Financial Interest in Private Sponsors of Research, Reference 20.)

15. Policy Regarding Employee-Vendor Relationships (August 19, 1982).

Summary: Goods or services shall not be purchased from a University officer, employee, or near relative unless there is a specific determination that the goods or services are not available otherwise.

16. Materiel Management, Business and Finance Bulletin BUS-43

Part 3: Purchase Transactions, Section X, Personal Purchases

Summary: University credit, purchasing power, and facilities shall not be used to purchase goods and services for individuals or for non-University activities.

With the Chancellor's approval, organizations and activities closely allied to or officially associated with the University (e.g., a faculty club or an ASUC) may be permitted to purchase non-federally-taxed materials through the campus materiel management office.

Part 7: Employee-Vendor Relationships

Summary: Sets forth limitations and requirements covering acquisition of goods or services based on the employment relationship of the provider.

Introduction and Exhibit B, Principles and Standards of Purchasing Practice, National Association of Purchasing Management, and Code of Ethics, National Association of Educational Buyers.

Summary: The University is committed to maintaining high standards of performance based upon fair, ethical, and professional business practices. Therefore, each Material Manager and anyone else authorized to make purchases is expected to abide by the purchasing codes of conduct attached to BUS-43 in Exhibit B.

17. Independent Consultants, Business and Finance Bulletin BUS-34 (August 15, 1998).

Summary: Proposals from independent consultants shall include the name and University position of any officer, faculty member or other employee of the University who holds a position of director, officer, partner, trustee, manager or employee in the consultant organization. Selection of the independent consultant shall be made on the basis of demonstrated qualifications, resources, experience, and needs of the University, and on cost to the University. Any officer or employee participating in the decision to engage the consultant must adhere to the disqualification requirements for financial conflict of interest of the State of California Political Reform Act of 1974 (see Ref. 23).

The Policy on Employee-Vendor Relationships and Business and Finance Bulletins 34 and 77 should be consulted to determine the extent to which the University has control over certain aspects of the work or the work product of the consultant (see also Refs. 15, 16 and 22).

18. Ethical Professional Conduct: Internal Audit Code of Ethics.

Summary: The University Internal Auditors adhere to the University of California's "Code of Ethics for Members of the Internal Audit Departments" and to the Institute of Internal Auditor's "Code of Ethics," which defines standards of ethical conduct, including avoidance of conflicts of interest.

19. Universitywide Police Policies and Procedures (July 1988).

Summary: Includes the Law Enforcement Code of Ethics and a Code of Ethics for University Police personnel. Police services employees shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon the University or the department. They shall not solicit or accept rewards, presents, gratuities, nor any form of compensation, which could in any manner be considered related to their employment, other than that paid by the University or in accordance with University policy. They shall not use their positions with the department to influence or to intimidate persons in any civil or criminal action, or for personal gain or advantage.

20. Policy on Disclosure of Financial Interest in Private Sponsors of Research and Guidelines (April 26, 1984), Academic Personnel Manual Section 028.

Summary Along with state regulations mandated by the Fair Political Practices Commission under the Political Reform Act (2 Cal. Code of Regs. § 18702.4(c)), this policy requires that a principal investigator must disclose whether or not he or she has a direct or indirect financial interest in the sponsor of research when it is funded in whole or in part by a non-governmental entity.

When a principal investigator discloses a financial interest as above, a campus committee must determine whether the contract, grant, or gift can be accepted.

21. University Policy on Accepting Equity When Licensing University Technology (February 16, 1996).

Summary: An active technology licensing program is increasingly important in bringing research results to the marketplace for the benefit of the general public. Under certain circumstances, licensing involves the need to accept equity in the licensee in order for the University to realize the full potential of the technology. Accordingly, this Policy permits the acceptance of equity in a company as partial consideration for receiving a license. The principles set forth in the Policy establish parameters for entering into such arrangements.

22. Independent Contractors, Business and Finance Bulletin BUS-77 (April 4, 2000).

Summary: A University employee or a near relative of an employee (as defined in Business and Finance Bulletin BUS-43) may only be retained as an independent contractor after a specific determination is made that the services to be provided by the employee-vendor are not available from other commercial sources. In addition, the work to be performed cannot be the same, or similar to, the employee's assigned or implied University duties. If an employee-vendor relationship exists, the reporting requirements of BUS-43 shall be followed.

23. Disqualification Requirements for University of California Public Officials under the California Political Reform Act (January 2001).

Summary: Sets out the disqualification requirements of the State of California's Political Reform Act of 1974, which prohibits public officials (University employees) from participating in governmental decisions when personal financial interests might be affected by those decisions.

24. A Guide to the Political Reform Act of 1974, California's Conflict of Interest Law for Public Officials, Business and Finance Bulletin BUS-78

Summary: Overview of the conflict of interest provisions of the Political Reform Act. Explains the law governing the disclosure of financial interests, the requirements that employees disqualify themselves from University decision-making, and the University procedures for doing so. Appendix B describes the impact of the Political Reform Act on academic decisions made by a teacher or researcher who receives research support funding.

25. Management and Control of University Equipment, Business and Finance
Bulletin BUS - 29, Section N - Personal Use of Property.

Summary: 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, or as appropriate, the Senior Vice President – Business and Finance or the Vice President – Agriculture and Natural Resources.

26. Senior Management Group Outside Professional Activities (January 1, 2010)

Summary: Codifies and clarifies the principle that professional activities are beneficial to the University, so long as the primary commitment of employees remains the fulfillment of regular University responsibilities. Both compensated and uncompensated outside professional activities must be approved in advance. Explains the requirement for annual reporting of such activities to the President and the Regents.

27. University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects (October 15, 1997).

Summary: Establishes a process of disclosure and independent review when an Investigator has significant personal financial interest(s) related to a sponsored project that might reasonably appear to be directly and significantly affected by the sponsored project. The process is intended to identify and manage such potential conflicts to assure the objectivity with which projects are designed, conducted or reported. Research projects sponsored by the U.S. Public Health Service, including Institutes of Health, and the National Science Foundation are automatically covered but the University may elect to apply the disclosure requirements to certain University-managed programs or may expand the application of this Policy to other extramural sponsors if required by those sponsors.

28. Personnel Policies for Staff Members, Policy 82 - Conflict of Interest (July 1, 1996).

Summary: An employee shall not engage in any activities which create a conflict of interest between the employee's assigned functions and any other interest or obligation.

29. Managing Potential Conflicts of Interest in Licensing Under the California Political Reform Act (August 1, 2001).

Summary: Provides for intervening review by a disinterested official or committee if an inventor or author participates in or influences University licensing decisions and has a disqualifying personal financial interest in those decisions as defined in the California Political Reform Act. Addresses some of the most common issues concerning potential conflicts of interest in University licensing activity.

30. Policy on the Requirement to Submit Proposals and to Receive Awards for Grants and Contracts through the University (December 15, 1994).

Summary: Employees must submit proposals for extramural support through the appropriate local contracts and grants office. Awards must be made to The Regents.

31. University Policy on Integrity in Research (June 19, 1990).

Summary: Reaffirms the University's commitment to integrity in research and calls for local guidelines and procedures for addressing allegations of misconduct in research.

32. Policy on Conflict of Commitment and Outside Professional Activities for Deans, Academic Personnel Manual, Section 240

Summary: Deans may engage in outside activities in accordance with APM – 025, Conflict of Commitment and Outside Activities of Faculty members, with additional provisions limiting compensated for-profit external board service, and use of accrued vacation leave to engage in compensated outside professional leaves in excess of twelve days per fiscal year. Compensated outside professional activities must be reported annually to the Provost and to The Regents.