To: All University Faculty and Staff

From: Kevin Kregel, Associate Provost for Faculty
Cheryl Reardon, Chief Human Resources Officer and Associate Vice President
Dan Reed, Vice President for Research and Economic Development

Re: Annual Notification of Conflicts of Interest Policies

Date: October 26, 2016

This memo provides information on several University of Iowa (UI) policies that are important for all UI faculty and staff members to know and follow. There are several changes and clarifications from previous versions. Please take a moment to review the following policies and retain them for future reference.

A. Policy on Conflicts of Commitment and Interest

The University of Iowa (UI) community is committed to the principle of free, open, and objective inquiry in the conduct of its teaching, research, and service missions. Further, the UI encourages its employees to engage in external activities that promote the university's mission, contribute to their professional fields, strengthen their professional skills, and/or enhance the public good. However, employees are expected to fulfill their university obligations first and foremost commensurate with their appointment requirements and ensure that external activities are conducted in a manner consistent with institutional and public values.

A conflict exists whenever personal, professional, commercial, or financial interests or activities outside of the university have the possibility (either in actuality or in appearance) of: 1) interfering with UI employees' ability to fulfill their employment obligations; 2) compromising a faculty or staff member's professional judgment; 3) biasing research or compromising, or giving the appearance of compromising, the sound professional judgment of its investigators; or 4) resulting in personal gain for the employee or employee's immediate family, at the expense of the university and/or the state.

The existence of a conflict of interest is not always clear-cut. University employees are expected to make a reasonable effort to determine whether their activities create, or appear to create, such conflicts. If there is any uncertainty, employees should consult their departmental executive officer (DEO) or equivalent, or supervisor.

To review the full policies:

*18.4 Conflicts of Commitment (for full-time faculty members): [http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflicts-commitment-effort](http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflicts-commitment-effort).

*18.5 Conflicts of Interest in the Workplace: [http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflict-interest-workplace](http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflict-interest-workplace), and

*18.6 Conflicts of Interest in Research: [http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflict-interest-research](http://opsmanual.uiowa.edu/community-policies/conflicts-commitment-and-interest/conflict-interest-research).

*Information for University of Iowa Faculty on Outside Consulting Activities: [https://provost.uiowa.edu/files/provost.uiowa.edu/files/consulting.pdf](https://provost.uiowa.edu/files/provost.uiowa.edu/files/consulting.pdf).

For UI Health Care employees, see UI Health Care Conflict of Interest and Conflict of Commitment Policy Regarding Interactions with Industry: [https://uihc.org/conflict-interest-policy](https://uihc.org/conflict-interest-policy).

B. Conflict of Interest in Employment (Nepotism)
A conflict of interest in employment at the University of Iowa may arise when: 1) an individual university employee has the responsibility to make, or participate actively in making, decisions or recommendations relating to the employment status of another individual University of Iowa employee, or 2) there is a direct reporting line between two such individuals. If the conflict of interest in employment is not occasional or irregular but is ongoing so that recusal is not a reasonable mechanism for managing the conflict, other mechanisms must be adopted. To review the full policy, see: https://opsmanual.uiowa.edu/human-resources/conflict-interest-employment-nepotism.

C. Policy on the Use of the University Name

The use of the university name for any purpose in any activity that is not part of, or is unrelated to, the fulfillment of the missions of the university, and that is not previously sanctioned by the Office of the Director of University Relations, is prohibited. To review the full policy on the use of the University of Iowa name, see: http://opsmanual.uiowa.edu/community-policies/use-university-name.

D. University Intellectual Property Policy

The scholarship and creative work done by faculty, staff and students can often lead to intellectual property (IP) in the form of patentable inventions or copyright protected works. The university's policy governing these activities describes circumstances when disclosures must be made to the University of Iowa Research Foundation and how revenue from licensing/commercialization will be distributed.

This policy also addresses university employee responsibilities related to the assignment of this IP to any outside entity during the course of consulting activities (e.g., working with a company on a problem related to one's research or expertise that creates new IP, sharing unpublished university research results that include potential university IP, or using significant university resources while consulting). When consulting work involves, or may involve, research or investigation conducted by UI faculty, whether off or on UI's premises, a sponsored research agreement can minimize the potential for intellectual property conflict.

To review the full intellectual property policy, see: https://opsmanual.uiowa.edu/administrative-financial-and-facilities-policies/university-iowa-intellectual-property-policy-0. For further examples of when consulting activity may produce university intellectual property that must be disclosed to the University of Research Foundation, see: https://provost.uiowa.edu/files/provost.uiowa.edu/files/consulting.pdf

E. Policy on Supplemental Activities and Extra Compensation

This policy is designed to ensure that university employees engaged in extracurricular activities do so fairly and in compliance with federal, state, and university regulations. Key elements of the policy include:

*17.17(1) Use of University Supplies: Other than library materials and assigned office space, faculty and staff members shall not use university supplies, materials, equipment, or services for non-university activities, without first obtaining approval and arranging for the payment of the total cost for such use. University stationery or letterhead shall not be used in connection with professional extramural activities with the exception of professional service (for examples, see the policy).

*17.17(3) Royalties from Course Materials. Faculty members should not profit from recommending or requiring the purchase of course materials by their students. Faculty members should either refund the money to the students or make other arrangements to avoid profiting from their students' use of the materials (e.g., transferring the funds to the UI Foundation).

*17.17(4) Employment on Grants and Contracts: With special exceptions, grant or contract funds are not to be used to augment the full-time salary of university employees.

*17.17(6) Extra Compensation for Teaching Academic Courses. University faculty members, including staff members teaching as adjunct faculty, may from time to time teach courses that are in addition to their regular "load" or in addition to their full-time positions (aka "overload"). The University and its students benefit from this instruction and the individual employees are compensated for this extra effort in addition to their regular salary. All
teaching for extra compensation must be approved on a case by case basis by the faculty member's departmental executive officer or equivalent, or by a staff member's supervisor and department head. The policy states limitations for courses taught for extra compensation.

To review the full policy, see: http://opsmanual.uiowa.edu/human-resources/compensation/supplemental-activities-and-extra-compensation.

F. Prohibition of Giving and Receiving Gifts ("Gift Law")

In general, under Iowa state law (Iowa Code Chapter 68B), public employees (which includes UI employees) and members of their immediate family may not accept gifts of more than $3 in value from restricted donors (see policy for definitions of "gift" and "restricted donors"). "Restricted donors" includes supervisees and has been interpreted broadly to include students in one's classes and graduate student advisees. To review the full policy, see http://opsmanual.uiowa.edu/community-policies/prohibition-giving-and-receiving-gifts.

G. Policy on Purchasing Conflicts of Interest

A conflict of interest in purchasing arises when a faculty or staff member is or may be in the position to influence the university's business, research, or other decisions in ways that could lead to any form of personal gain for the faculty or staff member or others closely associated with that university employee. Further, except as part of official state duties, a UI employee shall not sell, in any one occurrence, any goods or services having a value in excess of two thousand dollars to any state agency unless the sale is made pursuant to an award or contract let after public notice and competitive bidding.

Purchases from UI employees must be pre-approved by the Director of Purchasing. Employee shall mean a paid employee of the State of Iowa and any firm of which any of those persons is a partner or sole proprietor, as well as any corporation of which any of those persons holds five percent or more stock either directly or indirectly. To review the full policy on Purchasing Conflict of Interest, see http://opsmanual.uiowa.edu/administrative-financial-and-facilities-policies/purchasing/conflict-interest.

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