



UCCS CAMPUS POLICY

Policy Title: Disclosure and Management of Conflicts of Interest or Commitment Policy

Policy Number: 300-006

Policy Functional Area: Human Resources

Effective:

October 2, 2024

Approved by:

Jennifer Sobanet, Chancellor

Responsible Vice Chancellor:

Vice Chancellor for Administration and Finance

Office of Primary Responsibility:

Human Resources

Policy Primary Contact:

Chief Human Resources Officer, 719-255-3372

Supersedes:

September 2, 2021

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Applies to:

All University and Classified staff (not including temporary i.e., less than 9-month appointments or student employees), all faculty (not including lecturers), and all involved students, consultants, and subcontractors involved in the design, conduct, or reporting of research.

Reason for Policy: This policy provides guidelines for the disclosure, review, and management of conflicts of interest or commitment.

I. INTRODUCTION

Maintenance of public trust is critical to the mission and reputation of the university. The university is committed to upholding the principles of transparency, integrity, and accountability. The university acknowledges employees pursue outside interests and encourages its employees to interact with business and industry, public and private organizations, and government agencies in ways that are consistent with the institution's missions. While engaging in these relationships, members of the university community are expected to avoid actual or perceived conflicts of interest or commitments that have the potential to directly and significantly affect the university's interests, compromise objectivity in carrying out university responsibilities, or otherwise compromise performance of university responsibilities unless such conflicts are disclosed, reviewed, and managed in accordance with this policy. Because an individual cannot self-determine if there is actual or perceived conflict, this policy provides guidelines for disclosure and review. The requirement that an individual's potential conflicts of interest be disclosed and evaluated by others is not a reflection or assessment of the integrity of the individual.

Conflicts of interest (“COIs”) refers to situations in which financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, an employee’s professional judgment in exercising any university duty or responsibility in administration, management, instruction, research, or other professional activities.

Conflict of commitment refers to a situation in which outside relationships or activities have the appearance of interfering with an employee’s commitment to the employee’s university duties or responsibilities.

II. POLICY STATEMENT

A. Disclosure

1. General

- a. The campus will designate a population that is required to comply with this policy. The designated population must submit a Conflict of Interest Disclosure within 60 days of hire and thereafter annually, January 15 thru March 31, and within thirty (30) days when there is a change impacting the actual, perceived, or potential conflicts of interest or commitments. Disclosures will generally include nepotism, outside employment, outside financial interests, foreign activities as required by federal law to include prohibition of malign foreign government recruitment programs, and other activities implicating university interests to be reviewed for possible conflicts of interest or commitment. For additional information on malign foreign government recruitment programs, please visit the [UCCS Malign Foreign Talent Recruitment Programs website](#).
- b. Students, consultants, subrecipients and subcontractors involved in the design, conduct or reporting of research must submit a Conflict of Interest Disclosure of financial interests and other activities annually or at any time that there is a change impacting actual, perceived, or potential conflicts of interest. The university policy and applicable procedures shall be followed as appropriate.
- c. For Sponsored Programs, additional information is available at the [Office of Sponsored Programs and Research Integrity website](#).

2. Process

a. Complete Disclosure

The Human Resources Department (“HR”) will review all disclosures and all submitted documents to determine whether there is an actual, perceived, or potential conflict and, if so, if the conflict has previously been managed. If there is an actual or potential conflict that has not been previously managed or reviewed within the past three years, HR will determine if additional information is required. If additional information is required, the individual must provide the appropriate document(s) to HR within the timeframe requested.

b. Actual, Perceived, or Potential Conflict of Interest or Commitment

In the event an actual, perceived, or potential conflict of interest or commitment, HR will

refer the matter to the Conflict of Interest Committee (“COIC”). If a management plan is required, an HR representative will respond back to the individual and the appropriate university personnel for drafting, reviewing, and approval of the plan.

B. Management Plans

1. Management plans are created to mitigate risk and proactively address questions that may arise regarding an individual's objectivity, integrity, or professional commitment because of a disclosed activity, relationship, or financial interest. Plans are based on a standard template consisting of three sections: 1) a situation description; 2) a set of commitments aimed at mitigating the conflict; and 3) notification of monitoring. The plan is drafted by the employee in collaboration with the supervisor and Dean or Director as appropriate. Once the plan is completed, including appropriate signatures, the plan is submitted for final review by the COIC. An approved management plan, which is approved by the COIC, demonstrates that the individual and the university considered the situation carefully, recognized the issues involved, and took steps to mitigate potential conflicts.
2. Conflict of Interest Committee
 - a. For COIs involving employees NOT involved with sponsored research, the COIC will generally consist of Human Resources, the Controller, and University Counsel. For COIs involving employees engaged with sponsored research, the COIC will generally consist of Human Resources, the Controller, the Assistant Vice Chancellor of Research, and University Counsel.
3. The COIC shall review all management plans received by HR to determine whether the management plan sufficiently addresses a conflict.
4. The COIC shall have the final approval authority over all management plans it receives, subject to the appeals process below in Section G.
5. Should there not be a consensus between the appointing authority and the COIC regarding the management plan, the matter shall be referred to the appropriate Vice Chancellor and the Chancellor, or designee, for final determination.

C. Gifts

All employees shall receive any and all gifts pursuant to university policy and requirements.

D. Record Retention

All disclosures and management plans are kept in accordance with the Record Retention Schedule.

E. Record Keeping

The conflict of interest disclosures, forms, review information, and any related management plans containing information that may have a direct bearing on an individual's employment are maintained in a secure and separate electronic file. Access to information disclosed in the conflict of interest review process, including management plans, will be limited to those with a need to know. The information is available only to individuals duly charged with the responsibility for review, and may only be released in accordance with, and as required by, applicable law, lawful court order or as required by sponsor.

F. Violations and Sanctions

1. Violations may include but are not limited to, failure to remedy conflicts, failure to comply with a prescribed management plan, or failure to comply with the process, which may include, failure to disclose timely personal or financial interests as required, failure or refusal to respond to requests for additional information by set date, providing incomplete or inaccurate information, or otherwise.
2. Sanctions may include additional training, administrative intervention, impact on merit increases, inability to submit proposals for sponsored program funding, and/or permissible discipline up to and including termination of employment.

G. Appeals

1. Conflict Determinations
 - a. An employee may appeal the decision that a perceived or actual conflict of interest exists and/or the implementation of an approved management plan to their appropriate Vice Chancellor and the Vice Chancellor for Administration and Finance.
 - b. Appeals must be made in writing to their appropriate Vice Chancellor and the Vice Chancellor for Administration and Finance (or designee).
 - c. Appeals must be made within seven (7) business days of written notification of the decision being delivered to the employee by HR.
2. Sanctions

An employee may appeal an imposed sanction by following applicable law or university policy. Nothing in this section shall be read to create a right of appeal of sanctions for employees that is not otherwise provided for by law or university policy.

H. Training and Resources

1. HR shall act as the main contact for training and resources related to Conflict of Interest.
2. For Sponsored Programs, additional training may be available at the [Office of Sponsored Programs and Research Integrity website](#).

III. [KEY WORDS](#)

- A. Confidentiality
- B. Conflict of Interest
- C. Conflict of Commitment
- D. Immediate Family Members
- E. Subrecipient
- F. Subcontractor
- G. Educational Materials

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

A. [Administrative Policy Statements \(APS\) and Other Policies](#)

1. [APS 2006, Retention of University Records](#)
2. [APS 2027, Code of Conduct](#)
3. [APS 4013, Disclosure of Interests](#)
4. [APS 4016, Fiscal Code of Ethics](#)
5. [APS 5003, Nepotism in Employment](#)
6. [APS 5012, Conflicts of Interest and Commitment in Research and Teaching](#)
7. [APS 5015, Conflict of Interest in Cases of Amorous Relationships](#)
8. [Office of Sponsored Programs and Research Integrity – Conflict of Interest](#)
9. [Office of Sponsored Programs and Research Integrity – Foreign Talent Recruitment Programs and Malign Foreign Talent Recruitment Programs](#)
10. [Generally Accepted Accounting Principles](#)
11. [Constitution of the State of Colorado Article XXIX Ethics in government \(Amendment 41\)](#)

B. Procedures

1. [UCCS COI](#)
2. [UCCS Annual Disclosure](#)
3. [UCCS Donations and Gifts](#)

C. [Forms](#)

1. [Alternate Work Schedule/Location Request and Agreement](#)
2. [COI Management Plan – Employee as Student](#)
3. [COI Management Plan – Family Member as Student](#)
4. [Conflict of Interest Management Plan](#)
5. [Outside Employment One Sixth Rule- Additional Remuneration](#)
6. [Request for Approval for Outside Employment](#)
7. [COI Management Plan – Textbook or Course Material](#)

V. HISTORY

Initial Policy Approval	April 1, 1996
Revised	January 18, 2005 April 19, 2013 January 9, 2014 September 2, 2021 October 2, 2024