

Title

Conflicts of Interest, Conflicts of Commitment, and Outside Activities

Sec. 1 Purpose

This policy is intended to protect the credibility and reputation of the U. T. System Administration and their employees by providing a framework to address conflicts of interest, conflicts of commitment, and outside activities.

Sec. 2 Principles

The primary responsibility of employees of U. T. System Administration is the accomplishment of the duties and responsibilities assigned to one's position of appointment.

Sec. 3 Applicability

This policy applies to all U. T. System employees.

Sec. 4 Unmanaged Conflicts of Interest and Conflicts of Commitment Prohibited

4.1 U. T. System Administration employees may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employees' duties for U. T. System Administration.

4.2 Activities on behalf of outside entities or individuals must not interfere with a U. T. System Administration employee's fulfillment of his/her duties and responsibilities to System Administration. Such conflicts of commitment may arise regardless of the location of these activities, the type of outside entity, or the level of compensation.

4.3 Gifts and Honoraria.

- a) As state employees, the acceptance of gifts is heavily regulated by the Texas Penal Code. Employees who are uncertain regarding the permissibility of a gift should contact the Office of Systemwide Compliance.
- b) You may not accept an unlawful honorarium for services you would not have been asked to provide but for your official status.

Sec. 5 Each officer or employee is expected to obey all federal, state, and local laws and is subject to disciplinary action for a violation of those laws.

Sec. 6 When U. T. System Administration accepts a gift, grant, donation, or other consideration from a person that the person designates to be used as a salary supplement, U.T. System Administration shall analyze the gift, grant or donation for potential conflicts of interest.

If a conflict of interest exists, System Administration shall utilize its current processes and procedures to eliminate or manage the conflict.

Sec. 7 Education and Training

Training regarding this policy shall occur upon hire and upon any material change in employment with U. T. System Administration.

Definitions

Conflict of Commitment. A state in which the time or effort that a U. T. employee devotes to an outside activity directly or significantly interferes with the employee's fulfillment of their institutional responsibilities or when the employee uses State property without authority in connection with the employee's outside employment, board service, or other activity (See Sec. 8, RR 30104). Exceeding the amount of total time permitted by U. T. System or institution policy for outside activities creates the appearance of a conflict of commitment.

Conflict of Interest. A significant outside interest of a U. T. employee or one of the employee's immediate family members that could directly or significantly affect the employee's performance of the employee's institutional responsibilities. The proper discharge of an employee's institutional responsibilities could be directly or significantly affected if the employment, service, activity or interest: (1) might tend to influence the way the employee performs his or her institutional responsibilities, or the employee knows or should know the interest is or has been offered with the intent to influence the employee's conduct or decisions; (2) could reasonably be expected to impair the employee's judgment in performing his or her institutional responsibilities; or (3) might require or induce the employee to disclose confidential or proprietary information acquired through the performance of institutional responsibilities.

Immediate Family Members. Include:

- a) a spouse;
- b) a dependent child or stepchild or other dependent, for purposes of determining federal income tax liability during the period covered by the disclosure statement; and
- c) a related or non-related, unmarried adult who resides in the same household as the individual and with whom the individual is financially interdependent as evidenced, for example, by the maintenance of a joint bank account, mortgage, or investments.

Resources

[UTS134, Code of Ethics for Financial Officers and Employees](#)

[UTS175, Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research](#)

[UTS180, Conflicts of Interest, Conflicts of Commitment, and Outside Activities](#)

[Conflicts of Interest Reporting Tool](#)

Applicable Law and Regulation

[Board of Regents' Rule 30104, Conflict of Interest, Conflict of Commitment, and Outside Activities](#)

[Board of Regents' Rule 60306, Use of University Resources](#)

[Texas Government Code Chapter 572, Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest](#)

Responsible System Administration Office

Office of Systemwide Compliance

Dates Approved, Amended, or Reviewed

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