



BOARD OF REGENTS POLICY: ***Institutional Conflict of Interest***

SECTION I. SCOPE.

This policy governs institutional conflict of interest at the University of Minnesota (University) and applies to members of the Board of Regents (Board), University officials, department/unit heads, and other individuals as required by administrative policies and procedures.

SECTION II. DEFINITIONS.

Subd. 1. Institutional Conflict of Interest.

Institutional conflict of interest shall mean a situation in which the University's research, teaching, or outreach mission activities, or its institutional reputation may be compromised or appear to be compromised because of an external financial or business relationship held at the institutional level that may bring financial gain to the institution, any of its units, or the individuals covered by this policy.

Subd. 2. University Official.

University official shall mean persons holding the following positions, including those holding these positions in a temporary capacity:

- (a) Associate Vice President
- (b) Chancellor
- (c) Chief Auditor
- (d) Chief Compliance Officer
- (e) Dean
- (f) Director of Intercollegiate Athletics, Twin Cities campus
- (g) Executive Director and Corporate Secretary
- (h) Executive Vice President and Provost
- (i) General Counsel
- (j) President
- (k) President's Chief of Staff
- (l) Senior Vice President for Finance and Operations
- (m) University Librarian and Dean of Libraries
- (n) Vice President

SECTION III. GUIDING PRINCIPLES.

The following principles shall guide the University in addressing institutional conflict of interest:

- (a) Because it is critical to the mission and reputation of the University to maintain the public's trust, University research, teaching, outreach, and other activities must not be compromised or perceived as biased by financial and business considerations.
- (b) Because of its numerous and complex relationships with public and private entities, the University must be aware of any relationships involving financial gain that may compromise or appear to compromise its integrity.
- (c) The University shall establish and maintain an oversight process to manage, reduce, or eliminate institutional conflict of interest.

SECTION IV. RESERVATION OF AUTHORITY.

The Board reserves to itself the authority to review and approve plans for managing, reducing, or eliminating institutional conflict of interest involving:

- (a) external relationships with an unusually significant financial impact that present a potential conflict;
- (b) potential conflicts involving the president;
- (c) potential conflicts that raise serious policy issues or have a significant public impact on the mission and reputation of the University; or
- (d) potential conflicts arising in matters that otherwise require Board review and action under Board of Regents Policy: *Reservation and Delegation of Authority*.

SECTION V. PRESIDENTIAL CONFLICT REVIEW PANEL.

Subd. 1. Role of the Presidential Conflict Review Panel.

If there is an institutional conflict of interest involving the president, the Presidential Conflict Review Panel shall review the institutional conflict of interest and develop an appropriate conflict management plan for approval by the Board. The panel shall be appointed by the Board chair and meet as needed.

Subd. 2. Membership.

When there is need for the Presidential Conflict Review Panel to review an institutional conflict of interest involving the president, the Board chair shall convene the panel and appoint voting members comprised of one Regent serving as the chair, an additional Regent, the chief auditor, the chair of the Senate Consultative Committee, and a community member. The panel shall be advised by the Office of the General Counsel, in consultation with outside counsel as deemed appropriate, and the Office of Institutional Compliance. The panel shall be staffed by the University Conflict of Interest Program in coordination with the Office of the Board of Regents (OBR).

Subd. 3. Procedure.

When reviewing the institutional conflict of interest, the Presidential Conflict Review Panel shall be guided by Section III of this policy. The Presidential Conflict Review Panel shall consider if the institutional conflict of interest can be managed, and if so, shall recommend a conflict management plan to the Board, taking into account fiduciary duties of loyalty and commitment, actual and perceived conflicts of interest, the mission and reputation of the University, and other public responsibilities of the Board and president.

Presidential Conflict Review Panel procedures shall be on file in the OBR.

SECTION VI. ASSURANCE, DELEGATION OF AUTHORITY, AND REPORTING.

The president or delegate shall:

- (a) implement an oversight process and administrative policies and procedures to address institutional conflict of interest and to identify situations in which institutional conflict of interest may arise;
- (b) recommend and implement plans to manage, reduce, or eliminate institutional conflict of interest;
- (c) develop and present conflict of interest plans to the Board for review and action as required under Section IV, (a), (c), and (d);
- (d) ensure that individuals covered by this policy who act on behalf of the institution adhere to these policies and procedures, follow applicable conflict management plans, and do not engage in activities in which there is an actual conflict of interest; and
- (e) report to the Board annually all institutional conflict of interest matters that do not meet the thresholds identified in Section IV.

SECTION VII. DISCLOSURES.

Subd. 1. Regents.

Regents shall file a financial disclosure statement annually and report conflicts of interest as required by Board of Regents Policy: *Code of Conduct for Members of the Board of Regents*.

Subd. 2. University Officials.

University officials shall, upon appointment and annually, file a financial disclosure statement with the president or delegate, disclosing significant economic interests and how those interests may relate to their institutional responsibilities. Such disclosure shall be made in addition to any reporting requirement for individual conflicts of interest and shall be approved by the president or delegate. The following University officials shall file their financial disclosure statement with the Office of the Board of Regents for approval by the Board chair: president, general counsel, executive director and corporate secretary, and chief auditor.

Subd. 3. Department/Unit Heads.

Annually and under circumstances described in administrative policy, department/unit heads shall disclose relevant financial and business interests by filing a *Report of External Professional Activities*.

Subd. 4. Other Individuals.

The president or delegate may designate other individuals who shall file a financial disclosure statement.

REVISION HISTORY

Adopted: June 10, 2005

Amended: July 11, 2012; October 13, 2017; March 8, 2024

Technical Correction: March 31, 2016; October 13, 2017; January 28, 2020; February 14, 2020; February 10, 2023

Last Comprehensive Review: 2022

Supersedes: Financial Disclosure for Senior University Officials, Dated November 10, 1995