UPP 1-02: Conflicts of Interest
University Policies & Procedures

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Replaces: UPP 1-02 issued 2/09/04

Key Terms: conflict of interest, nepotism, bias, favoritism; ethical

Effective Date: 02/22/08

Policy Number: UPP 1-02

WHY DO WE HAVE THIS POLICY:

Employees of Marquette University are expected to exhibit the highest standards of conduct and honesty. Faculty, administrators, and staff are to promote the best interests of the university and are expected to exercise good judgment and maintain a high standard of ethical business practice in carrying out their university-related responsibilities.

A conflict of interest is considered to exist when an employee’s material financial interests or affiliations are in conflict with the employee’s duty to the university. Therefore, it is necessary for employees to disclose financial interests and affiliations that may conflict with the employee’s duty to the university fully and in a timely fashion, in order to provide for the opportunity to manage any resulting conflicts of interest.

WHAT IS THE POLICY:

It is the policy of Marquette University that all decisions made by employees on behalf of the university are to be made based solely on the best interests of the university. Where an employee’s material financial interests or affiliations may be affected by a decision to be made by the employee on behalf of the university, the employee is obligated to report the circumstances by completing a Conflict of Interest Disclosure Form.
HOW DO I IMPLEMENT THIS POLICY:

1. Employees shall refrain from making decisions on behalf of the university when the employee’s obligations to the university are in conflict with the employee’s material financial interests or affiliations, unless the conflict of interest has been managed as required by this Policy.

2. Administrators and other employees who have the authority to commit university resources shall complete a Conflict of Interest Disclosure Form. The form of the Conflict of Interest Disclosure Statement, as well as the identity of the employees who are required to submit the form, shall be determined from time to time by the Vice President and General Counsel, with the concurrence of the Vice President for Finance. This form will be required periodically for administrators as determined by Finance. Faculty members will be informed of the requirement to disclose material financial interests and affiliations as part of their annual contract. In addition, employees must disclose any material financial interest or affiliations promptly as they arise and in advance of a matter affecting the Entity involved.

3. Information disclosed pursuant to this Policy shall be disclosed only to those persons with a need to know such information.

4. Material financial interests and affiliations that are reported will be reviewed by the Internal Audit Director, Vice President and General Counsel, and Provost or Senior Vice President (as appropriate) for determination as to whether such material financial interests or affiliations are in conflict with the employee’s duty to the university and, if so, what action should be taken, if any, to manage the conflict.

5. Disclosure Forms and any determinations of action required to manage conflicts will be maintained in the Office of Finance and retained for seven (7) years.

6. Marquette University investigators involved in sponsored research also must comply with the University’s Conflict of Financial Interest Certification Policy.

A. General Concerns

1. The avoidance of conflicts of interest, favoritism, or bias by one employee toward another is essential to the proper functioning of the university. This also applies to situations involving family members.

2. While Marquette does not maintain a prohibition on hiring relatives to current employees, applicants should identify such relationships. The effect of any such relationship on decisions should be reviewed on a case-by-case basis to
determine whether such relationship may create a conflict with the employee's duty to the university with respect to the decision being made.

3. For purposes of this policy, a “material financial interest or affiliation” means receipt by the employee of anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights), as well as service by the employee or by the employee’s spouse as an officer, employee, director, or partner in an entity that does business, or is actively seeking to do business, with the university. The term does not include:

   a. Salary, royalties or other remuneration from Marquette University;
   b. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
   c. Income from service on advisory committees or review panels for public or nonprofit entities;
   d. An equity interest that, when aggregated for the employee and the employee’s spouse, both (i) does not exceed $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value and (ii) does not represent more than a 5% ownership interest in a single entity; or,
   e. Salary, royalties, or other payments that, when aggregated for the employee and the employee’s spouse, are not expected to exceed $10,000 during the next twelve (12) month period.

B. Concerning Vendors and Gifts

1. Employees are prohibited from receiving gifts, loans, favors, or trips from vendors other than nominal gifts (i.e., less than US $50 in value) of a seasonal nature. This prohibition does not include business dining or entertainment (sporting events, golf, etc.) that meets generally accepted standards of ethical business conduct.
2. Employees shall not be influenced by the receipt of any gift or favor nor imply that the receipt of any gift or favor will influence a business decision.
3. An employee who is offered any prohibited gift, loan, or favor shall promptly and courteously decline such with the explanation that acceptance is contrary to university policy. The employee shall report the occurrence to his/her supervisor.
4. All employees shall deal with vendors in the highest ethical and professional manner.

C. Business Relationships with Spouses

1. A conflict of interest may arise in a circumstance when a spouse’s material financial interest or affiliation is in conflict with the employee’s duty to the university.
2. Employment of relatives is addressed in **UPP 4-04**.

D. Outside Associations and Activities

In any associations which employees have with outside organizations, whereby the nature of the association is such that the university name may be publicly identified with the outside organization, it is expected that the employee will be more than normally sensitive to any embarrassment that may accrue to Marquette University. It is not the university’s intent to discourage participation by employees in civic, welfare, political or other similar involvements. Such activities are strongly encouraged for the benefit of the community and the personal development of individuals; however, in situations of an obviously controversial or sensitive nature, all members of the university are expected to seek the guidance of an appropriate supervisor. No person shall falsely imply that he or she is acting or speaking on behalf of the university in an official capacity, unless doing so is within such a person’s explicit job function or has been otherwise authorized to do so by appropriate authority.

E. Knowledge of Any Prohibited Act

Any employee having knowledge of any situation or act prohibited by this policy shall promptly report such matter to his or her supervisor, or in the event such supervisor is involved in the prohibited situation, to the next level of appropriate authority. Such information can also be reported anonymously on the EthicsPoint Hotline.

**ADDITIONAL RESOURCES AND FORMS:**

Conflict of Financial Interest Certification Policy:  
[http://www.marquette.edu/orsp/policies/COI_Policy.pdf](http://www.marquette.edu/orsp/policies/COI_Policy.pdf)

Conflict of Interest Disclosure Statement:  

Disclosure of Financial Interests Related to Sponsored Projects:  

Certification Form:  

Proper Use of University Resources:  

Whistleblower Policy:  
EthicsPoint Hotline: