

TO: Faculty Senate Steering Committee

FROM: Dr. Aaron Liberman, Chair of Graduate Council Policy Subcommittee

SUBJECT: Endorsement of Graduate Faculty Conduct and Conflicts of Interest

DATE: August 7, 2007

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The attached statement is the Graduate Council's interpretation and elaboration of existing policies on conduct and conflict of interest. We endorse these interpretations and elaborations and urge the Faculty Senate to also endorse these. We believe that these statements will serve to clarify expected behaviors for graduate faculty and graduate students.

## Graduate Faculty Conduct and Conflicts of Interest

Graduate Faculty of the University must behave in a professional manner and avoid conflicts of interest.

All Graduate Faculty, are subject to the requirements of Florida Statutes Chapter 112, Part III, known as the Code of Ethics for Public Officers and Employees.

A. A conflict of interest occurs when there is a divergence between an individual's private, personal relationships or interests and his/her professional obligations to the university such that an independent observer would reasonably question whether the individual's professional actions or decisions are determined by considerations of personal benefit, gain, or advantage. A potential for conflict of interest exists where there are personal relationships or interests which reasonably could create a divergence between those interests and professional obligations but which have not yet (and may not) do so. Thus, a *potential conflict of interest* is where there is a reasonable possibility of an actual conflict of interest arising.

The University of Central Florida requires that all employees report all outside employment, compensated activity, and continuing business activity. The supervisory chain of the employee will review the report for potential or actual conflict(s) of interest. Uncompensated activities and financial interests (including financial interests of an employee's immediate family members) may also need to be reported for review. In the event of a potential for conflict of interest, a monitoring plan may be devised to manage the possibility of conflict or the activity may be altered in some way to prevent a conflict from occurring. Where there is an actual conflict of interest, the employee will be asked to resolve the conflicting activity.

Conflicts of interest are necessarily fact-specific. As a result, the university has not attempted to provide an exhaustive list of fixed rules on conflicts of interest. Individuals who have questions about how this policy applies to a particular activity should seek advice from the Office of the Provost, the Office of Research and Commercialization, or the Office of the General Counsel.

Below are examples of activities that constitute *actual conflicts of interest* that are inconsistent with University policy.

*Precluding university researchers, including students and postdoctoral appointees, from publishing work on account of the interest of an external organization in which a faculty mentor or supervisor has an economic interest.*

*Prohibiting a graduate student from disclosing any aspect of his/her thesis or dissertation work where the prohibition is unilaterally imposed by individuals at UCF (including members of the dissertation advisory committee).*

*A faculty member serving in an evaluative role (such as dissertation or thesis advisor) over a student who is also the faculty member's liaison or contact at a granting corporation or agency for purposes of sponsored research. For example, a faculty member should not serve as advisor of a student who is also the corporate contract liaison for a research contract with a private corporation on which the faculty member is the principal investigator.*

*A faculty member having involvement in setting the terms and conditions of employment of an employee where that faculty member has made a personal financial investment in a commercial operation of the employee (such as investment in an employee's start-up business).*

*A faculty member acting as the thesis or dissertation advisor to a graduate student for a research project, suggested by the faculty member, that the faculty member expects to substantially enhance the value of a company in which the faculty member has a significant interest.*

*A graduate student under a faculty member's direction, paid for by faculty member's grant, or in faculty member's research group, is employed part- or full-time by a commercial operation (whether for profit or not for profit) in which the faculty member has an ownership interest or is an officer or director.*

*Employing postdoctoral fellows and associates in a commercial operation (whether for profit or not for profit), in which a faculty member who supervises the fellow or associate (or an immediate family member of the faculty member) has an equity interest, to conduct research that overlaps with the fellow's university research or is to be conducted on University premises. Any proposed employment of a post-doctoral fellow or associate by a commercial operation where a supervising or advising faculty member has any interest (either directly or because of an immediate family member) should be reviewed in advance by the Office of Research and Commercialization.*

Below are examples of situations that constitute ***potential conflicts of interest*** in that they may develop into actual conflicts of interest inconsistent with University policy. Situations that raise the potential for conflicts of interest should be monitored to manage any conflicts that might arise during the activity.

*An employee or volunteer would be considered to have a potential conflict of interest, if they participated in the process of selecting personal computers and an immediate family member's job responsibilities involve the sale of personal computers to UCF. In such cases, the individual should reveal the potential conflict in such cases and the employee or volunteer would be asked to recuse themselves from involvement in such decision-making.*