Information

Institutional Conflict of Interest

Effective

June 27, 1983

Number

Not applicable

Applicability

This policy applies to Board of Trustees, Institutional Officials, and Department/Unit Heads.

Administrative Authority

Board of Trustees

Responsible Unit

Conflict of Interest and Commitment Office

coi@louisville.edu

502-852-7612

History

Revision Date(s): June 27, 1983; January 28, 2013; July 11, 2017 (Reformat only); January 14, 2025

Reviewed Date(s): July 11, 2017; January 14, 2025

Categories

Reason for Policy:

In pursuit of its mission as a public institution of higher education, the University of Louisville seeks excellence in the quality of its research, in the teaching and education it provides to its students, and in the service it provides to the broader community. Accomplishment of its missions inevitably leads to increasingly close relationships between the University of Louisville and those with outside interests in the broader community. The benefits that potentially accrue from this proximity are accompanied by real or apparent risks that external interests might compromise University decisions by influencing the judgment of the Institution or one of its members.

This policy governs institutional conflict of interest at the University of Louisville (Institution) and applies to members of the Board of Trustees (Board), Institutional officials, department/unit heads, and other individuals as required by administrative policies and procedures. This policy covers academic, business, clinical and research transactions and activities conducted under the auspices or for the benefit for the University of Louisville.

Statement:

This policy governs conflicts of interest and applies to situations involving the institution, as a whole, as well as Institutional Officials. It is the policy of the University of Louisville to ensure its transactions are conducted with integrity. This policy, and its associated policies, outlines the guiding principles and procedures utilized by the University of Louisville to identify and manage conflicts of interest that present a significant risk to the actual or perceived objectivity of transactions conducted in the name of the University of Louisville.

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

I. Because it is critical to the mission and reputation of the Institution to maintain the public's trust, Institution research, teaching, outreach, and other activities must not be compromised or perceived as biased by financial and business considerations.

II. Because of its numerous and complex relationships with public and private entities, the Institution must be aware of any relationships involving financial gain that may compromise or appear to compromise its integrity.

III. The Institution shall establish and maintain an oversight process to manage, reduce, or eliminate institutional conflict of interest.

The Board reserves 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 Institution; or

(d) Potential conflicts arising in matters that otherwise require Board review and action under KRS 164.830.

In these instances of conflict of interest, the president shall consult with the Board.

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 requested by the Board of Trustees;

(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 above.

Related Information:

ASSOCIATED POLICY

- Addressing Potential Institutional Conflict of Interest Policy and Procedures (available at https://louisville.edu/policies/policies-and-procedures/pageholder/pol-conflict-of-interest-and-commitment).

REDBOOK

- Ethical Considerations - 2.5.8

BOARD of TRUSTEES BYLAWS

- Article 4, Section 4.1 Conflict of Interest

KENTUCKY REVISED STATUTES (KRS)

- KRS 45A.340

Definitions:

Institutional Conflict of Interest. Institutional conflict of interest shall mean a situation in which the research, teaching, outreach, or other activities of the Institution may 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.

Institutional Official. Persons holding administrator positions, including those holding these positions in a temporary capacity. This term includes, but is not limited to individuals serving as: Deans, Associate Deans, and Assistant Deans; Institute and Center Directors; General Counsel; University Compliance Officers;

Director of Audit Services; Provost, Vice Provosts, Associate Vice Provosts, and Assistant Vice Provosts; President, Executive Vice Presidents, Senior Vice Presidents, Vice Presidents, Associate Vice Presidents, and Assistant Vice Presidents; and chairs of the Institutional Review Board, Institutional Biosafety Committee, Institutional Animal Care and Use Committee, Conflict Review Board and other similar committees that might be created in the future.

Responsibilities:

Trustees. Trustees shall file a disclosure statement annually and report external interests as required by their bylaws and KRS.

Institutional Officials. Upon appointment, annually on October 1 thereafter, and under circumstances described in administrative policy, institutional officials shall disclose external interests by filing an Attestation and Disclosure Form. Such disclosure shall be made in addition to any reporting requirement for individual conflicts of interest.

Department/Unit Heads. Upon appointment, annually on October 1 thereafter, and under circumstances described in administrative policy, department/unit heads shall disclose external interests by filing an Attestation and Disclosure Form. Such disclosure shall be made in addition to any reporting requirement for individual conflicts of interest.

Other Individuals. The president or delegate may designate other individuals who shall file an annual Disclosure. Such disclosure shall be made in addition to any reporting requirement for individual conflicts of interest.

COMPLIANCE

Trustees, Institutional Officials, Department/Unit Heads and other covered individuals are responsible for knowing, understanding, and complying with this policy as it relates to their role, position or employment, or enrollment at the Institution. Covered individuals are responsible for completing an annual attestation that they have received and read this policy and agree to abide by its requirements.