

**The University of the Virgin Islands
Conflict of Interest and Disclosure Policy**



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Preface

A. This Conflict of Interest and Disclosure Policy (“Conflict Policy”) governs the disclosure and management of conflicts of interest and applies to all University of the Virgin Islands (“University”) employees, as well as to anyone authorized by the President or Board of Trustees to act on behalf of the University. This Conflict Policy sets forth the procedures to be followed in resolving actual or potential conflicts of interest pertaining to sponsored programs or activities at the University.

This Conflict Policy was developed in accordance with Virgin Islands Law, the federal regulations and with the relevant OMB Circulars (See Statutory Context below).

B. In the course of performing University duties, working on externally-funded projects, or engaging in activities outside of the University, the following conflicts may arise which are addressed in this Conflict Policy:

- Financial conflicts in procurement of contracts and services;
- Financial conflicts in research;
- Conflict of time and commitment;
- Non-financial conflicts arising from personal relationships.

C. The fact that an individual has a conflict of interest does not imply that the conflict is unethical or impermissible. The relation of the conflict to the individual’s University responsibilities, however, must be carefully examined.

D. Both USVI and Federal guidelines prohibit some types of conflict of interest. Because conflicts of interest—real or perceived—may impair employee performance, jeopardize public trust and support, and in some cases subject both the employee and the University to significant sanction, financial conflicts of interest, conflicts of interest in research, and conflicts of time and commitment must be disclosed by the employee or individual acting on behalf of the University as outlined in this policy.

II. Definitions

For purposes of this Conflict Policy, the following terms shall have the meanings set forth herein:

A. **University Personnel or Employee:** University personnel or Employee are defined as all persons who are employed by the University on a full-time, part-time, or contract basis. It also includes graduate students who hold research, service, or teaching appointments.

B. **Immediate Family Member:** Immediate Family Member shall be defined to include the spouse, domestic partner, parents, children, or siblings of a

University Employee.

- C. Conflict of Interest: A conflict of interest occurs when a University employee is involved in an activity, commitment, or interest that may adversely affect, compromise, or be incompatible with the obligations that the employee has to the University. It includes influencing the University in such a way as to lead to financial gain for the University employee or the Employee's Immediate Family Member. It also includes involvement in and commitment to outside-the-university activities that interfere with the University employee's obligations to students, colleagues, and the primary mission of the University.
- D. Incompatible Obligation: An incompatible obligation means any obligation between a University employee and an external entity which is incompatible with the employee's obligations to the University, or which restricts or impairs the employee's ability to perform research or other activities at the University and to do so in an impartial manner.
- E. Sponsored Program or Activity: A sponsored activity means research, creative activity, training, instructional, construction, and service projects involving funds, materials, or other compensation from outside sources (sponsor) under agreements which include any of the following conditions:
 - 1) The agreement binds the University to a line of scholarly or scientific inquiry or service that is specified to a substantial level of detail, generally including a statement of deliverables;
 - 2) A line-item budget is involved which details expenses by activity, function, or project period. The designation of facilities and administrative costs (overhead or indirect costs) qualifies as a line-item budget;
 - 3) Financial reports and/or technical reports are required.
 - 4) Unexpended funds must be returned to the sponsor at the conclusion of the agreement;
 - 5) The agreement provides for the disposition of either tangible or intangible properties which may result from the activity. Tangible properties include buildings, equipment, records, technical reports, theses, or dissertations. Intangible properties include rights in data, copyrights, or inventions;
 - 6) Prior approval is required for changes in budget or project activities by the sponsoring entity;
 - 7) Cost sharing is required by the sponsoring agency;
 - 8) The recipient will enter into a sub-contract for partial performance of the award;
 - 9) The award is subject to special condition; or
 - 10) The award involves federal funds, federal flow-through funds or the donation of federal equipment, commodities or services.

- F. Investigator: The term "Investigator" means the principal investigator, co-investigators, and any other person who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external sponsor. For the purposes of this policy, as it relates to financial interests, a reference to "Investigator" includes reference to a member of the Investigator's immediate family.
- G. Significant Financial Interest: The term "significant financial interest" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). The term does not include:
- 1) Salary, royalties, or other remuneration from the University of the Virgin Islands;
 - 2) Income from seminars, lectures, or teaching engagements;
 - 3) Income from service on advisory committees or review panels; or
 - 4) An equity interest that when aggregated for the Investigator and the Investigator's Immediate Family Member, meets both of the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity; or
 - 5) Salary, royalties or other payments that when aggregated for the Investigator and the Investigator's Immediate Family Member over the next twelve months, are not expected to exceed \$10,000.
- H. Financial Conflict of Interest in Procurement: Procurement includes the purchase of or contracting for goods or services. A potential conflict of interest in procurement exists where an employee of the University or the Employee's Immediate Family Member owns more than a 10% interest in a company providing the goods or services or where an employee or the Employee's Immediate Family Member has an annual income from dividends, including the value of stock dividends and any other payments made by the Corporation, in excess of \$2,000.00 of the recipient's annual income, or where an Employee or the Employee's Immediate Family Member has a right, upon liquidation or dissolution of a corporation, firm, partnership, or other non-corporate business entity, to more than ten (10%) of the assets of the entity, or an annual income in excess of \$2,000 of the Employee or Immediate Family Member's income.
- I. Financial Disclosure: Financial disclosure means the formal written filing of information with the appropriate University official(s) as outlined in this policy.

- J. Intellectual Property: Intellectual property means any ideas, inventions, technology, biological organisms, software, creative expression (and derivatives thereof), in which a proprietary interest may be claimed including, but not limited to, patents, copyrights, trademarks, data sets, know-how and biological materials.
- K. Consulting: Consulting is a professional activity related to the University employee's field or discipline and involves a fee-for-service or equivalent relationship with a third party. In consulting, the University employee agrees to use his or her professional capabilities to further the interests of a third party, in return for compensation.
- L. Technology Transfer: Technology transfer includes any license, assignment, or conveyance of any legal or equitable interest in intellectual property that is owned by the University of the Virgin Islands, including, but not limited to, the right to make, market, copy, sell, or use such property in any way.

III. Statutory Context

- A. All conflicts of interest in procurement at the University are subject to the following:

- 1) US Virgin Islands Code, Chapter 37, Title 3, Section 1100, et seq. Title 3 V.I.C. §1102 Prohibited acts

No territorial officer or employees shall:

- a) be financially interested in any contract made or negotiated by him in his official capacity, or by any public agency of which he is a member.
- b) be a purchaser at any sale or a vendor at any purchase made by him in his official capacity.
- c) have any interest, financial or otherwise, direct or indirect, or engaged in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed in the laws of the Virgin Islands.
- d) accept other employment which will either impair his independence of judgment as to his official duties or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.
- e) willfully and knowingly disclose, for pecuniary gain to any other person, confidential information acquired by him in the course of and by reason of his official duties or use any information for the purpose of pecuniary gain.—Added May 3 , 1971, No. 2996, §

1, Sec. L. 1971, p. 118, 119.

2) Title 3 Virgin Islands Code, Sec. 1101(8)

A Territorial Officer or Employee is defined to include "statutory officers", all officers and employees of the legislative, executive and judicial branch of Government of the United States Virgin Islands or a "public agency" and officers, employees and consultants or any branch of the Government of public agency employed on a contract or fee basis.

3) Procurement includes the purchase of, or contracting for, goods or services. A potential conflict of interest in procurement exists where an employee of the University or the Employee's Immediate Family Member owns more than a 10% interest in a company providing the goods or services or where an employee or the Employee's Immediate Family Member has a an annual income from dividends, including the value of stock dividends and any other payments made by the Corporation, in excess of \$2,000.00 of the recipient's annual income, or where an Employee or the Employee's Immediate Family Member has a right, upon liquidation or dissolution of a corporation, firm, partnership, or other non-corporate business entity, to more than ten percent (10%) of the assets of the entity, or an annual income in excess of \$2,000 of the Employee or Immediate Family Member's income.

4) Federal Office of Management and Budget (OMB) Circular A-110: Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations __.42 Codes of Conduct.

The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to subagreements. However, recipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct

shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

- B. For conflicts arising from personal relationships: UVI Employment Policy Section IV - NO. 33.00 (See full text of UVI Policy at www.uvi.edu).

33.00 Employment of Relatives

General Provisions: No immediate family members shall be employed in positions where their personal or familial interests could conflict with the interests of the University. Therefore, no employee will be placed in a position where they will fall under the direct supervision or jurisdiction of an immediate family member or whose performance evaluation is subject to review by the family member.

This policy is not intended to preclude the employment of family members of Faculty, Administrators, or Professional staff into staff positions which are unrelated to positions held by the family member and are not under the supervision of the family member.

- C. For conflicts arising from outside activities:

UVI Employment Policy Section III – Nos. 13.00, 14.00, 15.00 (See full text of UVI Policy at www.uvi.edu).

- D. For conflicts which may influence federally-funded research:

- 1) NIH Guide Volume 24, Number 25, July 14, 1995 Objectivity in Research

Under the[se] rules, investigators are required to disclose to an official(s) designated by the institution a listing of Significant Financial Interests (and those of his/her spouse and dependent children) that would reasonably appear to be affected by the research proposed for funding by the PHS [Public Health Service]. The institutional official(s) will review those disclosures and determine whether any of the reported financial interests could directly and significantly affect the design, conduct, or reporting of the research and, if so, the institution must, prior to any expenditure of awarded funds, report the existence of such conflicting interests to the PHS Awarding Component and act to protect PHS-funded research from bias due to the conflict of interest.

- 2) National Science Foundation Grants Policy Manual 510 Conflict of Interest Policies

An institutional conflict of interest policy should require that each investigator disclose to a responsible representative of the

institution all significant financial interests of the investigator (including those of the investigator's spouse and dependent children) (i) that would reasonably appear to be affected by the research or educational activities funded or proposed for funding by NSF; or (ii) in entities whose financial interests would reasonably appear to be affected by such activities.

- E. Other applicable federal guidelines.

IV. Conflict of Interest Policy

- A. University employees are expected and required to take the initiative to report promptly, with sufficient detail, all activities or situations that may involve, or appear to involve, a conflict of interest. The University requires all employees and those authorized to act on behalf of the University to disclose, in writing, financial conflicts of interest, and conflicts of time, and commitment as described in this Conflict Policy. *Disclosure is the beginning of the process to review real or perceived conflicts.*
- B. Any employee who is responsible for the design, conduct or reporting involving a federally-sponsored research, shall file, at least annually, a *UVI Annual Financial Interest Disclosure Form* (Appendix A) as defined by this policy. This report shall be made to a Component Head or Vice Provost for Research and Public Service, as appropriate.
- C. If any University employee is authorized to enter into financial transactions on behalf of the University or is in a position to influence those transactions, such employee shall file a *UVI Annual Financial Interest Disclosure Form* with the Director of Purchasing and with Component Head or Vice Provost for Research and Public Service (VPRPS), as appropriate. Where the conflict involves Component Heads, VPRPS or the President, the disclosure must be made to University legal counsel for review and recommendation. For Component Heads or VPRPS, legal counsel's recommendation should be forwarded to the President for approval. In the case of the University President, the University's legal counsel would evaluate the disclosure and make a recommendation to the Board of Trustees for its approval

The involved person shall respond to inquiries from the Component Head, VPRPS, or legal counsel in connection with any such report. The mere existence of a conflict, real or potential, will not necessarily rule out a particular activity, since conflicts span a wide spectrum, from minor and inconsequential to those that have such a serious consequence that they cannot be permitted.

- D. Component Heads, VPRPS, and legal counsel have the duty and responsibility to evaluate carefully all potential conflict situations that are

reported or known to them before acting to approve or disapprove the same. As a public institution, the University is entitled to possess sufficient information to discharge its obligations of public accountability. Accordingly, in a specific conflict situation, it may be appropriate for the Component Head of the unit to inquire into a number of factors, including the extent of time commitment, the extent of financial or other interests that the University employee or the Employee's Immediate Family Member has in external entities over which they have sufficient influence to affect general policy or specific decision-making.

V. Conflict of Interest in Procurement Procedures

Prior to the execution of any contract that involves a potential conflict of interest, the University employee, the responsible individual of the department initiating the contract, and/or the vendor must disclose the conflict in the following manner:

- A. The proposed vendor shall be requested, as part of the bid and/or procurement process, to disclose to the University if any principal of the vendor is the Immediate Family member of an employee of the University. Such disclosure by the Vendor shall be made by completing the *UVI Procurement Conflict Disclosure Form*, (Appendix B), at the time the bid package is submitted to the University, or if not pursuant to an invitation for bids, then prior to the time that the contract is executed.
- B. The proposed vendor will be asked as part of the bid and/or procurement process to disclose if any employee of the vendor is the Immediate Family Member of a University employee who will directly benefit from the contract.
- C. Any employee involved in initiating or reviewing a contract for goods or services who is aware of a potential conflict of interest [his/her own or another employee's] related to that contract, must ensure that the *UVI Procurement Conflict Disclosure Form* is completed and the form is attached for routing and review by the appropriate Component Head or the VPRPS for signature. Where the conflict is one involving the University President, Component Head, or VPRPS, the disclosure must be made to University legal counsel prior to the completion of the bid and/or procurement process, and to the award or execution of any contract involving federal funds. In the case of the University President, the University's legal counsel would evaluate the disclosure and make a recommendation to the Board of Trustees for its approval.
- D. It is the responsibility of the Component Head, VPRPS, or University legal counsel (hereinafter referred to by their capacities, or as "Reviewer") to provide review within thirty (30) days to determine either 1) that the real or perceived conflict is non-substantial within the context of this policy and

the procurement regulations cited above; 2) that the real or perceived conflict represents a remote interest as defined in the statute and regulations referenced above; or 3) that the employee for whom there is a conflict of interest will have no influence on the procurement process.

- E. The Reviewer shall determine whether an actual or potential conflict exists, and shall determine, where appropriate, what restrictions or conditions, if any should be imposed by the University to manage, reduce or eliminate such conflict.
- F. The Component Head, VPRPS, or legal counsel, must document their review and judgment on the relevant section of the *UVI Procurement Conflict Disclosure Form* and sign the form. The official's signature on the contract itself does not constitute adequate documentation of review and approval of the conflict.
- G. Where federal funds support either the individual(s) or the activities involved, in addition to the procedure outlined above, the Director of Sponsored Programs must review and, where appropriate, approve by signature any contract which involves a real or perceived conflict of interest.
- H. Prior to the Institution's expenditure of any funds under a federal award, the Institution shall report to the appropriate funding agency, the existence of a conflict of interest found (but not the nature of the interest or the details) and that the interest has been managed, reduced or eliminated. Such a report shall be made, at least on an interim basis, within sixty (60) days after the conflict of interest has been identified.
- I. The Director of Sponsored Programs is responsible for notifying the federal funding agency of a conflict where such notification is required by the applicable federal guidelines.
- J. When there is a conflict that is not allowable within this policy or the applicable referenced or cited guidelines, and where the conflict cannot be managed, reduced, eliminated or otherwise mitigated, a contract will not be authorized or executed.

VI. Conflict of Interest in Research Disclosure and Review Procedures

- A. To satisfy federal regulations, all University employees or those authorized to act on behalf of the University who engage in research activities will provide annual disclosures to their immediate supervisor and the Component Head or VPRPS, or where the conflict involves the President, Component Head, or VPRPS to legal counsel, all *significant financial interests* (See II. Definitions section above) of the investigator, including

an investigator's Immediate Family Member, 1) that would reasonably appear to be affected by the research or educational activities funded or proposed for funding by any federal agency; or 2) in entities whose financial interests would reasonably appear to be affected by such activities. This disclosure will occur annually by October 1, and must be submitted via the *UVI Annual Financial Interest Disclosure Form*. Changes must be reported throughout the year as they occur through the same process and to the same officials as outlined above.

- B. It is the responsibility of the Component Head, VPRPS, or University legal counsel where the conflict involves the President, Component Head or VPRPS (hereinafter referred to by their capacities, or as "Reviewer"), in consultation with the Director of Sponsored Programs, to review potential conflicts of interest in research guided by the applicable federal guidelines, and by Virgin Islands law, as may be amended from time to time, to document their review, and to retain records as outlined in this Conflict Policy.

It is the responsibility of the Reviewer to determine whether a significant financial interest could directly and significantly affect the design, conduct, or reporting of the research or educational activities funded or proposed for funding by the federal agency and to outline conditions or restrictions that might be imposed to manage, reduce or eliminate actual or potential conflicts of interest include, but are not limited to:

- 1) Public disclosure of significant financial interests;
- 2) Monitoring of research by independent reviewers;
- 3) Modification of the research plan;
- 4) Disqualification from participation in the portion of the NSF-funded research that would be affected by the significant financial interests;
- 5) Divestiture of significant financial interests; or
- 6) Severance of relationships that create actual or potential conflicts.

- C. If the Reviewer determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, then the Reviewer may allow the research to go forward without imposing such conditions or restrictions. In all cases, the Reviewer must document his or her determinations and retain records as outlined in this Conflict Policy.
- D. Where disclosure to federal and/or non-federal entities is required, the Director of Sponsored Programs will be responsible for federal disclosure, and the Reviewer will be responsible for non-federal disclosure.

VII. Conflict of Time and Commitment

The University recognizes and values the participation of its faculty, staff, and administrators, as well as those authorized to act on its behalf, in external, independent service and entrepreneurial activities, including consulting, that directly or indirectly benefit the University, the community, and the employee.

At the same time, outside activities, employment, or consulting may result in a conflict of interest in time or commitment or may impede the covered individual's performance of his or her University responsibilities.

A. Outside Employment: To protect the employee, as well as the University, all outside employment proposed by faculty, staff and administrators must be disclosed to the immediate supervisor by means of an *Outside Employment, Consulting or Contracting Disclosure Form* (Appendix C). Advance approval for outside employment by such employees must be secured through the signature on this form by the appropriate Component Head or VPRPS, or where the conflict involves the Component Head, VPRPS, by the signature of the President. Where the President is involved, advance approval from the Board of Trustees is required. All covered employees who are engaged in outside employment on the effective date of this policy must disclose the same on the Form within 60 days after the policy becomes effective and thereby apply for approval to continue the outside employment or cease such employment.

B. Outside Contracting: While covered individuals may engage in consulting or contracting activities *outside of the individual's normal work day and/or work week*, advance disclosure of, and the securing of approval for, those activities is required. The normal work day is based on contractual arrangements or terms of employment with the University. All covered employees who are engaged in outside contracting on the effective date of this policy must disclose the same on the Form within 60 days after the policy becomes effective and thereby apply for approval to continue the outside contracting or cease such contracting .

The covered individual must report all consulting or contracting activities to their immediate supervisor and Component Head or VPRPS, or where the conflict involves the Component Head, VPRPS, to the President. Where the President is involved, advance approval from the Board of Trustees is required.

1) For administrative and professional staff, under those circumstances in which the entrepreneurial activities occur during the normal work day or week, the covered individual must do the following: a) complete an *Outside Employment, Consulting or Contracting Disclosure Form*, b) obtain permission from his/her immediate supervisor and Component Head or

VPRPS through their signature on the form, and c) use vacation leave. A copy of the signed *Outside Employment, Consulting or Contracting Disclosure Form* must be forwarded to Human Resources for the file.

2. Faculty members must a) complete an *Outside Employment, Consulting or Contracting Disclosure Form*; b) obtain permission from his/her immediate supervisor and Component Head or VPRPS through the signature of the appropriate official on the Form. A copy of the signed *Outside Employment, Consulting or Contracting Disclosure Form* must be forwarded to and retained in the Provost's Office and in Human Resources.

VIII. Sanction for Non-Compliance

Violations of this policy by any individual covered herein shall subject the University employee to disciplinary procedures as provided for in other University policies and procedures. Compliance with this policy may also be enforced through the exercise of administrative supervision of funded research and the management of University facilities and other University property. Such enforcement measures may include, but not necessarily limited to:

- A) Freezing research funds or accounts;
- B) Rescinding contracts entered in violation of this policy;
- C) Bringing legal action to recover the amount of financial benefit received by the University employee as a result of the employee's violation of this policy; and
- D) Disciplinary action up to and including dismissal.

IX. Right of Appeal

Covered individuals have the right to appeal any decision under this Conflict Policy through the standard University grievance process for his or her employment classification.

X. Document Retention

The University will retain records of conflicts of interest disclosures and of actions taken to manage, reduce or eliminate conflicts of interest for three years after final payment, termination, or completion of the award or project to which they relate, or the resolution of any government action involving those records, or in keeping with UVI policy, whichever is later.

XI. Confidentiality of Disclosure Information

Personal financial disclosure statements and supporting documents filed by University personnel in compliance with this policy will be maintained as confidential to the extent possible under applicable state and federal

requirements and except as required to be disclosed by a federal department or agency.

XII. Severability

If any provision in this Policy shall be inconsistent with the provisions of any federal law or regulation thereto or to any provision of the Virgin Islands Code, as amended from time to time, the provisions of this Policy so in conflict shall be deemed to be superceded by the federal law or regulation or by the Virgin Islands Code, as they may be amended from time to time.

APPENDICIES

Appendix A: UVI Annual Financial Interest Disclosure Form



UVI Annual Financial Interest Disclosure Form

This form must be completed by any University employee who is responsible for the design, conduct or reporting involving federally-sponsored research or who is authorized to enter into financial transactions on behalf of the University or is in a position to influence those transactions. This Form must be completed each year by October 1 and submitted to the Component Head, or the Vice Provost for Research and Public Service, as appropriate. Executive staff must submit this form to the Office of the President; and the President to legal counsel. This form must be updated as changes occur and submitted to the referenced authorities.

Name:	Department or Division:	Position Title:
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<input type="checkbox"/> YES	<input type="checkbox"/> NO	Do you, your spouse, your child, your parent, your domestic partner, or your sibling own more than a 10% interest in a company providing goods or services to the University?
<input type="checkbox"/> YES	<input type="checkbox"/> NO	Do you or your Immediate Family Member have an annual income from dividends, including the value of stock dividends and any other payments made by the Corporation providing goods or services to the University, in excess of \$2,000.00 of the recipient's annual income?
<input type="checkbox"/> YES	<input type="checkbox"/> NO	Do you or your Immediate Family Member have a right, upon liquidation or dissolution of a corporation, firm, partnership, or other non-corporate business entity that provides goods or services to the University, to more than ten percent (10%) of the assets of the entity, or an annual income from such entity in excess of \$2,000 of the recipient's annual income?

If YES describe briefly:

<input type="checkbox"/> YES	<input type="checkbox"/> NO	A plan is currently in place for the management or elimination of this potential conflict of interest.
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<input type="checkbox"/> YES	<input type="checkbox"/> NO	Do you, your spouse, your child, your parent, or your sibling have any other relationships, commitments, or activities that might present or appear to present a financial conflict of interest with your UVI obligations?
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If YES, describe briefly:

<input type="checkbox"/> YES	<input type="checkbox"/> NO	A plan is in place for the management or elimination of potential conflict of interest.
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If YES describe briefly:

In submitting this form, I affirm that I have read and clearly understand the UVI Conflict of Interest Policy and that the above information is true and complete to the best of my knowledge. I accept responsibility for complying with the UVI policy on Conflict of Interest, and I assume responsibility for updating this disclosure as necessary. I understand that failure to disclose conflicts of interest as outlined in the UVI Policy on Conflict of Interest may result in disciplinary action up to and including dismissal.

Signature _____ Date _____

**For Component Head, Vice Provost for Research and Public Service, or legal counsel use only
If the conflict involves the President, legal counsel shall forward its recommendation to the Board for approval.**

I have reviewed the information provided pursuant to the UVI Conflict of Interest Policy, and in my judgment:

<input type="checkbox"/> No conflict of interest exists.
<input type="checkbox"/> A conflict of interest exists but is not significant as defined in the UVI Conflict Policy.
<input type="checkbox"/> A conflict of interest exists, and a plan for the management of the situation is in place and reviewed regularly to ensure that the potential conflict of interest/commitment is eliminated, minimized, or managed.
<input type="checkbox"/> A conflict of interest exists. A plan for management of the conflict # _____ has been approved.
<input type="checkbox"/> A conflict of interest exists. I recommend the following action:

Signature (Component Head, Vice Provost for Research and Public Service, and Legal Counsel) _____ Date _____
Name and Title: _____

I acknowledge receipt of Conflict of interest/commitment management plan reference number: _____ and accept responsibility for complying with the aforementioned recommendations and decisions to ensure that the potential conflict of interest is eliminated or minimized. (To be signed by employee where such plan is required).

Signature _____ Date _____

Appendix B: UVI Procurement Conflict Disclosure Form



UVI Procurement Conflict Disclosure Form

Instructions: In keeping with the UVI Conflict of Interest Policy, this form must be completed and routed with any bid for goods or services, and/or with any contract for goods or services, *prior* to the execution of any contract where a potential conflict of interest exists for the vendor or for an employee of the University.

Where there is a potential conflict of interest, this form must be completed by the following:

- the proposed vendor as part of the bid and/or procurement process,
- any employee involved in initiating or reviewing a contract for goods or services who is aware of a potential conflict of interest [his/her own or another employee's] related to that contract.

This form must be reviewed and approved by the Component Head, Vice Provost for Research and Public Service, President, or Legal Counsel consistent with the UVI Conflict of Interest Policy. In the case of the University President, the University's legal counsel will evaluate the disclosure and make a recommendation to the Board of Trustees for its approval. If federal funds are involved, the Director of Sponsored Programs must also review and approve the contract.

In summary, a potential conflict of interest exists where there is any proposed purchase or rental of goods or services from a vendor in which an employee of the University or the Employee's Immediate Family Member owns more than a 10% interest in the vendor, or where an employee or the Employee's Immediate Family Member has an annual income from dividends, including the value of stock dividends and any other payments made by the vendor, in excess of \$2,000.00 of the recipient's annual income, or where an Employee or the Employee's Immediate Family Member has a right, upon liquidation or dissolution of the corporation, firm, partnership, or other non-corporate business entity, to more than ten (10%) of the assets of the entity, or an annual income in excess of \$2,000 of the Employee or Immediate Family Member's income.

Part One — Basic Information:

Vendor Name		Vendor Contact Name		Phone
Unit Requesting Goods or Services	Unit Contact Name	\$ Estimated Cost of Contract	Are federal funds involved? YES NO	
Employee's Name:		Employee's Unit:	Employee's Title:	

Employee's University Duties:

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Is Business owned in whole or in part by a UVI employee or family member of a UVI employee?	% Ownership in the Business:
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Will a UVI employee or family member of a UVI employee directly benefit from this contract for goods or services?	Value of direct benefit to employee or family member: \$
		Name of Immediate Family Member and Relation to Employee:	

Describe the goods or services proposed:

Describe how and by whom the proposed vendor was selected:

YES | NO | Are these goods and/or services available commercially or from the University's own facilities or resources? If YES, what are the reasons for purchasing the goods/services from the employee or near-relative of the employee? Answer here:

Part Two — Vendor and/or Employee Certification:

If the employee is the vendor: I certify that no University time, material, equipment or facilities have been or will be used in connection with any resulting purchase order for contract.

If the employee is related to the vendor: I certify that I have not or will not make, influence, participate, or

<p>be involved in any way, in the making of the University's decision to purchase the above goods or services from the Proposed Vendor.</p> <p>Vendor: I certify that the information provided above is true and complete to the best of my knowledge.</p>		
Vendor and/or Employee signature:	Name:	Date:
Part Three — REVIEWER(s) DETERMINATION:		
<p>By my signature, I attest that I have reviewed the employee-vendor relationship outlined above in light of the UVI Conflict of Interest Policy and the therein referenced federal and Territorial regulations. It is my determination that the employee-vendor relationship disclosed here:</p>		
• involves a remote interest	YES	NO
• is not substantial (is not over \$1,000)	YES	NO
• is free of influence by the interested employee	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Approved: Director of Sponsored Programs (Federal Funds Only)	Approved: Component Head, VPRPS, President	
Signature	Date	Signature Date
	Approved: Board of Trustees	
	Signature	Date