

**CONFLICT
OF
INTEREST
CODE**

University of California

October 2014

FILING OFFICERS

The Conflict of Interest Code (COI) Filing Officer for all matters dealing with this Code, except for the Academic Decisions Regulation, is the University of California Office of the President COI Coordinator, 1111 Franklin Street, 5th Floor, Oakland, 94607-5200. For the Academic Decision Regulation, the Filing Officer is Provost and Executive Vice President-Academic Affairs, 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200.

WHERE TO ASK FOR HELP

If you have any questions concerning this Code, other than the Academic Decisions Regulation, or your obligations under it, you should contact the appropriate campus or University Code Coordinator listed at <http://www.ucop.edu/ogc/coi/coord.html>.

UNIVERSITY OF CALIFORNIA CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, California Code of Regulations, title 2, section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of California Code of Regulations, title 2, section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the University of California.

Pursuant to section 4 of the standard Code, designated employees shall file Statements of Economic Interests (Form 700) with the University who will make the statements available for public inspection and reproduction (Gov. Code, §81008). Upon receipt of the Statements (Form 700) filed by members of the Board of Regents, except ex-officio members who serve as such due to their elected state offices and are excluded by Government Code section 87302(b), and upon receipt of the Statements (Form 700) filed by the President, the Chief Investment Officer and Vice President for Investments, and the Associate Chief Investments Officer, the University shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

Pursuant to Title 2, California Code of Regulations, section 18702.4(c), principal investigators who become designated employees because their research is funded or supported in whole or in part by nongovernmental entities shall file Statements of Economic Interests with the University (Form 700-U).

Pursuant to Title 2, California Code of Regulations, section 18755(d) a principal investigator is not required to disclose certain nongovernmental entities that fund research. The regulation sets out a list. An entity shall be considered a qualified nonprofit entity under this

section based on the following factors:

- i. The nonprofit organization has been in existence for an extended period of time;
- ii. The nonprofit organization does not receive major funding, nor is it tied to, a corporate source;
- iii. The nonprofit organization has a national reputation; and
- iv. The nonprofit organization serves, or funds research in, a broad geographic area.

Section 18730 Provisions of Conflict of Interest Codes (Gov. Code, §§ 87300 - 87302, 89501, 89502, 89503 and 89504).

All regulations of the Fair Political Practices Commission governing conflict of interest (Title 2, California Code of Regulations, Division 6, section 18730 et seq.) can be accessed at the FPPC's website at: <http://www.fppc.ca.gov/index.php?id=496>.

Article 1 Designated Positions

Article 1 provides the assigned disclosure category for all positions identified in the Glossary of Designated Positions. General positions identified in Article 1 may include multiple levels of the positions designated (including any Associate, Assistant, Deputy, or Vice position) as specified in the Glossary of Designated Positions. The Glossary of Designated Positions includes all existing positions subject to disclosure as of the effective date of this code. Positions in Article 1 not included in the Glossary of Designated Positions are intended for future designations and may be applied to new positions upon a determination determined by the Filing Officer as outlined below in footnote ii.

| <u>TITLE</u> | <u>DISCLOSURE CATEGORY</u> |
|---|-----------------------------------|
| Administrator | 3 |
| Architect/Engineer | 3 |
| Auditor | 2, 3 |
| Buyer with real estate-related authority ⁱ | 2, 3 |
| Buyer without real estate-related authority ⁱ | 3 |
| Chancellor and Executive Vice Chancellor | 1 |
| Chancellor (Associate, Assistant, or Vice) with real estate-related authority ⁱ | 2, 3 |
| Chancellor (Associate, Assistant, or Vice) without real estate-related authority ⁱ | 3 |
| Chief or Officer (campus) with real estate-related authority ⁱ | 2, 3 |
| Chief or Officer (non-campus) with real estate-related authority ⁱ | 3, 4 |
| Chief or Officer without real estate-related authority ⁱ | 3 |
| Chief Deputy and Deputy General Counsel | 1 |
| Consultant ⁱⁱ | 1 |
| Controller with real estate-related authority ⁱ | 2, 3 |
| Controller without real estate-related authority ⁱ | 3 |
| Coordinator | 3 |
| Counsel (campus) | 2, 3 |
| Counsel (non campus) | 3, 4 |
| Dean with real estate-related authority ⁱ | 2, 5 |
| Dean without real estate-related authority ⁱ | 5 |
| Director (campus) with real estate-related authority ⁱ | 2, 3 |
| Director (non-campus) with real estate-related authority ⁱ | 3, 4 |
| Director without real estate-related authority ⁱ | 3 |
| Investment-specific Officer, Director, or Manager | 1 |
| Librarian | 3 |
| Manager with real estate-related authority ⁱ | 2, 3 |
| Manager without real estate-related authority ⁱ | 3 |
| Principal Investigators | 6 |
| Provost (campus) | 2, 3 |
| Provost (non-campus) | 3 |

Secretary and Chief of Staff of the Regents 1
 Specialist, Strategist, or Analyst with real estate-related authorityⁱ 2, 3
 Specialist, Strategist, or Analyst without real estate-related authorityⁱ 3
 Vice President with real estate-related authorityⁱ
 (Not Reporting Directly to the President) 3, 4
 Vice President without real estate-related authorityⁱ
 (Not Reporting Directly to the President) 3
 Vice President (Reporting Directly to the President) 1

(For a list of the University job titles that are encompassed by the omnibus positions specified above, please refer to Appendix A “Glossary of Designated Positions”)

Article 2 Designated Positions (Full Disclosure)

TITLE

Associate Chief Investments Officer
 Chief Investment Officer and Vice President of Investments
 President
 Regent

ⁱ “Real estate-related authority” means that the job duties of the position include influencing or participating in decisions to purchase or lease property on behalf of the University.

ⁱⁱ Consultants/New Positions shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The Filing Officer may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described above. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The determination by the Filing Officer is a public record and shall be retained by the University and provided for inspection, upon request.

Article 3 Disclosure Categories

INTRODUCTION

Each designated employee is assigned to one or more of the following disclosure categories and must disclose reportable financial interests in each category assigned. Designated employees need not report any investment in a business entity or real property worth less than \$2,000 or any source of income, including gifts, loans and travel payments, which aggregated less than \$500 (if a gift, less than \$50) during the reporting period. An interest in real property used as the designated employee's principal residence is only required to be reported if the residence is also used as a place of business.

Disclosure Categories:

1. All interests in real property, all investments, all income, including gifts, loans and travel payments, and business positions.
2. Interests in real property located within two miles of the laboratory or campus at which the designated employee works, or within two miles of land owned or used, or proposed for acquisition or use by such laboratory or campus.
3. Investments and business positions in business entities and income, including gifts, loans, and travel payments, from sources of the type which, within the last two calendar years, have contracted with the University to (a) supply goods or services to, and/or (b) receive licenses in existing patents, patent applications, and rights in patents and patent applications from, the University, campus, laboratory, or portion thereof (including but not limited to, department, section, or office) over which the designated employee has authority relevant to these contracts. Services include providing grant, contract, or gift funds for research.
4. Interests in real property located within the State of California.
5. Investments and business positions in business entities and income, including gifts, loans and travel payments, from sources of the type which, within the last two calendar years, have contracted with the University to supply goods or services (including providing grant, contract, or gift funds for research) to the unit(s) for which the designated employee has authority relevant to these contracts.
6. All investments and business positions in and income, including gifts, loans and travel payments, from any private, nongovernmental entity (other than one deemed by the FPPC as exempt under FPPC regulation 18755) which will be providing funds, or support for the research project for which the filer is the principal investigator. (The required disclosure shall be made on FPPC Form 700-U).
7. All investments and business positions in business entities, and income (including gifts, loans and travel payments) from sources which are of the type in which University of California funds are or may be invested.