

**UNIVERSITY of WASHINGTON**



**GUIDE  
TO  
ETHICS POLICIES**

Prepared by the  
UW Internal Audit Department

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## **INTRODUCTION**

The Board of Regents, President, and Provost of the University of Washington, as well as UW faculty and staff members, are asked to manage a complex set of internal and external activities and interests. Further, they are expected to accomplish this in a way that complies with the spirit and the letter of ethical standards established by state law and University policy.

The purpose of this guide is to help all members of the University community understand these responsibilities and to remain particularly attentive to identifying and managing potential conflicts of interest and other ethical questions.

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## **A. STATEMENT OF ETHICAL PRINCIPLES**

### [Board of Regents Governance \(BRG\), Regent Policy No. 14](#)

The faculty, staff, and students of the University of Washington are heir to a 150-year commitment to honesty and integrity in conducting our mission of education, research and public service. As trustees of that legacy, it is our responsibility to hold ourselves and one another to the highest ethical standards, guiding our quests for the discovery and dissemination of knowledge and the conduct of other University affairs with a deep respect for the rules and societal standards that define the right way to conduct our work.

This Statement of Ethical Principles is intended to form a foundation for applying the various detailed regulations and ethics programs to which members of the University community are subject. The Statement should be used as a general guide in making ethical decisions in all situations, especially those where the right answer may not be immediately apparent.

#### **1. Conflicts of Interest and Commitment**

All regents, faculty, senior officials, and staff hold positions of trust, and we should conduct our activities accordingly. We must avoid activities that would compromise the public's confidence in the University's integrity or that would impair our independence and objectivity of judgment in the discharge of our responsibilities to the University. We should demonstrate sensitivity in identifying potential conflicts of interest, whether of a financial, personal, or professional nature. Conflicts of interest must be disclosed, reviewed, and appropriately managed or eliminated in accordance with the reporting and other provisions of applicable University and regulatory agency policies.

#### **2. Respect and Civility**

The University community is diverse in ethnicity, gender, age, religion, sexual orientation, political belief, and in many other ways. As members of this community, each of us must help establish and maintain a culture of tolerance and respect for the dignity and perspectives of others and promote civility in our discourse and behavior towards one another.

#### **3. Accountability**

We should hold ourselves accountable to each other, to the University, and to the public for our actions and our omissions. Our duty includes an obligation to report suspected violations of laws, regulations, or University policies to appropriate University officials and to avoid retaliation against others who in good faith report such violations.

#### **4. Stewardship and Use of Authority**

As stewards of University resources, we each have a responsibility to ensure that all assets under our control are used prudently, ethically, and for their designated purposes. We must avoid waste of University funds, property, or facilities or their diversion for non-University purposes. Similarly, we must be careful to use the authority delegated to us so that it serves institutional, rather than personal, objectives.

#### **5. Seeking Guidance**

Whenever we, as members of the University community, are uncertain about the best way to handle a situation, we should consult with our supervisors, the Executive Director of Internal Audit, University legal counsel, or other appropriate resources.

## B. STATE ETHICS ACT

### 1. Scope

Washington State's Ethics in Public Service Act is a foundational legal document, located at [Chapter 42.52 RCW](#). The Ethics Act is aimed at avoiding conflicts between the official duties of state employees and their individual financial and personal interests, as well as preventing the misuse of state resources. The Ethics Act is the basis for a variety of University policies.

The Ethics Act has specific provisions prohibiting state employees from engaging in activities that conflict with their official duties and from participating in state transactions from which they or their family members might personally benefit. All University employees and officials are subject to the Ethics Act.

The Ethics Act is also supplemented by provisions in the UW Policy Directory. (See, [Executive Order No. 32, "Employee Responsibilities and Employee Conflict of Interest."](#))

### 2. Sources of Guidance and Support

- a. *Ethics Board*. The Ethics Act is complex and has been the subject of extensive clarifying regulations and interpretations. Explanatory and training information, including useful advisory opinions, can be found at the [Ethics Board Website](#).
- b. *Internal Auditor*. An important resource for understanding and applying the Ethics Act is the [UW's Internal Auditor](#), who also serves as the University's Ethics Advisor.
- c. *Attorney General*. The [UW Division of the State Attorney General's Office](#) provides University leadership with legal advice concerning the performance of their official duties. This advice can include compliance with state ethics laws.

## C. UNIVERSITY OUTSIDE WORK POLICIES

### 1. Scope

Building on the principles of the Ethics Act, the University has adopted policies that regulate the outside work that may be undertaken by UW faculty and staff to ensure that such work does not conflict with their official responsibilities. Separate policies govern the outside work for faculty and for staff, establishing for each group slightly different boundaries and processes for approval. These policies can be found at the links below:

- a. [UW Outside Work - Faculty](#)
- b. [UW Outside Work - Staff](#)

### 2. Sources of Guidance and Support

- a. [Office of Academic Human Resources](#) (Faculty, librarians, and academic personnel)
- b. [Office of Human Resources](#) (Classified and professional staff)

### 3. Special Considerations for UW Leaders on Outside Boards

When a University leader is invited to serve on the board of directors of an outside entity, the individual should pay particular attention to the possible ethics issues and the risk to the University from real or perceived conflicts that can be triggered by such high profile activities. While having a UW leader serve on an outside board can have collateral benefits to the University and its mission, this activity can also bring difficult legal and ethical complications, such as those discussed below. In addition, the individual should assess whether such service may produce unwelcome public relations issues.

It is important to realize that board membership, *whether compensated or not*, can create a prohibited conflict of interest. As discussed above, the Ethics Act bars employees from having personal *financial* interests in official transactions. But it also specifically prohibits a state employee from “participating”<sup>1</sup> in any transaction between the state and a company for which the employee is “an officer, agent, employee, or member...”<sup>2</sup> As a result, serving on the board of an outside entity creates a personal interest that must be carefully managed, even if that service is done on a volunteer basis. A written conflict management plan can be an important part of addressing the possibility of such conflicts.

Careful management of time and resources is also a challenge when serving on an outside board. The Ethics Act prohibits the use of University time, computers, and other resources for non-University purposes. The duties that come with membership on the board of an outside entity can sometimes demand actions during the employee’s normal work day making it difficult to handle them in a way that avoids the improper use of University resources. Beyond this, policy questions may arise when the time of an already-busy University leader appears to be getting stretched too far.

## D. LOCAL AND SPECIAL PURPOSE POLICIES

The University and several of its schools, colleges, and other units have adopted special purpose policies to address particular local concerns or discrete issues that arise in connection with certain areas of activity. Some examples are discussed below.

It is worth emphasizing that the listing below is not comprehensive and that all employees are responsible for being familiar with the policies that apply to them. Also, given the variety of sources of such policies, there is the possibility of conflicting or inconsistent standards and processes, which should be identified and openly addressed at the earliest stage.

### 1. School of Medicine

In general, all regular faculty and employees within the School of Medicine who desire to engage in outside work for compensation are required to obtain prior written approval from the University, as provided above. In addition, UW Medicine has adopted a [UW Medicine Policy on Potential Financial Conflicts of Interest with Commercial or Non-Profit Entities](#).

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<sup>1</sup> Participation is defined very broadly to include “...approval, disapproval, decision, recommendation, the rendering of advice, [and] investigation...” RCW 42.52.010(13).

<sup>2</sup> There is an exception, however, that allows an employee of “an institution of higher education” to serve as an officer, agent, employee, or member, or on the board of “any nonprofit institute, foundation, or fundraising entity...”

Under this policy, if the faculty outside work requiring approval includes compensation that has monetary value, the value must be disclosed on a supplemental form. Both the request and the supplement are to be submitted to the employee's department chair. After review, the department forwards both forms to the Office of Regulatory Guidance in the Office of the Dean for approval by the School of Medicine. Review of the supplement ends in the dean's office. Final action on the request occurs in the [Office of Academic Human Resources](#).

The UW Medicine policy also contains additional restrictions and requirements regarding receipt of gifts and disclosure of potential conflicts of interest in teaching settings. In addition, the policy contains links to other UW, UW Medicine and UW Medicine entity and affiliate ethics-related policies. See [UW Medicine Outside Work/Conflict of Interest Policy](#).

## **2. School of Dentistry**

The School of Dentistry has adopted a short statement of principles and expectations for its faculty and staff, which can be found at: [School of Dentistry Potential Conflicts of Interest Policy](#).

## **3. Researchers**

All UW investigators participating in research involving UW facilities or resources or patients receiving care at the UW are subject to [Grant Information Memorandum 10 \(GIM 10\)](#), the UW's Significant Financial Interest Disclosure Policy.

As part of GIM 10, if any investigator has a significant financial interest related to the research, it must be indicated on the form and the interest must be disclosed using the Significant Financial Interest Disclosure Form.

There are some differences between the provisions relating to research funded by the federal Public Health Service (PHS) and non-PHS funded research. In addition, the UW Human Subjects Review Committee Application has specific questions regarding investigator financial interests.

## **4. Investments**

The personal investments of anyone involved in making institutional investment decisions for the University are subject to [Board of Regents Governance, Standing Orders, Chapter 7, "Policy Governing Approval of Investments."](#)

## **5. Statements Disclosing Personal Financial Interests**

Under the Washington Public Disclosure Act [Chapter 42.17 RCW](#) elected officials and certain state appointed officials (including the UW President and Board of Regents) are required annually to file a Personal Financial Interest Statement.

Although few people at the UW are required to file this form, the Public Disclosure Commission has more information at the [PDC Website](#).

## **6. Sale of Textbooks**

The Internal Auditor has issued an [Ethics Advisory Regarding Faculty Sale of Textbooks to Students](#), which is intended to provide guidance to faculty.

## 7. Regent Conflicts of Interest

In order to avoid conflicts of interest, the Board of Regents has adopted a policy that incorporates state laws requiring disclosure of significant outside financial interests and requiring them to refrain from participating in any University decisions in which they may have a personal interest.

The policy can be found at [Board of Regents Governance, Regent Policy No. 13](#).

## 8. Special Regent-Created Boards and Committees

The Board of Regents has created a governing board and two special advisory boards, each of which has provisions addressing conflicts of interest.

- The UW Medicine Board’s conflict of interest policy can be found at: <http://uwmedicine.washington.edu/Global/About/Pages/UWMedicineBoard.aspx>.
- The UW Investment Committee (UWINCO) operates under a statement of principles, which include a provision on conflicts of interest. See [Board of Regents Governance, Standing Orders, Chapter 4, “Advisory Committees, Commissions, and Boards.”](#)
- The Advisory Committee on Real Estate (“ACRE”) operates under a statement of principles, which include a provision on conflicts of interest. See [Regents Governance, Standing Orders, Chapter 4, “Advisory Committees, Commissions, and Boards.”](#)
- The Architecture Commission is governed by a Board of Regents Standing Order, which addresses conflicts of interest. See [Regents Governance, Standing Orders, Chapter 4, “Advisory Committees, Commissions, and Boards.”](#)

## 9. Other Ethics-Related Policy Statements

Many other UW policies make reference to the Ethics Act or other regulations or explain how conflict of interest rules apply in a specific situation. Examples of these include:

- [BRG, Standing Orders, Chapter 4, “Advisory Committees, Commissions, and Boards”](#)
- [BRG, Regent Policy No. 6, “Facilities and Spaces Naming Policy”](#)
- [BRG, Regent Policy No. 9, “Endowment and Program Naming Policy”](#)
- [WAC 478-120-085, “The University Disciplinary Committees”](#)
- [WAC 478-120-100, “Faculty Appeal Board”](#)
- [Executive Order No. 32, “Employee Responsibilities and Employee Conflict of Interest”](#) (*Summarizes State Ethics Act and addresses employment of family and household members.*)
- [Executive Order No. 35, “Policy on Candidacy for Public Office”](#)
- [Executive Order No. 36, “Patent, Invention, and Copyright Policy”](#)
- [Executive Order No. 43, “Policy Governing Acceptance of Honoraria”](#)
- [Executive Order No. 57, “Outside Professional Work Policy”](#)
- [Faculty Code, Chapter 24, “Appointment and Promotion of Faculty Members”](#) (see Footnote: *Faculty/Student Relationships and Conflicts of Interest*)
- [GIM 10, “Significant Financial Interest Disclosure Policy”](#)
- [GIM 33, “Grant and Contract Proposals to Industry”](#)
- [GIM 37, “Research Data”](#)

- HR Resource: “[Ethics—Personal Use of State Resources & Conflict of Interest](#)”
- HR Resource: “[New Employee Orientation—Conflict of Interest](#)”
- Researcher Guide: [IRB Conflict of Interest](#)
- Researcher Guide: [Researcher Conflict of Interest](#)
- Researcher Guide: [WIRB Conflict of Interest](#)
- [Administrative Policy Statement 47.2](#) “Personal Use of University Facilities, Computers, and Equipment by University Employees

## E. COMPLIANCE RESPONSIBILITIES

### 1. Accountability

Each University employee is personally responsible for keeping informed about applicable ethics requirements and for acting in compliance with such requirements. In addition, managers are expected to take reasonable steps to assure compliance by the employees they supervise.

### 2. Reporting

Every University employee is encouraged to report violations of ethics requirements to an appropriate University manager or officer or to a relevant enforcement agency, such as the Ethics Board or State Auditor.

## F. WHISTLEBLOWER PROTECTION

### 1. Scope

State law provides University employees an alternative way to report improper governmental actions to the State Auditor’s Office. Employees who use this process are protected from retaliation. The Whistleblower law is codified in [Chapter 42.40](#) of the Revised Code of Washington. Procedures for reporting improper governmental actions are at [Administrative Policy Statement 47.1](#).

“Improper governmental action” means any official action which:

- Is a gross waste of public funds or resources; or
- Is in violation of federal or state law or rule, if the violation is not merely technical or of a minimum nature; or
- Is of substantial and specific danger to the public health or safety; or
- Is a gross mismanagement of funds; or
- Prevents the dissemination of scientific opinion or alters technical findings without scientifically valid justification, unless state law or a common law privilege prohibits disclosure.

Improper governmental action does not include personnel actions for which other remedies exist, including, but not limited to, employee grievances, complaints, transfers, reassignments, demotions, alleged labor agreement violations, claims of discrimination, and related complaints.

## 2. Process

To qualify for the protections of the Whistleblower Act, assertions of improper governmental action must be filed **in writing** with the State Auditor or the following designated University officials:

- President
- Provost
- Chancellor, University of Washington, Bothell
- Chancellor, University of Washington, Tacoma
- Vice President for Human Resources
- Chief Compliance Officer, UW Medicine/Associate Vice President for Medical Affairs
- Associate Vice President for Medical Affairs
- Executive Director, Internal Audit

## 3. Sources of Guidance and Support

- [UW Internal Auditor](#)
- [State Auditor](#)