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MEMORANDUM

DATE: February 2020

TO: Chancellors

FROM: Katie Ignatowski *Katie Ignatowski*
UW System Director of Compliance & Integrity

SUBJECT: [Wis. Admin. Code § UWS 8.025](#): Report of Outside Activities and Interests Faculty, Academic Staff, Limited Appointees
[UW System Administrative Policy 1290](#): Code of Ethics
[Regent Policy Document 20-22](#): Code of Ethics University Staff
[Regent Policy Document 13-4](#): University of Wisconsin System Policy on Institutional and Employee Relationships with Educational Loan Lenders

Pursuant to [UW System Administrative Policy 1290](#), chancellors or their designees are to provide each newly hired employee with the code of ethics to which the employee is subject and thereafter, annually provide all employees with the appropriate code of ethics. This memo serves as the annual reminder of (1) the UW System policies and obligations for faculty, academic staff, and limited appointees with half-time appointments or more to report on outside activities, (2) the requirement to advise university staff of their obligation to avoid conflicts of interest, and (3) the obligation to inform all staff of [Regent Policy Document 13-4](#) regarding institutional and employee relationships with educational loan lenders.

Outside Activities Reporting – Faculty, Academic Staff, Limited Appointees

Pursuant to [Chapter UWS 8](#) of the Wisconsin Administrative Code, all UW System faculty, academic staff, and limited appointees with half-time appointments or more are required to report annually outside activities and interests related to their areas of professional responsibility and for which they receive remuneration by April 30 of each year. The President, Chancellor or his/her designee may provide exception to the deadline of completing this form in extenuating circumstances. Notwithstanding the exception, the employee must immediately submit this form upon his/her return to work. These reports are public records which can be viewed by any member of the public and therefore should be maintained in a central location at each institution. While this form gathers information for the prior year, it is important that staff understand that they are required to promptly update any changes in circumstances as they occur throughout the year.

Attached to this letter are:

- *Guidelines for Reporting Outside Activities*: The document provides details on the necessary activities to be reported.
- The 2020 Outside Activities Report (OAR): Updated for the 2020 calendar year.
- *OAR Communication Plan and Escalation Process*: An updated recommendation to the timeline and escalation process to address employees who are non-compliant with Outside Activities Reporting based on recommendations from the 2017 Ethics Audit to reduce risks associated with outside activities.

Conflicts of Interest – University Staff

The University Staff Code of Ethics is set forth in section III of [Regent Policy Document 20-22](#): Code of Ethics. This policy provides guidance to university staff employees to help avoid activities which cause, or tend to cause, conflicts between their personal interests and their public responsibilities as UW System employees. University staff shall be advised of the Standards of Conduct outlined in section III(C) and, in particular, the explanation of activities that cause a conflict of interest. University staff shall also be advised of their responsibility, as outlined in RPD 20-22 section III(D), to submit a written statement describing the nature of possible conflict to their supervisor or other appropriate administrator.

Institutional and Employee Relationships with Educational Lenders - All UW System Staff

Pursuant to [Regent Policy Document 13-4](#): University of Wisconsin System Policy on Institutional and Employee Relationships with Educational Loan Lenders, UW employees should be regularly informed of the provisions of the policy, as well as applicable state code of ethics and related state and federal laws and regulations. To satisfy this provision, please send all staff the link to [RPD 13-4](#), a link to [Chapter UWS 8](#) to faculty, academic staff, and limited appointees, and the link to [Regent Policy Document 20-22](#): Code of Ethics to university staff.

If you have any questions, please visit the [UW System Compliance & Integrity website](#) or contact me directly.

Thank you.

Attachments (3)

UW System Guidelines for Reporting Outside Activities
2020 Outside Activities Report form
Outside Activities Reporting Communication Plan and Escalation Process

cc: President Cross
Provosts
Chief Business Officers
CHRO/Human Resource Directors



All UWS Institutions Communication Plan and Escalation Process for Outside Activities Reporting

Instructions: The following is a proposed timeline for completion of the Report of Outside Activities and Interests for Faculty, Academic Staff and Limited Appointees with half-time appointments or more. The process outlines a series of notifications with sample language institutions may use as a guide to communicate with employees and an escalation process to ensure compliance and accountability.

I. SAMPLE COMMUNICATION PLAN

Date	Process	Owner	Notes
Between March 1 - 15	First Notification: All employees required to complete the form: Continuing faculty, academic staff and limited appointees notified of the requirement and annual due date of April 30.	Human Resources* or designee	Memorandum with forms attached.
Between April 1 - 15	Second Notification: ONLY to employees who haven't completed forms. This notification should be sent 30 days after the first notification.	Human Resources* or designee	Complete the form as soon as possible.
April 20th	Third Notification: ONLY to employees who haven't completed forms. <i>Employee has not completed OAR.</i>	Human Resources* or designee Supervisor	Complete the form as soon as possible.
<i>(On or about)</i> April 25th	Escalation #1: Written notification to employee, immediate supervisor, and chancellor. <i>Employee has not completed and will be non-compliant if not completed by April 30th.</i>	Human Resources* or designee Supervisor	Employee must complete the form within 5 days.



All UWS Institutions Communication Plan and Escalation Process for Outside Activities Reporting

May 1st	<p>Escalation #2: HR documents employee’s non-compliance with note to file and the employee’s performance rating is adversely affected. Written notification states that <i>“Non-compliance with the reporting requirement has placed the employee “not-in-good standing” status.</i> Appeals may be made to Chancellor after the requirement is met. When an employee is not in good standing with an ethics requirement, s/he is not eligible for any base, lump sum or pay plan salary adjustments. (Extenuating circumstances or leaves of absences will be taken into consideration.)</p>	Supervisor Chancellor Human Resources	Letter to file.
May 15th	<p>Supervisors complete the review of late OAR forms and/ or perform due diligence on OAR forms with potential conflicts of interest</p>	Supervisor/ Designee	

**Human Resources is not the designated owner at every UWS institution.*

II. NOTIFICATION AND ESCALATION PROCESS

In order to ensure accountability and compliance, a notification and escalation process is recommended. If the employee fails to complete the OAR on or about April 25, 2020 the employee’s supervisor and the Chancellor are notified through the first escalation. The escalation occurs if no action is taken by the employee.



All UWS Institutions Communication Plan and Escalation Process for Outside Activities Reporting

First Notification is the same sent to all employees – Send between March 1 - 15, 2020 (See Memo from Katie Ignatowski)

Use the memo to communicate the code of ethics applicable to their employment status.

Second Notification – SAMPLE Language – Send between April 1 - 15, 2020 – to Employees who have not completed the form.

This email serves as a reminder that pursuant to [Chapter UWS 8](#), Outside Activity Reporting (OAR), all UW System faculty, academic staff, and limited appointees with half-time appointments or more, are required to report annually outside activities and interests related to their areas of professional responsibility and for which they receive remuneration. This report must be filed by April 30, 2020.

Our records indicate that as of today's date, your form has not been received. Please visit the UW System Office of Compliance and Integrity website for [OAR training and guidance](#) prior to completing the form. After reviewing the Outside Activities guidelines, complete the OAR and submit to your [insert HR or designated receiver of forms] no later than April 30, 2020. Please note that individuals with no reportable activities are required to complete the form and certify that no reportable activities exist.

If a potential conflict of interest is identified, your supervisor will contact you to discuss further.

Please contact us at X-XXXX if we may be of further assistance to you.

Third Notification – SAMPLE Language – Send April 20, 2020 – to Employees who have not completed the form.

This email serves as a reminder that pursuant to [Chapter UWS 8](#), Outside Activity Reporting (OAR), all UW System faculty, academic staff, and limited appointees with half-time appointments or more, are required to report annually outside activities and interests related to their areas of professional responsibility and for which they receive remuneration. This report must be filed by April 30, 2020.



All UWS Institutions Communication Plan and Escalation Process for Outside Activities Reporting

Our records indicate that as of today's date, your form has not been received. Please visit the UW System Office of Compliance and Integrity website for [OAR training and guidance](#) prior to completing the form. After reviewing the Outside Activities guidelines, complete the OAR and submit to your [insert HR or designated receiver of forms] no later than April 30, 2020. Please note that individuals with no reportable activities are required to complete the form and certify that no reportable activities exist.

If a potential conflict of interest is identified, your supervisor will contact you to discuss further.

Employees who do not complete the OAR by April 30, 2020 will be considered non-compliant with reporting requirements and will be placed in "not-good-standing" status. When an employee is not in good standing with an ethics requirement, s/he is not eligible for any base, lump sum or pay plan salary adjustments. (Extenuating circumstances or leaves of absences will be taken into consideration.)

Please contact us at X-XXXX if we may be of further assistance to you.

First Escalation – SAMPLE Language - Notification to Employee, Supervisor and Chancellor – Sent April 25, 2020

To: Employee

This email serves as a reminder that pursuant to [Chapter UWS 8](#), Outside Activity Reporting (OAR), all UW System faculty, academic staff, and limited appointees with half-time appointments or more, are required to report annually outside activities and interests related to their areas of professional responsibility and for which they receive remuneration. This report must be filed by April 30, 2020.

Our records indicate that as of today's date, your form has not been received. Please visit the UW System Office of Compliance and Integrity website for [OAR training and guidance](#) prior to completing the form. After reviewing the Outside Activities guidelines, complete the OAR and submit to your [insert HR or designated receiver of forms]. no later than April 30, 2020. Please note that individuals with no reportable activities are required to complete the form and certify that no reportable activities exist.

If a potential conflict of interest is identified, your supervisor will contact you to discuss further.



All UWS Institutions Communication Plan and Escalation Process for Outside Activities Reporting

Employees who do not complete the OAR by April 30, 2020 will be considered non-compliant with reporting requirements and will be placed in “not-good-standing” status. When an employee is not in good standing with an ethics requirement, s/he is not eligible for any base, lump sum or pay plan salary adjustments. (Extenuating circumstances or leaves of absences will be taken into consideration.)

To: Supervisor & Chancellor

Our records indicate that as of today's date, the following individuals have not completed the of Outside Activities Report as required by and pursuant to [Chapter UWS 8](#). Please ensure that employees complete the forms and return them to [insert HR or designated receiver of forms]. If forms are not received by April 30, 2020, the employee is considered non-compliant and not in good standing. An employee not in good standing with Ethics requirements is not eligible for performance rating of satisfactory and may not be eligible for base, lump sum or pay plan adjustments.

Second Escalation – SAMPLE Language - Notification to Employees who have not completed the form, copy to Supervisor and Chancellor – Sent May 1, 2020

Pursuant to [Chapter UWS 8](#), Outside Activity Reporting (OAR), all UW System faculty, academic staff, and limited appointees with half-time appointments or more are required to report annually (by April 30 of each year) outside activities and interests related to their areas of professional responsibility and for which they receive remuneration.

Our records indicate that as of today's date, your form has not been received. As a result of your failure to comply with the Ethics Requirement, you are not in good standing and as a result, your performance rating is defaulted to “unsatisfactory”. Employees with unsatisfactory ratings are not eligible for base, lump sum or pay plan adjustments.

You may appeal this status with your supervisor or Chancellor once the form has been completed and turned in.

Sincerely,

Human Resources or other
designated department*

Guidelines for Reporting Outside Activities Under UWS 8.025

Associated Policy: SYS 1290, *Code of Ethics*

Original Issuance Date: February 27, 2020

Last Revision Date: February 27, 2020

1. Purpose of Guidelines

These guidelines support [SYS 1290, Code of Ethics](#) and describe specific requirements for reporting outside activities.

2. Publishing Office(s)

UW System Administration Office of Human Resources

3. Affected Stakeholders on Campus

It is the policy of the University of Wisconsin System to require a report from all faculty, academic staff and limited appointees who engage in remunerative outside activities in their field of professional interest whose appointments are half-time or more for the period under contract to the UW System. If you have a joint appointment, you must file a report for each department/unit.

4. Primary Responsibility

Your report covers activities that occur during the full year, even if you were not under contract to the University for part of that time. You should discuss with your dean or director any activities that may present carryover questions of conflict with your responsibilities during your contract period. If, during the year, changes in your reportable outside activities occur, you should immediately inform, in writing, your dean, director or other appropriate administrator. This information shall be placed on file with your annual statement of outside interests. The due date for the annual report is April 30th each year.

5. Guidelines

A. Reporting Responsibilities

I. Those activities which are reportable under [UWS 8.025](#) include:

1. Section A:

- Professionally related outside activities occurring during the time you are under contract to the university for which you received remuneration, not including ordinary professional activities (see below).

- The names of organizations or businesses for which remunerative outside activities were performed, the type of activity (consulting, teaching, research, writing, etc.), the aggregate time spent (days) in that activity, and whether you received \$5000.00 or more compensation per year from a single source.
 - Royalties from writing and patents need be reported only in the year that they first appear.
 - If you believe you should not publicly identify the name of the organization, you must receive approval from your dean to withhold the name (e.g., if revealing the name would be damaging to the organization's legitimate competitive interests).
 - If you have received compensation from a nongovernmental sponsor of university research, teaching or training for which you are principal investigator, check the box at the bottom of Section A and list the name of the sponsor.
2. Section B: Officerships, directorships, trusteeships that you or members of your immediate family hold in businesses or commercial organizations related to your professional field.
 3. Section C: Ownership interests in organizations related to your academic area of specialization, provided that your immediate family collectively owns more than 10% of the equity.

II. Those activities which need not be reported include:

1. Activities for which remuneration comes from university administered funds (e.g., teaching and innovation awards, etc.).
2. Remunerative ordinary professional activities which extend an unclassified staff member's normal institutional responsibilities of teaching, research and service to serving other public institutions, organizations, and professional societies.
 - Occasional lectures, colloquia, seminars, etc., given at colleges and universities and at meetings of professional societies.
 - Preparation of monographs, chapters and editorial services for nonprofit educational organizations.
 - Service on advisory committees and evaluation panels for government funding agencies, nonprofit foundations and educational organizations.
 - Leadership positions in professional societies.
3. Instruction at another nonprofit educational institution or research supported by a government agency if the instruction or research is performed during periods when you are not on the university payroll, or, in the case of part-time appointment, if the work is performed during the time that you are not contracted to the university.

B. Definitions

A remunerative relationship is any relationship that results in payments, transfer of goods or provision of services to the reporting staff member.

An organization is any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or the legal entity other than an individual or body politic (see [Wis. Admin. Code § UWS 8.02\(12\)](#)).

Professionally related activities are activities related to the staff members' field of academic interest or specialization.

C. [UWS 8.025](#) Outside activities and interests; reports

I. Outside activities.

Members of the unclassified staff are free to engage in outside activities, whether or not such activities are remunerative or related to staff members' fields of academic interest or specialization. However, no member of the unclassified staff may engage in outside activity if it conflicts with his or her public responsibilities to the university of Wisconsin system or the institution at which the unclassified staff member is employed.

II. Reportable outside activities.

1. The following outside activities must be reported to a staff member's dean, director or other appropriate administrator:
 - a. Associations with organizations, as defined in [s. UWS 8.02 \(3\) and \(12\)](#), related to staff members' fields of academic interest or specialization;
 - b. Private remunerative relationships between staff members and non-governmental sponsors of university research for which the staff member is a principal investigator; and
 - c. Remunerative outside activities in a staff member's field of academic interest or specialization, including but not limited to consulting, and whether the staff member earns for such activities \$5,000 or more in a year from a single source.
2. Each unclassified staff member engaging in outside activities reportable under this section shall annually, on or before April 30, file a report of outside activities with his or her dean, director or other appropriate administrator.
3. If, during the year, changes in a staff member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her dean, director or other appropriate administrator. This information shall be placed on file with the staff member's annual statement of outside interests.

III. Institutional policies.

The unclassified staff members of each institution, with the approval of the chancellor, shall develop policies and procedures which shall, at a minimum provide:

1. Standards concerning the use of university facilities and personnel in connection with outside activities;
2. Standards concerning absence from regular duties for the purpose of engaging in outside activities;

3. Guidelines identifying types or categories of outside activities which may result in a material conflict of interest; and
4. For such reports of anticipated outside activities as are necessary to insure Compliance with [s. UWS 8.04](#).

IV. Reports public.

Information required to be reported under this section shall, unless otherwise privileged by law, be a matter of public record.

Note: This section addresses outside activities. Several explanatory points provide relevant background:

1. The section addresses matters heretofore handled under [UWS 7](#) and [UWS 14](#), which are accordingly repealed. This change in the scope of [UWS 8](#) was made in response to legislative suggestion.
2. The rule recognizes the right of unclassified staff members to engage in outside activities, whether or not the activities are remunerative or related to staff members' fields of academic interest. However, in order to assure that such activities do not conflict with staff members' responsibilities to the university of Wisconsin system, or the institution at which the staff member serves, the rule provides that certain types of activities must be reported to staff members' deans, directors or other appropriate administrators. These reportable outside activities include associations with organizations related to staff members' fields of academic interest or specialization, certain private remunerative relationships between staff members and non-governmental research sponsors, and remunerative outside activities in staff members' fields of academic interest or specialization and whether the staff member earns \$5,000 or more in a year from a single source. The language retains the requirements currently in [UWS 7](#) and [UWS 14](#) that institutions develop policies to regulate the use of university facilities in connection with outside activities, and adds a similar requirement pertaining to use of personnel. It provides a more explicit requirement for institutional development of standards on absence from university duties, and for reports on outside activities which staff members anticipate they will perform during the academic year.
3. Guidelines and suggestions will be provided to institutions for implementation of the Regent rule. These guidelines would include examples of standards concerning use of university facilities and absence from university duties that might be adopted under [UWS 8.025 \(3\) \(a\) and \(b\)](#) categories or types of activities which might present a material conflict of interest under [UWS 8.025 \(3\) \(c\)](#); reporting procedures under [UWS 8.025 \(4\)](#); and other relevant information.
4. The rule incorporates and codifies the result of litigation between the Madison Capital Times and the UW-Madison. That case, decided in Dane County Circuit Court in the spring of 1983, held that UW-Madison reports of outside activities required under [UWS 7](#) and [UWS 14](#) were records open to public inspection. This section continues the existence of the reporting requirements ([UWS 8.025 \(2\)](#)) a declares the public nature of the reports ([UWS 8.025 \(4\)](#)), except in those instances where other legal principles establish a privilege for the information contained therein.

5. [UWS 8.025 \(1\)](#) indicates that the Regents' purpose is not to dictate the financial topical terms of activity but to ensure that it does not present conflicts of interest or time with university duties. [See also Note to [UWS 8.01 \(3\)](#)].
6. Forms required under this section for the reporting of outside activities may be obtained from the Office of the Secretary to the Board of Regents, Room 1860 Van Hise Hall, 1220 Linden Drive, Madison, Wisconsin 53706, at no charge.

6. Contact

UW System Administration Office of Human Resources

7. Guidelines History

Original Issuance: February 27, 2020

*Before this date, these guidelines were published as Appendix 1 of [SYS 1290, Code of Ethics](#).

8. Scheduled Review

February 2025