

**The University of Wisconsin System  
UPS OPERATIONAL POLICY: WE 1**



**SUBJECT:** Code of Ethics

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**Original Issuance Date:** July 1, 2015

**Last Revision Date:**

**1. POLICY PURPOSE:**

The purpose of this policy is to provide guidance on the avoidance of activities that cause, or tend to cause, conflicts between employees' personal interests and their public responsibilities.

**2. POLICY BACKGROUND:**

UW System employees are subject to ethics rules covering use of university resources, conflicts of interest, and acceptance of gifts. Pursuant to [Wis. Stat. § 19.45\(11\)\(b\)](#), the Board of Regents developed Regent Policy Document [RPD 20-22, Code of Ethics](#).

[RPD 20-22, Code of Ethics](#), which was effective July 1, 2015, explains that UW System employees are subject to the following three separate codes:

- I. Faculty, academic staff, and limited appointees (other than state public officials) remain subject to [Wisconsin Administrative Code, Chapter UWS 8](#).
- II. State public officials remain subject to [subchapter III of Wis. Stats. Chapter 19](#). Individuals holding the following positions are state public officials: Member – Board of Regents, President, Chancellor, Vice Chancellor, and all Vice President titles.
- III. Effective July 1, 2015, university staff are subject to a code that is set forth in Section III of [RPD 20-22](#). The University Staff Code of Ethics was closely modeled after Wisconsin Administrative Code, [Chapter ER-MRS 24](#), the Code of Ethics for classified state employees.

**3. POLICY DEFINITIONS:**

Please see UPS Operational Policy [GEN 0: General Terms and Definitions](#) for a list of general terms and definitions

**4. POLICY:**

It is the policy of the University of Wisconsin System that chancellors or their designees provide each newly hired employee with the code of ethics to which the employee is subject. Thereafter, chancellors should annually provide all employees with the appropriate code of ethics.

Employees should review, abide by, and ask for clarifications when necessary regarding their respective code of ethics. If an employee is uncertain whether a future action may violate a code of ethics, the employee should consult with the chancellor or the chancellor's designee.

The employees subject to Wisconsin Administrative Code [Chapter UWS 8](#) must keep track of and report outside activities pursuant to [Regent Policy Document 20-7, Outside Activity Reporting](#), and Wis. Admin Code [UWS 8.025](#). The Board of Regents require all UW System faculty, academic staff, and limited appointees with half-time or greater appointments to report annually (by April 30 of each year) on outside activities and interests related to their areas of professional responsibility and for which they receive remuneration.

Outside Activities should be reported as specified in the "Guidelines for Reporting Outside Activities" ( Attachment 1). All reports are to be filed in a central place at each UW System institution and should be open to public inspection.

**5. RELATED DOCUMENTS:**

Regent Policy Document [RPD 20-22, Code of Ethics](#)  
[Regent Policy Document 13-4, University of Wisconsin System Policy on Institutional and Employee Relationships with Educational Loan Lenders](#)  
[Regent Policy Document 20-7, Outside Activity Reporting](#)  
[General Counsel Legal Topics - Ethics](#)  
Wis. Admin. Code Chapter [UWS 8, Unclassified Staff Code of Ethics](#)  
Wis. Stat. § [19.45, Standards of conduct, state public officials](#)

**6. POLICY HISTORY:**

Wis. Admin. Code Chapter [ER-MRS 24, Code of Ethics](#)

**University of Wisconsin System**  
 Guidelines for Reporting Outside Activities  
 Under UWS 8.025  
 (Guidelines approved by Board of Regents May 10, 1991 – Regent Policy Document 20-7)

**Who must report and what must be reported?**

It is the policy of the University of Wisconsin System to require a report from all unclassified staff (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. 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.

For purposes of the reporting form:

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

Net remuneration includes the value of all payments, goods and services received as compensation for an activity less expenses. Expenses deducted should not exceed those that could ordinarily be claimed from university administered funds.

An organization is any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or the legal entity other than an individual or body politic (see UWS 8.02(12), Wisconsin Administrative Code).

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

Ordinary professional activities are those activities which extend and unclassified staff member's normal institutional responsibilities of teaching, research and service to serving other public institutions, organizations, and professional societies. Examples of such ordinary professional activities would be:

- a. Occasional lectures, colloquia, seminars, etc., given at colleges and universities and at meetings of professional societies.
- b. Preparation of monographs, chapters and editorial services for nonprofit educational organizations.
- c. Service on advisory committees and evaluation panels for government funding agencies, nonprofit foundations and educational organizations.
- d. Leadership positions in professional societies.

**Those activities which are reportable under UWS 8.025 include:**

1. Professionally related outside activities occurring during the time you are under contract to the university for which you received net remuneration, not including ordinary professional activities.
2. The names of organizations or businesses for which net remunerative outside activities were performed, the type of activity (consulting, teaching, research, writing, etc.) and the aggregate time spent (days) in that activity.
  - Royalties from writing and patents need be reported only in the year that they first appear.
3. You must name the organization or source and indicate the aggregate amount of time in days spent in outside activities with that organization. If you received \$5,000.00 or more compensation per year from a single source, you must check the last column of section A.
  - 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).
4. Any remunerative relationships that you had with organizations which sponsor university research, teaching or training in which you are involved. If these relationships exist, you must report the name of the organization.

5. Officerships, directorships, trusteeships that you or members of your immediate family hold in businesses or commercial organizations related to your professional field.
6. Ownership interests in organizations related to your academic area of specialization, provided that your immediate family collectively owns more than 10% of the equity.

**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 (see definitions above).
3. Instruction at another nonprofit educational institution or research supported by a government agency if the instruction or research is performed during periods when the staff member is not on the university payroll, or, in the case of part-time appointment, if the work is performed during time not contracted to the university.

**Regent Policy Doc. 20-7 (Regent Resolution 5785):** *Whereas, the Board of Regents recognizes the importance of accountability to the people of Wisconsin and believes that it is in the interest of both the public and the UW System to assure public confidence in the integrity of UW System faculty and staff, and*  
(adopted 5/10/91)

*Whereas, UW System policies regarding public reporting of outside interests and activities required by UWS 8 of the Wisconsin Administrative Code are among the most extensive among universities in the nation, and*

*Whereas, the Regents wish to support and encourage UW faculty and staff to share their expertise and talent with agriculture, business, industry, and the state's communities,*

*Therefore, the Board of Regents approves the "UW System Guidelines and Form for Reporting Outside Activities as required by UWS 8.025, Wisconsin Administrative Code," and directs the UW System President to implement these revised procedures at all UW institutions effective for the reporting period ending April 30, 1992.*

**UWS 8.025** Outside activities and interests; reports

(1) 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.

(2) Reportable outside activities.

(a) The following outside activities must be reported to a staff member's dean, director or other appropriate administrator:

1. Associations with organizations, as defined in s.UWS 8.02 (3) and (12), relate to staff members' fields of academic interest or specialization;
2. Private remunerative relationships between staff members and non-governmental sponsors of university research for which the staff member is a principal investigator; and
3. 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.

(b) 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.

- (c) If, during the year, significant 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.
- (3) 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:

- (a) Standards concerning the use of university facilities and personnel in connection with outside activities;
- (b) Standards concerning absence from regular duties for the purpose of engaging in outside activities;
- (c) Guidelines identifying types or categories of outside activities which may result in a material conflict of interest; and
- (d) For such reports of anticipated outside activities as are necessary to insure Compliance with s. UWS 8.04.

(4) 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 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 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 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 or 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.