

**RECORD OF THE MEETING**  
**OF THE**  
**BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM**  
**EXECUTIVE COMMITTEE**

Tuesday, January 21, 2020  
3:30 p.m.

By teleconference  
1820 Van Hise Hall  
1220 Linden Drive  
Madison, Wisconsin

-President Petersen presiding-

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**CALLING OF THE ROLL**

PRESENT: Regents Andrew S. Petersen (Chair), Robert Atwell, Mike Jones, Tracey Klein, Edmund Manydeeds, and Janice Mueller

UNABLE TO ATTEND: Regents Michael Grebe and Eve Hall

Before considering any items on the agenda, President Petersen asked if any Board members wished to declare any conflicts of interest as per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents." No conflicts of interests were declared.

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**APPROVAL OF NEW REGENT POLICY, "CONTRACTS WITH RESEARCH COMPANIES"**

President Petersen asked Vice President Rob Cramer to provide a brief overview of the proposed Regent policy on contracts with research companies. Vice President Cramer explained that the policy is needed to meet the requirements resulting from recent legislation. With the adoption of 2019 Act 36 and the proposed Regent policy, the process for reviewing research contracts to ensure compliance s. 946.13(1), Wis. Stat., will no longer require a 45-day passive review process by the Board of Regents. Instead, a research

contract, regardless of its monetary value, will be exempt from the prohibitions in s. 946.13(1), Wis. Stat., if an employee's interest has been evaluated and addressed by a management plan issued by the entity responsible for managing conflicts of interest, and the management plan is compliant with Regent policy.

In response to a question from a Regent, Vice President Cramer indicated that UW System was supportive of this legislative change. He also explained the time-sensitive nature of this item as UW-Madison has several research contracts on hold pending the Board's approval of the new policy. In response to a Regent question, Vice President Cramer the policy will be reconsidered by the Board of Regents at its February 6-7, 2020 meeting, to provide UW institutions with additional time to review and comment on the policy language.

Noting that there will be interest in whether the new legislation is working as intended, Regent Mueller asked that this item be added to the Office of Internal Audit's schedule for future review.

Noting that his campus welcomed this statutory change, UW-Madison Vice Chancellor Laurent Heller provided a brief overview of the internal process used by UW-Madison to internally identify and manage the conflict of interest process. The process, which requires faculty and academic staff to submit outside activity reports, has recently been made more robust to include proactive checks for any conflicts of interest when negotiating awards. Employees may be required to recuse themselves from negotiating contract terms, reporting, hiring decisions, procurement, and other decision making. In response to a question from Regent Tracey Klein, Vice Chancellor Heller noted that clinical faculty at UW Health are subject to the conflict of interest requirements.

Vice Provost for Research Mark Harris explained that the process used by UW-Milwaukee is similar to UW-Madison's process. Outside Activity Reports are reviewed by departmental leaders and Deans' offices and then forwarded to him. He noted that his office maintains a list of conflict of interest plans, and checks contracts against this list. He also noted that his office will not proceed with a contract unless a management plan has been developed.

Regent Atwell moved for the adoption of Resolution 11358. The motion was seconded by Regent Manydeeds and approved on a voice vote.

### **Approval of New Regent Policy, "Contracts with Research Companies"**

Resolution 11358      That, upon the recommendation of the President of the University of Wisconsin System, the Board of Regents approves a new Regent Policy Document entitled "Contracts with Research Companies."

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The meeting was adjourned at 3:50 p.m.

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Submitted by:

/s/ Jess Lathrop

Jess Lathrop, Executive Director and Corporate Secretary  
Office of the Board of Regents  
University of Wisconsin System