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STANDARDS OF CONDUCT GUIDE

The purpose of the Standards of Conduct Guide (The Guide) is to emphasize the need for and the responsibility of all employees of The University of Texas at Dallas (UT Dallas) to know how to perform their duties and responsibilities in compliance with applicable provisions of federal and state laws, regulations and policies; and with the policies, rules and regulations of the Board of Regents of The UT System and UT Dallas.

While most employees are aware of compliance standards and are sensitive to these issues, we feel that it is beneficial to provide an official guide for use as reference.

The Guide is an outline of some of the laws, policies, rules and regulations that are pertinent to the conduct of employees of UT Dallas. Although the Guide addresses a number of specific laws, policies, rules and regulations, it is not intended to be a comprehensive list of legal and ethical standards; rather, it provides employees of UT Dallas with information about and source references for the laws, policies, rules and regulations that have a direct effect on the University and its operations. Specific ethical or compliance questions of an employee should be directed to the employee’s supervisor, or the UT Dallas Compliance or Ethics Officers.

INSTITUTIONAL COMPLIANCE PROGRAM

The University of Texas at Dallas (UT Dallas) Institutional Compliance Program is intended to demonstrate in the clearest possible terms the commitment of UT Dallas to the highest ethical standards and compliance with all applicable laws, policies, rules and regulations. The program direction is provided by a system-wide, executive-level Compliance Committee representing all major compliance areas. The UT System compliance officer is responsible for the program’s execution. Each UT System component institution has a compliance officer and a Compliance Committee. At UT Dallas, the compliance officer is Dr. George Fair, VP for Diversity and Community Engagement. For a list of members of the Executive Compliance Committee, please visit the UT Dallas Institutional Compliance Program website at http://www.utdallas.edu/oiec/compliance/about-us/executive-compliance-committee/.

HISTORY OF THE PROGRAM

In the 1990s, the federal government created sentencing guidelines for organizations found guilty of ethics and compliance offenses. One section of these guidelines outlines how organizations can reduce the severity of sentences by implementing effective compliance and ethics programs. The guidelines list seven essential requirements of an effective compliance
program. To learn more and see how the UT Dallas Institutional Compliance Program implements these requirements, please visit, *Seven Elements of an Effective Compliance Program*.

To address the need for compliance and ethics programs in the UT System, in April 1998, the UT System Board of Regents approved the *Action Plan to Ensure Institutional Compliance*, which created the institutional compliance program at UT Dallas.

The 2003 *Action Plan to Enhance Institutional Compliance* is an updated version of the original 1998 Action Plan to Ensure Institutional Compliance.

The official policy governing the Institutional Compliance Program is *The University of Texas System Systemwide Policy UTS 119*.

**INSTITUTIONAL COMPLIANCE ADVISORY COMMITTEE**

In addition to the Compliance Committee, the University has an Institutional Compliance Advisory Committee, which is comprised of representatives from the departments across campus. The advisory committee meets periodically to review the Institutional Compliance Program and to recommend changes to the list of high-risk areas requiring proactive monitoring. The responsible person for each high-risk area reports quarterly regarding any incidents of non-compliance that have occurred during the quarter. In addition, members of the advisory committee are responsible for ensuring their Risk Management Plans (RMP) are current, reviewing and updating applicable training content, and providing guidance on the selection of annual training modules. Members of the Compliance Advisory Committee are listed on the UT Dallas Institutional Compliance Program website at [http://www.utdallas.edu/oiec/compliance/about-us/compliance-advisory-committee/](http://www.utdallas.edu/oiec/compliance/about-us/compliance-advisory-committee/).

**COMPLIANCE TRAINING**

The Institutional Compliance Program is intended to demonstrate in the clearest possible terms the commitment of UT Dallas to the highest standards of ethics and compliance with all applicable laws, policies and regulations. Annual and new-hire compliance training is a critical component of the program and provides basic information about laws, regulations, policies and procedures with which **all** employees must comply. In addition, the training provides references regarding who employees can contact and websites they can visit for more information on each subject presented.
Compliance Training is required of all employees, including full-time and part-time employees, student workers and research/teaching assistants.

The most common times we will ask you to take training are:

- When you’re first hired (new hire training must be completed within 30 days of hire).
- Once a year (refresher/annual training).
- When you change jobs (only if your new job duties/department warrant additional training).
- When there’s a change in the law.

If you’re a department manager, please contact Institutional Compliance anytime you need training for your employees.

All new employees at UT Dallas are required to complete New Hire Compliance Training. By completing the training, new employees will gain an understanding of policies and procedures on campus and find out where to go if assistance is needed. Employees will be notified when the training has been assigned to them and will be given a window of time to complete the training. State and UT System regulations require training to be completed within 30 days of hire.

After their first year of hire, all employees are required to complete Annual Compliance Training. Annual training is assigned during the spring semester and consists of refresher modules and reminders on important UT Dallas, UT System, state and federal regulations. The UT Dallas Compliance Advisory Committee makes recommendations to the Executive Compliance Committee on what training should be assigned for annual compliance training.

Job-Specific Compliance Training is assigned upon hire (in addition to New Hire Compliance Training modules) based on specialized job responsibilities and will also be assigned with annual compliance training unless otherwise requested by the department manager. For example, employees who have UT Dallas-issued purchasing cards will be required to take additional training designed for cardholders. Institutional Compliance collaborates with management from each of the administrative areas to determine the appropriate training requirements.

New and returning student workers receive Student Employee Compliance Training every fall semester and upon hire after that. Student workers will be notified by Institutional Compliance to complete the training. This training is a condensed version of all the modules included in New Hire Compliance Training. It is required training and must be completed within 30 days of hire. Student workers will gain an understanding of policies and procedures on campus and find out where to go if assistance is needed.

UT Dallas delivers compliance training online via eLearning. If you need in-person training, please let us know as we’ll be happy to set it up.
Institutional Compliance will notify all employees by email when new-hire or annual compliance training is required.

**To take the training:**

- Go to [https://elearning.utdallas.edu/](https://elearning.utdallas.edu/)
- Log in with your Net ID and password (most Net IDs are three letters followed by six numbers, such as abc123000)
- Choose **Compliance Training** from the **My Organizations** section (usually located under the **Course List** section)
- Complete all topics listed

**If you encounter problems,** please call Institutional Compliance at **x2233**, or send us an email with your questions or suggestions to **compliance@utdallas.edu**
PRIVACY AND CONFIDENTIALITY

The University strictly adheres to all applicable federal and state privacy laws safeguarding the privacy and confidentiality of our students, employees, and patients, including the Family Education Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA). To assist with understanding and complying with applicable privacy laws, the University has adopted and implemented several policies, procedures and manuals, all of which are available on the University’s website.

Unless specifically exempted from disclosure or made confidential by law, however, all documents collected, assembled, or maintained by the University in the regular course of business are available to the public under the Texas Public Information Act. Generally, information exempt from disclosure includes certain personnel data, student information, patient information, donor information, strategic plans, and information related to competition and bidding, and proprietary information. To make a request under the Texas Public Information Act, please follow the procedures outlined on following website: http://www.utdallas.edu/administration/legal/.

HIPAA-PRIVACY

HIPAA is the federal law that sets standards regarding the rights and regulations for patients’ protected health information. UT Dallas has adopted the policies and procedures set forth in the HIPAA Privacy Manual (NetID login required). The US Department of Health and Human Services (HHS) implements HIPAA. HIPAA gives the Secretary of HHS the authority to establish standards and requirements for the electronic transfer of health care information, and for the privacy and security of Protected Health Information (PHI). A reference to HIPAA in this manual generally refers to the requirements of the statute and the regulations as interpreted by HHS. The Privacy Rule is located at 45 Code of Federal Regulations (CFR) Part 160 and Subparts A and E of Part 164.

UT Dallas employees working at the Callier Center who are working for departments covered by a Memorandum of Understanding with the Callier Center or employees designated to do so must complete online HIPAA privacy compliance training and abide by all HIPAA rules and regulations.

HIPAA-SECURITY

In addition to Privacy protections, HIPAA includes a Security Rule that outlines standards for protecting electronic PHI. Care should be taken to store PHI only in systems designated and approved for use with medical records. Unless specifically approved by the Callier Center Privacy Officer, PHI should never be stored on portable media nor removed from the UT Dallas
campus. Laptops and desktops used to store or process PHI must have an encrypted hard drive; exemptions are not likely to be approved for computers used to store PHI due to HIPAA requirements.

Further requirements for the protection of electronic based PHI may be found in the HIPAA Security Rule, located at 45 Code of Federal Regulations (CFR) Subpart C of Part 164.

INFORMATION SECURITY (CONFIDENTIAL AND SENSITIVE INFORMATION)
UT Dallas information resources may be used only for official state purposes. Every UT Dallas employee has a responsibility for maintaining the security and confidentiality of UT Dallas information resources and must comply with information security policies and standards. An employee may access or disclose confidential and sensitive information only within the scope of their employment or as permitted by contract, state or federal law or regulation, UT System policy, or UT Dallas policy. The Information Security Office also provides awareness training courses and serves as a campus resource on information security topics; more information is available at the Information Security department website: [http://www.utdallas.edu/infosecurity/](http://www.utdallas.edu/infosecurity/).

COMPUTER ACCESS and PASSWORDS
Employees who use software licensed to UT Dallas must abide by applicable software license agreements and may copy licensed software only as permitted by the license. Direct any questions about software license agreements to your supervisor or the Information Resources department.

COMPUTER SOFTWARE
Computing accounts are assigned to individuals. Each individual provided with an account must never disclose his/her account password or knowingly permit another individual to access information resources via his/her account. Each individual will be held accountable for all actions performed with the account assigned to him/her.

USE OF PERSONAL COMPUTING EQUIPMENT
Employees are encouraged to use University-owned computing equipment to conduct their work, rather than personally owned equipment. If University data is stored or processed using personally-owned equipment, the employee must implement security protection features
comparable to those required for University-owned equipment, as justified by the functions being performed and the classification of the data being accessed.

For more information, please refer to the UT Dallas Information Security and Acceptable Use Policy UTDBP3096 located at https://policy.utdallas.edu/utdbp3096.

FAMILY EDUCATION RIGHTS & PRIVACY ACT (FERPA)
The Family Education Rights & Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. “It is intended that students’ rights be broadly defined and applied. Therefore, consider the student as the “owner” of the information in his or her education record, and the institution as the “custodian” of that record.” (Rooker, Leroy and Falkner, Tina, eds. 2013 FERPA Quick Guide, p29.)

The UT Dallas Family Educational Rights and Privacy Act Policy (UTDSP5010) is located at http://policy.utdallas.edu/utdsp5010.

Generally, schools must have written permission from the eligible student to release any information from a student’s educational records. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- The disclosure is to school officials whom the institution has determined to have legitimate educational interests.
- The disclosure is to officials of another institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purpose related to the student’s enrollment or transfer.
- The disclosure is to authorized representatives of federal, state or local educational authorities.
- The disclosure is in connection with financial aid for which the student has applied or the student has received.
- The disclosure is to organizations conducting studies for, or on behalf of, the institution.
- The disclosure is to accrediting organizations.
- The disclosure is to parents of a dependent student.
- The disclosure is to comply with a judicial order or lawfully issued subpoena, including ex parte orders under the USA Patriot Act.
- The disclosure is in connection with a health or safety emergency.
- The disclosure is to the student.
- The disclosure is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offence.
- The disclosure subject to the requirements in §99.39 is in connection with a disciplinary proceeding at an institution of postsecondary education.
- The disclosure is to a parent of a student under the age of 21 concerning the student’s violation of any law or policy regarding the use or possession of alcohol or a controlled substance.
- The disclosure concerns sex offenders and other individuals required to register under state or federal law.

Schools may release, without written consent those items specified as directory information. UT Dallas defines directory information as name, local and permanent postal addresses, email address, telephone number, place of birth, field of study, dates of attendance, enrollment status, student classification (example: freshman, first year law school student), degrees awarded, certificates and awards (including scholarships) received, photographs, participation in officially recognized activities and sports, weight and height of members of athletic teams; and most recent previous educational agency or institution attended. However, schools must inform eligible students about directory information and allow eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify eligible students annually of their rights under FERPA. The actual means of notification (special letter, email, inclusion in a course schedule, student handbook or newspaper article) is left to the discretion of each school.
RESEARCH COMPLIANCE

UT Dallas is committed to ensuring its faculty, staff and students have an open and productive environment in which to conduct research. The Office of Research Compliance (ORC) supports the University’s mission to conduct research with responsibility and integrity by providing information on research activities that are governed by research oversight committees and boards imposed by federal and state laws. The ORC assists faculty and research investigators in fulfilling the terms of policies and regulations in the following areas: human subjects research, biomedical research, biosafety, export controls, laboratory safety, and conflict of interest. It also supports the Office of Sponsored Projects to meet the compliance requirements regarding externally funded research projects. It is the responsibility of faculty and investigators to be familiar with UT Dallas policy as it relates to these research compliance areas.

HUMAN SUBJECTS RESEARCH
The University of Texas at Dallas Institutional Review Board (IRB) is a University-wide Standing Committee appointed by the president to protect the rights and welfare of human subjects/human subjects data used in human research conducted under the auspices of The University of Texas at Dallas. The IRB operates under the guidelines of the Department of Health and Human Services (HHS) Office of Human Research Protection (OHRP) and other federal regulations for the protection of Human Research Subjects (http://www.hhs.gov/ohrp/humansubjects/index.html).

While the ultimate responsibility for the treatment of all human subjects and data in research rests with the individual researchers (faculty, students, staff, or external research collaborators) who have been given the privilege to conduct research with humans, the IRB reviews research studies to ensure that these studies are ethical and to protect the rights and welfare of the donors and participants. The committee also reviews research protocols and consent forms to determine compliance with all relevant regulations (http://policy.utdallas.edu/utdpp1035).

BIOMEDICAL RESEARCH
In compliance with The Guide for the Care and Use of Animals and federal requirements mandated by the Animal Welfare Act (AWA), Public Health Service Policy (PHS) and the Office of Laboratory Animal Welfare (OLAW) The University of Texas at Dallas has established an Institutional Animal Care and Use Committee (IACUC) responsible for the oversight, evaluation, and assurance of compliance for researcher’s utilizing vertebrate animals, as well as the institution’s animal care and use program.

It is the responsibility of the IACUC to ensure that scientific research is performed ethically and in strict accordance with PHS, USDA, and UT Dallas policies. The Attending Veterinarian (AV) is responsible for the health and well-being of all animals used for research, teaching, and testing.
The Office of Research Compliance, which administers the policies, procedures, staffing and organizational structure of the Animal Resource Center (ARC) is likewise committed to responsible conduct of research, and believes in acting ethically in creating a positive culture of research compliance while facilitating a productive, nationally competitive, research environment.

Additional information regarding biomedical research may be obtained at: http://www.utdallas.edu/research/orc/.

EXPORT CONTROLS
U.S. export-control law and regulations govern when and how access can be granted to foreign nationals and foreign countries concerning strategically vital technology, services, and information, including research equipment and technology. At UT Dallas, faculty and research investigators need to be aware that the release of controlled technology to a foreign national at the University orally or through a demonstration is considered a deemed export of the technology. Actual and deemed exports of controlled technology require an export license. The Office of Research Compliance manages the research export control program at UT Dallas.

The bulk of research conducted at the University of Texas at Dallas is exempt from export control regulations because researchers engage in basic and applied research activities where the research results are open to the public. Nonetheless, UT Dallas researchers, staff, and students should learn how to recognize export control issues and to understand the resources available to resolve such issues. Faculty and research investigators should contact the Office of Research Compliance with questions related to export control requirements.

CONFLICTS OF INTEREST IN RESEARCH (UTS 175)
The University of Texas at Dallas has instituted a research conflict of interest program to comply with federal regulations and UT System Regents Rules and Regulations regarding the conduct of research. The policy provides a framework for faculty and researchers to identify situations that create the possibility for a conflict of interest with their research, and to work with the Office of Research Compliance to avoid or manage those situations.

The UT Dallas research conflict of interest policy applies to all faculty, staff and students who are responsible for designing, conducting or reporting of research at UT Dallas. Public Health Service (PHS) and National Science Foundation (NSF) regulations require UT Dallas researchers to disclose financial interests (e.g., consulting fees or salary, equity interests, and intellectual property rights): (1) that would reasonably appear to be affected by the research for which funding is sought; or, (2) that are in entities whose financial interest would reasonably appear to be affected by the research. All researchers must complete financial disclosures annually and as newly reportable financial interests are obtained.
The Research Integrity Committee (RIC) is responsible for the review and management of potential research conflicts of interest on behalf of UT Dallas. With the support of the ORC, the RIC works with research investigators involved in a potential research conflict of interest to determine if the conflict can be managed. Depending on the funding source, external research funding may not be expended until the RIC and the research investigator have determined if the potential conflict can be managed.

RESEARCH MISCONDUCT
Research misconduct and/or fraud constitutes “an offense that damages not only the reputation of those involved but also that of the entire educational community” and is defined as “fabrication, falsification, plagiarism, or other practices that materially deviate from those that are commonly accepted within the academic community for proposing, conducting, or reporting research. It does not include honest errors or honest differences in interpretations or judgments of data” (http://policy.utdallas.edu/utdpp1070).

Allegations of research misconduct and/or fraud are handled by UT Dallas department heads and deans or, in some cases, by the executive vice president and provost. Explicit procedures for inquiry, documentation and conclusion to allegations of misconduct are defined explicitly in the UT Dallas Research Misconduct Policy and typically concluded within 60 days unless exigent documented circumstances warrant extension (please refer to http://policy.utdallas.edu/utdpp1070).

Allegations of misconduct involving federal grants are investigated by the UT Dallas Vice President for Research and coordinated with the Office of Research Integrity at the National Institutes of Health and are typically concluded within 120 days unless an extension is granted (please refer to http://policy.utdallas.edu/utdpp1070).

The Office of Research Compliance in conjunction with the Office of the Provost provide various options and opportunities for compliance and educational training in how to avoid research misconduct among other areas of ethical research activities within the broader framework of Responsible Conduct of Research (http://www.utdallas.edu/research/orc/).

EFFORT COMMITMENT/EFFORT CERTIFICATION
Expenditure of federal grant money is governed by federal cost principles. Thus, the use of grant funds for salaries, wages, and fringe benefits is allowable only if the payments conform to specific regulatory requirements.

Accurate and timely certification of effort reports are required by: (a) the federal government under applicable Federal cost principles; and (b) UT Dallas’ Effort Certification Policy (Policy # UTDPP1082 http://policy.utdallas.edu/utdpp1082)
Requirements:

- All faculty members must certify their own effort.
- Effort reports for all non-faculty must be certified in accordance with institutional policy.
- Actual/certified effort percentages must be based on a reasonable estimate of work performed during the applicable reporting period.
- Effort certification must be based on first-hand knowledge of the work performed.

Effort reports are subject to audits by the federal government. Non-compliance with effort reporting and certification requirements can result in: (a) disallowance of federal grant funds; (b) financial penalties; and (c) criminal penalties against the individual who certifies falsified effort.

LAB SAFETY, SELECT AGENTS, ETC.

UT Dallas requires all researchers, staff and visitors to UT Dallas laboratories to complete lab safety training commensurate with any risks or hazards associated with their involvement in the labs. These requirements apply to any individual who may be exposed to hazardous materials or equipment, including but not limited to, the following personnel who may perform laboratory functions:

- Faculty.
- Non-faculty research scientists.
- Lab Staff (managers, supervisors, technicians, etc.).
- Students (graduate and undergraduate).
- Post-doctoral fellows.
- University visitors.

For questions regarding lab personnel, you may view the lab member policy in further detail at http://www.utdallas.edu/research/orc/lab_safety_training/lab_member_policy.pdf.

Training Requirements

Principal Investigators are responsible for ensuring that individuals under their direction or with whom they are working with are trained on hazards and procedures specific to their labs. Principal Investigators may work with lab supervisors or other responsible personnel to ensure the training requirements for authorized lab personnel are met. The Office of Research Compliance and Environmental Health & Safety provide general lab safety training that is intended to be supplemental to the lab-specific training provided by the principal investigators.

General safety courses include both online- and classroom-based instruction and cover both general research policies and procedures related to laboratory safety. Most general courses are required for research and safety compliance by Principal Investigators and lab personnel involved in research at UT Dallas. Additional training course information is available at http://www.utdallas.edu/research/orc/lab_safety_training/.
Training and System Access
UT Dallas has implemented an integrated laboratory safety and compliance system called BioRAFT (Research Applications and Financial Tracking, Inc.) to enable researchers to effectively monitor and manage laboratory compliance. The BioRAFT system centralizes safety and compliance activities, including safety training, laboratory inspections, hazardous chemical usage and research equipment tracking.

Principal investigators are required to maintain their lab membership rosters in BioRAFT and to ensure their lab members complete required training. Lab safety training courses are assigned based on the specific hazards identified in each lab and are configurable for each lab member or for a lab group as whole. Courses are accessible through the BioRAFT system, and training records are stored electronically in the BioRAFT system database. A NetID and registration with a UT Dallas research laboratory are required for access.

For additional information regarding access to laboratory training and BioRAFT registration, please visit: http://www.utdallas.edu/research/orc/lab_safety_training/training_systems/.

SPONSORED RESEARCH
The Office of Sponsored Projects (OSP) serves to assist UT Dallas faculty and staff members in their efforts to secure external research funding. All requests for external research funding support must be processed by OSP. This includes funding from government (federal, state and local) agencies, foundations, nonprofit organizations, private corporations, and private people and groups who seek to award grants or enter into contracts or agreements with UT Dallas to support projects for the performance of a specific scope of work. OSP works closely with the OSP to ensure proposals comply with federal, state and UT System rules and regulations.
ETHICS

ETHICAL STANDARDS
The University of Texas at Dallas is committed to a culture of integrity and ethical behavior. Ethical behavior is expected of every employee and is much more than simply following the rules; it is doing the right thing. Management personnel at every level are expected to set an ethical “tone at the top” and to be role models for ethical behavior in their departments. They should create a culture that promotes the highest standards of ethics and encourages everyone in the department to voice concerns when unethical behavior or incidents of non-compliance with applicable laws, policies, rules or regulations arise. Each employee has a personal obligation to report any activity that appears to violate such laws, policies, rules and regulations.

The State of Texas and the Board of Regents of The University of Texas System have defined ethical standards that apply to employees of the UT System. The most complete and current source of information on ethical standards is the UT System Office of General Counsel (OGC) Web page, accessible at http://www.utsystem.edu/OGC/ethics/homepage.htm. Included in this website is the UT System’s Ethics Policy, which is part of the Regents’ Rules and Regulations.

ETHICS POLICY
State law requires each state agency to adopt a written ethics policy for its employees, consistent with the standards of conduct provided by state law. It is the policy of The University of Texas at Dallas to require members of the faculty and staff to maintain the highest standards of ethical conduct. In accordance with state law and UT Dallas Policy, faculty and staff members are required to read and follow the information contained in the Ethics Policy. The UT Dallas Ethics Policy is available from the Policy Navigator, UTDBP3048 at http://policy.utdallas.edu/utdbp3048 and the Texas Government Code regarding Standards of Conduct is available at http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.572.htm.

The Ethics Policy focuses on conflicts of interest, including providing a definition and potential situations that would present a conflict of interest. UT Dallas defines a conflict of interest as a situation in which a significant outside interest could directly and significantly affect the way you perform your obligations and responsibilities to the University. Outside interests, such as professional activities, personal financial interests, or the acceptance of gifts from third parties, can create conflicts between the interests of the University and your private interests and may prevent you from making decisions that are in the best interest of the University. Even if those outside interests do not actually impair your ability to act in the best interest of the University, it may appear to the public that your independence of judgment has been affected. The purpose of the policy is to provide an executive summary of conflict of interest laws, rules, and policies, all of which are intended to preserve the public trust in UT Dallas’ integrity by preventing bias or the appearance of bias in decision-making.
Please note that the policy in regard to conflicts of interest, conflicts of commitment, and outside activities is discussed in further detail in the section below.

CONFLICTS OF INTEREST, CONFLICTS OF COMMITMENT AND OUTSIDE ACTIVITIES (UTS 175/UTS180)

Conflicts of Interest and Commitment Policy
UT System sets forth the general rules under which component institutions will address conflicts of interest and commitment in Regents’ Rules and Regulations Series 30104. UT System Policy UTS 180 and UT System Policy UTS 175 enumerate the specific requirements with which UT System employees must comply regarding the identification and management of conflicts of interest and commitment, and the approval of permissible outside activities.

UT Dallas has implemented the UT System mandates on conflicts of interest and commitment through two UT Dallas policies administered through a joint venture of the Institutional Compliance and the Office of Research Compliance. This effort seeks to minimize the administrative burden on employees who are subject to both UTS 175 and UTS 180, and to streamline the disclosure and management processes required by both UT System policies.

- All faculty members and any staff members exempt from FLSA standards are subject to UTDPP1091 - Conflicts of Interest, Conflicts of Commitment, and Outside Activities.
- Faculty and staff conducting research as part of their UT Dallas institutional responsibilities are subject to the UT System Policy UTS 175 (the UT Dallas local 175 policy, Research Conflict of Interest is in process of being drafted).

UT Dallas staff members who are required to make disclosures under the UT Dallas (UTDPP1091) Conflict of Interest, Conflicts of Commitment and Outside Activities policy who have an outside interest or activity they need to disclose can do so through a disclosure portal hosted by UT System. If you are a staff member and are unsure whether you are required to make a disclosure, please contact Institutional Compliance with UTDPP1091 questions.

UT Dallas faculty and researchers who are required to make disclosures under the UT System Policy UTS 175 and/or the UT Dallas (UTDPP1091) Conflict of Interest, Conflicts of Commitment and Outside Activities policies who have an outside interest or activity that needs to be disclosed can do so through a disclosure portal hosted by the Office of Research Compliance. If you are a faculty member or researcher and are unsure whether you are required to make a disclosure, please contact the Office of Research Compliance with UTS 175 and/or UTDPP1091 questions.

Outside Activities
The primary responsibility of UT Dallas employees is the accomplishment of the duties and responsibilities assigned to their positions of appointment. With this understanding, The University of Texas at Dallas recognizes that there is value in encouraging employees to participate in activities outside of UT Dallas. Such activities often contribute to the mission of the institution and can provide important elements of employee development.
Activities conducted outside UT Dallas should not interfere with or impair a faculty or staff member’s performance of his or her institutional responsibilities to UT Dallas. According to the Regents’ Rules and Regulations, no member of the faculty or staff should undertake an outside activity (e.g., employment, consulting, or board service) that creates the possibility for, or the appearance of, a conflict of commitment that intrudes upon or detracts from the individual’s responsibilities to the UT System and the component institutions. Consulting and other activities that create the possibility for, or the appearance of, a conflict of commitment that may interfere with an employee’s institutional responsibilities are to be avoided. UT Dallas employees seeking to engage in outside employment or other activities shall disclose a description of the nature and extent of the activity and request prior approval by the appropriate organizational or department head before engaging in the activity.

Outside Interests
The University’s growing interaction with industry and for-profit enterprises has created new possibilities for the occurrence of conflicts of interest. These conflicts arise when there are opportunities for employees to benefit either from the outcome of research or from expertise or know-how gained in the course of their institutional responsibilities as a University employee. UT Dallas employees are prohibited by Texas Government Code Chapter 572 from having a direct or indirect interest, financial or otherwise, in a corporation or business, or incurring an obligation of any nature, that is in substantial conflict with or might reasonably tend to influence the discharge of the employee’s duties and responsibilities. Significant outside interests (e.g., financial and fiduciary interests) that create the possibility for, or the appearance of, a conflict of interest that may affect an employee’s performance of his or her institutional responsibilities are to be avoided.

UT Dallas employees who receive or hold an outside interest that creates the possibility for, or the appearance of, a conflict of interest with the employee’s institutional responsibilities shall disclose a description of the nature and extent of the potential conflict to engage the University in an effort to manage the conflict of interest. The University’s position is that with clear guidelines and principles, in conjunction with appropriate supervision and monitoring, it is possible for interaction between industry and UT Dallas to take place in a manner that is consistent with the highest traditions of scholarship and in a way that energizes academic creativity.

**Question:** May I work at Keeton Park Golf Course at times when I am not working my normal hours at UT Dallas?
**Answer:** Yes, as working at Keeton Park Golf Course most likely does not create a conflict of interest with your responsibilities to UT Dallas. You will need to seek approval for the commitment from your organizational or department head.

**Question:** One of our vendors has asked me to handle bookkeeping for them on the weekends. Is there anything wrong with this?
**Answer:** Not inherently. Conflicts of interest are situational, and so you do not need to do
anything improper to have a conflict of interest. In this case, your financial interest in an entity that does business with your department at UT Dallas creates the possibility for a conflict of interest. You should discuss the opportunity with your supervisor and discuss whether the conflict of interest can be managed. Each conflict situation is different, and will depend on the nature of your relationship with the vendor and your responsibilities at UT Dallas. Institutional Compliance can answer questions about managing conflicts of interest.

**Question:** I’ve been buying stock in a company that does business with UT Dallas. After my next purchase, I’ll own more than 10% of the company. Does this pose a problem?

**Answer:** Potentially. Conflicts of interest are situational, and so you do not need to do anything improper to have a conflict of interest. In this case, your financial interest in an entity that does business with UT Dallas creates the appearance of a conflict of interest. Each conflict situation is different. This situation will depend on whether you have responsibilities for the company beyond that of a shareholder, and whether your responsibilities at UT Dallas could affect the financial interest of the company. You will need to disclose the financial interest in your annual conflict of interest disclosure. Institutional Compliance can answer questions about managing conflicts of interest.

### ACCEPTANCE OF GIFTS (GIFTS MADE TO INFLUENCE DECISIONS)

An employee must **not** accept or solicit any gift, favor, or service that might reasonably appear to influence the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.

For additional information:

- Regents’ Rules and Regulations, *Series 30104 – Conflict of Interest*, may be obtained at [http://www.utsystem.edu/bor/rules.htm](http://www.utsystem.edu/bor/rules.htm)
- UT Dallas Policy Navigator, UTDBP3048 at [http://policy.utdallas.edu/utdbp3048](http://policy.utdallas.edu/utdbp3048)

### GIFTS FROM PERSONS DOING BUSINESS WITH UT DALLAS AND/OR UT SYSTEM

An employee must **not** solicit, accept or agree to accept any benefit from a person the employee knows may have, or is interested in having a business relationship with UT Dallas, except as permitted under Section 36.10 of the Texas Penal Code. If in doubt, do not accept a benefit offered to you because you are an employee of UT Dallas (Texas Penal Code, Section 36.08). The Texas Penal Code can be accessed at [http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.36.htm](http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.36.htm).
Question: As a department head, I have been working with a UT Dallas vendor for several years. This vendor recently offered to do some remodeling work for me at a substantial discount. Can I let them remodel my house?

Answer: No. A substantial discount would mean that the vendor was giving you special service with the expectation that you could provide continued or additional UT Dallas business.

HONORARIA

An employee must **not** solicit, accept, or agree to accept an honorarium (payment, compensation, fee, etc.) in consideration for services that the employee would not have been requested to provide but for the employee’s official position or duties according to Texas Penal Code, Chapter 36, Section 36.07. For example, an employee may not accept a gift or payment for giving a speech if the employee’s official position was a reason for his/her being asked to give the speech. The employee may, however, accept meals, transportation and lodging in connection with a speech as long as his/her speech is more than merely perfunctory.

For additional information:

- Texas Penal Code, Chapter 36, Section 36.07 may be obtained at [http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.36.htm](http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.36.htm)
- UT Dallas Policy Navigator, UTDBP3048 at [http://policy.utdallas.edu/utdbp3048](http://policy.utdallas.edu/utdbp3048)

Question: I am one of the leading experts in the field of architectural engineering. Because of my recent research and published articles, I was asked to speak at an upcoming conference in a few months. The conference organizer is offering me $500 as an honorarium in exchange for my time. Am I allowed to accept the honorarium?

Answer: Yes, you are allowed to accept the honorarium because you were asked to present at the conference on the basis that you are an expert in the field and not because of your official position with UT Dallas.
POLITICAL AND LEGISLATIVE ACTIVITIES

POLITICAL ACTIVITIES
An employee may participate in political activities only if such activities are not conducted during work hours (unless the employee uses compensatory or vacation leave); are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of the employee’s duties and responsibilities; do not involve the use of equipment, supplies, or services of UT Dallas; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve UT Dallas in partisan politics.

For additional information:

- Regents’ Rules and Regulations, Rule 30103 regarding Standards of Conduct and Rule 30104 regarding Conflict of Interest and Conflict of Commitment and Outside Activities may be obtained at [http://www.utsystem.edu/bor/rules/](http://www.utsystem.edu/bor/rules/)
- UT Dallas Policy Navigator, UTDBP3048 at [http://policy.utdallas.edu/utdbp3048](http://policy.utdallas.edu/utdbp3048)

POLITICAL CONTRIBUTIONS
Political contributions from any source of UT Dallas funds are prohibited.

**Question:** I noticed a flier posted in my supervisor’s office advertising a party for a political candidate. Is it OK for the ad to be posted?
**Answer:** No. No one should ever post any type of advertisement for any political candidate on any UT Dallas property, leased or owned.

**Question:** My neighbor is running for City Council. Can I bring him to UT Dallas to meet everyone in my office?
**Answer:** No. It is not appropriate to advertise any political activity or involve UT Dallas in any partisan politics.
CONTACTS WITH MEDIA, GOVERNMENT AND OUTSIDE INVESTIGATORS

CONTACTS WITH MEDIA
It is the policy of UT Dallas to cooperate with the news media in their efforts to report to the public on issues and events of interest involving University administrators, faculty, staff, students, programs and activities. Inquiries from members of the news media are to be handled in a courteous, professional, cooperative and timely manner.

It is our policy to maintain an open environment, and employees are encouraged to interact with the news media regarding their areas of expertise. Employees, when talking to the media, should be careful not to disclose information that is confidential or secure by law and should be sensitive to the needs of colleagues and others regarding the privacy of information.

The vice president for communications acts as the official spokesperson for UT Dallas.

UT Dallas requests that all media inquiries be routed through the Office of Communications so that the vice president can coordinate the appointments with the media and appropriate University employees.

If an employee is contacted by a member of the media regarding a sensitive matter internal to the University, the media representative should be referred to the Office of Communications at 972-883-2155.

Under the Texas Public Information Act, documents generated in the regular course of business of UT Dallas are public unless they fall into various exempt categories (such as certain student records, papers related to ongoing litigations, etc.). Any requests for records received from members of the news media should be forwarded to the Vice President for Administration. For more information regarding contacts with the media refer to http://www.utdallas.edu/administration/legal/ or for additional information.

Question: I work in the Office of Development and Alumni Relations at UT Dallas. A local reporter called to ask me questions about a recent donation to the University. Can I answer their questions?
Answer: You should refer all media questions to the vice president for communications, who acts as the spokesperson for UT Dallas.

Question: I received a phone call from a reporter who wanted to speak to someone about student enrollment statistics for UT Dallas. Since I am not familiar with this subject, how should I direct the call?
Answer: The Office of Communications can help connect reporters with appropriate spokespersons. In identifying the appropriate spokespersons, each office should follow the guidelines established by supervisors and executive officers for their areas. Do not refer a reporter to another office unless you are certain that it is the appropriate office to address the reporter’s questions. When in doubt, refer a reporter to the Office of Communications.
CONTACTS WITH GOVERNMENT AND OUTSIDE INVESTIGATORS

UT Dallas expects to cooperate in government investigations of UT Dallas and its employees with due consideration given to the legal rights of UT Dallas and its employees. If an employee receives a subpoena, other legal document, or inquiry from a governmental agency related to institutional business, whether at home or in the workplace, that employee is obligated to notify his or her supervisor or other appropriate University official immediately. If contacted at home by an external governmental agent, without search warrant or subpoena, concerning business of UT Dallas, the employee should request that the agent make such contact at work the next business day, and immediately contact his or her supervisor. Additional information regarding contacts with the media, government and outside investigators can be obtained at https://www.utsystem.edu/bor/procedures/policy/policies/uts139.html or http://policy.utdallas.edu/utdbp3048.

Question: Last night, there was a knock on my door, and the person identified himself as an FBI agent. The agent wanted to talk with me about my work at UT Dallas. Should I have talked with him?

Answer: Unless the FBI agent has a search warrant or a subpoena, you should ask the agent to contact you at the office the next business day, then immediately contact your supervisor. Should the FBI agent produce a search warrant or subpoena, if possible, notify your supervisor before you answer any questions from the agent.
FRAUD, WASTE AND ABUSE
Acts of fraud, waste, and abuse impact the resources of UT Dallas. Such acts may occur through an unintentional act or by deliberate action. The minimization of fraud, waste and abuse is the responsibility of all employees. Management shall establish and maintain a system of internal control that provides reasonable assurance that acts of fraud, waste and abuse are prevented and detected. A policy has been established regarding internal investigations of suspected embezzlement, misappropriation and other fiscal irregularities. Refer to UT System Policy 118 – Statement of Operating Policy Pertaining to Dishonest or Fraudulent Activities: http://www.utsystem.edu/policy/ov/uts118.html

Fraud
A dishonest and deliberate course of action that results in the obtaining of money, property or an advantage to which the person committing the fraud would not normally be entitled. It is the intentional misleading or deceitful conduct that deprives another of his/her resources or rights. Fraud always involves intent and some violation of trust.

Some examples of fraud may include, but is not limited to the following:

- Intentionally falsifying information on an application to gain employment.
- Intentionally falsifying any type of records, e.g., medical, payroll, or time records.
- Providing false receipts and documentation for any type of reimbursement from UT Dallas.
- Accepting or soliciting any gift, favor, or service that might reasonably tend to influence an employee in the discharge of his or her official duties.
- Destruction of records, furniture, fixtures, or equipment where theft is suspected.

Waste
Waste occurs when someone makes careless or extravagant expenditures, incurs unnecessary expenses, or grossly mismanages resources. This activity results in unnecessary costs. Waste does not necessarily involve private use or personal gain and almost always signifies poor management decisions and practices, poor accounting controls and/or poor recordkeeping. Some examples of waste may include excessive or unnecessary purchase of supplies or equipment; purchase of goods at inflated prices; and failure to reuse major resources or reduce waste generation.
**Abuse**

Abuse can include the excessive or improper use of a UT Dallas employee or official’s position in a manner contrary to applicable laws, policies or generally accepted practices. This includes intentional destruction, diversion, manipulation, misapplication or misuse of assets, information, systems, relationships or other resources. Abuse can occur in financial or non-financial settings.

Some examples of abuse may include failure to report damage to state equipment or property, taking products or supplies belonging to UT Dallas, collecting more money than due on expense reimbursements, excessive personal use of telephones, email and the Internet.

**REPORTING SUSPECTED FRAUD**

**ETHICS AND COMPLIANCE HOTLINE**

**How to contact the hotline**

By phone: 1-888-228-7707

Online: [The Network’s Web Reporting System](#)

**Other ways to report fraud:**

- Texas State Auditor's Office
  - 1-800-TX-AUDIT
  - [The Texas State Auditor's Office Hotline](#)

The hotline provides a confidential and assured non-retaliation way for the campus community to report instances of suspected non-compliance or unethical behavior outside the normal chain of command. This may include financial matters such as fraud, theft of University assets, or conflicts of interest; and other misconduct or violations of UT Dallas/UT System policy.

Normal administrative methods, such as talking to your supervisor, are still important first-line approaches for reporting questionable activities. However, the hotline is available whenever conventional channels are unknown or unacceptable, or an employee wishes to remain anonymous.
Retaliation against an employee who has called the hotline is strictly prohibited. After placing a hotline call, if you believe you are being retaliated against, you should pursue the appropriate administrative grievance procedure. Accusations of retaliation will be taken very seriously, and agitators will face disciplinary action.

You are protected if you report non-compliance.
- UT Dallas Protection from Retaliation Policy
- UT System Protection from Retaliation Policy
- Texas Whistleblower Act

The hotline is not a complaint line. Only matters involving non-compliance, unethical or fraudulent behavior will be investigated. Individuals who file grievances will be advised to pursue the normal administrative channels.

You can report anonymously. UT Dallas contracts with an outside service provider, The Network, to receive hotline calls and reports. If you ask to remain anonymous, no attempt will be made to identify you. All information provided will be treated as confidential and privileged to the extent permitted by law.

After you submit a report:

1. The outside contractor (The Network) sends your report to the UT Dallas Compliance Hotline Triage Team:
   - Director of Internal Audit
   - Compliance Manger
   - Human Resources Manager
   - University Attorney
   - Associate Provost
   - Dean of Students
2. The Triage Team will evaluate your report and determine the most appropriate means for handling the issue.
3. The Triage Team contacts The Network within two weeks of the report date to notify you (using the reference number provided when the report was submitted) that they have received your report and may ask for more information (if needed).

UT Dallas is committed to promptly investigating all reports of unethical or inappropriate activities. When an issue is reported to the hotline, the specific action taken will depend on the nature and severity of the violation. You can be assured that compliance and fraud related reports will be investigated; however, to maintain confidentiality and anonymity of all parties involved, you may not be aware that an investigation has taken place.
WORKPLACE HEALTH AND SAFETY AND PROTECTION OF THE ENVIRONMENT

UT System’s Environmental Health and Safety Policy (UTS 174), which is applicable to UT Dallas and all other UT System institutions, states that UT System is committed to providing a safe and healthy educational and working environment. As such, UT Dallas is committed to providing a safe and healthy environment for all employees and campus visitors.

All UT Dallas employees should perform their duties in compliance with all applicable institutional policies, federal, state and local laws, and standards relating to the environment and protection of worker health and safety. Each employee should become familiar with and understand how these laws, standards and policies apply to their specific job responsibilities and seek advice from their supervisors and/or the UT Dallas Office of Environmental Health and Safety and Risk Management, as needed.

Each employee must become familiar with and understand how these laws, standards and policies apply to his/her specific job responsibilities and seek advice from his/her supervisor or the Environmental Health and Safety Department (EH&S) as needed.

Each employee is responsible for advising the employee’s supervisor or EH&S of any serious workplace injury or any situation presenting a danger of injury so that timely corrective action may be taken.

Information pertaining to the Regents’ Rules and Regulations may be obtained online at: http://www.utsystem.edu/bor/rules/.

**Question:** I am unsure of how to dispose of the chemicals in my lab. Whom should I contact?
**Answer:** You should contact EH&S at 972-883-2381 for any questions about laboratory waste and or procedures.

**Question:** May I pour waste chemicals down the sink drain if I feel that they are non-hazardous?
**Answer:** No. Chemical waste should not be poured down the drain. EH&S provides training for handling hazardous waste, as well as provides regular pickup and disposal services for chemical, biological and radioactive waste that is generated by UT Dallas. Contact EH&S if you have any questions regarding this service.

**Question:** I accidentally cut my finger on a paper cutter and will most likely need stitches. Do I need to report this to anyone?
**Answer:** Yes. You should always report any job-related injury, no matter how small, to your supervisor who will contact EH&S. Your supervisor or department should complete the required Workers Compensation Insurance first report of injury/illness forms available on the EH&S website.
SMOKE AND TOBACCO-FREE POLICY

The use of tobacco products as well as smoking or use of any smoking device, such as electronic cigarettes, by students, faculty, staff, and visitors is prohibited at all times in all University Interior Spaces and Building Envelope Areas, as well as specific University areas designated as “Tobacco and Smoke Free Areas.”

University Interior Spaces are defined as all interior space within all property owned, leased, operated, occupied or controlled by the University. It also includes all University vehicles and all enclosed or partially enclosed areas, such as walkways, breezeways and bus shelters.

The Building Envelope Areas are defined as all enclosed or partially enclosed areas within 33 feet of buildings, building entrances, exits, operable windows, air-handler intakes, the sidewalks, parking lots, walkways and attached parking structures thereto.

University Tobacco and Smoke Free Areas are defined as all University Interior Spaces and Building Envelope Areas (as defined above) as well as all outside property or grounds, as well as the sidewalks, parking lots, walkways and parking structures.

All employees are responsible for complying with the University Smoke and Tobacco policy. Tobacco Free Policy: Detailed information pertaining to the Smoke and Tobacco Free Policy can be obtained online at: http://policy.utdallas.edu/utdbp3089

ENVIRONMENTAL PROTECTION

UT System’s Environmental Policy Statement (Environmental Policy), which is applicable to UT Dallas and all other UT System institutions, includes the requirement that all employees manage hazardous chemical, radioactive and other wastes in a way that maximizes protection of human health and the environment. This means that employees must properly dispose of such wastes, thereby preventing pollution by eliminating improper discharge onto the ground or into the air, sewer systems or bodies of water.

The Environmental Policy also states that all employees will be trained to perform their duties and conduct their activities in an environmentally responsible manner. To accomplish this goal, EH&S provides training courses in the classroom or online at the Human Resources Training & Development website regarding the management and handling of chemical, radioactive, biological and other hazardous wastes.

Many activities impacting our environment are regulated by federal and state law, as well as by permit and local/institutional policies and procedures. In addition to management of hazardous waste, EH&S manages an active program for recycling used materials and also the collection and disposal of certain light bulbs and batteries regulated as universal waste. For guidance regarding your responsibilities, or to report an activity that seems inconsistent with policy, please contact EH&S, 972-883-2381. UT Dallas Office of Environmental Health, Safety and Risk Management website: www.utdallas.edu/ehs
EQUAL EMPLOYMENT OPPORTUNITY (EEO)
The University of Texas at Dallas is committed to providing an educational, living and working environment that is welcoming, respectful and inclusive of all members of the university community. An environment that is free of discrimination and harassment allows members of the university community to excel in their academic and professional careers. To that end, to the extent provided by applicable federal and state law, the University prohibits unlawful discrimination against people because of their race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information, or veteran status. The University's commitment to equal opportunity extends its nondiscrimination protections to include sexual orientation, gender expression and gender identity.

At UT Dallas we appreciate and foster the many advantages that come from working in a diverse community where everyone is treated equitably, with dignity and respect. The Office of Institutional Equity and Compliance, supports the establishment and maintenance of a non-discriminatory work and academic environment and serves as a resource for all faculty, staff and students. This means that no person will be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored or conducted by the University. Information regarding UT Dallas Policy UTDBP3090 (Nondiscrimination) is available in the UT Dallas Policy Navigator. Further information is available through the Institutional Equity website located at http://www.utdallas.edu/oiec/equity/ or by contacting InstitutionalEquity@utdallas.edu.

SEXUAL HARASSMENT OR MISCONDUCT
The University of Texas at Dallas is committed to a campus environment that is open, sensitive, respectful, supportive and responsive. To do this, we must eliminate intolerance and harassment within what should be an enlightened and inclusive community of faculty, staff and students.

UT Dallas is committed to the principle that the University’s working and learning environment will be free from inappropriate conduct of a sexual nature. Sexual misconduct and sexual harassment in any form will not be tolerated and individuals who engage in such conduct will be subject to disciplinary action.

The Assistant Vice President for Institutional Equity and Compliance is a resource that provides leadership in implementing actions in support of the principle of a campus community free from sexual harassment. The Office of Institutional Equity and Compliance facilitates the training of all new faculty and staff, assists in periodic faculty and staff education, consults with individuals and groups and investigates complaints of sexual harassment brought forward by faculty and staff. Student complaints are also investigated by the Office of Institutional Equity and Compliance, in coordination with the Office of the Dean of Students.

We must all work together to eliminate behavior within our community that is unprofessional, disrespectful, or dehumanizing, including sexual harassment. All members of the campus
community should report sexual harassment to the Assistant Vice President of Institutional Equity and Compliance. Waiting is never the best option as any claim of harassment should be taken seriously and addressed as soon as possible. The UT System Regent’s Rules and Regulations, Series 30105 (Sexual Harassment and Misconduct) includes specific provisions regarding sexual harassment and sexual misconduct. Information on Policy UTDBP3048 (University HR Policies-Sexual Harassment) is available in the UT Dallas Policy Navigator. More information is available on the Title IX Coordinator website located at http://www.utdallas.edu/oiec/title-ix/ or you may contact UT Dallas’ Title IX Coordinator at TitleIXCoordinator@utdallas.edu.

DISCIPLINARY ACTION
The Employee Relations team in the Office of Human Resources is available to coach and guide supervisors when it comes to addressing performance or behavior issues in the workplace. The decision to discipline or dismiss an employee from the University, is one that should not be made in haste and must be made in consultation with the Employee Relations team. Every disciplinary situation is unique and has serious implications, both for the employee and the University. Below are the best practices for which to follow:

- It is the policy of The University of Texas at Dallas to encourage fair, efficient and equitable solutions to problems arising out of the employment relationship and to meet the requirements of state and federal law. The standards provided below and cited policies reflect the efforts of Office of Human Resources to ensure that such actions take place. All Classified and Administrative and Professional (A&P) staff are at-will employees who serve without tenure. No provision of any UT Dallas policy shall confer rights to employees that are contrary to the employment-at-will doctrine. For assistance with any performance management or employee relations matter, please contact a member of the Employee Relations team in the Office of Human Resources.
- Supervisors and managers should adopt a progressive approach to discipline. This approach generally begins with a lower level and less significant form of disciplinary action and is based on the situation. A supervisor might begin by counseling the employee, escalating to an oral warning, and then a written warning. The Employee Relations team will assist supervisors in determining appropriate steps and provides guidance and coaching in determining the appropriate verbal or written communication or warning to address the issue.
- For more serious issues, or situations in which the above actions have been unsuccessful in improving employee performance or changing behavior, supervisors may need to issue disciplinary action which may include suspension, demotion or dismissal. These actions may not be taken without first consulting with a member of the Employee Relations team.
- The decision to suspend, demote, or dismiss, a classified employee should never be taken lightly and must be carefully reviewed before proceeding. These actions require
following the designated process so that the Classified employee may be adequately notified and given an opportunity to respond. When considering discipline or dismissal of classified staff, please refer to UTD’s Discipline, Dismissal and Grievances policy UTDBO3056 at http://policy.utdallas.edu/utdbp3056. The supervisor must also consult with a member of the Employee Relations team prior to taking any action.

- In accordance with University policy, classified employees may grieve or appeal disciplinary actions or termination of employment. Classified employees may learn more about their right to grieve or appeal a disciplinary action or termination under the Discipline Dismissal and Grievances policy UTDBP3056 at http://policy.utdallas.edu/utdbp3056.

- Disciplinary action or dismissal of an employee from an Administrative & Professional (A&P) position does not follow the same process as with a classified employee. However, all employees should be treated fairly and given an opportunity to address and respond to the performance or behavioral concerns. At UT Dallas, progressive discipline is the practice and preferred method in dealing with performance management concerns. Though A&P employees serve at the pleasure of the President, this practice should be applied to A&P employees when possible or unless such egregious actions or significant behaviors warrant otherwise. Supervisors considering taking disciplinary action or seeking dismissal of an A&P employee must consult with a member of the Employee Relations team prior to taking any action.

- Employees who are in their probation period at UT Dallas are governed under the Probationary Employee Discipline and Dismissal Section of UTDBP3056 which stipulates that Classified employees who have not completed their 180-day probation period can be dismissed during this period. In addition to completing the required new employee evaluations during the first, third and sixth months, the supervisor should convey performance expectations to the employee and ensure the employee has a clear understanding of those expectations. Supervisors are expected to provide feedback to the employee on any corrective actions necessary in order to be successful in the position. The supervisor should also maintain appropriate documentation related to the employee’s performance or behavior. The supervisor must consult with a member of the Employee Relations team prior to taking any action even if the employee is within their probationary period.

For assistance with any performance management or employee relations matter, please contact a member of the Employee Relations team in the Office of Human Resources at employeerelations@utdallas.edu.

**TITLE IX**

Title IX of the Education Amendments Act of 1972 states that “No person on, the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination” under any academic extracurricular, research, occupational training, or other education program or activity operated by a recipient who receives federal financial assistance.”
The Title IX Coordinator at UT Dallas is the Assistant Vice President of Institutional Equity and Compliance and is available to address any concerns raised by students, faculty or staff. The Deputy Title IX Coordinator is the Director of Title IX Initiatives. More information is available on the Title IX Coordinator website located at [http://www.utdallas.edu/oiec/title-ix](http://www.utdallas.edu/oiec/title-ix) or you may contact UT Dallas’ Title IX Coordinator at TitleIXCoordinator@utdallas.edu.

**FAMILY AND MEDICAL LEAVE ACT (FMLA)**

The Family and Medical Leave Act of 1993 (FMLA) allows eligible employees to take unpaid leave for an FMLA qualifying event without fear of being terminated from their job or placed into a lower job upon their return. The Family and Medical Leave Act is a federal law that guarantees job-protected leave for up to a 12-week period within a designated time frame for a variety of reasons including birth or adoption of a child, or for a serious medical condition requiring care and treatment for self, spouse, child, or parent. FMLA is a form of unpaid leave, but during this leave time the employee will be required to use sick and/or vacation balances. FMLA also covers Military Family Leave provisions, which provides protections specific to the needs of military families. Employees may be eligible for up to 26 weeks of job protected leave for leave relating to a seriously injured or ill service member or veteran (military caregiver leave). The Family and Medical Leave Act has specific eligibility requirements and restrictions. More detailed information may be found on the Office of Human Resources website or via the UT Dallas policy [http://www.utdallas.edu/business/admin_manual/pdf/d61550.pdf](http://www.utdallas.edu/business/admin_manual/pdf/d61550.pdf). Employees may also contact the Human Resources Benefits team for assistance with the process for applying for any qualified leave at LOA@utdallas.edu or 972-883-2131.

**DRUG-FREE WORKPLACE**

The abuse of alcohol and the use of illegal drugs by members of The University of Texas at Dallas community are incompatible with the goals of the University. In order to further the University’s commitment to provide a healthy and productive educational and work environment, it is the policy of The University of Texas at Dallas to comply with the Drug-Free Schools and Communities Act Amendments of 1989. The Drug-Free Schools and Campuses regulations require universities receiving any form of federal funding to develop and implement a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. To learn more, you may access the Drug Free Schools and Communities Act Compliance policy UTDBP3048 at [http://policy.utdallas.edu/utdbp3048#drugs-and-alcohol-policy](http://policy.utdallas.edu/utdbp3048#drugs-and-alcohol-policy).

In addition, the UT Dallas Drugs and Alcohol Policy UTDBP3048 state the following:

- The unauthorized use or possession of alcohol while on duty or while in vehicles used for University business is prohibited.
- Use of alcohol or an illegal drug or controlled substance while not on duty which adversely affects job performance or may adversely affect the health or safety of other employees, students, visitors or patients is prohibited.
• Use of alcohol at an authorized University function, in the course of official University business, or at an authorized University site, which adversely affect job performance or may adversely affect the health or safety of any other person is prohibited.

To learn more, you may review the policy at http://www.utdallas.edu/business/admin_manual/pdf/d111800.pdf

Employees in violation of this policy may face disciplinary action up to and including termination, in addition to facing sanctions under local, state, or federal law applicable to the unlawful possession, use, or distribution of illegal drugs or alcohol.

If you need help in dealing with an alcohol or substance abuse issues, options to seek treatment and counseling include the following:

• Call the Employee Assistance Program (EAP): 214-648-5330 or visit the website at http://www.utdallas.edu/hr/benefits/resources. It is a free and confidential service to help employees find appropriate resources for treatment and assistance.
• Contact your healthcare provider for assistance via your insurance plan. For employees with UT Select benefits you may learn more at http://www.utsystem.edu/offices/employee-benefits/insurance.
• Students may seek help via the UT Dallas counseling center at http://www.utdallas.edu/counseling/.

For additional assistance or questions regarding the policies, please contact Employee Relations in the Office of Human Resources at 972-883-2224, or you may email hr@utdallas.edu or employeerelations@utdallas.edu.

WEAPON-FREE WORKPLACE
The possession of a firearm or illegal weapon on any premises owned or controlled by UT Dallas, as defined by Texas Penal Code, is prohibited by the Texas Penal Code, Chapter 46.01 ET. seq., and the Regents’ Rules and Regulations, Series 30103, related to standards of conduct at http://www.utsystem.edu/bor/rules.htm.

NON-RETALIATION POLICY
All UT Dallas employees shall be allowed to freely discuss and raise questions to managers or to the appropriate personnel about situations they feel are in violation of federal and state law, UT Dallas and UT System policy, and/or accreditation and regulatory requirements.

All UT Dallas employees have a personal obligation to report any activity that appears to violate applicable laws, regulations, rules, policies, procedures or the Standards of Conduct Guide
through the normal administrative process and procedures. However, employees may also make reports through the UT Dallas Ethics and Compliance Hotline at 1-888-228-7707.

A UT Dallas employee shall not intimidate, threaten, coerce, discriminate against or take any retaliatory action against another employee who in good faith:

1. Discloses or threatens to disclose information about a situation he or she feels is inappropriate, or potentially illegal.
2. Provides information to or testifies against the alleged offending individual or UT Dallas.
3. Objects to or refuses to participate in an activity he or she feels is in violation of federal or state law, UT Dallas and UT System policy, or accreditation requirements.
4. Is involved in any compliance review or peer review process.
5. Files a valid or legitimate report or complaint, or an incident report.
6. Brings forth a complaint or concern involving himself or herself or other members of the UT Dallas community involving harassment, retaliation or discrimination.

Investigation of Retaliation:

The University will review any allegation of retaliation and will ensure that a proper investigation is conducted in accordance with the appropriate University policies.
USE OF STATE RESOURCES

USE OF STATE PROPERTY AND RESOURCES
Property Definitions and Responsibilities

1. **Personal Property:** Personal Property is any property that is “capitalized” for the purpose of financial reporting or that requires that state or local management controls due to risk factors involved. Personal property does not include consumable items, nor does it include real property such as land or buildings, improvements to land or buildings, or infrastructure. It does include special collections and miscellaneous property as defined by State Property Guidelines.

2. **Capitalized Assets:** Capitalized Assets are any equipment defined as needing state or local control for the purpose of Physical Control or Financial Reporting. Categories of Capitalized Equipment are as follows:
   a. **Capital Assets:** Capital assets are defined by the state comptroller as possessions that meet the single unit criteria of $5,000 or greater. They must also have a useful life of more than one year.
   b. **Controlled Assets:** Personal property that does not meet the capital asset threshold of $5,000 but requires control for Physical control purposes, usually due to data integrity or by nature of the item is subject to theft. Normally these items are identified by the state for tracking at $500. All weapons will be tracked as controlled assets from $1.00 to $4,999.99. The exception is items determined locally to require tracking from $500 not included in the State of Texas requirements:
      i. Local determination is that all computers will be tracked from $1.00 to $4,999.99.
      ii. Local determination is all servers will be tracked from $500.00 to $4,999.99.

3. **Responsibility**
   a. Pursuant to Texas Government Code 403.273 the head of each agency is responsible for the custody and care of state property in the agency’s care. The state comptroller allows that a “custodian” be designated for specific items of personal property. The custodian will then have responsibility for those items. The University of Texas at Dallas designates mobile technology devices (laptops, notebooks, iPads and tablets) for tracking by custodian name and UT Dallas ID.
   b. Responsible officials must be designated for each department. The responsible official ensures that department assets are properly accounted for and departmental procedures are in place to allow for safeguard of University assets. The responsible official must be notified of all new mobile technology device custodial assignments, transfer of assets between Departments, and all assets being sent to Surplus.
   c. Custodial contacts must be designated for each department. The Custodial Contact serves as the primary contact point for all property-related functions such as annual inventory coordination and preparation of documentation required to accomplish Property transactions.
4. Liability
   a. A person has pecuniary liability for a loss sustained by the state if:
      i. Agency property disappears, as a result of the failure of the head of an agency, property manager or agency employee entrusted with the property to exercise care for safekeeping.
      ii. Agency property deteriorates as a result of the failure of the head of an agency to exercise reasonable care to maintain and service the property.
      iii. Agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any State official or employee.

5. Categories of Assets
   a. Mobile Technology Devices
      i. Mobile technology devices are defined as assets that are mobile and are subject to movement from the University to satisfy temporary work requirements. These assets are tracked in State Class Code 219. They include but are not limited to laptops, notebooks, tablets and iPad’s.
      ii. The accountability for these devices is maintained by UT Dallas ID and the name of the custodian. Department custodial contacts are required to update custodians annually during Annual Inventory and anytime during the year that the custodian changes. All changes in custodians must be routed through the department head or dean for informational purposes. All updates must include the UT Dallas ID and custodian name. These e-mail requests must be encrypted.
      iii. The routing of the automated assignment of mobile assets includes the understanding that all mobile assets are to be used for official State/University business and proper care is a custodial responsibility at all times on or off the University.
      iv. When mobile assets are taken out of country, the department and custodian are responsible for all Customs documentation.

   b. Stationary Assets:
      i. Stationary assets are defined as assets assigned to a department inventory kept at the University (Desktop Computers, Academic support assets, etc.)
      ii. The accountability for these assets is departmental, and they are tracked primarily by location. Property, in conjunction with departmental contacts and department heads/deans, will inventory these assets by location once annually during annual inventory. Any location changes during between annual inventories can be made by e-mail transaction to propertyadministration@utdallas.edu. You must include tag #, Custodial ID and new location.

   c. Permanent Off Site Assets:
      i. Permanent off-site assets are those assets owned by the University that are permanently in use at an address other than the University. (i.e. assets owned by UT Dallas and in use at UT Southwestern).
ii. The accountability for these assets is departmental, and they are tracked by e-mail for each location during annual inventory. The e-mail must contain location, asset tag numbers, physical address, name and UT Dallas ID of University responsible official. Changes made other than Annual Inventory are made in the same manner. The e-mail will become backup documentation for each tagged asset.

**Question:** Mobile technology devices, stationary assets, and off-site assets are the 3 categories of annual inventory.
**Answer:** True

**Question:** Custodial information for mobile technology devices can only be submitted by encrypted UT Dallas e-mail.
**Answer:** True

**Question:** Controlled assets are assets under $5,000 that are physically tracked due because they are considered to be at high risk for theft or compromise of data integrity.
**Answer:** True

**Question:** Capital assets are over $5,000 and tracked physically and depreciated financially.
**Answer:** True

**Question:** Mobile technology assets are assigned individual custodianship, and all changes to ownership must be reported to Inventory and Surplus Control.
**Answer:** True

**Question:** Custodianship of new mobile technology devices must be reported to Inventory and Surplus Control within 48 hours of purchase.
**Answer:** True

**Question:** Any or all Assets may be purchased with a UT Dallas Credit Card.
**Answer:** False

**RECORDS RETENTION AND DISPOSAL OF RECORDS**
UT Dallas recognizes the need for orderly management and retrieval of all official records and a documented records retention and destruction schedule that is consistent with state and federal laws and regulations. The Records Management Program at UT Dallas covers all records (written, computerized, photographic and machine-readable or otherwise recorded) that document activities associated with University business. Questions about permanent or archival retention requirements for all records should be directed to the University Archivist.

The UT Dallas Records Management Business Services Department helps to ensure that the
creation, storage and disposition of all University records are carried out as mandated by the Texas State Library and Archives Commission and The Texas State Records Retention Schedule Revised 4th Edition, effective July 4, 2012, Texas Administrative Code, Title 13, Chapter 16, Section 6.10.

Questions about specific record retention requirements should be directed to the UT Dallas Records Management Office.

For additional information:

- The UT System policy for records management may be found online at: http://www.utsystem.edu/bor/procedures/policy/policies/uts115.html
- The UT Dallas Records Management Training may be found at the following web site: https://www.utdallas.edu/audit-compliance/training/RecordsRetention.pdf

**Question:** While conducting a records inventory at the School of Engineering and Computer Science, an administrative secretary discovers an old statement of accounts. Can the employee place this document in the recycling bin?

**Answer:** No, all university departments at UT Dallas are required to coordinate document destruction through the Records Management Office. State law mandates that certain records be destroyed once their respective retention periods have expired. A state record whose retention period has expired may not be destroyed if any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record is initiated; its destruction shall not occur until the completion of the action and resolution of all issues that arise from it.

**Question:** My department is very low on file space and I need to throw away old files to make room for new ones. May I throw away everything that is greater than three years old?

**Answer:** No. UT Dallas has a formal Records Retention Schedule that must be followed by all employees. The retention schedule outlines the appropriate time to destroy records, both electronic and printed on paper. You may arrange for storage of departmental files by contacting Purchasing and Distribution Services. If the records are designated as archival on the Retention Schedule, you should contact the University Archives.

**Question:** In response to an open records request, I am in the process of reviewing documentation in my office files, and I have discovered some relevant documents that should have already been destroyed. May I go ahead and destroy these records?

**Answer:** No. If the information exists at the time of the request, it must be reviewed. Destruction of records is always halted in cases of a pending audit, litigation, open records request or administrative review.
PURCHASING

Procurement Management is the University’s official purchasing agent. Any violation of university purchasing policies or procedures should be promptly reported to the assistant vice president for procurement management or by calling the Ethics and Compliance hotline by phone at 1-888-228-7707 or by reporting via the web at https://www.reportlineweb.com/Welcome.aspx?Client=utdallas.

University commitments must be made in accordance with the policies and procedures found in the University’s Procurement Procedures. The University will not assume liability or an obligation of institutional funds that does not comply with the University’s policies and procedures. Employees who are authorized to obligate institutional funds are expected to become informed about and work within the framework of approved purchasing policy and procedures. Employees violating the University’s policies and procedures may face financial liability and/or disciplinary action.

Questions may be directed to Procurement Management or directly to: purchasing@utdallas.edu.

**Ethical Obligations Related to Purchasing**

University employees may not solicit, demand, accept or agree to accept any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or a personal service in connection with the following:

- Approving, disapproving, recommending or preparing any part of a program requirement or purchase request.
- Influencing the content of any specification or procurement standard, rendering of advice, investigation, audit, request for ruling or claim.
- Awarding a contract.

**PURCHASING CARDS**

The Purchasing Card Program is authorized by a Texas Procurement and Support Services (TPASS) contract with Citibank. With the purchasing card, authorized departmental personnel may purchase non-restricted commodities directly from vendors without issuing a purchase order. This program reduces the time and effort required to make payments for University purchases.

In general, the **Purchasing Card may not be used** for the following purchases (most will be rejected electronically at point of sale):

- Airlines
• Automobile Rentals
• Hotels and Motels
• Eating Places, Restaurants
• Bars, Taverns, Nightclubs
• Package Stores, Beer, Wine, Liquor
• Cash Advances, Travelers Checks, Insurance, etc.
• Travel and Related Expenses
• Radioactive Material
• Prescription Drugs/Controlled Substances
• Consulting or Personal Services
• Animals
• Controlled Assets
• Capital Equipment Upgrades

1Charges for these types will be rejected at the point of sale. Also, registration fees are OK to charge and will not automatically be rejected. MEMBERSHIPS, on the other hand, require a benefit statement (how does your membership benefit the University?) and must be approved by the president or his designee (currently AVP Procurement Mgt). Continue to send memberships to procurement via purchase voucher. If it is necessary to use the purchasing card for a membership, make sure a clear benefit statement is placed on your monthly Cardholder Activity Report.

2Student Health Services is the only exception.

3The State of Texas Comptroller has defined “controlled assets” as facsimile machines, stereo systems, cameras, video recorders/players, computers, printers, medical equipment, scientific and laboratory equipment, and cellular/portable phones costing between $500 and $5,000. Firearms are also considered controlled regardless of value. If you need further clarification regarding these assets, please call Property Management (ext. 2150).

4Includes the purchase of parts for capitalized equipment if the value or the useful life of the asset is increased by 25 percent or more. If you need further clarification, please call Property
Management (ext. 2150).

Please note: The assistant vice president for procurement management may permit a higher single-purchase limit, a higher cycle limit or the removing of restrictions, but only with the pre-approval of the cardholder’s supervisor and only if the exception is necessary to improve a specific business process.

In order to obtain a procurement card, an applicant must first become certified in its use by completing pre-application testing and cardholder training.

The use of the purchasing card to pay for a purchase does not exempt the University or its officers and employees from the purchasing requirements of state law and the TPASS.

For additional information about the Purchasing Card Program including the Purchasing Card Guide email Purchasingcard@utdallas.edu or visit the website at: http://www.utdallas.edu/procurement/departments/pcard/.

CONTRACTS AND AGREEMENTS

No employee is authorized to sign a contract or agreement that claims to bind UT Dallas unless that employee has official written delegated authority to do so. Only the University’s president can delegate this authority. The delegations for authority for The University of Texas at Dallas can be found at http://www.utsystem.edu/ogc/docs/delegation/UTD.pdf. An employee must not sign a contract or agreement on behalf of UT Dallas unless he or she has proper authority to execute the document and takes all related actions required under the Rules and Regulations of the Board of Regents of the UT System and the UT Dallas policy on Contract Administration. Questions about research contracts may be directed to the vice president for research. Other contract questions should be referred to the UT Dallas Office of Contract Administration http://www.utdallas.edu/contract. Additional information can be found at Ask YODA Contract.
COPYRIGHT AND INTELLECTUAL PROPERTY

USING COPYRIGHTED MATERIAL
Most materials are protected, even if they do not show the familiar © copyright notice, since it is no longer required; thus, assume works are protected unless you are able to determine for certain that they are in the public domain. The UT Dallas policy on photocopying copyrighted material may be obtained from the UT Dallas Handbook of Operating Procedures, UTDPP1043 Policy Regarding Photocopying Copyrighted Materials, at http://policy.utdallas.edu/utdpp1043.

For infrequent or one-time events, if the copying is not fair use, permission must be obtained from the copyright owner to make the photocopies. The Office of General Counsel explains copyright law at http://www.utsystem.edu/ogc/intellectualproperty/copyrighthome.htm.

INTELLECTUAL PROPERTY
The Board of Regents owns the intellectual property created by its students and employees if the intellectual property is:

- Created by an employee within the scope of employment.
- Created by an employee on UT System time with the use of UT System facilities or state financial support; commissioned by UT System pursuant to a signed contract.
- Fits within one of the nine categories of works considered works for hire under copyright law.
- Results from research supported by federal funds or third-party sponsorship.

An employee shall disclose the intellectual property created by the employee to the UT Dallas Office of Technology Commercialization well before the employee submits any information about the intellectual property for publication, or makes any public disclosure or even a private disclosure to a commercial entity. Policies regarding intellectual property may be obtained at https://www.utsystem.edu/bor/rules/ (Regents’ Rules and Regulations, Series 9000). The UT System intellectual property policy allocates the ownership of copyright in scholarly work created by faculty members in their fields of expertise to the faculty member (see Regents’ Rules and Regulations, Series 90101).

For additional information:

- The UT Dallas Intellectual Property Policy may be obtained from the UT Dallas Faculty Handbook, Academic and Research Programs Policy Memorandum UTDPP1002, located at http://policy.utdallas.edu/utdpp1002
- More information on intellectual property is available at http://www.utdallas.edu/research/otc/utd_inventors/
## DEPARTMENT CONTACT INFORMATION

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<th>INFORMATION SECURITY OFFICE 972-883-6810</th>
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<td>OFFICE OF THE REGISTRAR 972-883-2342</td>
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<td>PROCUREMENT MANAGEMENT (PURCHASING/ACCOUNTS PAYABLE/PURCHASING CARDS/TRAVEL) 972-883-2300</td>
<td>OFFICE OF INSTITUTIONAL EQUITY AND COMPLIANCE (INSTITUTIONAL EQUITY/INSTITUTIONAL COMPLIANCE/TITLE IX/ADA) 972-883-2306</td>
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<td>OFFICE OF INTERNAL AUDIT 972-883-4876</td>
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<td>UNIVERSITY POLICE 972-883-2222</td>
<td>EMERGENCY MANAGEMENT 972-883-2420</td>
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<td>OFFICE OF ADMINISTRATION 972-883-2213</td>
<td>UNIVERSITY ATTORNEY 972-883-5291</td>
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<td>OFFICE OF BUDGET AND FINANCE 972-883-4802</td>
<td>OFFICE OF INFORMATION RESOURCES 972-883-6900</td>
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