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Research Gifts Routing

1 message

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Reply-To: vpr@umd.edu

To: UHRLIST31@listserv.umd.edu



May 20, 2022

Dear University of Maryland Campus Community:

The University of Maryland's reputation as a premier research institution depends upon our efforts to meet the highest standards for integrity in all research endeavors. To that end, the University provides our research community with the support, education, and resources necessary to ensure a culture of research integrity. Below is an update on the University's research related gift acceptance process, which has been redesigned to address the increasing federal scrutiny of conflicts of interest (COI) and conflicts of commitment (COC) related to the research enterprise. Contracts and grants are already subject to similar processes and procedures as outlined below.

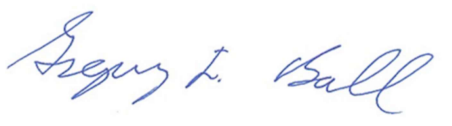
To meet the required Federal and State standards, including National Security Presidential Memorandum-33 (NSTP-33), the University will be moving forward with enhanced gift acceptance processes and procedures that will be fully implemented starting July 1, 2022. First, all research-related gifts provided directly to a campus unit and not through the University of Maryland College Park Foundation (UMCPF) must be routed by the unit through the college using Quali Build's "Research Gifts Routing" module (access available 7/1/22). Second, before the University can accept a research-related gift and release the funds for use, the researchers supported by the gift must disclose the gift via the [Quali Conflict of Interest module \(KCOI\)](#) and the University COI Committee must complete a COI review. Third, depending on the type of gift received, other processes may be required. These processes are required for each research-related gift received by the University and/or the University of Maryland College Park Foundation. The [University's COI website](#) has an FAQ section that provides an example of the information required to be disclosed prior to gift acceptance.

Because University employees are also State employees, they are also subject to State Ethics Laws which, among other things, generally restricts the interests and relationships that a University employee may have with any external entity that does or seeks to do business with the University. State Ethics Law

provides a limited exemption (the “research carve-out”) to the prohibition on these relationships if, and only if, they (1) relate to research and development and (2) are fully and accurately disclosed and managed pursuant to the University’s COI/COC policies and procedures, which are approved by the State Ethics Commission. COIs and/or COCs that arise due to relationships between University employees and external entities that are *not* related to research and development cannot currently be managed and mitigated through the standard KCOI process and may need to be handled directly with the State Ethics Commission.

State Ethics Law also contains other provisions that apply to all University employees regardless of the research carve-out. These provisions limit or prohibit State employees from participating in matters in which they (or certain family members or business entities) have an interest; soliciting and/or accepting gifts, including payment of travel and lodging expenses; using the prestige of their office or their institution’s resources, including confidential information, for private gain (their own or that of another); and representing external parties in State matters for contingent compensation. Please contact the University’s Office of General Counsel with questions about State Ethics Law.

We appreciate your efforts to bring in gifts and other funding to support the University’s research enterprise while also remaining compliant with Federal and State laws, regulations, and procedures. We are most grateful to all our faculty and staff who support and advance the University’s research mission.



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