# Example Template Policy

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| --- | --- |
| **Subject** | Pick one of the following: Governance and Organization;  Academic Affairs; Research and Public Service; Student Affairs; Personnel; Financial Affairs; Physical Plant; Athletics; Information Technology; Miscellaneous. |
| **Revised** | March 2024 – Month and year policy was revised. List multiple dates when applicable. |
| **Web Link** | <https://www.montana.edu/policy/policy_template/> |
| **Effective Date** | March 6, 2024 - When policy was first adopted |
| **Review Date** | December 2026 – When policy will be up for review, usually 3 years after effective date or revised date. |
| **Responsible Party** | Division or office primarily responsible for this policy |



## Table of Contents

[Scope](https://www.montana.edu/policy/conflict_of_interest/#scope)

[100.00 Introduction](https://www.montana.edu/policy/conflict_of_interest/#introduction)

[200.00 Policy](https://www.montana.edu/policy/conflict_of_interest/#policy)

[300.00 Applicability](https://www.montana.edu/policy/conflict_of_interest/#applicability)

[400.00 General Definitions](https://www.montana.edu/policy/conflict_of_interest/#generaldefinitions)

[500.00 Disclosure Procedure](https://www.montana.edu/policy/conflict_of_interest/#disclosureprocedure)

[600.00 Disclosure Review and Management](https://www.montana.edu/policy/conflict_of_interest/#disclosurereview_management)

[700.00 Appeal Procedure](https://www.montana.edu/policy/conflict_of_interest/#appealprocedure)

[800.00 Record Maintenance](https://www.montana.edu/policy/conflict_of_interest/#recordmaintenance)

[900.00 Noncompliance](https://www.montana.edu/policy/conflict_of_interest/#noncompliance)

[1000.00 Sponsored Research](https://www.montana.edu/policy/conflict_of_interest/#sponsoredresearch)



## Not a real policy - instructions

This is not a real policy; this is the policy template for 2024. The objective with this template is to create readable, easily transferrable drafts which can be passed from a Word file, to a webpage and then to a PDF. It is our supposition that if we have drafts that look very similar to one another between Word, web and PDF we will increase readability and trust in these documents.

A few things to note:

* The DRAFT text which appears as a watermark is set within the **Insert** dropdown in Word under **Watermark**. You can turn this off when the draft is adopted.
* The headings are used intentionally. Main sections are Heading 2 while sub sections of those are Heading 3, 4 and 5. Heading 1 is reserved for the policy title. Using the headings this way helps ease of transferring to the web.
* Each main section (Heading 2) also has an anker link attached which is connected to its corresponding link in the Contents section. If you edit these instead of removing and replacing, you will maintain this link structure.
* You can delete this entire section between “Not a Real Policy” and here. Send a message to [compliance@montana.edu](mailto:compliance@montana.edu) if you have any questions.

### 110.00 Example Subsection

The title of this subsection is set as a Heading 3, while the main section title is set as a Heading 2.

1. A subsection could have an ordered list, like this, within it.
2. We will go over the preferred format of ordered lists and nesting.
3. Who does not like a good ordered list?

### 120.00 Ordered List Hierarchy

The preferred hierarchy for ordered lists in Policy.

1. Starts with regular numbers.
   1. Then, in child elements, switch to upper-case letters.
   2. And then if you have items under one of these elements.
      1. The children under than can be
      2. Lowercase letters.
         1. Finally, if you have a 3rd nested list, use roman numerals.
         2. And if you continue with nesting, you could use lowercase roman numerals.

### 130.00 Unordered Lists

* One
* Could look
* Like this
  + With a few
  + Child items

## Scope

This policy applies to the following MSU Campuses:

* MSU Bozeman (including MSU Extension, Agricultural Experiment Stations, and Gallatin College)
* MSU Billings (including City College)
* MSU Northern
* Great Falls College MSU

For the purpose of this policy, the term “University” means all campuses listed.

The Institutional Official for each campus is:

1. MSU Bozeman – Director of the Office of Research Compliance (or designee)
2. MSU Billings – Director Human Resources (or designee)
3. MSU Northern – Director of Human Resources (or designee)
4. Great Falls College MSU – Director of Human Resources (or designee)



## 100.00 Introduction

The administration, faculty, and staff of the campuses of Montana State University (MSU or University) all bear the responsibility of serving the respective teaching, research, and service missions of the campuses.  That mission is enhanced by the sustained, active interaction of members of the University community with business, government.

## 200.00 Policy

The University is committed to fulfilling its mission with integrity and in full compliance with state and federal ethics and conflicts of interest laws and regulations and with the Montana Board of Regents Policy §770.

### 210.00 Applicable Law, Regulation, and Policy

In addition to this Policy, MSU employees’ ethical conduct is governed by:

* **Montana law, Standards of Conduct -**[Code of Ethics, Title 2, Chapter 2, Part 1 M.C.A.](http://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0010/sections_index.html)
* Federal regulations governing sponsored research. For example, the National Science Foundation and the National Institutes of Health (and all other Public Health Service “PHS” agencies) require institutions receiving funding to have a conflict of interest policy which complies with its regulations:
  + [NSF - Grantee Standards,Award and Administration Guide](http://www.nsf.gov/pubs/policydocs/pappguide/nsf13001/aag_4.jsp#IVA)
  + [Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought (42 C.F.R. Part 50, Subpart F)](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=992817854207767214895b1fa023755d&rgn=div5&view=text&node=42:1.0.1.4.23&idno=42#sp42.1.50.f)
  + [Responsible Prospective Contractors (45 C.F.R. Part 94)](http://www.ecfr.gov/cgi-bin/text-idx?SID=1733b284bdafaf8a2570c277c99ccff7&mc=true&node=pt45.1.94&rgn=div5)

## 300.00 Applicability

This policy applies to all employees of the University. Employees are expected to review and understand their obligations under this Policy and to be familiar with their obligations under the laws, regulations and policies referenced in §210 of this Policy.

## 400.00 General Definitions

In determining whether a conflict of interest or conflict of commitment exists, an important consideration is whether an independent observer might reasonably conclude that the employee’s professional actions or decisions are influenced by considerations of personal gain, financial, or otherwise.

## 500.00 Disclosure Procedure

The key mechanism for implementation of this Policy is disclosure. Disclosure allows the campus and the employee to evaluate personal interests to determine if they present a conflict of interest and to take appropriate action based on the evaluation. All employees, unless exempted as provided in §530, must annually complete and submit a Conflict of Interest/Conflict of Commitment Disclosure Report (§520). In addition, all employees, including those exempted from the annual disclosure requirement, are required to comply with this Conflict of Interest and Commitment Policy and to make disclosures of any potential conflicts of interest or conflicts of commitment whenever they occur to the designated Institutional Official.

### 510.00 Circumstances Requiring Conflicts of Interest Disclosure

All employees must disclose the following whenever they occur. These situations apply to the employee and members of his/her family and as directly related to the employee’s University responsibilities:

#### 510.10 Related Outside Interest

The acquisition of any personal or financial interest in an entity engaged in University commercial or research activities that may create a conflict of interest. This may include but is not limited to consulting arrangements, research activities, University contracts and agreements, or other business relationships.

#### 510.20 Related Purchase/Sale Interest

Any financial interest of the employee or an immediate family member in an entity involved in a University purchase or sale whenever the employee is in a position to recommend or approve the purchase or sale.

#### 510.30 Related Sponsored Research Interest

In Sponsored Research, acquisition of a Significant Financial Interest ([see §1000](https://www.montana.edu/policy/conflict_of_interest/#sponsoredresearch)).

### 530.00 Annual Disclosure

Annually, all employees (unless exempted under §540) must complete and submit a Conflict of Interest/Conflict of Commitment Report as follows:

#### 530.10

Reports shall be completed upon receiving notification. Each other campus shall establish a procedure for reporting.

#### 530.20

The employee’s completion of the report certifies that:

* 1. The employee does not have any interests or outside commitments which require disclosure;
  2. The employee has a potential conflict of interest or conflict of commitment which has been duly disclosed previously and there has been no change which requires an updated disclosure; or
  3. The employee has new interests which may create a conflict of interest or conflict of commitment and has disclosed them.

#### 530.30

Each campus will submit an annual written conflict of interest report to the Board of Regents per [BOR §770](http://www.mus.edu/borpol/bor700/770.pdf).

## 600.00 Disclosure Review and Management

### 610.00 Initial Review

The Institutional Official or designee shall review all disclosures and determine whether a conflict of interest exists.

### 620.00 Determination of Conflict/Commitment

After the initial review, the Institutional Official or designee, along with Legal Counsel, if necessary, will provide a written resolution to determine the nature of the conflict:

1. The disclosure does not represent a conflict or outside commitment that is prohibited by statute or regulation nor is it likely to influence the actions of the employee and, therefore, requires no further action;
2. The disclosure represents a conflict or outside commitment that requires management; or
3. The disclosure represents a conflict or outside commitment that must be eliminated.

### 630.00 Statement of Best Interest

Whenever a decision is made to manage rather than eliminate the potential for inappropriate influence or bias in a conflict that has not been waived, the Institutional Official or designee shall make a written statement explaining why management is in the best interest of the University. Such a statement should be included in the Conflicts Management Plan.

## 700.00 Appeal Procedure

### 710.00 Appeal

At MSU Bozeman, if an employee believes the conditions or restrictions in the Conflict Management Plan or the determinations of the Institutional Official are ineffective and unduly burdensome, the employee may appeal the decision to the President, for all other campuses the request for appeal shall be submitted to the campus CEO.

## 800.00 Record Maintenance

The Institutional Official or designee shall maintain all disclosure and conflict management records (both general and Sponsored Research records) for the period of time required by state and federal laws and regulations. Records will be maintained in a manner to protect sensitive and confidential information.

## 900.00 Noncompliance

### 910.00 Breach of Policy

The University expects all employees to comply fully and promptly with all requirements of this Policy. Breaches of this Policy include, but are not limited to:

* intentionally filing an incomplete, erroneous, or misleading disclosure form;
* failure to provide additional information as required;

## 1000.00 Sponsored Research

The Institutional Official or designee and the University office overseeing federal grant management are responsible for compliance duties related to conflicts of interest in Sponsored Research.