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## Policy Information

**Effective Date:**

January 29, 1999

**Policy Number:**

Fac-400

**Responsible Unit:**

University Committee on Corporate Relations

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## Purpose and Summary

The primary purpose of a public university is the generation and dissemination of knowledge. The University is the repository of information and ideas, factual and esthetic, and provides an atmosphere in which students and faculty can explore new ideas and search for truth. To accomplish its mission as an objective and impartial purveyor of truth and to be a place where students can learn, mature, and acquire thinking skills in an appropriate atmosphere—an atmosphere that is really present and is perceived to be present by the public—the University of Arizona should conduct its business dealings so as to model behavior which is undeniably above reproach.

While we expect that students will change their behavior as they acquire critical thinking skills and learn to use them in their own lives, the University must guard against the possibility that these changes might be deliberately conditioned for purposes of the commercial or other gains of anyone. We expect those persons responsible for entering into arrangements with commercial interests to be alert to all significant consequences and possible subsequent actions. Reasonable caution must be exercised to prevent decisions that could destroy the ability of the University to remain a symbol of hope and truth. Accordingly, the University should avoid relationships which could require faculty, staff, or students to change or modify their behavior in any way that might undermine the purpose or mission of the University or restrict freedom of speech, freedom of choice, or freedom of inquiry.

It is the intent of this policy that all agreements entered into by the University of Arizona result in the enhancement of the primary mission and purpose of the University. Any restrictions or

requirements resulting from contracts or gifts should not detract from these purposes. In order for the institution to remain a symbol of the quest for truth and knowledge, it must preserve its reputation as one of absolute integrity and avoid affiliations that may tarnish its image in the public eye. The name of the University should never be used to endorse any products or corporations whose products are instruments of destruction or known to cause harm to humans. It must not ask the students or scholars within the institution to change their behaviors in ways which hinder the generation or dissemination of knowledge merely for monetary gain. In order to foster ideals concerning the pursuit of truth it should not restrict freedom of speech. Persons who cause the University to enter into agreements which violate applicable law, this policy, or other applicable Arizona Board of Regents (ABOR) or University policies are subject to appropriate University responses, including but not limited to requests to address such matters before the University Committee on Ethics and Commitment (UCEC) subject to established procedures and jurisdictional limitations.

The most important aspect of this policy is that those with authority to commit the institution to corporate relationships have the great responsibility to carry out its mission and to maintain its intellectual independence. They must proceed with more than the usual caution, because of the potential consequences of their actions and possible damage to the institution for decades to come.

## Scope

This policy applies to all corporate agreements and relationships entered into by the University of Arizona.

## Policy

The University of Arizona enters into many types of financial and business arrangements. While the forms of these agreements are limited only by the creativity of the University community, the relevant arrangements fall into four basic categories:

- **Agreements for procurement of goods and services, for money or other considerations:** These are governed primarily by state and federal procurement laws and applicable ABOR or University policies and procedures and generally arise from competitive bidding or requests for proposals.
- **Agreements related to research grants or testing arrangements involving both public and private sources.** These are governed primarily by state and federal law and applicable ABOR or University policies and procedures, including but not limited to policies regarding conflict of interest and commitment, intellectual property, and use of University resources for personal gain.
- **Agreements related to gifts, sponsorships and donations, unrestricted gifts, strategic partnerships, affiliated partnerships, and consultations, some of which may be subject to specific conditions:** These relationships are also governed by state and federal law, as well as applicable ABOR and University policies and procedures.
- **Agreements related to affinity marketing and other activities utilizing the University name:** These may involve the Alumni Association, the UA Foundation, or other affiliated support organizations.

The primary aim of this policy is to provide guidance for University personnel involved in all business or financial agreements which may result in

- Use of the University's name or symbols by an external entity;
- Implied University endorsement of a particular service, product, company, or individual; or
- Public display of advertisements or other corporate symbols

In all the preceding cases, the individuals developing the agreement or relationship should be able to certify to the satisfaction of the President that there has been a careful examination of the effects of taking this action. Only under certain circumstances should the name of the institution be used in connection with a given product. There should be no degradation of the institution's image even if a proposed agreement partially improves the University's ability to carry out its mission. All such decisions, which are ultimately the President's to make, call for judgment, but the principle to be followed is the protection of the ideals of the University.

Since the subject of the policy is such that few emergency decisions are involved, there should be time for the proponents of potential or pending new agreements (or of generic language for multiple agreements) to defend the proposed action, if requested to do so, in a meeting of the UCCR prior to any University agreement being reached. The purpose of this requirement is to provide a forum for discussion and debate on the merits of the proposal. The UCCR may choose to bring, or may be asked to bring, certain issues or contracts of broad import to the Faculty Senate for further discussion.

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#### **Links**

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