Revised
APM 025 & APM 671 Policies
Policy effective July 1, 2024

Conflict of Commitment and Outside Activities
Affiliation with Foreign Institutions & Foreign Talent Recruitments

Department Chairs Quarterly Workshop, Spring 2024

Ilona Pak
Associate Director
Office of Academic Personnel

Nadia Wong
Research Compliance and Outreach Manager
Office of Research Administration
Conflict of Commitment Policy Revisions (Effective July 1, 2024):

- Category I activities now include:
  - current or pending acceptance of an honorary, visiting, adjunct, or other institutional appointment at an institution of higher education, research institute, or medical center affiliated with an outside institution of higher education, non-U.S. government, or other outside entity.
  - participation in, or application to, talent recruitment programs sponsored by a government agency of a nation other than the United States specifically designed to recruit science and technology professionals or students.

- Definition of Compensation: expanded to include in-kind contributions, such as office/laboratory space, equipment supplies, or employees or students supported by an outside source.

- Faculty and Designated Other Academic Appointees must comply with applicable federal agency disclosure requirements if participating in federally funded research projects.

Communication on Revised APM 025 and 671 Policies
What’s New in UC OATS?

Category I activity options added to the “report an Activity” Form

1. Honorary, visiting, adjunct, or other institutional appointment (compensated or uncompensated) at an institution.
2. Talent recruitment programs sponsored by a government agency of a nation other than the United States.

Questions on Category 1 prior approval form related to “In-Kind Contribution”:

1. “Are you receiving grant support from a non-US government or other non-US organization?”
2. “Are you receiving in-kind contributions from a non-US government or other non-US organization?”
UC Guidance: Affiliation with Foreign Institutions & Foreign Talent Recruitments

How to Identify a Non-U.S. Talent Recruitment Program

WHAT IS A NON-U.S. TALENT RECRUITMENT PROGRAM?

An initiative aimed at recruiting experts in academia and other sectors to cultivate a non-U.S. nation's domestic talent pool in support of that nation's strategic civil and military goals. The arrangement will typically include a non-U.S. university and a UC researcher but will not ordinarily include UC.

Current or pending participation in, or application to, a non-U.S. talent recruitment program is a Category I activity that requires prior approval under APM – 025 and APM – 071.

Participation in Malign Foreign Talent Recruitment Programs as defined by the federal government (see here for federal definition) may be prohibited by federal funding agencies (or soon will be as required by law).

INDICATORS OF A NON-U.S. TALENT RECRUITMENT PROGRAM

- A written or verbal agreement such as an employment agreement or memorandum of understanding.
- Promised compensation that might include such things as cash or in-kind compensation, research support, complimentary travel, and honorific titles.
- An arrangement that typically includes a non-U.S. university and UC researcher, but doesn't always include the UC researcher's institution.
- Support that might be from a non-U.S. government national, provincial, or local sector or include a private entity.
- Requirement that the researcher comply with the laws of the non-U.S. nation.
- Requirement that the researcher commit effort/time in the talent program resulting in conflict of commitment or interest in excess of the standard UC and/or U.S. federal agency requirements.

TYPICAL PARTICIPATION REQUIREMENTS

- Performance of major non-U.S. national major or key projects.
- Publication of high-level articles in important international academic journals, in the name of non-U.S. institutions.
- Declaration of any national or international invention patents.
- Introduction and cultivation of non-U.S. nation's domestic scholars or graduation students including assistance in publications, inclusion in exchanges and sponsorship or recruitment of such scholars or students to work or study at UC.
- Inclusion of the name of the UC researcher and primary affiliation with the non-U.S. institution in any publications, award applications, patent applications and research project applications.

TYPES OF SUPPORT OFFERED IN EXCHANGE

- Funding for scientific research including the establishment of a laboratory in the non-U.S. institution.
- Provision at no cost for academic team construction, such as payment, accommodation, and travel expense for team members.
- Living allowance for researcher including lodging, travel expenses, and bonuses.

Contacts for assistance: Campus Academic Personnel Offices; Campus Research Compliance Offices
Prior Approval Process for Category I Activities Involving a Country of Concern

- Faculty member submits a prior approval request for a Category I activity through UC OATS.
- Office of Academic Personnel (AP) determine if it involves a country of concern and refers to Research Security & International Engagement (RSIE) team in Office of Research for additional guidance.
  - **Country of Concern**: People’s Republic of China including Hong Kong and Macau, Democratic People’s Republic of Korea (North Korea), Russian Federation, Islamic Republic of Iran, Qatar, Saudia Arabia, United Arab Emirates
- RSIE team collect information about proposed engagement and provide additional information to AP.
- Vice Provost of Academic Personnel will be final authority on prior approvals for Category I activities through UC OATS.
Conflict of Commitment disclosures are separate from other disclosure requirements faculty members may have including, but not limited to:

- **Conflict of Interest in research**
  - Financial disclosures: Contact coioc@uci.edu for more information.
- **Federal grant proposal and award disclosure requirements**
  - Biographical sketches and other/current & pending support: Contact your Contracts & Grants Officer for more information.
  - Kuali Research Proposal Development questionnaire for senior/key personnel on federal funded proposals.

Completing disclosures in UC OATS do not satisfy **other disclosure requirements**.
Resources and Questions:

UC OATS How To Guides
• APM 025
  • How to enter a new activity
  • Category 1 Prior Approval form
• APM 671: Health Sciences Compensation Plan
  • How to enter a new activity
  • Category 1 Prior approval form

Policy Guidance
• APM 025 revised policy
• APM 671 revised policy

Foreign Talent Recruitment Program

Questions
• Regarding conflict of commitment policy and outside professional activities (APM 025 and APM 671):
  • Contact Chief Personnel Officer (CPO) in your school
• Regarding UC OATS: oats@uci.edu