

DEPAUL UNIVERSITY



Conflict of Interest in Externally Sponsored Projects

Category: Academic Affairs - Operational

Responsible Department: Office of Research Services

Responsible Officer: Associate Vice President for Research

Effective Date: 8/11/2015

Policy Summary

This policy requires Investigators submitting proposals for externally sponsored projects, and for Investigators managing such projects, to report certain Significant Financial Interests (SFIs). The University is responsible for reviewing these disclosures for conflicts of interest and for developing plans, in consultation with the Investigator, to manage, reduce, or eliminate any such conflicts.

Scope

This policy affects the following groups of the University:

- Full-Time Faculty
- Deans
- Directors/Department Chairs

This policy applies to Investigators who are submitting proposals for or managing externally sponsored projects, with the exception of those Investigators who are requesting or managing research funding from the Public Health Service (PHS).

Those applying for or managing PHS research funding are required to follow the *Conflict of Interest in PHS-Funded Research* policy in lieu of this one.

Policy

INTRODUCTION

This policy is designed to promote objectivity in the conduct of externally sponsored projects at DePaul, and to promote compliance with applicable federal and state laws, including the National Science Foundation's conflict of interest standards.

DEFINITIONS

Following are definitions of key terms in this policy.

Investigator: The project director or principal investigator and any other person, regardless of the position, who is responsible for the design, conduct, or reporting of research, educational, or service activities funded (or proposed for funding) by an external sponsor. Such persons may include, for example, collaborators or consultants.

Financial Interest: Anything of monetary value, whether or not the value is readily ascertainable.

Significant Financial Interest (SFIs): A financial interest that is subject to the disclosure requirements described under "Investigator Responsibilities" below. Such SFIs include those of the Investigator, and of the Investigator's spouse and dependent children.

Financial Conflict of Interest (FCOI): A financial conflict of interest is said to exist when a Significant Financial Interest could directly and significantly affect the design, conduct or reporting of a sponsored project.

Manage: Taking action to address a conflict of interest, which can include reducing or eliminating the conflict to ensure that it does not bias the design, conduct, or reporting of a sponsored project.

Management Plan: A plan that specifies the actions to be taken to address a financial conflict of interest.

FCOI Report: The University's report of a financial conflict of interest to an external sponsor.

KEY RESPONSIBILITIES

This policy describes a number of key responsibilities that must be fulfilled by Investigators and the University to help ensure that the design, conduct, and reporting of externally sponsored projects at DePaul are free from bias resulting from Investigator conflicts of interest.

Investigator Responsibilities

Disclosure

An Investigator submitting a proposal for external funding is responsible for disclosing all Significant Financial Interests, including those of the Investigator's spouse and dependent children, that would reasonably appear to be affected by the activities proposed for funding; or in entities whose financial interests would reasonably appear to be affected by such activities.

For the purposes of this policy, a "Significant Financial Interest" (SFI) means anything of monetary value, including, but not limited to:

- Salary or other payments for services (e.g., consulting fees or honoraria);

- Equity interests (e.g., stocks, stock options or other ownership interests); and
- Intellectual property rights (e.g., patents, copyrights and royalties from such rights).

Calculations made to determine SFIs shall be an aggregate of the financial interests of the Investigator and the Investigator's spouse and dependent children.

When completing their disclosures, Investigators may exclude the following:

- Salary, royalties, or other remuneration from DePaul University;
- Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- Income from service on advisory committees or review panels for public or nonprofit entities;
- An equity interest that meets both of the following tests: i) it does not exceed \$10,000 in value, and ii) it does not represent more than a five percent ownership interest in any single entity; or
- Salary, royalties or other payments from entities other than DePaul that, when aggregated over the next twelve months, are not expected to exceed \$10,000.

Investigator disclosures of SFIs, as defined above, are required to occur at the following times:

- When an application is submitted for funding.
- Annually for the duration of a multi-year sponsored project.
- As new SFIs develop.

Compliance with Other University Policies

Investigators who are applying for or managing research funding from the Public Health Service (PHS) are required to follow the *Conflict of Interest in PHS-Funded Research* policy in lieu of this policy.

DePaul's general *Conflict of Interest* policy applies to all DePaul employees, including DePaul Investigators.

University Responsibilities

Designated Institutional Official and COI Committee

Identify a Designated Institutional Official, reporting to the Associate Vice President for Research, to coordinate implementation of this policy and carry out the responsibilities described below in Section V (Procedures).

Form a COI Committee, with responsibilities as described below in Section V (Procedures).

Review, Management, and Monitoring of Financial Conflicts of Interest

Prior to the expenditure of external funds, review all Investigator disclosures of SFIs. In doing so, determine whether any of these interests could directly and significantly affect the design, conduct, or reporting of the sponsored project. If an FCOI exists, develop and implement a management plan, in consultation with the Investigator, that specifies the actions to be taken to manage the conflict. Strategies that could be used to manage, reduce, or eliminate conflicts of interest include:

- Public disclosure of significant financial interest.
- Monitoring by independent reviewers.
- Modification of the plan for the sponsored project.
- Divestiture of SFIs.
- Severance of relationships that create the conflict of interest.
- Disqualification from participation in all or a portion of the sponsored project.

Follow this same process when any new SFIs are reported during the project period.

Monitor compliance with FCOI management plans on a periodic basis for the duration of the sponsored project.

Reporting

Report the FCOI and the nature of the management plan to the sponsoring agency when legally required to do so. If the externally sponsored project is funded by the National Science Foundation (NSF), inform NSF's Office of the General Counsel if DePaul finds that it is unable to satisfactorily manage the FCOI.

Certification of Compliance

When required by the sponsoring agency, during proposal submission or at other times, certify the existence of this policy and the University's adherence to it.

Subcontractors

If a portion of a sponsored project is carried out through subawardees, contractors, or collaborators, take reasonable steps to ensure that the entity has its own policies in place that meet the requirements of this policy, or that Investigators working for such entities follow this policy.

Record Retention

In a manner consistent with DePaul's [Records Management](#) policy and federal standards, retain records of all disclosures of SFIs and of all actions taken to resolve FCOIs for at least three years beyond the end of the externally sponsored project to which they relate, or until the resolution of any sponsor action involving those records, whichever is longer.

Procedures

The following procedures are designed to fulfill the key responsibilities described above:

- The Director of Grants Compliance and Award Management, who reports to the Associate Vice President for Research, serves as the Designated Institutional Official.
- Investigator disclosures are made via an on-line form provided by the Office of Research Services (ORS).
- Any disclosures of SFIs are reported to the Designated Institutional Official.
- The COI Committee, which shall contain adequate faculty representation, reviews disclosures of SFIs and develops management plans (in consultation with the Investigator) for those determined to be FCOIs.
- An Investigator dissatisfied with the COI Committee's decision may make an appeal in writing, within 30 days, to the Associate Vice President for Research.
- The Designated Institutional Official coordinates the monitoring of management plans in consultation with the COI Committee.
- Any FCOI reports required under this policy are submitted by the Designated Institutional Official to the external sponsor upon approval by the Associate Vice President for Research.
- Certifications of compliance, as needed, are provided by DePaul's Authorized Organizational Representatives (AORs) when submitting proposals for externally sponsored projects.
- The obligation that subrecipient Investigators meet the requirements of this policy is addressed by ORS when issuing subawards.
- Records involving all actions under this policy are included in the award files, which are retained by ORS and by Restricted Accounting.

Possible sanctions for Investigator noncompliance with the policy include, but are not limited to, restricting access to project funds or terminating the Investigator's involvement with an externally sponsored project.

Divisional Collaborations

Faculty Council Committee on Research Policy
Office of the General Counsel
Restricted Accounting
Controller's Office

Contact Information

AVP for Research
(312) 362-5460
Director of Grants Compliance and Award Management

(312) 362-7595

Appendices

None.

History/Revisions

Origination Date: 10/31/2007

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Next Review Date: N/A