

## **CONFLICTS OF INTEREST RELATED TO SPONSORED PROJECTS**

Consistent with federal regulations<sup>1</sup> designed to promote objectivity in research, John Carroll University establishes this conflict of interest policy for all faculty and other John Carroll personnel engaged in the design, conduct or reporting of sponsored research and educational activities, including consulting work<sup>2</sup> (collectively, “sponsored projects”). Under this policy, “investigators” are prohibited from using their positions for purposes inconsistent with objectivity in research and professional integrity. This statement is intended to inform investigators of the regulations, John Carroll’s policy and the investigator's obligations to disclose “significant financial interests.” Once such interests are disclosed, the university must decide whether the disclosed financial interests create a conflict of interest that could bias the design, conduct or reporting of sponsored projects. If so, *John Carroll must manage, reduce, or eliminate the conflict prior to the expenditure of any funds under an award.*

### **A. DEFINITIONS**

1. “**Investigators**” are principal investigators and “any person responsible for the design, conduct, or reporting” of projects funded or proposed for funding. Investigators may include faculty members, administrators, staff members and in certain cases, students. For purposes of disclosing financial interests, “**Investigator**” includes the investigator’s spouse and dependent children.
2. “**Significant Financial Interests**” means “anything of monetary value, including but not limited to:”
  - salary or other payments for services, e.g., consulting fees or honoraria (when aggregated for the investigator, spouse and dependent children) expected to exceed \$10,000 in the next twelve months;
  - an equity interest, e.g., stock, stock option, other ownership interests (when aggregated for the investigator, spouse and dependent children) with a fair market value over \$10,000 or which represent more than a 5% ownership in any single entity;
  - intellectual property rights (e.g., patents, copyrights and royalties from the rights)

---

<sup>1</sup> 42 CFR Part 50; 45 CFR Part 94.

<sup>2</sup> Believing that these federal rules are appropriately designed to promote the kind of research objectivity and academic integrity upon which the university thrives, John Carroll University has determined to extend these rules to all sponsored research or funded educational activities.

The following are **NOT** considered “significant financial interests” for purposes of required disclosure:

- salary, or stipends from John Carroll other than research funding
  - income from seminars, lectures, or teaching sponsored by public or nonprofit entities;
  - income from service on advisory committees or review panels for public or nonprofit entities;
  - any ownership interest in an institution applying for funding under the Small Business Innovation Research (SBIR) Program or the Small Business Technology Transfer (SBTT) Program;
3. A “**Conflict of Interest**” exists when John Carroll’s designated officials reasonably determine that a Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of the sponsored project.

## **B. DISCLOSURE REQUIREMENTS**

1. When Submitting a Proposal for Sponsored or Funded Research or Other Educational Activity: Whenever a contract or grant proposal is submitted to any sponsor, principal investigators must file a Disclosure of Financial Interests Form with the Associate Academic Vice President. Each investigator must disclose all significant financial interests, including those of the investigator’s spouse and dependent children:
  - a. that would reasonably appear to be affected by the research or educational activity for which funding is sought; or
  - b. in entities whose financial interests would reasonably appear to be affected by the proposed research or educational activity.
2. When Financial Interests Change: Each disclosure form must be updated within 30 days if the investigator becomes aware of new reportable significant financial interests.
3. Annual Disclosure: Each disclosure form must be updated annually if the funded project is an ongoing one.

## **C. DESIGNATED OFFICIALS REVIEW**

1. The Associate Academic Vice President will review each disclosure form as submitted in consultation with other university officials, as appropriate (e.g., department chair, academic dean, academic vice president). The Associate Academic Vice President may determine that no further action is necessary.

2. If the Associate Academic Vice President determines that further review is necessary, a meeting will be convened with the investigator and any other appropriate university officials to discuss the disclosure. Additional information may be requested of the investigator. If, after discussion, the Associate Academic Vice President determines that appropriate conditions and/or restrictions are necessary to manage, reduce, or eliminate a conflict, such conditions and/or restrictions will be imposed. Examples of conditions or restrictions include, but are not limited to:
  - public disclosure of the significant financial interests
  - divestiture of financial interests
  - monitoring of research by independent reviewers
  - modification of the research plan
  - disqualification from participation in all or a portion of the research
  - severance of relationships that create actual or potential conflicts of interest.
3. An investigator who believes the determined course of action is an inappropriate resolution may file a grievance through the appropriate process as outlined in the Faculty Handbook.
4. The Associate Academic Vice President will maintain records of all financial disclosure statements filed and all actions taken to resolve actual or potential conflicts for at least three years after the termination or completion of the award to which those records relate or until resolution of any government activity related to those records.

#### **D. RELATED REQUIRED DISCLOSURES**

1. Disclosures When Serving on University Committees or Boards: John Carroll faculty members or administrators must temporarily excuse themselves from any university committee or review process that is considering an activity in which they have a significant financial interest.
2. Disclosures When Involved with Technology Transfer: Whenever John Carroll faculty members or administrators are involved with transferring university-developed or supported technology through patents or licensing to a business in which the faculty member or administrator has a financial interest, such interest must be disclosed in writing to the Associate Academic Vice President.
3. Disclosures of Other Interests: John Carroll faculty members or administrators engaged in sponsored research must disclose any family connections to organizations funding a sponsored project or in an organization from which goods/services will be obtained under the sponsored project.

4. Disclosures of Other Interests under the John Carroll University Conflict of Interest Policy: John Carroll faculty, administrators and certain staff members are required to complete an annual Conflict of Interest Disclosure form identifying potential or actual conflicts of interest other than those involving sponsored projects.

## **E. COMPLIANCE**

All members of the John Carroll community to whom this policy applies are expected to comply fully and promptly with all requirements. Failure to file, intentionally filing an incomplete or erroneous or misleading disclosure form, or failing to provide additional information upon request may be grounds for disciplinary action, up to and including termination of employment.

**Revised May 2001**