

Conflict of Interest Policy

A *potential Conflict of Interest* occurs when there is not a clear distinction between an individual's private interests and that individual's professional responsibilities to the University, such that an independent observer might reasonably question if the principal investigator's actions or decisions are determined by considerations of personal gain, financial or otherwise.

Policy

The University requires that investigators disclose any significant financial interest of the investigator (including those of the spouse and dependent children) that would reasonably appear to be affected by the research or educational activities.

This policy promotes objectivity in research or programmatic activities by establishing standards to ensure that the design, conduct and reporting of research or education activities will not be biased by any conflicting financial interest of an investigator.

This policy is meant to communicate and address the definition of conflict of interest and keep the university in compliance with the National Science Foundation and other agencies.

Please note that financial conflicts of interest do not prohibit research or funding as long as it is properly disclosed and managed.

Please also see Board of Regents Policy and Regulation – Human Resources, Part IV, and Chapter 04.10 – Ethics and Conduct. <https://www.alaska.edu/bor/policy/04-10.pdf>

What is a Significant Financial Interest (SFI)?

- General threshold of \$5,000 (combined payments for services, equity interests)
- Travel paid by others (reimbursed or sponsored) related to institutional responsibilities (does not include travel sponsored by government agencies or institutions of higher education/affiliated labs and medical centers)
- Intellectual property rights and interests of any amount

Which SFI need to be disclosed?

- All SFI related to the investigator's institutional responsibilities; the institution determines if the FCOI is related to the proposal or grant
- Includes SFIs of the investigator's spouse and children

What is excluded from the disclosure requirement?

- Income from seminars, lectures, or teaching engagements for a government agency or institution of higher education (and affiliated labs and medical centers)
- Services on advisory or review panels for a government agency or institution of higher education (and affiliated labs and medical centers)
- Salary from the institution
- Income from authorship of academic works
- Income from mutual funds and retirement accounts.

Who qualifies as an investigator?

- Anyone involved in the design, conduct and reporting of research
- May include collaborators and consultants

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Reporting and Disclosure Requirements

Investigators certify by signature on the Proposal Routing Form that s/he has read and understands the University's policy on Conflict of Interest and that all required financial disclosures have been made as part of the proposal preparation and submission process.

If the principal investigator identifies a potential or actual conflict of interest, then the required UA Ethics Disclosure Form must be submitted to the Vice Provost for Research and Sponsored Programs prior to submission of the proposal. That form, with all required signatures must be included with the proposal submission packet to the Grants and Contract Office. During the period of an award, investigators must update financial disclosure as new reportable financial interests are obtained.

Training

Training is available from the Office of the Vice Provost for Research and Sponsored Projects.

Designation of Official to Review Disclosures and Resolve Problems

The Vice Provost for Research and Sponsored Programs is designated to review financial disclosures, determine whether a conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the University to manage, reduce or eliminate such conflict of interest.

A conflict of interest exists when the reviewer determines that a significant financial interest could directly and significantly affect the design, conduct, or reporting of the research or educational activity.

Possible conditions or restrictions that might be imposed to manage, reduce, or eliminate conflicts of interest include but are not limited to:

- Public disclosure of significant financial interests;
- Monitoring of research by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in the portion of research that would be affected by significant financial interests;
- Divestiture of significant financial interests; and
- Severance of relationships that create conflicts.

The approved conditions or restrictions imposed upon the investigator in the conduct of the project shall be incorporated into a management plan between the University and the investigator.

All identified conflicts of interest will have been satisfactorily managed, reduced, or eliminated prior to expenditure of any funds under the award.

Definitions

The term "investigator" means the project director or principal investigator, co-investigators, and any person regardless of title or position who is responsible for the design, conduct, or reporting of the proposed or funded research or educational activity, which may include for example, collaborators or consultants.

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The term "financial interest" means anything of monetary value, whether or not the value is readily ascertainable, including, but not limited to:

1. Salary or other payment for services (e.g., consulting fees or honoraria , paid authorship for other than scholarly works);
2. Equity interests (e.g., stocks, stock options or other ownership interests); and
3. Intellectual property rights and interests (e.g., patents, trademarks, service marks and copyrights) upon receipt of royalties or other income related to such intellectual property rights and interests).

The term does not include:

1. Salary, royalties or other remuneration from the institution;
2. Income from seminars, lectures, or teaching engagements sponsored by and service on advisory or review panels for a federal, state or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, medical center or research institute that is affiliated with an Institution of higher education ;
3. Income from authorship of academic or scholarly works;
4. An equity interest that, when aggregated for the investigator and investigator's spouse and dependent children, meets both of the following tests: does not exceed \$5,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest in any single entity; or
5. Salary, royalties or other payments that when aggregated for the investigator and the investigator's spouse and dependent children, are not expected to exceed \$5,000 during the next twelve month period
6. Equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

A "significant financial interest" means a financial interest that reasonably appears to be related to the Investigator's institutional responsibilities, and:

1. if with a publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure, and the value of any equity interest during the 12 month period preceding or as of the date of disclosure, exceeds \$5,000; or
2. if with a non-publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure exceeds \$5,000; or
3. if with a non-publicly-traded company, is an equity interest of any value during the 12 month period preceding or as of the date of disclosure; or
4. is income related to intellectual property rights and interests not reimbursed through the Institution.

Disclosure Timing

Investigators must provide all required financial disclosures by the time of proposal submission. Disclosures must be updated during the period of the award as new significant financial interests are obtained.

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Enforcement

When an investigator violates this policy or the terms of the management plan, the Vice Provost for Research and Sponsored Programs shall recommend sanctions that shall be consistent with the applicable personnel policies.

Records

The university shall retain records of all financial disclosures and all actions taken to resolve conflicts of interest for at least three years beyond the termination of completion of the grant to which they relate, or until resolution of any sponsor action involving those records, whichever is longer.