
1 *University of Nebraska at Kearney*

2 *Conflict of Interest in Research*

3 *Policy & Procedures*

4 *July 1, 2012*

5

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1 **I. Introduction**

2 As an institution, the University of Nebraska at Kearney (UNK) is committed to maintaining research
3 integrity and academic freedom. Research objectivity, study participant rights and the freedom to
4 publish are central issues in research related conflicts of interest. Typically, a conflict of interest is
5 defined as a situation that may bias a decision. A conflict of interest arises when a University employee
6 member has an opportunity to influence UNK’s business or research decisions for personal gain. The
7 general subject of conflict of interest is addressed in Section 3.8 of the Bylaws of the Board of Regents as
8 follows:

9 *3.8 Conflict of Interest. No employee of the University shall engage in any activity that in*
10 *any way conflicts with duties and responsibilities at the University of Nebraska. The Board*
11 *of Regents has adopted Regents Policy 3.2.8 and authorized the implementation of related*
12 *policies and directives to properly avoid, disclose and manage potential conflicts of interest.*

13 In addition to Section 3.8 of the Bylaws, Nebraska statutes relating to conflict of interest and
14 nepotism apply to all employees of the University, including the provisions of §49-14,101 of the Revised
15 Statutes of Nebraska¹. Furthermore, federal funding agencies require that the University establish
16 safeguards to prevent employees or consultants from using their positions for purposes which are
17 motivated by (or even give appearance of) a drive for private financial gain.²

18 The Bylaws of the Board of Regents and Regents’ Policy 3.2.8 require that each University of
19 Nebraska campus implement a policy that ensures that broad University-wide principles are followed.
20 These principles include:

- 21 1. Prospects of financial gain must not unduly influence faculty and the University with regard to
22 commercially imminent, product oriented research programs versus fulfilling the University’s
23 objectives of educating students, advancing basic knowledge and serving Nebraskans through
24 the development and application of knowledge that enables them to develop better lives,
25 stronger communities and genuine economic opportunity.
- 26 2. The University must avoid situations where the possibilities for personal gain for the Covered
27 Person may be judged to be so significant that it is unreasonable to expect the Covered Person
28 to exercise the objectivity necessary for public trust in the University and the rigor of its
29 research.
- 30 3. Research agreements should encourage the free exchange of ideas and the sharing of research
31 results regardless of the sponsoring entity. However, some publication restrictions may be
32 required to protect proprietary information or intellectual property.
- 33 4. To the extent practicable and consistent with applicable law, the University must be
34 appropriately compensated for private, commercial use of the public property under its
35 stewardship.

¹ No public employee shall use that person's office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family or a business with which the individual is associated ..." and no "public employee shall use personnel, resources, property, or funds under that individual's official care and control, other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or use such items, other than compensation provided by law, for personal financial gain ."

² Including *Public Health Service* and *National Science Foundation* regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), *Department of Education* regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and *FDA* regulations (21 CFR Part 54).

1 UNK has developed the following policy to guide faculty, staff and students in structuring their
2 relationships with outside entities in order to comply with the federal and state requirements. This
3 policy applies to all covered persons defined as:

- 4 1. University administrative officers and employees, specifically including any University
5 employees with delegated signature, purchasing or contracting authority on behalf of the
6 University;
- 7 2. University employees engaged in outside employment or other activities specified in this
8 policy (technology transfer/use of University facilities or equipment) that may create a
9 conflict of Interest; and
- 10 3. Sponsored Research investigators, including University employees, faculty, staff and support
11 personnel (managerial/professional and office/service positions), volunteers, trainees,
12 students, contractors and other persons under the direct control of the UNK, whether paid
13 by the UNK or not, who participate in Sponsored Research as defined in Section 6 of Board of
14 Regents policy 3.2.8.

15 II. Scope

16 This policy is intended to supplement Regents Policy 3.2.8 and address relevant federal policies³ that
17 regulate activities that may result in conflict of interest in research. In addition, this policy details the
18 procedures for identifying conflict of interest, the reporting process, and best practices. Conflicts of
19 interest referred to in this policy are defined in Appendix I of this policy and generally include situations
20 in which a covered person's direct or indirect personal financial interests may compromise, or have the
21 appearance of compromising, the covered person's professional judgment or behavior in carrying out
22 his or her obligations to the University of Nebraska. Indirect personal financial interests of a covered
23 person that may be obtained through third parties such as a covered person's immediate family,
24 partners receiving benefits through the University's Employee Plus One program, business relationships,
25 fiduciary relationships, or investments are also subject to this policy. The immediate family of a covered
26 individual is defined as the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood,
27 marriage, or adoption.

28
29 Other Board of Regents policies that apply to the conflict of interest in addition to the Section 3.8 of
30 the BOR policies include the provisions of §49-14,101.01 of the Revised Statutes of Nebraska⁴ on conflict

³ Section 3.4.5 and 3.8 of the *Bylaws of the Board of Regents of the University of Nebraska*, Nebraska Conflict of Interest Statutes, *Neb. Rev. Stat. §49-1493 et. seq.*, Board of Regents Conflict of Interest Policy, RP-3.2.8, US Public Health Service (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), Food and Drug Administration (21 CFR 54), National Science Foundation (Grant Policy Manual 05-131 § 510), US Department of Education (34 CFR 75.524, 34 CFR 75.525 and 34 CFR 74.42) and other relevant federal policies.

⁴ "A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated." and " A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain."

1 of interest in employment, Board Policy 6.2.1.12 on conflict of interest in procurement of University
2 Goods and Services, and BOR Bylaws 3.4.5 pertaining to conflict of commitment.

3 **III. Institutional Responsibilities**

4 According to Regents Policy 3.2.8, the Chancellor shall be responsible for overseeing the campus
5 reporting process and submitting the campus processes and procedures to the President for review and
6 approval. The procedures for disclosure must, at a minimum, include the following:

- 7 1. Annual disclosures by covered persons engaged in sponsored research activity.
- 8 2. A description of the process for developing, implementing, and overseeing conflict management
9 plans, including a detailed process for managing and/or eliminating potential conflicts of
10 interest.
- 11 3. A description of procedures for ensuring coordination among all University organizations with a
12 role in oversight of conflicts.
- 13 4. A description of the process by which a covered person may address concerns regarding a
14 conflict of interest situation or the management thereof.
- 15 5. A description of how:
 - 16 a. Disclosures will be reviewed and retained
 - 17 b. The number of conflicts of interest (i.e. Intellectual Property Rights, Sponsor
18 IP/Publication Rights, Outside Employment, and Outside Ownership/Revenue) in each
19 college, will be reported to the President annually;
 - 20 c. Responsible campus officials are to review and manage potential conflicts of interest;
 - 21 d. The campus will provide related training and advice about conflict of interest issues;
 - 22 e. The campus will review and validate their program on a regular basis;
 - 23 f. The campus will make its implementation procedures for this policy available publicly;
24 and
 - 25 g. The institution will enforce this policy and provide sanctions when necessary.

26 The UNK Human Resources Office, Office of Academic Affairs, and Office of Graduate Studies &
27 Research are responsible for providing guidance and interpretation of the conflict of interest policy and
28 training to UNK administrators, faculty, staff and students. These offices are also responsible for
29 reporting a conflict of interest to the sponsor or federal agency as required⁵. If additional review and
30 input are warranted, the matter may be forwarded to the Conflict of Interest Committee. The Conflict of
31 Interest Committee is responsible for the development and/or approval of management plans
32 pertaining to conflicts of interest on the UNK campus. The conflict of interest management plan will be
33 reviewed by the conflict of interest committee no less than every five years.

34 The Associate Vice Chancellor for Academic Affairs is responsible for reporting conflicts of interest to
35 the National Institutes of Health and National Science Foundation. The Senior Advisor to the Chancellor
36 for Executive Affairs is responsible for providing and annual report on conflicts of interest to the Board
37 of Regents.

⁵ National Science Foundation regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), Department of Education regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and FDA regulations (21 CFR Part 54)

1 **IV. Institutional Conflict of Interest**

2 Institutional conflicts of interest may involve any University activity carried out in the pursuit of the
3 University’s mission. Of particular concern are conflicts that arise in the conduct of research involving
4 human subjects, but any activity in which the judgment of those involved becomes affected by
5 University financial relationships may lead to a violation of this Policy.

6 **A. Procedures for Identifying and Managing Institutional Conflicts of Interest and**
7 **Equity Interests for Senior Administrators**

8 A conflict of interest may arise when a Senior Administrator, from the level of the Vice Chancellor
9 and higher, or his or her family⁶ has a financial interest that impairs or appears to impair the Senior
10 Administrator’s judgment. Specific examples of these situations and the recommended management
11 procedures are contained in Appendix II. Section 1.10.1 of the *Bylaws of the Board of Regents* requires
12 University of Nebraska employees to conform to the following guidelines. University of Nebraska
13 employees shall make certain that no outside activities interfere with the discharge of University
14 obligations.

15 To satisfy these requirements, all senior administrators must disclose their financial interests to the
16 Nebraska Accountability and Disclosure Commission. The Vice President and General Counsel are
17 responsible for oversight and management of the outside interests and activities of senior
18 administrators. If a senior administrator has a financial interest that relates to the conduct of research,
19 the Vice President and General Counsel coordinate management with the appropriate campus
20 institutional conflict of interest committee.

21 **B. Procedures for Identifying and Managing Institutional Conflicts of Interest and**
22 **Equity Interests for the Institution**

23 An institutional conflict may arise when an institution's own financial interests (e.g., royalties,
24 equity, stockholdings, and gifts) pose risks of undue influence on decisions involving the institution's
25 research. The University of Nebraska shall make certain that no financial interests interfere with the
26 discharge of University obligations. The Vice President and General Counsel in coordination with the
27 institutional conflict of interest committee are responsible for oversight and management of the
28 institution’s financial interests.

29 **C. Conflict of Interest Committee**

30 The purpose of the Conflict of Interest Committee (CIC) is to review conflicts of interest and approve
31 plans to manage the institutional and individual conflicts of interest The CIC is a standing committee
32 selected by the Associate Vice Chancellor for Academic Affairs. The committee is composed of deans or
33 their designees, representative of the faculty and staff senates, and the members of the CIC Executive
34 Committee. The CIC Executive Committee is composed of the Senior Advisor to the Chancellor for
35 Executive Affairs, the Associate Vice-Chancellor for Academic Affairs, the Assistant Vice Chancellor for
36 Business & Finance, the Assistant to the Senior Vice chancellor for Academic Affairs and Student Life, the
37 Internal Auditor, the Director of Human Resources, and the Director of the Office of Sponsored

⁶ Board of Regents Policy 3.2.8 defines family as a spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption. This policy also includes partners receiving benefits through the University’s Employee Plus One program.

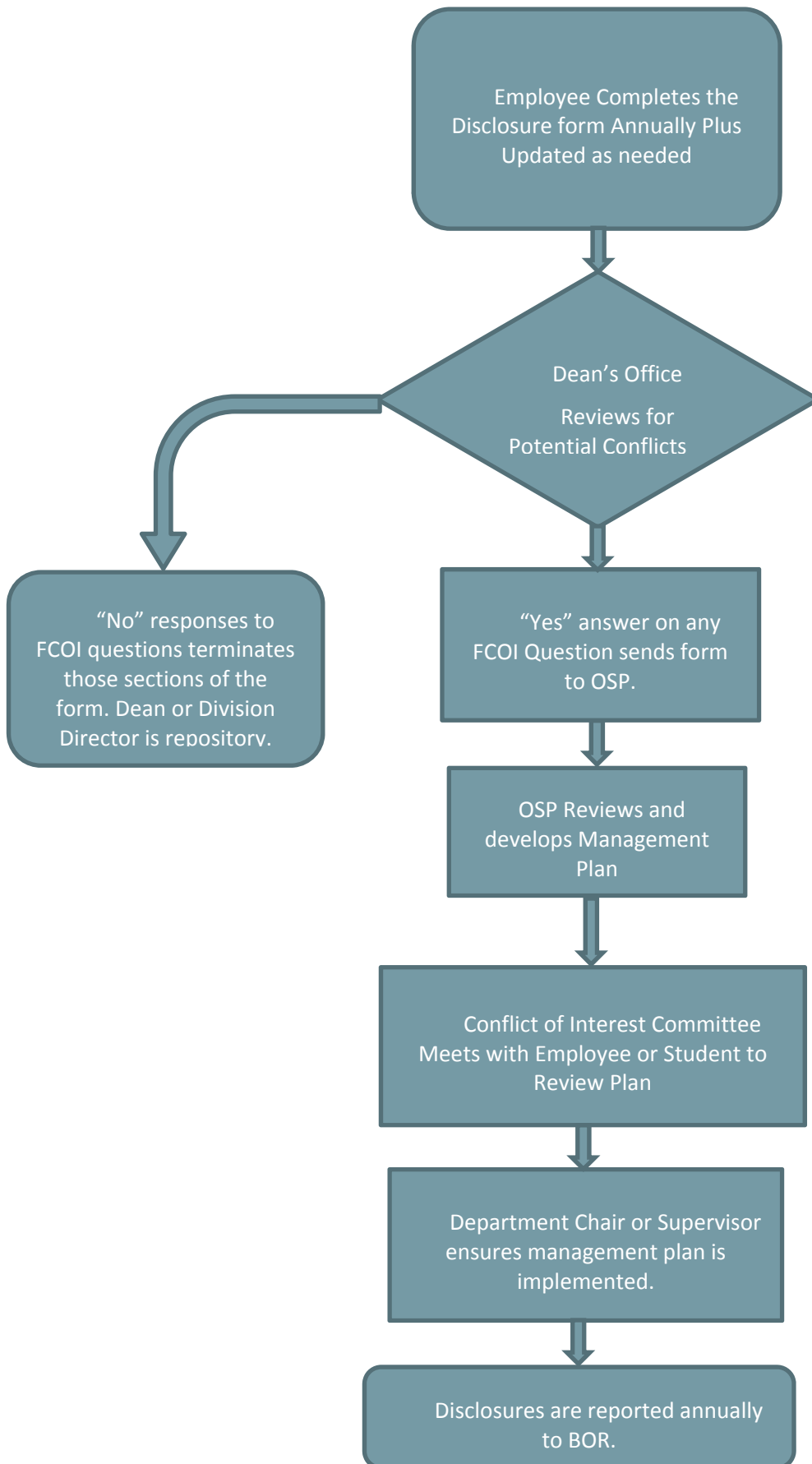
1 Programs (or their designees). The Associate Vice Chancellor for Academic Affairs will chair the CIC. The
2 disclosing individual's department head/chair (and/or direct supervisor), dean and center director (if
3 applicable) may be invited to be participate in conflict of interest committee meetings to review the
4 disclosed conflict of interest.

5 **V. Individual Conflict of Interest in Research**

6 The administrative process that pertains to conflicts of interest in research contains four basic steps:
7 Disclosure, Review, Management (where indicated), and Reporting (where indicated). This process is
8 outlined in the flowchart shown in Section A below. Please note that before the University will accept a
9 sponsored award,⁷ interest reporting forms must be completed by all key personnel. Interest Reporting
10 Forms will undergo a programmatic review to determine whether a real, perceived, or potential conflict
11 of interest in research exists. Should such a conflict exist, a management plan must be established and
12 approved by the Conflict of Interest Committee. In addition, information regarding the presence of
13 conflicts of interest pertaining to all subawardees must be reviewed prior to accepting an award.
14 Examples of conflicts of interest and the recommended management strategies are listed in Appendix
15 III.

⁷ Note: PHS regulations indicate that key personnel must make a disclosure to the appropriate institutional representatives at the time of submitting an application for PHS funding. If award is funded, the institutional representative must submit a financial conflict of interest report (if applicable) to the PHS agency prior to the expenditure of funds.

A. Management Process Flowchart



B. Reporting Process for Individual Financial Interest Related to Research

1. Annual Reporting

A UNK Interest Reporting Form⁸ must be completed annually through an on-line survey. This must be completed by September 30 each year. (A delayed deadline will be used in FY 2013 to allow phase in). All covered persons as defined in this policy must complete the disclosure survey.

2. Changes to the Interest Reporting Form

Any changes to the information provided annually must be submitted within 30 days of the change. Changes include, but are not limited to:

- Creation of a new startup company
- Sponsorship of a research project by a new outside entity
- Changes in the amount of personal financial remuneration received from outside entities, e.g. additional consulting
- Engagement in or changes in an existing unremunerated service role or position, e.g. serving on a Board of Directors of a non-profit corporation
- Submission of an SBIR or STTR application
- Reimbursed or sponsored travel

C. Confidentiality

It is extremely important to guard the privacy of all of those disclosing conflict of interests. Therefore, all information is kept with restricted access. Information will be kept for seven years following the end of the research activity presenting the conflict of interest.

D. Conflict of Interest Committee

The purpose of the Conflict of Interest Committee (CIC) is to review conflicts of interest and approve plans to manage the institutional and individual conflicts of interest. The CIC is a standing committee selected by the Associate Vice Chancellor for Academic Affairs. The committee is composed of deans or their designees, representative of the faculty and staff senates, and the members of the CIC Executive Committee. The CIC Executive Committee is composed of the Senior Advisor to the Chancellor for Executive Affairs, the Associate Vice-Chancellor for Academic Affairs, the Assistant Vice Chancellor for Business & Finance, the Assistant to the Senior Vice chancellor for Academic Affairs and Student Life, the Internal Auditor, the Director of Human Resources, and the Director of the Office of Sponsored Programs (or their designees). The Associate Vice Chancellor for Academic Affairs will chair the CIC. The disclosing individual's department head/chair (and/or direct supervisor), dean and center director (if applicable) may be invited to participate in conflict of interest committee meetings to review the disclosed conflict of interest.

The CIC meetings are presided over by the chair. A management plan for the conflict of interest is voted on by the committee with a simple majority of the voting membership constituting a quorum required to conduct committee business.

⁸ To satisfy the disclosure requirements of the Board of Regents Conflict of Interest Policy, RP-3.2.8

1 E. Management of Disclosed Conflicts of Interest

2 Management plans are the typical vehicle for managing most conflict of interest situations. The
3 Sponsored Programs staff and the CIC will work with the faculty, staff, or student and the appropriate
4 administrator to develop a draft management plan.

5 The entire disclosure and management process is listed below.

- 6 1. The faculty, staff member or student completes an online Disclosure of Interest survey.
- 7 2. The dean or director evaluates each Disclosure of Interest, consulting with individuals and
8 offices involved as necessary, and forwards real or perceived conflicts in research to the Office
9 of Sponsored Programs (as indicated by “yes” responses to any of the questions). Sponsored
10 Programs reviews the disclosure and recommends a management plan to the chair of the CIC.
- 11 3. If no management plan is necessary, the chair of the CIC notifies the person who submitted the
12 disclosure. [The disclosure will be included in a report that is submitted to the Board of
13 Regents].
- 14 4. If a management plan is necessary, the Sponsored Programs staff will draft a management plan.
15 The CIC Executive will meet with the faculty, staff member, or student and their immediate
16 supervisor, department head/chair, and/or dean/director as appropriate to review and approve
17 the management plan. A management plan may include elements such as:
 - 18 • Disclosure of the conflict of interest in all presentations and publications, written
19 notification to the research sponsor, and in the informed consent to human research
20 participants
 - 21 • Independent monitoring of the research or other academic project (Scientific Advisory
22 Board)
 - 23 • Eliminate potential bias through means such as modifying the scope of the project, and/or
24 setting timetables for delivery of the product
 - 25 • Designate a colleague or department chair with no conflict of interest relationship to the
26 research to serve as an academic co-advisor or lead investigator
 - 27 • Divest the financial interest giving rise to the conflict
 - 28 • Sever relationships that are the source of the conflict of interest
 - 29 • Remove contract terms that create the conflict of interest in research (e.g., where payment
30 depends upon the outcome of the research)
 - 31 • After careful consideration, disqualify an individual from participation in the project (*Only in
32 rare instances will the committee determine that no management plan can manage, reduce,
33 or eliminate the conflict of interest adequately.*)
- 34 5. The chair of the CIC reports that the management plan has been established to the University of
35 Nebraska Board of Regents and federal funding agencies, as required.

36 Once a management plan has been approved by the committee, everyone involved in the research
37 project will be advised of the existing conflict of interest and to anticipate potential issues (e.g., forming
38 student thesis committees, arrange an independent review of thesis projects by the graduate chair or
39 co-advisors). Research participants will also be informed that the graduate chair, department head,
40 dean and/or the Sponsored Programs staff are available for consultation at any time.

1 **F. Training**

2 Public Health Service (PHS) rules require that conflict of interest training occur prior to engaging in
3 research and every 4 years following the initial training for all researchers applying for PHS funding. In
4 addition, training may be required when there is a change in institutional policies, an investigator joins
5 UNK or there is a case of noncompliance. UNK’s Office of Graduate Studies & Research, in collaboration
6 with the Internal Auditor and Human Resources, will be responsible for providing training opportunities
7 for UNK employees, students, and others involved in research.

8 **G. Disclosure of Sponsored Travel**

9 Public Health Service (PHS) rules require increased transparency for reimbursement of travel
10 expenses. Investigators now must disclose reimbursed or sponsored travel related to the investigator’s
11 institutional responsibilities. Travel that is reimbursed or sponsored by federal, state, or local
12 government agencies, institutions of higher education, academic teaching hospitals, medical centers, or
13 research institutes affiliated with an institution of higher education does not have to be disclosed.
14 Reimbursed or sponsored travel will be disclosed through the interest reporting form online as
15 described in Section VII. B. Reporting Process for individual financial interest related to research above.

16 **H. Post-Approval Monitoring**

17 An appropriate management plan must be in place before the University will accept any sponsored
18 award in which a financial or management conflict is judged to exist. Post-approval monitoring
19 processes may be put into place and can include updates to the Interest Reporting Form, academic co-
20 advisor reviews of student progress, and visits to the laboratory, research center, office, or place of
21 business of the faculty, staff member or student. Any post-approval monitoring requirements will be
22 included in the approved management plan.

23 All disclosure forms will be retained by the appropriate dean or director’s office. Management plans
24 and minutes from the CIC meetings will be retained by the Associate Vice Chancellor for Academic
25 Affairs for seven years following the end of the research activity. This information is confidential and
26 available only to pertinent personnel (e.g., the conflict of interest committee, institutional official, and
27 Vice-Chancellor for Research and Economic Development).

28 **I. Corrective Action**

29 Failure of the faculty, staff or students to disclose a conflict of interest, comply with the conflict of
30 interest policy or failure to comply with the management plan will be referred to the Associate Vice
31 Chancellor for Academic Affairs, the conflict of interest committee and the department head/chair for
32 non-compliance review. Failure to comply will also be reported to the awarding agency and corrective
33 action may affect the award process. The University may also decline or withhold funding in all cases in
34 which the investigator does not comply with the established conflict of interest management plan.
35 Other consequences may include a letter of reprimand or the removal of an investigator from an
36 ongoing project and corrective action may result up to and including termination of employment.

37 For PHS research and any other sponsor with reporting requirements, the Associate Vice Chancellor
38 for Academic Affairs will notify the relevant agency when the Conflict of Interest Committee has
39 determined that a noncompliance issue exists⁹.

⁹ 42 CFR §50 Subpart F, 34 CFR §74.51

1 PHS also requires each institution to conduct a retrospective review in those cases of non-
2 compliance with the regulation but it is not required to report the review to the PHS Awarding
3 Component. The Institution will be required to notify the PHS Awarding Component promptly and
4 submit a report to the PHS Awarding Component only in cases where bias is found. The report will
5 address the impact of the bias on the research project and the actions the Institution has taken, or will
6 take, to eliminate or mitigate the effect of the bias.

7 **J. Appeal Process**

8 A decision by the Conflict of Interest Committee may be appealed to the Sr. Vice Chancellor for
9 Academic Affairs within 30 days of the date that the committee notifies the faculty, staff or student of
10 the committee's decision.

11 The Sr. Vice Chancellor will determine whether the committee's decision will stand, or whether the
12 management plan or decision should be sent back to the CIC for revision. The Sr. Vice Chancellor must
13 notify the chair of the CIC and the appellant of his decision within 60 days of receiving the appeal.

Appendix I. Definitions (for the purposes of this policy)

- 1
- 2 A. *Compensated Professional/Commercial Activity (Outside Activity)* includes outside consulting, refers
3 to paid service as a technical or professional adviser or practitioner. It is the use of one's professional
4 capabilities to further the agenda of a third party for personal financial gain, whether one is on the
5 payroll of the organization, working as an independent contractor, or serving as director or manager.
- 6 B. *Conflict of Commitment* occurs when the time devoted to external activities adversely affects a
7 faculty member's capacity to meet University responsibilities.
- 8 C. *Conflicts of Interest* are situations where a *Covered Person's* direct or indirect personal financial
9 interests may compromise, or have the appearance of compromising, the *Covered Person's*
10 professional judgment or behavior in carrying out his or her obligations to the University of
11 Nebraska. This includes indirect personal financial interests of a *Covered Person* that may be
12 obtained through third parties such as a *Covered Person's Immediate Family*, business relationships,
13 fiduciary relationships, or investments.
- 14 D. *Covered Person* means:
- 15 1) University administrative officers and employees, specifically including any University
16 employees with delegated signature, purchasing or contracting authority on behalf of the
17 University;
- 18 2) University employees and faculty engaged in outside employment or other activities specified in
19 this policy (technology transfer/use of University facilities or equipment) that may create a
20 *Conflict of Interest*; and
- 21 3) Sponsored Research investigators, including University employees, faculty, staff and support
22 personnel (managerial/professional and office/service positions), volunteers, trainees, students,
23 contractors and other persons under the direct control of the University of Nebraska, whether
24 paid by the University of Nebraska or not, who participate in *Sponsored Research* as defined in
25 Section 6 of the Board of Regents policy 3.2.8.
- 26 E. *Disclosure of Financial Conflict of Interest* means a covered person's disclosure of significant financial
27 interests to the University.
- 28 F. *Equity interest* includes any stock, stock option, or other ownership interest, as determined through
29 reference to public prices or other reasonable measures of fair market value.
- 30 G. *Financial Interest* means anything of monetary value, whether or not the value is readily
31 ascertainable.
- 32 H. *Key Personnel* means those who are responsible for the design, conduct, or reporting of research,
33 this may include collaborators or consultants.
- 34 I. *Significant Financial Interest* means a financial interest consisting of one or more of the following
35 interests of the covered person or their immediate family that reasonably appears to be a conflict of
36 interest:
- 37 1) With regard to any publicly traded entity, the value of any remuneration received from the
38 entity in the twelve months preceding the disclosure and the value of any equity interest in the
39 entity as of the date of disclosure, when aggregated, exceeds \$5,000;
- 40 2) With regard to any non-publicly traded entity, the value of any remuneration received from the
41 entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or
42 when the covered person or their immediate family holds any equity interest (e.g., stock, stock
43 option, or other ownership interest);
- 44 3) Intellectual property rights and interests (e.g., patents, copyrights).

- 1 J. *Immediate Family* shall mean an individual who is the spouse, child, parent, brother, sister,
2 grandchild, or grandparent, by blood, marriage, or adoption of the *Covered Person*.
- 3 K. *An Institutional Conflict of Interest* may occur when the University or a *Covered Person* in a senior
4 administrative position has a financial interest in a commercial entity that itself has an interest in a
5 University research project, including potential conflicts with equity/ownership interests or royalty
6 arrangements.
- 7 L. *Non-compensated Professional Activities* are those outside activities that extend and enhance the
8 normal institutional responsibilities of teaching, research, and service to serving public institutions,
9 educational organizations, and professional societies for the faculty or staff member.
- 10 M. *Remuneration* includes salary and any payment for services not otherwise identified as salary (e.g.,
11 consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or
12 other ownership interest, as determined through reference to public prices or other reasonable
13 measures of fair market value.
- 14 N. *Senior Administrators* are University administrative officers and employees, specifically including any
15 University employees with delegated signature, purchasing or contracting authority on behalf of the
16 University.
- 17 O. *Sponsored travel* includes travel expenses paid on behalf of the investigator and not reimbursed to
18 the investigator so that the exact monetary value may not be readily available.

Appendix II. Institutional Conflict of Interest can result from a variety of situations - the following table represents some common situations along with the recommended management.

Institutional Conflict of Interest	
<p>Issue I.a: University having financial holdings in a company sponsoring research at the University</p> <p>Conflict: Administrator(s) may be conflicted about:</p> <p>(a) Allowing researchers to publish potentially damaging research findings without regard for the company's reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Pressuring the investigator to censor research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Establish separate reporting structure for the management of the University's equity holdings and its research affairs • Maintain and update annually: <ul style="list-style-type: none"> ○ University equity holdings ○ Companies that hold option or licensing rights ○ Corporate donors
<p>Issue I.b: Senior administrators having equity or ownership interest in a company sponsoring research at the university</p> <p>Conflict: Administrator(s) may be conflicted between their:</p> <p>(a) Personal financial holdings</p> <p style="text-align: center;">- AND -</p> <p>(b) Institutional Responsibilities: making decisions that have institution-wide impact and are made on behalf of the University without regard to their own financial benefit</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Disclose all financial interests <ul style="list-style-type: none"> ○ Compensation (e.g., consulting fees or honoraria); ○ Equity interests ○ Intellectual property rights • All disclosures must be reviewed by the institutional conflict of interest committee • Any administrators with a financial interest in a company sponsoring research at the University, must recuse themselves from decision making processes involving these companies.
<p>Issue I.c: Senior administrators holding a management position in a company sponsoring research at the university</p> <p>Conflict: Administrator(s) may be conflicted between their:</p> <p>(a) Personal financial holdings</p> <p style="text-align: center;">- AND -</p> <p>(b) Institutional Responsibilities: making decisions that have institution-wide impact and are made on behalf of the University without regard to their own financial benefit</p>	<ul style="list-style-type: none"> • Disclose all financial interests <ul style="list-style-type: none"> ○ Compensation (e.g., consulting fees or honoraria); ○ Equity interests ○ Intellectual property rights • All disclosures must be reviewed by the institutional conflict of interest committee • Any administrators with a financial interest in a company sponsoring research at the University must recuse themselves from decision making processes involving these companies.

Institutional Conflict of Interest involving Clinical Trials

<p>Issue I.d: University financial holdings in a company involved in a clinical trial at the University</p> <p>Conflict: Administrator(s) may be conflicted about:</p> <p>(a) Allowing researchers to publish potentially damaging research findings without regard for the company's reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Pressuring the investigator to censor research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Establish separate reporting structure for the management of the University's equity holdings and its research affairs • Maintain and update annually: <ul style="list-style-type: none"> ○ University equity holdings ○ Companies that hold option or licensing rights ○ Corporate donors
<p>Issue I.e: Senior administrators having equity or ownership interest in a company involved in a clinical trial at the university</p> <p>Conflict: Administrator may be conflicted between their:</p> <p>(a) Personal Financial Holdings</p> <p style="text-align: center;">- AND -</p> <p>(b) Institutional Responsibilities: making decisions that have institution-wide impact and are made on behalf of the University without regard to their own financial benefit</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Disclose all financial interests <ul style="list-style-type: none"> ○ Compensation (e.g., consulting fees or honoraria); ○ Equity interests ○ Intellectual property rights • All disclosures must be reviewed by the institutional conflict of interest committee • Any administrators with a financial interest in a company sponsoring research at the University, must recuse themselves from decision making processes involving these companies
<p>Issue I.f: Senior administrators holding a management position in a company involved in a clinical trial at the university</p> <p>Conflict: Administrator may be conflicted between their:</p> <p>(a) Personal Financial Holdings</p> <p style="text-align: center;">- AND -</p> <p>(b) Institutional Responsibilities: making decisions that have institution-wide impact and are made on behalf of the University without regard to their own financial benefit</p>	<ul style="list-style-type: none"> • Disclose all financial interests <ul style="list-style-type: none"> ○ Compensation (e.g., consulting fees or honoraria); ○ Equity interests ○ Intellectual property rights • All disclosures must be reviewed by the institutional conflict of interest committee • Any administrators with a financial interest in a company sponsoring research at the University must recuse themselves from decision making processes involving these companies
<p>Issue I.g : Senior administrators being an inventor on intellectual property licensed to a company involved in a clinical trial at the university</p> <p>Conflict: Administrator may be conflicted between their:</p> <p>(a) Personal Financial Holdings</p> <p style="text-align: center;">- AND -</p> <p>(b) Institutional Responsibilities: making decisions that have institution-wide impact and are made on behalf of the University without regard to their own financial benefit</p>	<ul style="list-style-type: none"> • Disclose all financial interests <ul style="list-style-type: none"> ○ Compensation (e.g., consulting fees or honoraria); ○ Equity interests ○ Intellectual property rights • All disclosures must be reviewed by the institutional conflict of interest committee • Any administrators with a financial interest in a company sponsoring research at the University must recuse themselves from decision making processes involving these companies

1 **Appendix III. Individual Conflict of interest can result from a variety of situations - the**
 2 **following table represents some common situations along with the recommended**
 3 **management.**

Research Bias

<p>Issue III.a: Having a financial interest or holding a management position in a company that sponsors research may lead to biased research results.</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(c) Publishing potentially damaging research findings in the open literature without regard for the company’s reputation</p> <p style="text-align: center;">- OR -</p> <p>(d) Censoring research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Prior to submission for publication, authors should have the manuscript internally reviewed by a peer without COI issues • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issue • Anyone holding an ownership or management position in the Entity may not be the chair of the thesis committee. • The voting majority of the committee must not have an ownership or management position in the entity. • The research compliance staff within the Office of Research Responsibility will meet with the student annually
<p>Issue III.b: Having a financial interest or holding a management position in a company with a license to technology invented at UNK may lead to biased research results.</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(a) Publishing potentially damaging research findings in the open literature without regard for the company’s reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Censoring research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Prior to submission for publication, authors should have the manuscript internally reviewed by a peer without COI issues • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issues • Anyone holding an ownership or management position in the Entity may not be the chair of the thesis committee. • The voting majority of the committee must not have an ownership or management position in the entity. • The research compliance staff within the Office of Research Responsibility will meet with the student annually
<p>Issue III.c: Having a financial interest or holding a management position in a company receiving a subcontract from a UNK grant may lead to biased research results.</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(a) Using grant funds to support university research</p> <p style="text-align: center;">- OR -</p> <p>(b) Using the funds to further advance the company efforts</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issues • Vice Chancellor for Business and Finance approval is required

<p>Issue III.d: Accepting sponsored research from a company with a license to technology invented at UNK may lead to biased research results.</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(a) Publishing potentially damaging research findings in the open literature without regard for the company's reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Censoring research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Prior to submission for publication, authors should have the manuscript internally reviewed by a peer without COI issues • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issues • Anyone holding an ownership or management position in the Entity may not be the chair of the thesis committee. • The voting majority of the committee must not have an ownership or management position in the entity. • The research compliance staff within the Office of Research Responsibility will meet with the student annually
<p>Issue III.e: Allowing an outside entity to provide salary for investigator(s) may lead to biased research results.</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(a) Publishing potentially damaging research findings in the open literature without regard for the company's reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Censoring research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Prior to submission for publication, authors should have the manuscript internally reviewed by a peer without COI issues • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issues • Anyone holding an ownership or management position in the Entity may not be the chair of the thesis committee. • The voting majority of the committee must not have an ownership or management position in the entity. • The research compliance staff within the Office of Research Responsibility will meet with the student annually
<p>Issue III.f: Consulting for companies or businesses that university employees endorse in their university position may lead to biased research results</p> <p>Conflict: Investigator(s) may be conflicted about:</p> <p>(a) Publishing potentially damaging research findings in the open literature without regard for the company's reputation</p> <p style="text-align: center;">- OR -</p> <p>(b) Censoring research findings that might damage the sponsoring company</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Authors should disclose their business relationships with research sponsors in publications • Student authors should be reminded of the Student Advocate for COI issues • Anyone holding an ownership or management position in the Entity may not be the chair of the thesis committee. • The voting majority of the committee must not have an ownership or management position in the entity. • The research compliance staff within the Office of Research Responsibility will meet with the student annually

Student Welfare

Issue III.g: A student may be adversely affected if they are an employee of a company that sponsors research at UNK

Conflict:

Student may be conflicted about:

- (a) Publishing potentially damaging research findings in the open literature without regard for the company's reputation
- OR -
- (b) Censoring research findings that might damage the sponsoring company

Recommendation:

- Prior to submission for publication, authors should have the manuscript internally reviewed by a peer without COI issues
- Authors should disclose their business relationships with research sponsors in publications
- Student authors should be reminded of the Student Advocate for COI issues
- Anyone holding an ownership or management position in the company may not be the chair of the thesis committee.
- The voting majority of the thesis committee must not have an ownership or management position in the entity.
- The research compliance staff within the Office of Research Responsibility will meet with the student annually

Conflict of Commitment

Issue III.i: Having a financial interest or holding a management position in a company that rents university facilities and/or equipment may represent a conflict of commitment for university employees.

Conflict: University employees may be conflicted about:

- (a) Spending time teaching and conducting research
- OR -
- (b) Spending time otherwise spent teaching on outside activities that produce supplemental income

Recommendation:

- Vice Chancellor for Business and Finance approval is required.
- Documentation of the separation of equipment and supplies that are owned by the university or the company on file with the interest reporting form
- If applicable, have Outside Activities Form approved through Academic Affairs on file with the Interest Reporting Form

Unfair Competitive Advantage

Issue III.j: UNK employees have an unfair competitive advantage when holding stock or a management position in a company that responds to a RFP from the University of Nebraska

Conflict: Investigator may be conflicted about:

- (a) 'Scouting' for information regarding the decision making process to enhance the funding probability
- OR -
- (b) Not participating in the funding decision making process and risk having the proposal not be funded

Recommendation:

- A detailed funding procedure not involving the investigator should be developed.
- Department Chair should approve the proposal submission
- If applicable, have Outside Activities Form approved through Academic Affairs on file with the Interest Reporting Form

Issue III.k: Serving on the Board of Directors or Scientific Advisory Board of a company from which university employees receive sponsored research funding may lead to an unfair competitive advantage.

Conflict: University employee may be conflicted about:

- (a) Funding research proposals that compete with their own research
- OR -
- (b) Deny funding proposals that may compete with their own research

Recommendation:

- Investigator(s) should disclose their funding relationships with the company to the scientific advisory committee or board
- If applicable, have Outside Activities Form approved through Academic Affairs on file with the Interest Reporting Form

Other