

POLICY

CONFLICT OF INTEREST POLICY PERTAINING TO SPONSORED PROJECTS

SUMMARY: THIS POLICY SETS FORTH PROCEDURES AND GUIDELINES THAT ARE TO BE FOLLOWED IN RESOLVING ACTUAL AND POTENTIAL FACULTY AND STAFF CONFLICTS OF INTEREST AND APPLIES TO ALL SPONSORED PROJECTS FUNDED BY (A) COMMERCIAL SPONSORS, (B) THOSE FEDERAL AGENCIES HAVING SPECIFIC CONFLICT OF INTEREST REQUIREMENTS, AND SUBCONTRACTS ISSUED BY JACKSON STATE UNIVERSITY UNDER ITS SPONSORED PROJECTS IRRESPECTIVE OF THE SOURCE OF FUNDS.

The University, its faculty and staff, often benefit from participation in both public and private outside activities. The university has no interest in setting forth detailed rules that may interfere with faculty and staff members' outside interest.

Faculty and staff members, in turn, must also ensure that their outside obligations, financial interests, and activities do not conflict or interfere with their commitment to the University. The obligation pertains to both full-time and part-time faculty and staff.

The areas of potential conflicts may be divided into two categories. **Conflicts of Interest** are defined as situations in which faculty, and staff members may have the opportunity to influence the University's business decision in ways that could lead to personal gain or give improper advantage to members of their families or to associates. **Conflicts or Commitment** are defined as situations in which faculty and staff members' external activities interfere or appear to interfere with their paramount obligations to their students, colleagues, and University.

In those circumstances in which the University is engaged in or intends to engage in a sponsored project with a commercial organization under one of the University's sponsored projects, conflict of interest may occur when a faculty and staff member's affiliation with the external organization meets any one of the following criteria:

- a. The faculty or staff member is an officer, director, partner, trustee, employee, advisory board member, or agent of an external organization or corporation either funding a sponsored project or providing goods and services under a sponsored project on which the faculty or staff member is participating in any capacity.

- b. The faculty or staff member is the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization or corporation.
- c. The faculty or Staff member has dealings with such organization or corporation from which he or she derives income of more than \$10,000 per year, exclusive of dividends and interest.
- d. The faculty or staff members= immediate family (spouse, parents, parents-in-law, siblings, children, or other relatives at the same address as the faculty or staff members) meets any of the criteria stated in a-c above.

Each faculty or staff member participating in a sponsored project covered by this policy must disclose whether or not he or she has external affiliations that may constitute a conflict. A disclosure must be completed prior to the University=s acceptance of the sponsored project or issuance of a subcontract for the acquisition of services. The disclosure form (Attachment) is to be sent to the Office of Research Development, Support and Federal Relations via the faculty or staff members= department chair, or dean, or Vice President. Positive disclosures will be reviewed by a Conflict Review committee consisting of two elected members of the Research Advisory Council and a representative from the Dean=s Council.

In reviewing the positive disclosures, the Conflict Review Committee will be guided by the following practices and apply them as may be appropriate:

- a. Assure adherence to relevant University policies such as the Principal Investigator Manual, the Faculty and Staff Handbooks, and other University documents that the Conflict Review Committee may deem appropriate.
- b. Consider the nature and extent of the financial interest in the relationship of the faculty or staff member and the external organization.
- c. Give special consideration to the terms and conditions of sponsored project agreements that may mitigate or complicate the given situation.
- d. Consult with and obtain additional information from the faculty or staff member as either the Conflict Review Committee or the faculty or staff member may feel to be helpful in resolving actual or potential conflicts.

- e. Act in a timely manner so as to not delay unduly the conduct of the sponsored project.
- f. Conclude that the University may take one of the following actions:
 - 1. Accept the sponsored project award.
 - 2. Do not accept the sponsored project award
 - 3. Accept the sponsored project subject to suitable modifications in either the sponsored project award document or the external organizational affiliation (s) of the faculty or staff member, and/or faculty or staff member's family.

Violations of this policy, such as willful concealment of financial interests, may result in sanctions being imposed upon the violating individual. The Conflict Review Committee will review allegations of violations and will make recommendations regarding the imposition of sanctions to the Vice President for Research Development, Support and Federal Relations. The Vice President for Research Development, Support and Federal Relations shall make recommendations to the Provost/Vice President of Academic Affairs regarding sanctions, who will in turn, make a recommendation to the President. The decision of the President is final.

The Office of Research Development, Support and Federal Relations shall maintain the records pertaining to each disclosure in strict confidence. Access to such records will be limited to the faculty or staff member, the Conflict Review Committee, the Vice President for Research Development, Support and Federal Relations, Provost/Vice President for Academic Affairs and others who have a legal right to review the records.

Certain sponsors, particularly federal agencies, may have requirements that differ from this policy with regard to the timing and frequency of faculty or staff disclosures and other provisions as well. In the case of such discrepancies, the sponsors' requirements will generally prevail.

APPROVED

DATE

PRESIDENT

