

**Conflict of Interest**  
**For Sponsored Research Investigators**

Policy

Disclosure Form

**Loyola Marymount University**

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2004

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## 1. Specific Regulations and Policies

White House Office of Management  
and Budget

[OMB Circular A-110](#)

**Uniform Administrative Requirements  
for Grants and Other Agreements with  
Institutions of Higher Education,  
Hospitals, and Other Non-Profit  
Organizations - Part 42**

National Science Foundation

[NSF](#)

**Investigator Financial Disclosure Policy**

Public Health Service

[PHS](#)

**Policy on Objectivity in Research**

Loyola Marymount University

Faculty Handbook – Section V, B.

Loyola Marymount University has existing Conflict of Interest policies for Faculty and Administrative Staff. This policy has been created specifically to address the needs of Faculty Sponsored Research Investigators.

## 2. Principle

This Loyola Marymount University CONFLICT OF INTEREST For Sponsored Research Investigators Policy sets forth procedures and guidelines to be followed in resolving actual and apparent faculty conflicts of interest and commitment pertaining to sponsored projects. This policy applies to all sponsored projects funded by (A) commercial sponsors, (B) federal agencies that have specific conflict of interest requirements, and (C) purchase orders and subcontracts issued by Loyola Marymount University under its sponsored projects funded by the Federal government, private foundations, or corporations. .

### **A. Disclosure and Management**

In contemporary University research, it is nearly impossible to avoid conflicts of interest. Eventually, every faculty member encounters situations in which apparent or actual conflicts of interest arise. The goal of Loyola Marymount University's policies in this regard is not, therefore, to eliminate conflicts altogether, but rather to manage them effectively. The key to the University's conflict of interest process is DISCLOSURE.

Generally, any issues related to conflict of interest should be discussed with the Dean of the PI's college or school.

### 3. Definitions

#### **A. Definition of Conflict of Interest**

For the purposes of this policy statement and disclosure form, a conflict of interest (COI) occurs when a faculty member's actions or activities in the scope of their employment by the University, result in an improper gain or advantage to the faculty member, a family member, or a personal or business associate. Put another way, a conflict of interest occurs when the faculty or staff member's interest conflicts with a University (employer) interest.

#### **B. Categories of COI**

- Financial interest
- Use of time
- Diversion of grant or contract opportunities from the University to individuals or groups operating outside the University
- Rights to and control of publication and intellectual property

#### **C. Glossary**

##### **1. Academic Staff Member**

Any faculty rank of professor, associate professor, assistant professor, instructor (and all the foregoing whose appointments contain terms such as "research," "adjunct," or "visiting"), faculty assistant, lecturer, research associate, and graduate assistants and supportive professional staff in the academic division of the University.

##### **2. Conflict situation**

When a University employee is or appears to be in a position to influence decisions regarding University business, research, or other activities that 1) lead to or appear to lead to personal gain beyond University compensation, or 2) give, or appear to give, inappropriate advantage to others to the detriment to the University's best interests.

##### **3. Apparent Conflict of Interest**

When the appearance of impropriety leads to the detriment of the University whether based in fact or not.

**4. Real Conflict of Interest**

When an employee of the University is in a position that will permit him/her to gain personally from a funder's decision, activity, or project.

**5. Conflict of Financial Interest**

When an employee receives significant personal payments related to the employee's research or related work from an outside organization, enterprise, or entity.

**6. Conflict of Commitment**

When an employee's activities and undertakings that are not the direct responsibilities of a University employee are so substantial or demanding as to interfere, or appear to interfere, with the employee's responsibilities.

**7. Conflict of Opportunity**

When an employee is in any situation in which he/she causes an activity that could appropriately be conducted at or through the University to be diverted elsewhere, resulting in detriment to the University.

**8. Conflict of Rights**

When an employee is in any situation where publication or intellectual property rights that would normally reside with the University are diverted elsewhere and the benefit to the University is lost.

**9. Inappropriate Obligation, Commitment, or Activity**

Any arrangement between a University employee and an outside entity that adversely affects the University's mission, commitments, or the employee's obligations to the University. Activities that impair or restrict an employee's ability to perform expected activities at the University, or that result in the transfer or compromise of existing or potential University rights in intellectual property, or that utilize University resources without prior written approval of the president (or the president's designee) are also inappropriate.

**10. Enterprise**

Any corporation, partnership, proprietorship, firm, organization, franchise, association, trust, or legal entity other than an individual.

**11. Family**

An employee's spouse and dependent children or any person who receives, directly or indirectly, more than one-half his or her support from an employee.

**12. Financial Interest**

Anything of monetary value, including, but not limited to, salary or other payments for services; equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). DOES NOT include: income from seminars, lectures, or teaching engagements sponsored by public or non-profit entities; or income from service on committees or review panels for public or nonprofit entities.

**13. Intellectual Property**

Products of the mind, frequently referring especially to those products that represent a source of real economic value (e.g., copyrights, patents, and tangible research property).

## 4. Guidelines

### A. Permissible Activities

- Acceptance of royalties for published works and patents, or of honoraria for commissioned papers and lectures.
- Service as a consultant to outside organizations, provided that the time commitment does not exceed extant University policy, and that the arrangement in no way alters the faculty member's commitments incurred in the University's execution of a sponsored agreement on the faculty member's behalf.
- Service on boards and committees of organizations, public or private, that does not unduly distract from the faculty member's obligations to the University or that does not interfere with a faculty member's ability to objectively conduct work under sponsored agreements.

### B. Activities That Present Potential for Conflict

- Relationships that might enable a faculty member to influence the University's dealings with an outside organization in ways leading to personal gain or improper advantage for the faculty member, or his/her associates or family members.
- Situations in which the time or creative energy a faculty member may devote to external activities appear to compromise the quality of his/her participation in the instructional, scholarly, or administrative work of the University.
- Situations in which a faculty member directs students into a research area from which the faculty member may realize a financial gain.

### C. Non-Permissible Activities

- Situations in which a faculty member undertakes executive responsibilities for an outside organization that may seriously divert his/her attention from University duties. Faculty members should consult their Dean before accepting any outside management position.
- Use for personal gain of unpublished information emanating from sponsored agreements or confidential University sources, or assisting an outside party by giving it exclusive access to such information.
- Consulting with outside organizations that impose obligations upon the faculty member or the University that conflict with the faculty member's of

University Intellectual property or with the University's obligation under sponsored projects.

- Circumstances in which a substantial body of research that could and ordinarily would be conducted within the University is conducted elsewhere to the detriment of the University and its legitimate interests.
- Any activity that faculty member may wish to undertake individually that (a) involves or appears to involve the University through the use of its resources, facilities, or the participation of academic colleagues, students, and staff, or (b) involves the use of the University's name or implied endorsement.