FACULTY CONFLICTS OF INTEREST

1. (a) As a modern research-intensive land-grant university, Michigan State University must maintain the trust of the general public which supports it and which it serves. For university to do so, its faculty must pursue their research, teaching, outreach, and service responsibilities with integrity and proper professional judgment in a manner consistent with the highest standards of their respective disciplines and in the best interests of the university. A faculty member's reputation for integrity and for exercising proper professional judgment can be seriously compromised, however, if the faculty member fails to avoid or disclose a conflict of interest. Moreover, an individual faculty member’s unmanaged and unresolved conflicts of interest can undermine confidence in the university and, thus, harm its standing and that of its entire faculty.

   (b) This policy addresses the disclosure, review, management, and resolution of conflicts of interest relating to the performance by faculty of their research, teaching, outreach, and service responsibilities at the university. For purposes of this policy, a conflict of interest exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the university.

2. The President, in consultation with a joint subcommittee of the University Graduate Council (UGC) and the University Committee on Faculty Affairs (UCFA), will appoint a Faculty Conflict of Interest Information Officer (FCOIIO) to serve as a resource to faculty and administrators on defining and addressing conflicts of interest and to convene the Conflict Review Committee described in Paragraph 6.

3. Each faculty member is responsible for disclosing his/her own conflicts of interest in accordance with the procedure established under Paragraph 4(a).

4. (a) (i) The FCOIIO shall prepare a model college procedure for faculty member to report their own conflicts of interest.

   (ii) Any college that chooses not to adopt the model procedure may develop its own procedure for its faculty to report their conflicts of interest, provided that the Vice President for Research and Graduate Studies (VPRGS) approved the procedure after consulting with the FCOIIO.

   (b) The VPRGS shall establish a mechanism, after consulting with the FCOIIO, for investigating concerns or allegations regarding conflicts of interest on the part of faculty which are not self-reported.

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1 Although “faculty” is used throughout for simplicity, this policy applies to all individuals appointed with pay through the academic personnel system other than graduate assistants.
5. (a) The conduct of research by faculty, particularly research involving human subjects, and efforts to commercialize intellectual property created by faculty present situations in which the disclosure and management of conflicts of interest are especially important. The university administrators charged to manage those areas shall, therefore, prepare disclosure processes, in consultation with academic governance, that accord with applicable legal requirements, including rules imposed by external funding sources, and that permit the timely assessment and resolution of conflicts of interest relating to research and to commercialization of intellectual property created by faculty.

(b) The university will not make expenditures on externally funded sponsored research or transfer rights in intellectual property to entities in which faculty have a financial interest unless all required disclosures have been made and any conflicts of interest identified as a result of the disclosures have been evaluated and resolved.

6. The VPRGS shall establish a Conflict Review Committee (CRC) composed of three faculty members from different disciplines, one of whom they will select as chairperson. The deans and the director of the National Superconducting Cyclotron Laboratory (NSCL), after consultation with the relevant faculty advisory body at the college/NSCL, will nominate faculty candidates. Final selection of the faculty members will be made by the subcommittee of the UGC and the UCFA. CRC members shall serve for staggered three-year terms. They may be reappointed to additional terms. The FCOIIO shall convene the CRC and may assist the CRC in its deliberations.

7. (a) When a faculty member self-reports a possible conflict of interest pursuant to the procedure established in Paragraph 4(a), the faculty member’s unit administrator should review the disclosure with the faculty member’s dean. If the unit administrator and the dean agree that no conflict of interest exists, they shall inform the faculty member and the VPRGS of the determination in writing.

(b) (i) If any conflict of interest is identified as a result of the disclosures made by a faculty members under Paragraph 4(a), or as a result of a report made by another party and investigated pursuant to the mechanism established in Paragraph 4(b), the faculty member’s unit administrator shall develop a written plan for the resolution or management of the conflict of interest in consultation with the faculty member, the FCOIIO, and, depending on the subject matter of the conflict, appropriate representatives of the central administration.

(ii) The plan shall be submitted, first, to the faculty member’s dean for approval, then to the CRC for review and comment, and, finally, to the VPRGS, who may accept the plan or decide to implement another plan for the management or resolution of the conflict of interest.

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2 In this policy, “dean” means deans of colleges and the equivalent unit administrators for faculty appointed in non-college units.
7. (b) (iii) If the dean does not approve the plan developed by the unit administrator, the dean may adopt a different plan for the management or resolution of the conflict of interest. In that event, both plans shall be submitted to the CRC for its review and comment. After receiving the recommendations of the CRC on the matter, the VPRGS shall decide on the plan for the management or resolution of the conflict of interest, and shall report his/her decision to the CRC, faculty member, unit administrator, and dean.

(iv) If the faculty member does not agree with the unit administrator’s plan for the management or resolution of the conflict of interest, the faculty member may submit an alternative plan to the dean. The dean may accept the faculty member’s plan, the unit administrator’s plan, or formulate a different plan. The plans of the faculty member, unit administrator, and dean shall be distributed to the members of the CRC, which shall submit its recommendations on the matter to the VPRGS. The VPRGS shall decide on the plan for the management or resolution of the conflict of interest, and shall report his/her decision to the CRC, faculty member, unit administrator, and dean.

(v) In devising the plan to address the conflict of interest, the unit administrator, the dean, and the VPRGS shall seek to employ the least intrusive management techniques that will suffice to resolve the ethical and legal concerns arising from the conflict. Sometimes conflict of interest situations may be satisfactorily addressed through public disclosure of the faculty member’s financial interest (or other opportunity for tangible personal benefit) that is the cause of the conflict of interest. On other occasions, stronger measures may be required to resolve or eliminate a serious conflict of interest.

8. The university encourages faculty authorship of instructional materials and does not discourage the use of faculty-authored materials in the faculty member’s courses. To avoid the semblance of any conflict of interest, however, each academic unit should establish guidelines appropriate to its circumstances for the selection of instructional materials whose purchase by students results in a financial benefit to the faculty member who assigns those materials.

9. Each faculty member shall supply the appropriate administrators with all information necessary for those administrators to review, manage, and resolve any conflicts of interest involving that faculty member. The university shall respect the confidentiality of private financial and other private information supplied by faculty, and shall not release this information publicly unless it is legally required to do so, or unless the resolution or elimination of the conflict of interest requires the public disclosure of the information, or unless the faculty member consents to its public disclosure.

10. A faculty member who violates this policy may be subject to disciplinary action as may apply to violations of other university policies.
11. Any member of the university community who knowingly files a false allegation that this policy has been violated, or who knowingly provides false information to or intentionally misleads university officials who are investigating an alleged violation of this policy, may be subject to disciplinary action.

12. The FCOIIO, in consultation with appropriate faculty committees, shall arrange for the preparation of a handbook for faculty, incorporating a list of frequently asked questions, explaining and interpreting this policy. Assessment, management, and resolution of conflicts of interest should take into account the different norms, customs, and expectations of the various disciplines found among faculty in the university. Therefore, each college (or relevant non-college unit) is encouraged to prepare, in consultation with the FCOIIO, a supplement to the handbook, with frequently asked questions, that addresses conflict of interest issues specific to the disciplines and activities of the faculty of that college.