Commentary Regarding Faculty Conflicts of Interest Policy

What is new:

- Eliminates annual sign-off requirement.
- Recommends appointment of a Faculty Conflict of Interest Information Officer (FCOIIIO). This individual serves the proposed educational function of the annual sign-off requirement and beyond that, acts as an institutional champion for solid Conflict of Interest (COI) policies and a focal point for unit- and college-level advice and policy development. The FCOIIIO now has responsibility for preparing the handbook/FAQs that are essential to the policy.
- Provides for both a model college-level COI reporting procedure to be developed by the FCOIIIO, and also an option for individual colleges to develop their own variants of the procedure consistent with the model procedures, but based on special needs and circumstances.
- Reframes the policy as a whole to make clearer why it is needed and in what way a COI threatens the well being of the whole university.

Paragraph by paragraph analysis of the policy:

1 (a): Explains why COI policy is important in terms of institutional integrity and public trust.

1 (b): Defines COI, makes it clear that critical point is interfering with a faculty member’s independence of judgment re: how a faculty member performs university responsibilities.

2: FCOIIIO to be appointed by President in consultation with a joint subcommittee of University Graduate Council/the University Committee on Faculty Affairs (UGC/UCFA).

3: Responsibility for compliance for self-disclosure located with individual faculty.

4 (a): FCOIIIO prepares model college procedure for faculty self-reporting of COI; any college may choose to develop its own procedure, with approval of VPRGS.

4 (b): The Vice President for Research and Graduate Studies (VPRGS), consulting with FCOIIIO, creates mechanism for investigating reports by others alleging a COI (“whistle-blowing”).
5 (a): Highlights human subject’s research and exploiting scholarship for commercial gain as areas where COI most likely to arise, refers to external laws/policies that constrain university.

5 (b): Requires COI disclosures and/or management before the university spends funds on research or transfers intellectual property rights.

6: VPRGS to establish Conflict Review Committee (CRC). Joint subcommittee of UGC and UCFA choose members after deans nominate; staggered 3-year terms. CRC elects its own chair; FCOIIO convenes CRC and can assist.

7(a): If faculty self-discloses possible COI, unit head and dean confer. If they conclude no COI exists, notify faculty member and VPRGS

7(b) (i-v): Lays out steps by which CRC investigates and reviews management plans for COIs that are disclosed either as a result of faculty self-disclosure, or as a result of investigating a “whistle-blower” complaint. Appeals possible and outcome subject to regular faculty grievance procedure (this will be pointed out in handbook). Requires effort to choose least intrusive way of resolving COI, but also notes that disclosure in itself inadequate to resolve some serious COIs.

8: Unit should develop guidelines on faculty assigning their own instructional materials to students where financial benefit to faculty may constitute COI.

9: The university should respect confidentiality of financial information disclosed by faculty as part of COI inquiry to maximal extent possible.

10: Usual university disciplinary procedures also apply to violations of this policy.

11: Penalties for false allegations of COI.

12: FCOIIO given responsibility for the handbook/FAQ; colleges may, using FCOIIO’s help, develop their own FAQ/handbook to address differences among disciplines in practices that are viewed as COIs.

Appendix: Lays out in more detail the role, mechanism of appointment, reporting responsibilities, and annual evaluation of FCOIIO.