

UO Policies

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Letter to OIs, ORs and OAs - 12/1/08

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UO Conflict of Interest and Commitment Committee Charter

Background

Research universities encourage interactions and the establishment of relationships between their faculty and federal, state, and local governments, and business and industry as important parts of their research, education, and public service activities. External corporate relationships enrich faculty teaching and research, expand career and research opportunities to students, and provide the obvious mechanism for the translation of university developed inventions and discoveries into commercial ventures that benefit the public. However, interactions with the private sector also carry with them an increased potential for financial conflicts of interest, or at least perception of the potential for conflicts. Because of the role of universities as stewards of public funds and the public trust, every university assumes the responsibility to assist its faculty in identifying activities that present the potential for conflicts and in reducing or managing these potential conflicts to assure that they do not threaten the integrity of the university's and faculty's core activities. To do otherwise could impair the credibility of the academic research enterprise.

A potential financial conflict of interest occurs when there is the possibility, from the perspective of an independent observer, that an individual's private, financial interests, or his or her family's interests, may influence the individual's professional actions, decisions, or their judgment in pursuing research. It is not possible, nor is it necessary, to eliminate all perceived, potential, or real financial conflicts of interest. The existence of a conflict is not necessarily a problem; it is how individuals and institutions respond to conflicts that may be problematic. Because all potential conflicts are situational, and because the cultures and management practices of institutions vary, the goal of this committee is to suggest issues and options for management, not to prescribe "best practices" or "preferred approaches." [1]

Conflicts of commitment usually involve issues of time allocation, whether internal through overload activities or external, through outside activities such as consulting, public service or pro bono work. Whenever an individual's overload or outside activities exceed the permitted limits, or whenever a faculty or other UO employee's primary professional loyalty is not to the UO or to their UO obligations, a conflict of commitment exists. Even part-time faculty or other UO employees may have overload or outside activities that are in conflict or appear to be in conflict with their University activities. While conflict of commitment/interest concerns may diminish as the faculty or staff's percent of full-time equivalency (FTE) lowers, they do not disappear entirely.

Purpose

The **Conflict of Interest/Commitment Committee (COICC)** of the University of Oregon advises, consults with, and makes management plan recommendations to Deans of Colleges and Schools, Center and Institute Directors, the Senior Vice Provost, Academic Affairs, the Vice President for Research and Graduate Studies the Provost and the Office for Responsible Conduct of Research on individual conflict of interest and/or commitment cases brought to it for review.

Authority The Provost and the Vice President, Research and Graduate Studies have established this committee as the principal internal University advisory group for the purpose of providing advice to administration in the area of individual conflict of interest and commitment management.

Function This Committee (COICC) shall advise, consult with, and make management plan recommendations to the University administrative leadership whose faculty and/or staff are involved in the management of conflict of interest and commitment cases. As necessary, the Committee shall call upon sub-committees, *ad hoc* working groups, and other knowledgeable individuals as needed to advise effectively. In association with the Office for Responsible Conduct of Research (ORCR) this committee will serve as a resource to the UO Senate on general information and queries regarding conflict of interest and commitment policies and implementation.

Structure The Committee shall consist of not more than four (4) faculty members drawn from Schools and Colleges, as well as one Center and/or Institute Director and one Officer of Administration. A seventh member shall be from the community, otherwise unaffiliated with the University and shall not be a University alumni. The Senior Vice Provost Academic Affairs, the Assistant Vice President, Responsible Conduct of Research and a member of the General Counsel's office shall be *ex officio*, non-voting, members. The Chair will be appointed by the Provost in consultation with the Vice President for Research and Graduate Studies. All members will be invited to serve for overlapping terms of up to two years, which can be renewable. A member may serve after the expiration of his or her term until a successor has been chosen. A quorum for the conduct of business by the Committee shall consist of five of the seven members.

Member Nomination Process Academic Deans will nominate to the Provost a

faculty member from their respective Schools and/or Colleges. The Vice President for Research and Graduate Studies will nominate a Center and/or Institute Director. All Vice Presidents as well as the Senior Vice Provost for Academic Affairs shall nominate an Officer of Administration from their respective areas, from whom the Provost shall select one representative to the committee. The Assistant Vice President, Responsible Conduct of Research shall nominate the community member. These individuals should have understanding with COI-C situations but should not necessarily be heavily involved in a complex COI-C situation of their own. It is at the nominator's discretion as to whether their nominee may be involved in conflict of interest/commitment situation that is readily disclosed and managed and therefore the nominator feels him or her to be eligible to be a part of this committee.

Meetings The Committee shall meet at least once per year to be to review its charge and function, and to be provided with any necessary training in its responsibilities. After that the Committee will meet only upon an as needed basis, as complex individual conflict of interest cases arise which require its reviews and advise. Notice of all meetings shall be given to all committee members and other appropriate groups. Records of meeting proceedings shall be kept as required by applicable laws and policies.

Reports After each meeting, minutes shall be prepared which shall contain, at a minimum, a list of members who attended and their affiliations, the Committee's deliberations, and a summary of the Committee's activities and recommendations. The Committee may prepare additional reports as it may determine appropriate. The relevant sections of these minutes and reports shall be distributed to the relevant Dean from whose area the conflict of interest case review has been requested. The full minutes will be distributed to the University President, the Senior Vice Provost, Academic Affairs, the Vice President, Research and Graduate Studies, any other appropriate Vice President or President's Small Executive Session (PSES) member.

Support Services The office of the Vice President for Research and Graduate Studies shall provide administrative management and support services for the Committee and for its meetings via the Office for Responsible Conduct of Research and its staff.

[1] Recognizing and Managing Personal Financial Conflicts of Interest, Copyright © 2002 Council on Governmental Relations – Used with permission

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