

IOWA STATE UNIVERSITY

Frequently Asked Questions: Conflicts of Interest and Commitment (COIC) Policy

1. What should I know about the COIC policy? How does it impact me?

Iowa State's COIC policy covers conflicts of interest and conflicts of commitment (time/effort). Several widely publicized situations in higher education in recent years have brought this issue to public attention. The policy is necessary because conflicts are a normal part of an active and vibrant university and, with the increasing emphasis of universities on outreach and economic development, more university personnel are becoming involved with external entities or starting their own companies.

2. How do I disclose potential conflicts of interest and commitment?

Whether you think you have a conflict or not, covered employees are required to disclose potential conflict of interest and commitment situations. Using IRBManager, go to the COIC tab and click on "COIC Disclosure Form" complete the form. Your answers will be reviewed by your supervisor. If a conflict of interest or commitment is possible, you will be contacted to arrange further discussions and, if necessary, develop an appropriate Conflict of Interest Management Plan.

3. Why are we required to disclose our external activities? Why doesn't Iowa State just trust its employees?

The reality is that, every year, Iowa State faculty and staff are criticized for external relationships that appear to affect their work. Some criticisms are founded and some are not. If the activity is disclosed, reviewed, and approved, it protects the employee from unfounded accusations. The disclosure is an opportunity for you and your supervisor to discuss your external activities that are or could be perceived to be conflicts of interest or conflicts of commitment and, if needed, establish a management plan. If significant financial interests, management roles, or procurement are involved, these discussions may include the Office of the Vice President for Research (VPR) and Procurement Services.

4. Won't these requirements discourage employees from getting involved in positive, creative, and entrepreneurial activities?

Integrity is an institutional goal, and a part of everyone's job. Disclosure of potential conflicts is an easy procedure, and the management of conflicts protects the individuals and their endeavors. Whenever possible, we manage conflicts; we do not discourage them.

5. What is actually in a management plan? Is it a lot of dos and don'ts? What might a management plan look like or entail?

The content of management plans varies depending on the nature of the conflict and whether it needs to be managed at the department or VPR level. Examples of items that might be included in a plan are provided in the COIC Procedures, Applications and Guidance document. Most management plans require only a single meeting per year.

6. Who sees the information in the disclosure, and what is it used for?

Only your supervisor and persons in the VPR Office, Procurement Services, the SVPP Office, and others involved in managing conflicts of interest and commitment can see the information. Some contracts or grants may require that the sponsor or contractor have access. Information in the disclosure is used to help you, your supervisor, the VPR Office and Procurement Services identify potential conflicts of interest and commitment that may require management. The COIC disclosure is considered part of the employee's employment record and exempt from public records laws requiring disclosure.

7. I find the definition of consulting very confusing. For instance, when I serve on an NSF grant review panel, is it considered consulting? Do I have to report it?

No. Iowa State encourages faculty and staff to serve on grant review panels when given the opportunity to do so. For many faculty and staff, it is an expectation of your position responsibilities. Iowa State's definition of consulting specifically excludes activities that are expectations of your position responsibilities.

8. Iowa State wants its faculty and staff to consult with external entities and start companies. Why is consulting or starting a company not considered an expectation of my position responsibilities?

Unless it is part of your job, consulting and starting a company are private activities. These outside activities have liabilities and obligations that the university cannot assume.

9. I do a lot of consulting for companies throughout the year. It is expected that people in my position consult. Do I need a management plan?

It depends ...

- If the "consulting" activities are truly something you do as part of your position responsibilities (that is, the university pays you to do them and you are not paid privately to do them), then those activities are not considered consulting for the purposes of the COIC policy.
- If the consulting activities are something you are doing as a private citizen, then you must disclose them and discuss them with your supervisor. If they do not meet the criteria for a significant financial interest, then the supervisor will determine whether a written plan is needed.
- If the consulting activities meet the criteria for a significant financial interest, you need to disclose them and discuss them with both your supervisor and Iowa State's Conflict of Interest Officer. A formal management plan will be required in most situations.

- 10. The dollar value for what constitutes a significant financial interest seems very arbitrary. Why is it set at \$5,000 and \$10,000 and not some value higher or lower?**

The dollar value is set by federal policy. The federal threshold is \$5,000 or \$10,000 and varies by federal agency.

- 11. I do private, paid consulting, but have never formally incorporated a company. Therefore, all this talk about conflicts of interest related to business activities is not relevant to me, right?**

No. Anyone who consults privately for pay is, de facto, a sole proprietor of a business.

- 12. My private consulting is done strictly in the evenings and on weekends, and has nothing to do with my Iowa State position. Do I need to report it?**

Yes. You need to report consulting activities even if they are done on evenings and weekends. B-based faculty must also report consulting that they do over the summer when they are not on appointment.

- 13. May I use my university email and computer for private consulting activities?**

No. Anything more than incidental use of university IT services or university equipment is prohibited. Use of a university computer for private consulting may also create confidentiality concerns.

- 14. Are investigators who start companies based on their university research allowed to use university equipment or facilities for their companies?**

Use of university equipment and facilities by employee-owned companies is permitted on the same basis as the use of university equipment and facilities by non-employee-owned companies. For example, an employee-owned company may be able to rent or lease university facilities, or pay fees for use of equipment.

- 15. I chair a large and active department in which almost all faculty members engage in multiple external activities for agencies and professional organizations. How will I be able to develop management plans and monitor all these activities on a regular basis?**

Before doing anything else, you need to determine whether these faculty activities fall within the purview of the COIC policy. Most faculty activities do not. The COIC Procedures, Applications and Guidance document provides guidance on the types of activities covered by the policy.

- 16. I was just elected president of my professional organization, and now I am told I have to report this. Why?**

Leadership positions in professional organizations add prestige and benefit to Iowa State. Still, such appointments can impact your department, or deflect attention from other duties. While it remains true that service to professional associations is considered part of your position responsibilities, it is appropriate to discuss with your supervisor the time and financial commitments that come with the position. Let your supervisor know of the time commitment, and support provided by your association (such as travel support). If the association expects Iowa State to provide financial support, it is only fair to have a frank

conversation with your supervisor as early as possible.

17. I expect to take up to nine days per semester away from work for Professional Activity Leave. Does my chair/supervisor need to approve it?

Chairs/supervisors need to approve Professional Activity Leave. As indicated in the policy, leave is provided because the balance of benefits to Iowa State outweighs the possible impacts on other work.

18. What happens if I ignore a possible conflict of interest and commitment situation?

Iowa State policies on conflicts of interest and commitment are intended to help protect you from accusations of improper use of state time or resources for personal gain, or from accusations that your external interests are compromising the integrity of your research. Because of the seriousness of conflicts of interest and commitment, university policy requires employees to disclose potential conflicts of interest and commitment situations annually, or whenever their situation changes. Violation of this policy constitutes academic misconduct. In some cases, the failure to disclose and manage conflicts of interest and commitment is also a violation of state and federal regulations.

19. Most of the real information about conflicts of interest and commitment seems to be in the Procedures, Applications, and Guidance document rather than in the policy. Why was it organized this way?

The overall principles governing conflicts of interest and commitment, and their disclosure and management, are not expected to change significantly over time. However, the details are expected to change frequently due to changes in federal, state, and Board of Regents laws, rules, and regulations. The procedures for disclosure will also likely change as new technologies are developed.

20. I still have questions. Where can I go for help?

Every conflict of interest or commitment situation is different. For assistance, contact:

- **COIC in research or sponsored funding:** Office of the Vice President for Research, 515-294-7793, coi@iastate.edu
- **Iowa State COIC policy:** Office of the Senior Vice President and Provost, 515-294-8236.
- **COIC in procurement:** Director of Procurement Services, 515-294-2591.

If you wish to discuss your situation with a confidential resource prior to making a disclosure, you may contact the Ombuds Office at ombuds@iastate.edu. The Ombuds Officer can listen to your concerns and may be able to suggest options for resolution.

21. Who is Iowa State's Conflict of Interest Officer?

Iowa State's Conflict of Interest Officer is appointed by the Vice President for Research. The current COI Officer is Brooke Langlitz, Associate Director, Office of Research Ethics.