

San Francisco State University
Disclosure of Conflict of Interest for Principal Investigators
(University Executive Directive #UED 96-20)

This directive provides policies and guidelines regarding disclosure of conflict of interest for Principal Investigators who are applying for grant funds from the National Science Foundation or the Public Health Service.

Background

Effective October 1, 1995, the National Science Foundation and the Public Health Service, US Department of Health and Human Services have adopted parallel policies on Investigator Financial Disclosure that are relatively consistent. Under these rules the grantee institution (San Francisco State University) must:

- develop, enforce and certify to Public Health Service (PHS) and National Science Foundation (NSF) a policy to ensure that PHS- or NSF-funded research is not biased by investigators' conflict of interests;
- inform potential investigators of the policy and their responsibilities under the policy,
- designate institutional officials to solicit and review financial disclosure statements from each investigator planning to participate in NSF- or PHS-funded research;
- provide designated officials with guidelines for identifying conflicts of interest and take action to manage, reduce, or eliminate the conflict; and,
- maintain records for at least three years (from the date the final grant expenditures report is submitted) of all financial disclosures and all actions taken by the institution.

Additionally, the grantee institution must update all financial disclosures during the period of the award either on an annual basis or as new reportable conflicts of interest are discovered.

The CSU has had a conflict of interest policy relating to non-governmental funding sources in effect since 1985. This policy, as specified in FSR 85-08 and 86-05, addresses only certain activities funded by non-governmental funding agencies. The CSU does not have a Conflict of Interest policy relating to research funded by federal sources.

Investigator Disclosure

Investigators must disclose significant financial interests at the time of proposal submission and update this information annually or as new interests are obtained during the life of the award.

Investigator

Investigator is defined as principal investigator, co-principal investigator, and any other person

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who is responsible for the design, conduct, or reporting of the sponsored project or of any related agreement in addition, disclosure must be made for each investigator's spouse and dependent children.

Significant Financial Interest

The term "significant financial interest" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interest (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:

- 1) salary, royalties or other remuneration from the applicant institution;
- 2) any ownership interests in the institution, if the institution is an applicant under the Small Business Innovation Research Program or Small Business Technology Transfer Program;
- 3) income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- 4) income from service on advisory committees or review panels for public or nonprofit entities;
- 5) an equity interest that, when aggregated for the investigator and the investigator's spouse and dependent children, meets both or the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest in any single entity; or
- 6) salary, royalties or other payments that when aggregated or the investigator and the investigator's spouse and dependent children, are not expected to exceed \$10,000 during the next funded twelve-month period.

Institutional Certification

Certification will be performed by the Associate Vice President Research and Sponsored Programs (AVPRSP), or his/her designee, the Director of the Office of Research and Sponsored Programs, and will be based on information provided by the Investigator on the Conflict of Interest Disclosure Form for each entity that may be involved (enclosed). The AVPRSP, or his/her designee, will review disclosures, assess their potential for conflicts of interest, and develop resolution strategies with the investigator to manage, reduce or eliminate such conflicts.

Resolution Plan

If the designated official(s) determines a conflict of interest exists, a Resolution Plan must be

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developed with the Principal Investigator and implemented prior to award. The Resolution Plan must be in written and approved by the AVPRSP, the College Dean, and the Academic Vice President.

Resolution Options may include but are not limited to:

- public disclosure of significant financial interests · monitoring of research by independent reviewers
- modification of the research plan
- disqualification from participation in the portion of the project that is affected by the significant financial interest
- divestiture of significant financial interests
- severance of relationships that create actual or potential conflicts.

Enforcement Mechanisms and Sanctions

Potential violations of the Conflict of Interest Resolution Plan shall be handled by the Conflict of Interest Resolution Committee made up of the Campus Conflict of Interest Writing Officer, the Internal Auditor, and the Dean from the affected Principal Investigator's College. This committee will establish and enforce appropriate sanctions based on the specific conduct of an investigator failing to follow the agreed upon Resolution Plan.

Reporting

The Associate Vice President for Research and Sponsored Programs will inform the National Science Foundation's Office of the General Counsel if San Francisco State University is unable to satisfactorily manage a conflict of interest. In the case of the Public Health Service, the Associate Vice President for Research and Sponsored Programs will notify the PHS Awarding Component of the corrective action taken or to be taken if the failure of an Investigator to comply with the policy of San Francisco State University has biased the design, conduct, or reporting of the PHS-funded research.

Documentation and Record Maintenance

The SFSU Office of Research and Sponsored Programs, and when appropriate, the San Francisco State University Foundation, inc., will maintain records of all financial disclosures and of all actions taken to resolve conflicts of interest for at least three years beyond the termination or completion of the grant to which they relate, or until the resolution of any federal action involving those records, whichever is longer.

Approved By: Robert A. Corrigan, President
November 29, 1996

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SAN FRANCISCO STATE UNIVERSITY
National Science Foundation and Public Health Service
Conflict of Interest Disclosure Form for Principal Investigator

Investigator Name:	_____
Department/College:	_____
Project Title:	_____
Proposed Sponsor:	_____
Amount of Funding Request to NSF or PHS:	\$ _____
Proposed Funding Period:	From _____ To _____

I am disclosing the following significant financial interests related to the entity involved with the project that is proposed to INSF or PHS. (Responses should include the investigator, his/her spouse, and any dependent children.)

Name of Entity:	_____
Address of Entity:	_____
Principal Type of Business:	_____

Are you a director, officer, partner, trustee, or employee of the entity?	Yes ___ No ___
Do you have an investment of \$ 10,000 or more in the entity?	Yes ___ No ___
Do you hold an equity position of 5% or more in the entity?	Yes ___ No ___
Do you have an interest in any intellectual property rights belonging to the entity?	Yes ___ No ___

Investigator Certification:

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- I agree to update this disclosure either on an annual basis, or as new reportable significant financial interests are obtained.
- I agree to cooperate in the development of a Resolution Plan to address any actual or potential conflict of interest identified via this Disclosure.
- I agree to comply with any conditions or restrictions imposed by SFSU to manage, reduce, or eliminate actual or potential conflicts of interest or forfeit the award.

Signed: (Investigator) _____ Date: _____

Endorsements:

I have reviewed this financial interest disclosure and believe that no significant financial interest exists or if one does exist that it is possible to develop and execute, prior to award, a Resolution Plan to manage, reduce, or eliminate any actual or potential conflict of interest; and, therefore, I recommend that the proposal be submitted to the agency at this time.

Signed: _____ Date: _____
(Associate Vice President, Research and Sponsored Programs/Dean, Graduate Studies)