

**Drake University
Conflict of Interest Policy**

PERTAINING TO SPONSORED PROJECTS SUMMARY: THIS POLICY SETS FORTH PROCEDURES AND GUIDELINES THAT ARE TO BE FOLLOWED IN RESOLVING ACTUAL AND POTENTIAL FACULTY CONFLICTS OF INTEREST PERTAINING TO SPONSORED PROJECTS. THIS POLICY APPLIES TO ALL SPONSORED PROJECTS FUNDED BY (1) COMMERCIAL AND PRIVATE SPONSORS, (2) THOSE FEDERAL, STATE AND LOCAL AGENCIES HAVING SPECIFIC CONFLICT OF INTEREST REQUIREMENTS, AND (3) DRAKE UNIVERSITY IRRESPECTIVE OF THE SOURCE OF FUNDS.

The University and its faculty often benefit from the faculty's participation in both public and private outside activities. The University has no interest in setting forth detailed rules that may interfere with faculty members' legitimate outside interests.

Conflicts of Interest are defined as situations in which faculty members may have the opportunity to influence the University's business decisions in ways that could lead to personal gain or give improper advantage to members of their families or to associates.

In those circumstances in which the University is engaged, or intends to engage, a sponsored project with a commercial organization, or has subcontracted or intends to subcontract to an external organization under one of the University's sponsored projects, a conflict of interest may occur when a faculty member's affiliation with the external organization meets any one of the following criteria:

- a. The faculty member is an officer, director, partner, trustee, employee, advisory board member, or agent of an external organization or corporation either funding a sponsored project or providing goods and services under a sponsored project on which the faculty member is participating in any capacity.
- b. The faculty member is the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization or corporation.
- c. The faculty member has dealings with such organization or corporation from which he or she derives income of more than \$5,000 per year, exclusive of dividends and interest.
- d. The faculty member's immediate family (spouse, domestic partner, parents, parents-in-law, siblings, children, or other relatives living at the same address as the faculty member) meet any of the criteria stated in a-c above.

Each faculty member covered by this policy must disclose whether or not he or she has external affiliations that may constitute a conflict by falling within the criteria stated in paragraphs a-d above. A disclosure must be completed prior to the University's submission of proposal, acceptance of the sponsored project or issuance of a purchase order or subcontract for the acquisition of goods and services, whichever is deemed appropriate by the Associate Provost. The disclosure form is to be sent to the Associate Provost via the faculty member's department chair or dean. Upon award notification and/or acceptance of the sponsored project, positive disclosure will be reviewed by a Conflict Review Committee consisting of the Associate Provost and the Dean or administrative head of the unit impacted by the sponsored grant and University legal counsel.

In reviewing the positive disclosures, the Conflict Review Committee will be guided by the following practices and apply them as may be appropriate:

- a. Assure adherence to relevant University policies such as *The University By Laws*, the *Grants Policies and Procedures Manual*, the *Faculty Manual*, and other University documents deemed appropriate.
- b. Consider the nature and extent of the financial interest in the relationship of the faculty member and the external organization.
- c. Give special consideration to the terms and conditions of sponsored project agreements that may mitigate or complicate the given situation.
- d. Consult with and obtain additional information from the faculty member as either the Conflict Review Committee or the faculty member feel may be helpful in resolving actual or potential conflicts.
- e. Act in a timely manner so as not to delay unduly the conduct of the sponsored project.
- f. Conclude that the University may take one of the following actions:
 1. Accept the sponsored project award.
 2. Do not accept the sponsored project award.
 3. Accept the sponsored project subject to suitable modifications in either the sponsored project award document or the external organizational affiliation(s) of the faculty member or faculty member's family.

If the faculty member is dissatisfied with the Conflict Review Committee's conclusion, the faculty member may appeal to the Academic Freedom and Tenure Committee, which will consult with the faculty member, and the Conflict Review Committee as deemed necessary and appropriate to the particular circumstance. The Academic Freedom and Tenure Committee will make a recommendation to the Provost. The Provost will make a final decision.

The Provost's office shall maintain the records pertaining to each disclosure in strict confidence. Access to such records will be limited to the faculty member, the Conflict Review Committee, the Provost, and others who have a legal right to review the records.

Certain sponsors, particularly federal agencies, may have requirements that differ from this policy with regard to the timing and frequency of faculty disclosures and other conflict of interest considerations as well. In the case of such discrepancies, the sponsors' requirements will generally prevail.