

MU CONFLICT OF INTEREST PROCEDURES

I. DEFINITIONS

1. Conflict of Interest Committee (COIC)

The committee formed at the campus level responsible for advising employees about potential individual conflicts of interests. The committee is comprised of members as identified by the Deputy Chancellor.

2. Financial Interest

Anything of monetary value including, but not limited to, an interest in a business consisting of any stock, stock option, or similar ownership interest in such business; or receipt of, or the right or expectation to receive, any income. The following is a non-exhaustive list of examples: a consulting fee, honoraria, salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of technology or other processes or products, rent, capital gain, loans, or any other form of compensation.

“Financial Interest” means anything of actual or potential monetary value, whether or not the value is readily ascertainable. The term financial interest does not include the following types of financial interests:

- a) salary, royalties, or other remuneration paid by the University to the employee if the employee is currently employed or otherwise appointed by the University, including intellectual property rights assigned to the University and agreements to share in royalties related to such rights;
- b) income from investment vehicles, such as mutual funds and retirement accounts, as long as the employee does not directly control the investment decisions made in these vehicles;
- c) income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education; or
- d) income from service on advisory committees or review panels for a federal, state, or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education.

3. Immediate Family

The employee’s spouse or domestic partner and dependent children.

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4. Outside Entity

Any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other nongovernmental legal entity organized for profit, nonprofit, or charitable purposes.

5. Disclosure (also, Outside Interest Disclosure)

means an employee's disclosure to the University of outside interests (e.g. external to the University), including employment or business activities.

6. University Responsibilities

means an employee's professional responsibilities on behalf of the University, which may include duties as described in the employees job description, purchasing decisions, research activities, consultation, teaching, professional practice, institutional committee memberships, and service on University-based panels, including but not limited to Institutional Review Boards.

7. Investigator

means the project director or principal Investigator and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research funded by the PHS or NSF, or proposed for such funding, which may include, for example, collaborators or consultants.

8. Significant Financial Interest (PHS)

means

(1) A financial interest consisting of one or more of the following interests of the PHS Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's institutional responsibilities:

(i) With regard to any publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;

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(ii) With regard to any non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or

(iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

(2) The term *significant financial interest* does not include the following types of financial interests: salary, royalties, or other remuneration paid by the Institution to the Investigator if the Investigator is currently employed or otherwise appointed by the Institution, including intellectual property rights assigned to the Institution and agreements to share in royalties related to such rights; any ownership interest in the Institution held by the Investigator, if the Institution is a commercial or for-profit organization; income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education; or income from service on advisory committees or review panels for a federal, state, or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education.

II. HOW TO DISCLOSE

All disclosures must be submitted through eCompliance at www.eCompliance.missouri.edu.

Should an employee not have access to a computer, alternate arrangements for submission can be made by calling the Conflict of Interest (COI) Office at 884-9954.

III. ANNUAL DISCLOSURE

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1. All faculty and exempt personnel are required to disclose annually any outside consulting activities. (360.020 and 330.015.E) To ensure management of any potential conflicts of interest that may arise from such activities, all MU faculty and exempt personnel shall submit the annual consulting report through eCompliance utilizing the Outside Interest Disclosure Form (OIDF).

2. Annual Requirement for PHS and NSF Investigators

a. Each Investigator shall disclose to the Institutional Official the Investigator's significant financial interests (and those of the Investigator's spouse and dependent children) no later than the time of application for PHS- or NSF-funded research.

b. Each Investigator who is participating in the PHS- or NSF-funded research shall submit an updated disclosure of significant financial interests at least annually, in accordance with the specific time period prescribed by the University, during the period of the award. Such disclosure shall include any information that was not disclosed initially to the University pursuant to paragraph (2)(a) of this section, or in a subsequent disclosure of significant financial interests (e.g., any financial conflict of interest identified on a PHS-funded project that was transferred from another Institution), and shall include updated information regarding any previously disclosed significant financial interest (e.g., the updated value of a previously disclosed equity interest).

c. Each Investigator participating in the PHS- or NSF-funded research to submit an updated disclosure of significant financial interests within thirty days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.

IV. TRANSACTIONAL DISCLOSURE

In addition to the disclosures described above, all employees regardless of title, position, or involvement in research activities are required to disclose when there is an actual or perceived conflict of interest. 330.015

V. OUTSIDE INTERESTS REQUIRING DISCLOSURE

The following is a non-exhaustive list of examples of outside interests requiring disclosure as directed in Sections II, III and IV above.

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1. GRANTS OR CONTRACTS: When it is proposed that the University of Missouri enter into grants or contracts for the sale of goods, services, research, technological transfer, or other contracts, with an outside entity in which a University employee knows he or she has a direct or indirect financial interest, before the proposed agreement is executed by the University.
2. CHANGES OR ACQUISITION OF NEW FINANCIAL INTERESTS: When changes in financial interests take place. Such update must be submitted within 30 days of the change.
3. INFLUENCE: When the financial interest of the University employee in the outside entity is such that it could influence the decision-making process of the outside entity and the employee could also influence the decision-making process of the University in entering into or performing the agreement.
4. SPONSORED PROJECT PROPOSALS. When an investigator responsible for the design, conduct or reporting of research or educational activities submits a proposal for funding to a Public Health Services awarding component or the National Science Foundation.
5. COMPLIANCE APPLICATION: When submitting a new or continuation application form to the Institutional Review Board (IRB), Animal Care and Use Committee (ACUC), or Institutional Biosafety Committee (IBC).
6. TEACHING: When a faculty employee intends to or engages in teaching activities with an institution other than the University of Missouri.
7. TEXTBOOKS: When a faculty employee assigns for purchase by University of Missouri students a textbook or other education material he/she authored.
8. FACULTY AND EXEMPT PERSONNEL CONSULTATION: When a employee intends to or engages in consulting activities with an entity other than the University of Missouri.
10. PHS INVESTIGATORS: SPONSORED TRAVEL: When a PHS Investigators participates in any reimbursed or sponsored travel (i.e., that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available), related to their University responsibilities; provided, however, that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a federal, state, or local government

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agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education.

VI. REVIEW OF DISCLOSURE FORMS

1. The Chancellor of the Columbia campus has determined that the Deputy Chancellor of the Columbia campus shall be the Institutional Official and responsible for coordination of all COI-related actions on the campus. The Institutional Official will report directly to the Chancellor on all matters related to conflict of interest on the campus, and will chair and be assisted in these responsibilities by the Conflict of Interest Committee (COIC).

2. Review by the Conflict of Interest Committee Small Group (COIC-SG):

The COIC-SG will be constituted as deemed necessary by the Institutional Official. The primary purpose of the COIC-SG is to complete an initial review of all OIDs. The COIC-SG will ensure OIDs are submitted timely and that there is enough information in the disclosure for a decision to be made. If additional information is needed, any addition or correction should be documented within eCompliance. Employees should be responsible for adding all additional information to their form.

The COIC-SG will then make an initial resolution determination based on the guidelines approved in this document at Section VII Analysis of Disclosed Interests. Any disclosure that do not fall within the basic resolutions and require some additional guidance should be forwarded to the COIC. The COIC-SG is welcome to make a suggested management plan to send with the disclosure.

The COIC-SG will forward suggested resolutions and cases ideally within thirty days of the submission of the disclosure by the employee as follows: a) to the Supervisor(s), or b) to COIC.

3. Review by the COIC:

As determined necessary by the COIC-SG, the OIDs shall be submitted to the COIC for formal review and disposition.

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4. Review at the Academic or Administrative Unit Level:

Academic and Administrative Deans/Directors and the employee's direct supervisor shall be provided a copy of an employee's OIIF and the COIC-SG/COIC resolution. The Collected Rules and Regulations require that the Supervisor and Dean approve the activities related to an outside interest when the employee is engaged in

- a. an overlapping business activity,
- b. teaching outside of the University, or
- c. consulting.

The COIC-SG/COIC may also request approval if it feels that the outside interest needs further approval and supervision.

This notification is to alert the Unit of the outside interests and ensure that:

- a. To the best of its knowledge, the interests are disclosed accurately and fully;
- b. The interests do not conflict with the interests of the Unit;
- c. The interests do not create an unmanageable conflict of commitment; and
- d. The interests do not result in the undocumented or improper use of university resources.

The Supervisor/Dean/Director should follow up with the employee if questions remain or the information on the form appears inaccurate or incomplete. The Supervisor should also follow up with the COI Office if they have any additional concerns not addressed by the initial review of the disclosure.

After a final disposition has been reached and supervisor's approval obtained, a letter will be sent by the COI Office to the employee containing the decision and any conditions. Ideally, all employees will receive a response from the COI Office within 90 days of the submission of the report by the employee.

VII. ANALYSIS OF DISCLOSED INTERESTS

All outside interests will need to be managed on a case by case basis. Each situation comes with its own unique set of circumstances. Management strategies will need to be equally diverse. To the extent management requirements are outlined in the Collected Rules and

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Regulations, those management requirements will be applied. The information below is intended to provide guidance to the Institutional Official when evaluating reported outside interests for potential conflicts.

1. NO INTERESTS TO DISCLOSE: The COI Office can "batch" approve these forms with the approval of the Institutional Official.
2. NO APPARENT CONFLICT: The outside interest presents no connection to an employee's responsibilities and no risk of bias or inappropriate influence.
3. OUTSIDE INTEREST MANAGED BY DISCLOSURE: The outside interest may present a potential connection to an employee's responsibilities but that connection presents minimal risk of bias or inappropriate influence. No additional management is needed beyond disclosure itself.
4. OUTSIDE INTEREST MANAGED BY CONDITIONS: The outside interest presents a potential connection to an employee's responsibilities and that connection may present increased elements of risk. These cases shall be reviewed initially by the COIC-SG who will determine if further review by the full COIC is necessary.

These cases may involve slightly more complex relationships and require disclosure and management. The University has a number of offices and committees in place that serve the function of managing certain kinds of risk, such as the Institutional Review Board, Office of Technology Management and Industry Relations, Procurement, Sourcing and Supply Chain, Pharmacy and Therapeutics Committee. When a disclosed outside interest can be managed by those processes, the disclosure will be forwarded to that office so that they can use the information in making decisions. Some cases may also be referred to the full COIC.

The following is a non-exhaustive list of potential management strategies:

- Divestiture of a financial interest
- Disclosure of the interest in publications and presentations
- Review by an independent party
- Time/Income Caps
- Recusal

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- Oversight Committee
- Specific to Research Settings:
 - Public disclosure of outside interests, such as when presenting or publishing the research;
 - Disclosure of outside interest directly to research subject participants;
 - Appointment of an independent monitor capable of taking measures to protect the design, conduct, and reporting of the research against bias resulting from the outside interest;
 - Modification of the research plan;
 - Change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the research;
 - Reduction or elimination of the outside interest; or
 - Severance of relationships that create financial conflicts.

5. FINANCIAL CONFLICT OF INTEREST (FCOI): (See also Section VII.7: *PHS Funded Investigators, below*) Most financial conflicts of interest can be managed by having an individual, committee, or particular department monitor the relationship. However, when certain relationships have a high potential for risk necessitating more involved supervision, the case will be sent to the Standing Oversight Committee (see Section XI Standing Oversight Committee) for the Campus. Examples may include, but are not limited to, faculty employee “start-up” companies.

6. DENIED: It is also possible that an outside interest will present an unmanageable situation. The COIC has the option to deny approval of the outside interest when appropriate.

7. PHS-FUNDED INVESTIGATORS: For all PHS-funded investigators, a determination if a Significant Financial Interest (SFI) rises to the level of an FCOI must be made. An Investigator’s SFI is related to PHS-funded research when the COIC reasonably determines that the SFI could be affected by the PHS-funded research, or is in an entity whose financial interest could be affected by the research. The COIC may involve the Investigator in its determination of whether an SFI is related to the PHS-funded research. An FCOI exists when the COIC reasonably determines that the SFI could directly and significantly affect the design, conduct or reporting of PHS-funded research.

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VIII. COI OFFICE RESPONSIBILITIES

1. The COI Office will be expected to gather OIDs, follow up with the Units and/or the filer if questions remain or the information on the form appears inaccurate or incomplete, and ensure compliance with the processes described throughout this document, the Collected Rules and Regulations of the University of Missouri, and any other federal, state or local rules or regulations relating to conflict of interest.

2. Should sponsors require that potential conflicts be disclosed as a condition of the grant/contract, the COI Office will fulfill these requirements per sponsor instructions.

IX. COI OFFICE RESPONSIBILITIES CONCERNING PHS-FUNDED INVESTIGATORS

1. In accordance with the review processes described in Section IV above, the Campus, through the COI Office, will coordinate reviews for financial conflicts of interest in PHS-funded research settings.
 - a. Prior to the Campus expenditure of any funds under a research project, the Campus shall review all Investigator disclosures of significant financial interests; determine whether any significant financial interests relate to research; determine whether a financial conflict of interest exists; and, if so, develop and implement a management plan that shall specify the actions that have been, and shall be, taken to manage such financial conflict of interest. If a significant financial interest is identified during the course of an ongoing research project, either through acquisition of an Investigator's new significant financial interest or through an Investigator's failure to disclose a significant financial interest, the actions specified below shall be followed.

 - b. Whenever, in the course of an ongoing research project, an Investigator who is new to participating in the research project discloses a significant financial interest or an existing Investigator discloses a new significant financial interest to the University, the Campus shall within sixty days: review the disclosure of the significant financial interest; determine whether it is related to the research; determine whether a financial conflict of interest exists; and, if so, implement, on at least an interim basis, a management plan that shall specify the actions that have been, and will be, taken to manage such financial conflict of interest. Depending on the nature of the significant financial interest, the Campus may determine that additional interim

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measures are necessary with regard to the Investigator's participation in the research project between the date of disclosure and the completion of the review.

c. Whenever it is identified that a significant financial interest was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed by the Campus during an ongoing research project (e.g., was not timely reviewed or reported by a subrecipient), the Institutional Official, with assistance from the COIC, shall within sixty days: review the significant financial interest; determine whether it is related to research; determine whether a financial conflict of interest exists; and, if so:

- Implement, on at least an interim basis, a management plan that shall specify the actions that have been, and will be, taken to manage such financial conflict of interest going forward;
- (1) In addition, whenever a financial conflict of interest is not identified or managed in a timely manner including failure by the Investigator to disclose a significant financial interest that is determined to constitute a financial conflict of interest; failure by the Campus to review or manage such a financial conflict of interest; or failure by the Investigator to comply with a financial conflict of interest management plan, the Campus shall, within 120 days of the Campus determination of noncompliance, complete a retrospective review of the Investigator's activities and the research project to determine whether any research, or portion thereof, conducted during the time period of the noncompliance, was biased in the design, conduct, or reporting of such research.
(2) The Campus shall document the retrospective review.
(3) Based on the results of the retrospective review, if appropriate, the Campus shall update the previously submitted FCOI report to PHS, specifying the actions that will be taken to manage the financial conflict of interest going forward.
- Whenever the Campus implements a management plan pursuant to this policy, the Campus shall monitor Investigator compliance with the management plan on an ongoing basis until the completion of the research project.

d. Retrospective Review Documentation: Such documentation shall include, but not necessarily be limited to, all of the following key elements:

- (a) Project number;
- (b) Project title;
- (c) PD/PI or contact PD/PI if a multiple PD/PI model is used;
- (d) Name of the Investigator with the FCOI;

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- (e) Name of the entity with which the Investigator has a financial conflict of interest;
- (f) Reason(s) for the retrospective review;
- (g) Detailed methodology used for the retrospective review (e.g., methodology of the review process, composition of the review panel, documents reviewed);
- (h) Findings of the review; and
- (i) Conclusions of the review.

e. Retrospective Review, Bias Found: If bias is found, the Campus is required to notify the PHS Awarding Component promptly and submit a mitigation report to the PHS Awarding Component. The mitigation report must include, at a minimum, the key elements documented in the retrospective review above and a description of the impact of the bias on the research project and the plan of action or actions taken to eliminate or mitigate the effect of the bias (e.g., impact on the research project; extent of harm done, including any qualitative and quantitative data to support any actual or future harm; analysis of whether the research project is salvageable). Thereafter, the Campus will submit FCOI reports annually, as specified elsewhere in this policy. Depending on the nature of the financial conflict of interest, an Institution may determine that additional interim measures are necessary with regard to the Investigator's participation in the PHS-funded research project between the date that the financial conflict of interest or the Investigator's noncompliance is determined and the completion of the retrospective review.

2. Sponsored Travel

a. The Campus will require the following elements be submitted as part of any PHS Investigator Sponsored Travel Report: the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. The Institutional Official will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes an FCOI with the PHS-funded research.

3. Public Accessibility

a. Prior to the Campus expenditure of any funds under a research project, the Campus shall ensure public accessibility. Such accessibility is coordinated through the University of Missouri System Custodian of Records. Following submission of a written request and via a written response to the requestor within the time frame required under Chapter 610 of the Missouri Revised Statutes (as of August 2012: three business days), information will provided concerning any significant financial interest disclosed to the Campus that meets the following three criteria:

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- (a) The significant financial interest was disclosed and is still held by the senior/key personnel as defined by this policy;
- (b) The Campus determines that the significant financial interest is related to the research; and
- (c) The Campus determines that the significant financial interest is a financial conflict of interest.

b. The information that the University of Missouri makes available via written response to any requestor shall include, at a minimum, the following: the Investigator's name; the Investigator's title and role with respect to the research project; the name of the entity in which the significant financial interest is held; the nature of the significant financial interest; and the approximate dollar value of the significant financial interest (dollar ranges are permissible: \$0-\$4,999; \$5,000-9,999; \$10,000 - \$19,999; amounts between \$20,000-\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

c. The University of Missouri will note in its written response that the information provided is current as of the date of the correspondence and is subject to updates, on at least an annual basis and within 60 days of the Campus's identification of a new financial conflict of interest, which should be requested subsequently by the requestor.

d. Information concerning the significant financial interests shall remain available, for responses to written requests for at least three years from the date that the information was most recently updated. The Campus will retain records of investigator financial disclosures and of actions taken to manage conflicts of interest for three years after the submission of the final research expenditures report.

3. Reporting to the Public Health Service

a. Prior to the Campus expenditure of any funds under a PHS-funded research project, the Campus shall provide to the PHS Awarding Component an FCOI report regarding any Investigator's significant financial interest found by the Institution to be conflicting and ensure that the Institution has implemented a management plan in accordance with this policy. In cases in which the Campus identifies a financial conflict of interest and eliminates it prior to the

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expenditure of PHS-awarded funds, the Campus shall not submit an FCOI report to the PHS Awarding Component.

b. Providing FCOI reports to the PHS Awarding Component regarding all financial conflicts of interest of all subrecipient Investigators consistent with this policy, i.e., prior to the expenditure of funds and within 60 days of any subsequently identified FCOI.

c. For any significant financial interest that the Institution identifies as conflicting subsequent to the Campus' initial FCOI report during an ongoing PHS-funded research project (e.g., upon the participation of an Investigator who is new to the research project), the Campus shall provide to the PHS Awarding Component, within sixty days, an FCOI report regarding the financial conflict of interest and ensure that the Campus has implemented a management plan in accordance with this policy. Pursuant to paragraph (a)(3)(ii) of this section, where such FCOI report involves a significant financial interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed or managed by the Campus (e.g., was not timely reviewed or reported by a subrecipient), the Campus also is required to complete a retrospective review to determine whether any PHS-funded research, or portion thereof, conducted prior to the identification and management of the financial conflict of interest was biased in the design, conduct, or reporting of such research. Additionally, pursuant to paragraph (a)(3)(iii) of this section, if bias is found, the Campus is required to notify the PHS Awarding Component promptly and submit a mitigation report to the PHS Awarding Component.

d. Any FCOI report required under paragraphs (b)(1) or (b)(2) of this section shall include sufficient information to enable the PHS Awarding Component to understand the nature and extent of the financial conflict, and to assess the appropriateness of the management plan. Elements of the FCOI report shall include, but are not necessarily limited to the following:

- (1) Project number;
- (2) PD/PI or Contact PD/PI if a multiple PD/PI model is used;
- (3) Name of the Investigator with the financial conflict of interest;
- (4) Name of the entity with which the Investigator has a financial conflict of interest;
- (5) Nature of the financial interest (e.g., equity, consulting fee, travel reimbursement, honorarium);
- (6) Value of the financial interest (dollar ranges are permissible: \$0-\$4,999; \$5,000-\$9,999; \$10,000-\$19,999; amounts between \$20,000-\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the

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interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value;

(7) A description of how the financial interest relates to the PHS-funded research and the basis for the determination that the financial interest conflicts with such research; and

(8) A description of the key elements of the management plan, including:

(a) Role and principal duties of the conflicted Investigator in the research project;

(b) Conditions of the management plan;

(c) How the management plan is designed to safeguard objectivity in the research project;

(d) Confirmation of the Investigator's agreement to the management plan;

(e) How the management plan will be monitored to ensure Investigator compliance; and

(f) Other information as needed.

e. For any financial conflict of interest previously reported by the Campus with regard to an ongoing PHS-funded research project, the Campus shall provide to the PHS Awarding Component an annual FCOI report that addresses the status of the financial conflict of interest and any changes to the management plan for the duration of the PHS-funded research project. The annual FCOI report shall specify whether the financial conflict is still being managed or explain why the financial conflict of interest no longer exists. The Campus shall provide annual FCOI reports to the PHS Awarding Component for the duration of the project period (including extensions with or without funds) in the time and manner specified by the PHS Awarding Component.

X. OSPA RESPONSIBILITIES

1. Subrecipient Monitoring

a. When the University carries out research through a subrecipient on a PHS funded project (e.g., subcontractors or consortium members), OSPA will take reasonable steps to ensure that any subrecipient Investigator complies with this policy by incorporating as part of a written agreement with the subrecipient terms that establish that the financial conflicts of interest policy of the subrecipient will apply to the subrecipient's Investigators.

2. Certification

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- a. Certify, in each application for funding to which this policy applies, that the University:
 1. Has in effect an up-to-date, written, and enforced administrative process to identify and manage financial conflicts of interest with respect to all research projects for which funding is sought or received;
 2. Shall promote and enforce Investigator compliance with this policy's requirements including those pertaining to disclosure of significant financial interests;
 3. Shall manage financial conflicts of interest and provide initial and ongoing reports as required;
 4. Agrees to make information available, promptly upon request, relating to any Investigator disclosure of financial interests and the Campus review of, and response to, such disclosure, whether or not the disclosure resulted in the Institutional Official's determination of a financial conflict of interest; and
 5. Shall fully comply with the requirements of this policy.

3. Other Procedures as outlined in the OSPA document "Financial Conflict of Interest in PHS-Funded Research".

XI. STANDING OVERSIGHT COMMITTEE

The Standing Oversight Committee (OC) was established under the direction of the Chancellor of the Columbia campus. Each Unit will be expected to name a member to this committee. Members may be asked to assist in collecting information and briefing the committee on the cases from their Unit. The OC will manage information using the COI Management Plan Work Sheet, Student Employment Agreement, Student Rights Memorandum, and any other materials provided by the COI Office.

The OC should address the following; this list is not meant to be exhaustive:

- a. Status of the company – location, number of employees, funding status, etc.
- b. Update on faculty and staff activities with the company, with attention to conflict of commitment issues.
- c. University licensing to the company.
- d. Other use of University resources by the company, including space and equipment, making sure this is reimbursed.
- e. Involvement of faculty, staff and students in the company.

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- f. Relationship between the company business and the faculty or staff member's research activities.
- g. Any contractual activity or collaborative projects involving both the company and the University, such as SBIR, STTR, subawards from one to the other, etc.
- h. Research compliance issues, if the company is located in University space or involving University personnel.

The COIC will assign to the OC cases where it is determined that management through a written Oversight Management Plan is necessary. COIC has approved a standard management plan that will be tailored by the COI Office, the employees involved, the Unit representative, Department Chair and Dean as necessary.

Such management plans will be reviewed at minimum on a yearly basis or more often as dictated in the management plan. The Unit Representative will be responsible for overseeing compliance with the plan through the year. When necessary the Representative will work with the COI Office to achieve compliance.

The OC will meet at least quarterly or as necessary to accomplish the review of the cases assigned by COIC.

XII. APPEAL/RECONSIDERATION PROCESS

If an employee believes the determined course of action is inappropriate, the employee may ask for the decision to be reconsidered by the full COIC by submitting a request to the Institutional Official. Should attempts to resolve appeals in such fashion fail, procedures set forth in University of Missouri Collected Rules and Regulations 370.010 or 380.010, as applicable, may be followed.

XIII. NONCOMPLIANCE

Should it come to light that a potential conflict of interest concerning an employee exists and that employee failed to disclose such potential conflict to the appropriate authority, the Institutional Official should be contacted in addition to the employee's departmental chair/supervisor and dean/director. The Institutional Official will contact the employee and request that a formal disclosure of the potential conflict be made. This request shall be copied to

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the employee's departmental chair/supervisor and dean/director. The Institutional Official will also request that the employee provide specific reasons and justification for the failure to disclose.

COIC has authority to recommend sanction of an employee for failure to cooperate with or upon finding a violation of COI policy. (CRR 330.015.A.2) The Chancellor may apply sanctions as he/she feels is appropriate. Possible sanctions include, but are not limited to, the following:

- Letter of Admonishment
- Suspension or Termination of relevant Research Compliance committee approvals
- Suspension or Termination of privilege to submit sponsored research proposals
- Suspension or Termination of Grant/Contract spending authority
- Demotion or Removal from assigned administrative roles
- Campus Irresponsibility charges or Referral to Campus Committee on Tenure
- Suspension or Termination of employment

XIV. CONFLICTS IN THE REVIEW/OVERSIGHT PROCESS

To avoid real or perceived conflicts of interest by participants in the conflict review and oversight process, individual COIC members will disclose any relationships or conflicts they may have related to the case under review. The COIC will vote as to whether to recuse the committee member from participating in the matter, or the committee member may recuse him/herself. Should the Institutional Official have a conflict related to a case under review, he/she will disclose any relationships or conflicts related to the case to the COIC and will immediately refer the case to the COIC for final disposition.