A Conflict of Interest is a divergence between an individual’s private interests and their professional obligations to the University such that an independent observer might reasonably question whether the individual’s professional actions or decisions are determined by considerations of personal gain, financial or otherwise. For example, conflicts of interests occur in situations in which personal considerations may compromise or appear to compromise a researcher’s professional judgment in conducting or reporting research.

Types of Conflicts of Interest are:

1. Commitment – Commitment conflicts of interest arise when university employees’ involvements in outside activities substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations.

2. Financial – Financial conflicts of interest arise when university employees' involvements in outside business activities substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations.

3. Personal – Personal conflicts of interest arise when university employees' involvements in personal activities or relationships may impair their ability to act impartially and substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations. These relationships may include spouses, siblings, relatives, friends or any other close personal relationships.

The University Conflict of Interest Committee (COIC) is responsible for (a) reviewing significant conflict of interest disclosures, and (b) developing, approving, and monitoring plans to manage or eliminate conflicts of interest.

New Potential Conflicts of Interest

If a University employee encounters a commitment-related, financial, or personal conflict of interest, the University employee will complete the Conflict of Interest Disclosure-Administrative Review form and submit it to both the Research Integrity Office and their supervisor. The Research Integrity Office will send the disclosure form to all COIC members for an initial classification review via email. The COIC will then classify the potential conflict as:
1. No management plan needed  
2. Conflict, management plan needed  
3. Conflict unmanageable

- A 2/3rds majority of email voting members of the COIC is necessary for classification. If this majority is not reached, the potential conflict of interest will be scheduled for discussion at the next COIC meeting.
- A 2/3rds majority vote of present members at the meeting will also be required for classification. Research Integrity will notify the university employee of the review’s outcome and any actions required.
- All plans will be approved for a 3 year period

Management plans may include conditions or restrictions on the employee’s activities, including but not limited to:

- public disclosure of significant interests, including but not limited to notifying students, staff, or other relevant university employees or colleagues
- monitoring of the funded activities by independent reviewers
- modification of the planned activities (which may be subject to sponsor approval) disqualification from participation in all or a portion of the activity
- divestiture of significant financial interests
- severance of relationships that create conflicts
- appointment of an alternate PI or supervisor
- appointment of an individual to provide independent technical or financial oversight
- review of the plan when new funding is acquired

Spousal/Family Relationships Management Plans

Conflicts include activities in which you may receive financial interest or advantage for yourself, your immediate family, your close associates, or a business over which you or your family has a direct or indirect financial interest. When family members are in a work situation in which one individual has supervisory or fiscal authority over the other, a conflict of interest exists as defined by state law. To maintain transparency, to ensure proper oversight of the COI, and to comply with all NDSU and state policies, a COI management plan is required.

- It is the responsibility of the University employee(s) and/or the supervisor to notify the COIC of the presence of the conflict of interest.
- The COIC will develop the management plan which will include provisions including:
  - independent reporting to the department chair/employee’s supervisor
oversight of financial reimbursements as well as time and effort reporting
- yearly performance evaluations and salary related decisions
- any grant budget revisions that impact the other family member
- notification by University employee to all personnel that the plan is in place and providing contact to COI administration/Department head/chair/supervisor for reporting concerns.
- New plans expire 3 years from accepted management plan. Updated submission required at this time.

**Annual Review of All COI Management Plans**

The University employee is required to submit an annual update for their existing management plan. The COIC will send a yearly reminder and review for any changes.

- If no changes, COIC Chair’s approval will be given.
- Revised plans with changes – Management plan will be evaluated by the COIC. If approved by 2/3 email vote of committee members, COI administrator will inform the University employee.
- If the plan is not acceptable to the COIC, it will be sent back for revisions. If all corrections are made, the COIC Chair’s approval will be given. Notification of approval will be sent to the University employee. If not, the plan will go to full committee meeting for discussion.
- Plans are approved for 3 years with annual updates required.

Changes to existing conflict of interest management plans may also be initiated by the University employee. The procedure outlined above will be followed in that scenario.

**Process for Violations**

When a University employee has potentially violated a management plan of any type, the COIC will request clarification

- If a violation remains after clarification, a letter will be sent to the department chair/head/supervisor, dean, and provost and copied to the University employee.
- If the employee’s research or conduct is determined to be subject to restrictions or conditions due to COI, the University employee may appeal the decision to the Faculty
Senate President, as described in Policy 151.1.

- The COIC serves to hear appeals of decisions in conflict of interest issues, and shall meet with the appellant member within 15 working days of receipt of the appeal.
- If a member of the COIC has any personal or working relationship with the appellant investigator, that member should recuse him or herself and be replaced by another member.
- More than one meeting may be scheduled to decide the case, if necessary.

The recommendation to either uphold or change the original decision shall be sent to the appropriate Dean, VP, or Provost.

- If the COIC finds that the original decision should be upheld, then a final appeal may be made to the NDSU President.
- If the recommendation is to change the original decision, the Dean, VP, or Provost shall take appropriate action as he or she deems fit.
- A copy of the final recommendations shall be provided to the University employee.

**COI Committee membership**

The COIC must be comprised of 9 NDSU members and 1 non-affiliated members

- At least one representative from each college at the University
  - College of Agriculture, Food Systems and Natural Resources
  - College of Arts, Humanities, and Social Sciences
  - College of Business
  - College of Engineering
  - College of Health Professions
  - College of Human Sciences and Education
  - College of Science and Mathematics
  - Research and Creative Activity
  - Purchasing

- At least one non-affiliated member, preferred to have financial background
- Alternates members will be appointed when possible

The VPR appoints committee members to a three (3) year term with the possibility of serving longer. The Chair is also appointed by the VPR. The members listed above are vested with voting rights. However, they must abstain from voting if they are engaged or have a vested interest in a management plan before the committee for consideration.
COI members and alternates are expected to:

- maintain a working knowledge of issues pertaining to the COI by completing training on the CITI website [www.citiprogram.org](http://www.citiprogram.org)
- perform timely reviews of plans
- disclose any conflict of interest with respect to submitted plans
- attend meetings or notify COI administrator of known absences
- actively participate in meeting discussion and deliberation

A quorum consists of at least 50% of the total membership of the committee and a vote of approval requires at least a 2/3 majority of present members. The Chair or designee must be present.