Approaches to Developing an Institutional Conflict of Interest Policy - Section Eight

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SAMPLE

Policy Governing
Institutional Conflicts of Interests

PREAMBLE:

The University has a responsibility as a steward of public funds to ensure that all its activities including those related to research reflect its primary goals of education and scholarly inquiry. The public has endowed the University with certain privileges and entrusted it with resources in the expectation that no single party will derive sole benefit or be unjustly enriched from its investment in the University. The public should be confident that University research remains a rigorous and open inquiry, unencumbered by potential conflicts of interest that might affect the sound judgment of the faculty, students, staff, administrators, officers and other senior managers.

As the potential value of knowledge that universities create increases, so do the opportunities for collaboration between universities and private enterprises and corporations. Whether through corporate sponsorship of research or licensing of inventions to private industry partners, universities can translate their knowledge into useful products; enrich their teaching and research with practical experience; and support their research and educational mission.

Developing University innovations through industry partnerships can pose challenges to the core values of universities, notably to their commitment to pursue and disseminate knowledge independent of economic pressures. The University is by nature and by law an educational, not-for-profit institution. The educational and research activities of the University should be, and should appear to be, motivated primarily by a concern for the advancement of knowledge and the pursuit of truth, not by the pursuit of financial reward. The University therefore seeks to ensure any partnerships involving a substantial technology-development element, as well as any economic activities it undertakes on its own, are consistent with the following core values.

Objectivity and integrity of the research, itself: The advancement of knowledge depends on the ability of individual scholars to formulate ideas free from the influence of conflicting interests.

Open publication and sharing of research results: Agreements with outside entities and other economic activities of the University should preserve an open environment for the conduct of teaching and research and the public dissemination of the results of these activities.

Appropriate use of sponsor or University funds: The University must ensure that the institution, its leadership, faculty and staff do not enter into a relationship
where there may be an actual or perceived conflict of interest with their primary responsibilities and fiduciary obligations to the University.

**Fulfillment of obligations to colleagues and students:** The student-faculty relationship lies at the heart of the academic enterprise. Insulating that relationship from inappropriate pressures is vital to the educational welfare of individual students and to the quality of teaching that the institution provides.

**Integrity of academic and administrative decision making:** The University’s leadership and administration must be aware of and deal appropriately with potential conflict of interest situations, both real and perceived, which may arise in connection with extramural activities.

Partnerships with outside enterprises and other economic activities of the University itself should be constituted so as to maintain public confidence in the University as an institution committed to the pursuit of truth and advancement of knowledge. Universities depend on the goodwill and steady support of their alumni, community and government leaders, and many members of the public, who rely on the institutions to uphold standards of academic integrity.

**PURPOSE:**

This policy is established to provide appropriate institutional safeguards to sustain a climate in which sponsored projects, dedicated gifts, research, scholarship, artistic endeavors, and technology transfer are carried out responsibly, and in so doing foster an atmosphere of openness and integrity.

Two general types of Institutional Financial Conflicts of Interest may be identified. First, the University itself, as represented by its leaders, may find that its professional judgments with respect to its academic and public obligations may be affected by its entrepreneurial and its financial aspirations. Second, individuals with supervisory and administrative roles in the University (chief executive officer, dean, vice deans, vice presidents, chairs, division chiefs, center directors and other administrators) may become involved in situations in which their academic, administrative or supervisory function is conflicted by or perceived to be conflicted by, the opportunity for personal gain.

Each institutional financial interest that presents a potential for financial conflicts of interest, whether real or perceived, must be fully disclosed to the University, and managed, reduced, or eliminated before any contract, sponsored project, dedicated gift, or transaction is executed, any contractual relationship is initiated, or any action is taken that might be influenced or appear to be influenced by the conflict of interest.