



University Policy Statement

UPS 610.000

**CONFLICT OF INTEREST POLICY
FOR
EXTERNALLY FUNDED PROPOSALS**

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CONFLICT OF INTEREST POLICY FOR EXTERNALLY FUNDED PROPOSALS

I. Introduction and Purpose

- A. The university recognizes that several conflict-of-interest policies issued by internal and external bodies currently govern specific units on campus or specific categories of employees. The university also recognizes that the diversity of situations in which faculty and staff conduct research and instruction and the diversity of potential financial arrangements may make it difficult to establish what does or does not constitute a conflict of interest.
- B. The purpose of this policy statement is therefore to declare the general principles that should be observed in all cases and to specify additional procedures and policies for meeting the requirements of particular federal funding agencies and nongovernmental sponsors.

II. General Policy

It is the general policy of California State University, Fullerton that:

- A. The quality or objectivity of academic work should not be compromised by, or appear to be compromised by, financial interests the project personnel have in the conclusions or recommendations derived from the project.
- B. The decisions about the use of University resources in an academic project should not be guided, or appear to be guided, by considerations of private gain.
- C. There should be explicit procedures and structures for defining, disclosing, and resolving such conflicts, but these procedures and structures should have the flexibility to accommodate a wide variety of particular situations.

III. Existing Structures and Procedures

- A. Several arrangements already exist for identifying and resolving potential conflicts of interest, including but not limited to:
 - 1. the requirements under the Fair Political Practices Act that each faculty or staff member who receives funding from a private commercial sponsor should disclose his/her interests in the sponsor and that an Independent Review Committee should decide the resolution of real or apparent conflicts;

2. the requirements under the Fair Political Practices Act that each administrator should disclose financial interests that might be affected by decisions within his/her sphere of influence;
 3. the requirements under Sections 89906 through 89909 of the California Education Code that directors of CSU auxiliary organizations shall certify that they do not have conflicts in matters that come before them as directors;
 4. the provisions of state codes and regulations that no state employee shall use state resources for private gain; and
 5. the provisions of the California Education Code, Section 89006, specifying that no employee of the university or its auxiliaries shall use confidential information obtained by reason of his/her employment for private gain.
- B. It is the intent of the university that these procedures and standards should be coordinated and made consistent to the maximum extent possible, in order to ensure similar treatment of similar situations and in order to facilitate widespread understanding of the policies.

IV. University Conflict of Interest Committee

- A. A University Conflict of Interest Committee is hereby established that consists of:
1. five faculty members elected by the Academic Senate; no two of whom shall be from the same college.

The faculty members appointed to the Conflict of Interest Committee shall serve terms of three (3) years. The members first appointed shall serve staggered terms of 1, 2, or 3 years chosen by lot.
 2. The Director of Sponsored Projects, as a voting member.
 3. An administrator appointed by the Associate Vice President for Central Development or designee from University Advancement, as a voting member.
 4. The Associate Vice President for Research, Creative Activities and Technology Transfer (RCATT), or his/her designee, as a non-voting member.
 5. The Director for the Office of Grants and Contracts as a non-voting member.
- B. The Office of Research, Creative Activities and Technology Transfer shall provide staff support to the Conflict of Interest Committee.

V. Policy for Projects Funded by the National Science Foundation (NSF) and the Public Health Service (PHS)

For PHS-sponsored projects California State University, Fullerton adopts the policies set forth in the regulations of the US Department of Health and Human Services as

amended at the time a proposal or award is made. The regulations can be found at <http://grants.nih.gov/grants/policy/coi/>.

For NSF-sponsored projects California State University, Fullerton adopts the conflict of interest policies set forth in the NSF Grants Policy Manual and the NSF Proposal & Award Administration Guide, as amended. Current regulations can be found in Chapter IV: Conflict of Interest Policies at http://www.nsf.gov/pubs/policydocs/pappguide/nsf13001/nsf13_1.pdf.

VI. Policy on Conflicts of Interest in Sponsorship by Nongovernmental Entities

- A. The policies set forth in the CSUF Policy on the Disclosure of Financial Interests of Principal Investigators, dated August 4, 1986, pursuant to the requirements of the CSU Conflict of Interest Code and the California Administrative Code, Title 2, Section 18705ff, are continued except as provided below.
- B. The University Conflict of Interest Committee established in Article IV above shall replace the Independent Review Committee established under the CSUF Policy on the Disclosure of Financial Interests of Principal Investigators and shall henceforth assume that committee's duties in addition to the duties concerning proposals to NSF and PHS as prescribed in Article V.
- C. In the case of gifts to the university that are earmarked for a particular faculty member or particular project and administered by the Office of University Advancement, that office shall carry out the duties otherwise specified for the Office of Research, Creative Activities and Technology Transfer in administering the policy.

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