



UWM CONFLICT OF INTEREST POLICY FOR INDIVIDUALS ENGAGED IN RESEARCH AND OTHER SPONSORED PROGRAMS

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The University of Wisconsin System Mission
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Initiator: Vice Provost for Research, Office of Research

Responsible Party: Vice Provost for Research, Office of Research

I. INTRODUCTION

The purpose of this policy is to assist in the identification and management of actual and potential conflicts of interest which may affect the impartiality of Research and Other Sponsored Programs (defined below) at UWM. This policy applies to Investigators (defined below) engaging in, or proposing to engage in, Research or Other Sponsored Programs.

Generating new knowledge through research and translating that knowledge into applications that benefit society are central to the mission of UWM. The University encourages its faculty and staff to engage in research, to share their knowledge, and to promote the application of research results. However, Research and Other Sponsored Programs may result in financial gain or other benefits to those engaged in these activities and could cause conflicts of interest.

Conflicts of interest could contribute to bias in research reporting, influence judgment, reduce free exchange of research findings, pose a threat to research integrity, and compromise the protection of human subjects. Because of this, and in order to sustain public confidence in UWM's Research and Other Sponsored Programs, UWM has a legal and ethical obligation to identify, evaluate, and manage Investigators' actual or potential conflicts of interest.

This policy operates in conjunction with other UWM and UW System policies relating to conflicts of interest, which include, but are not limited to the following:

- [UWM Faculty Policies and Procedures](#), Section 5.30-5.39;
- [UWM Academic Staff Policies and Procedures, Chapter 113](#);
- [Regent Policy Document 20-22, Code of Ethics](#) (University Staff)
- UWM Policy for Financial Conflicts of Interest in Public Health Service-Funded Research ([Faculty Document No. 2879](#)), which provides additional requirements for research activities supported by PHS and by other sponsors and programs that specifically request conflict of interest management consistent with the PHS regulations on objectivity in research.
- [UW System Administrative Policy 1290 Code of Ethics](#) (and related Guidance)

Investigators may also have reporting and disclosure obligations with respect to conflicts of interest pursuant to state and federal laws and/or regulations. These may include:

- [42 CFR Part 50, Subpart F and 45 CFR Part 94](#) (Regulations promulgated by the US Department of Health and Human Services to promote objectivity in research)
- [Wisconsin Administrative Code UWS Chapter 8](#) (Unclassified Staff Code of Ethics)
- [Wisconsin Statute 946.13](#) (Private Interest in a Public Contract Prohibited)
- [National Science Foundation Grant Policy Manual, Chapter V, Section 510](#)
- Any applicable regulations and guidance by funding agencies listed in Notices of Award or linked Guidelines, or Policies and Procedures
- [UW System Regent Policy Document 13-6 Contracts with Research Companies](#)

Additional information about supporting processes and procedures for this policy and UWM Policy for Financial Conflicts of Interest in Public Health Service (PHS) Funded Research is located in the [Research and Other Sponsored Programs Conflict of Interest Guidance Document](#) for Individuals Engaged in Research & Other Sponsored Programs.

II. CONFLICT OF INTEREST POLICY FOR INDIVIDUALS ENGAGED IN RESEARCH AND OTHER SPONSORED PROGRAMS

(Hereafter referred to “Conflict of Interest Policy”)

A. Definitions

1. Research or Other Sponsored Programs

Research or Other Sponsored Programs include sponsored and unsponsored research, other sponsored programs such as sponsored teaching or services agreement and research-related scholarly activities such as unpaid or internally funded authorship of articles or book chapters. It is not limited to the performance of such activities but also the development of proposals and projects.

2. Conflict of Interest

Conflict of Interest refers to a situation in which financial interests or other personal considerations may affect or have the appearance of affecting an Investigator’s professional judgement or actions in the design, conduct, or reporting of Research and Other Sponsored Programs or that might interfere with the Investigator’s duties or responsibilities to UWM. It includes actual conflicts/activities or potential conflicts/activities, real or perceived.

A Conflict of Interest may be financial, resulting in personal gain to the Investigator or their immediate family. This includes anything of monetary value, including, but not limited to: salary or other payments for services such as consulting fees from third-parties, including income from activities sponsored by a foreign institution of higher education or foreign governmental body; equity interests in business enterprises such as stocks, stock options, or other ownership interests; intellectual property rights; or the diversion of opportunities from UWM to an external entity in which the Investigator has a financial interest (e.g. research

support, or the delivery of services or training).

For purposes of this Policy, financial interest does not include remuneration such as salaries, benefits, royalties, or intellectual property rights received from UWM or the UWM Research Foundation; or income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator or their immediate family does not control the investment decisions made by these vehicles.

A Conflict of Interest may also be non-monetary, but still result in personal gain to the Investigator and their immediate family. This includes but is not limited to:

- Conferring, or promising in the future to confer, an academic appointment or other professional title (foreign or domestic);
- Service in positions with fiduciary responsibilities;
- Conflicts of time and commitment with respect to an Investigator's duties at and obligations to UWM;
- Promise of future grants, contracts, or publications;
- Non-monetary gifts; and
- Using UWM facilities and/or materials for the benefit of an entity in which an Investigator has an interest.

Additional guidance and examples regarding what may constitute a Conflict of Interest can be found in the [Research and Other Sponsored Programs Conflict of Interest Guidance Document](#) for Individuals Engaged in Research or Other Sponsored Programs.

3. Investigator

Investigator means the principal investigator or project director and any individual (e.g. faculty member, staff member, student, fellow, or trainee, including those with zero percent appointments, or, as determined by inter-institutional agreements, collaborators or subrecipient awardees not employed by UWM) who is responsible for the design, conduct, or reporting of Research or Other Sponsored Programs.

B. Principles Governing Conflict of Interest Management

1. General Statement of Principle

Investigators are expected to avoid conflicts of interest because of their potential to affect UWM's interests, compromise UWM's objectivity in fulfilling its mission, or otherwise compromise the researcher's performance. In no event shall the design, conduct or reporting of research be biased by any conflicting financial interest of the investigator(s).

2. Compatibility with UWM Duties

Investigators should report situations that would cause the Investigator's interests to appear to be incompatible with their duties at and obligations to UWM.

3. Diversion of Potential Opportunities

Investigators should not divert to an external entity in which the investigator has a significant financial interest opportunities that could have been performed by UWM (for instance, research support, delivery of services or training).

4. Use of Facilities

Except as otherwise set forth in UWM policies and procedures, including (but not limited to) S-23, UWM facilities and resources should not be used for non- UWM activities.

5. Compliance with Government Policy

State and federal agencies require that research they sponsor be free of bias due to financial interests or other personal considerations of the investigator and institution, that funds are expended as intended, and that the commitment of time and effort is appropriate. Failure to comply may jeopardize existing or future funding. Most governmental agencies require that the institution assume responsibility for ensuring that these concerns are addressed. Therefore, investigators must cooperate to ensure that UWM can resolve and/or manage conflicts in conformity with regulations of the granting agencies.

6. Adherence to UWM and University of Wisconsin System Missions

Agreements with external entities shall not undermine the university's mission or basic academic principles, including but not limited to, the development and dissemination of knowledge. Likewise, no activity should impede or diminish the educational experience of UWM students. Interference in the choice of the scholarly pursuits or diversion of university resources from UWM's mission is not permissible.

C. General Statement of Policy

It is the policy of UWM to ensure that Research and Other Sponsored Programs are not biased in their design, conduct, or reporting by requiring disclosure and review of certain outside activities that could cause a real or perceived Conflict of Interest, and to review and eliminate, reduce, or manage any such conflicts.

Investigators engaging in Research or Other Sponsored Programs are expected to avoid Conflicts of Interest where possible. Investigators must disclose all Conflicts of Interest so that they can be managed, reduced, or eliminated.

D. Disclosure

Investigators engaging in, or proposing to engage in, Research or Other Sponsored

Programs are required to report Conflicts of Interest, including with respect to their immediate family, that reasonably appear to be related to the Investigator's institutional responsibilities.

These interests are to be reported annually on the Investigator's Outside Activities Reports, which must be completed no later than application date for any sponsored funding. In addition, Investigators must update their Outside Activities Reports within 30 days of acquiring or discovering a new Conflict of Interest.

E. Review and Management of Conflicts of Interest

UWM has an ongoing obligation to manage any Conflicts of Interest as part of ensuring the integrity of research and other sponsored programs at the university. To meet this obligation, the Vice Provost for Research (VPR) is given the responsibility and authority to conduct a conflict of interest management program at UWM.

In this capacity, the VPR provides leadership to the Research Conflict of Interest (RCOI) Committee and makes final decisions on conflict management issues.

The RCOI Committee is charged with: reviewing all annual Outside Activities Reports made by Investigators conducting or proposing to conduct Research or Other Sponsored Programs; evaluating such disclosures; making a recommendation to the VPR as to whether a Conflict of Interest exists, and if so, if it can be managed or eliminated; and, if applicable, developing a proposed management plan.

The RCOI Committee is an administrative committee with members recommended by the VPR and appointed by the Chancellor.

Investigators may appeal their management plan to the RCOI Committee and Vice Provost for Research. If not resolved, faculty members may address the Faculty Appeals and Grievances Committee. Academic staff members may appeal the determination to the Academic Staff Hearing and Appeals Committee. These committees may then make recommendations concerning the management plan in question to the Provost. The decision of the Provost regarding conflict of interest matters shall be final.

Additional details on this review and approval process as well as the content of such management plans, including required elements, are contained in the [Research and Other Sponsored Programs Conflict of Interest Guidance Document](#) for Individuals Engaged in Research or Other Sponsored Programs.

F. Students, Fellows, Trainees, and Other Research Workers

Conflicts of Interest may lead to conflict with an Investigator's responsibility to foster the academic and professional development of students, fellows, trainees, or other research workers. An Investigator's relationship with a business entity may not place restrictions on the activities of students or trainees. In particular, an Investigator's relationship may not

prevent or inhibit students or trainees from meeting applicable UWM degree requirements (e.g., completion and public defense of a thesis or dissertation).

Investigators must inform students engaged in research under their supervision of any financial interest which the Investigator has in the research activity, including, but not limited to, financial arrangements involved in the direct support of the activity, agreements made to obtain data for the research, or agreements concerning intellectual property rights arising from the research.

G. Reports to Federal Funding Agencies

As a condition of eligibility to receive grants or cooperative agreements for research UWM may be required to provide reports on financial conflicts of interest to the appropriate funding entity in the time and manner specified in the regulations and outlined in the Guidance Document. Investigators are required to cooperate with any such reporting.

H. Records

UWM will maintain records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest until five years after the termination or completion of the activity which gave rise to the conflict or the resolution of any legal action involving the aforementioned activity.

I. Employee Responsibility

Employees will be held accountable for full disclosure of conflicts of interest, or potential activities that might be presumed to interfere with the employee's duties or responsibilities to UWM as defined in this policy and for compliance with any conditions or restrictions imposed by UWM in order to manage any actual or potential conflict of interest. Failure to abide by the policy may result in sanctions imposed on the employee under, for all persons holding faculty rank, UWS 6.01, Wis. Admin. Code and UWM Policies and Procedures 5.40 *et seq.* or, for all academic staff members, UWS 13.01, Wis. Admin. Code and UWM Academic Staff Policies and Procedures Chapter 111.