

UMSL Procedures Conflict of Interest/Conflict of Commitment

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# **I. DEFINITIONS**

## **1. Conflict of Interest Committee (COIC):**

The committee formed at the University level is responsible for reviewing and mitigating complicated disclosures, determining what conditions or restrictions are necessary, reviewing cases of non-compliance, and recommending sanctions as appropriate. The committee is comprised of members identified by the chair.

[CRR 3330.015\(F\)](#) states:

Each Campus Shall:

1. Establish a committee to coordinate the solicitation and review of disclosures of Outside Interests from each Employee, including development of campus specific standards and procedures, determine whether a conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the campus to Manage such conflict of interest, resolve problems revealed, and enforce sanctions as appropriate, including adoption of a Conflict-of-Interest Management Plan.
2. Comply with all laws and regulations regarding conflict of interest, including the provision of initial and ongoing financial conflict of interest reports to the Public Health Service (PHS) as required pursuant to 42 C.F.R. Part 50 Subpart F and 45 C.F.R. Part 95.
3. Develop and publish corresponding procedures to support implementation of this policy and any other related laws or regulations regarding conflict of interest. Such procedures shall include, at a minimum, requirements for exempt staff and faculty Employees to submit annual reports disclosing all Outside Interests or verifying the absence of any Outside Interests (except to the extent that a campus may adopt alternative procedures for adjunct faculty as provided in Section 330.015.E).

## **2. Conflict of Interest/Conflict of Commitment Disclosure (also, ‘Disclosure’):**

An Employee's Conflict of Interest/Conflict of Commitment Disclosure provides documentation to the University of outside interests (e.g. external to the University), including employment or business activities. The disclosure is required to be updated as changes occur and prior to engaging in any overlapping business activities, external teaching, or consulting. Disclosure is made through eCompliance at <https://umsl.ecompliance.umssystem.edu/login>

## **3. Department of Energy (DOE):**

The U.S. Department of Energy, the National Nuclear Security Administration (NNSA), and any components of the DOE to which the authority involved may be delegated.

## **4. Employee:**

- a) Any person receiving compensation from the University for services rendered, regardless of whether the person is benefit eligible or non-benefit eligible (e.g., full-time or part-time), or classified under other sections of the CRR as Academic Staff or Administrative, Service and Support Staff,

- b) Any person receiving compensation paid through the University from any funds placed in its hands for distribution; or
- c) Any person that has voluntarily elected to enter into an agreement or an agreement entered into on their behalf with the University to be treated as an “Employee” for purposes of this policy. For purposes of this policy, the receipt of compensation shall not be interpreted to include:
  - a. Receipt of student financial aid, including but not limited to, scholarships, grants, loans, tuition waivers and educational fee reductions, generally available to University students and unrelated to any provision of services by the student to the University; or
  - b. Payments to independent contractors.

#### **5. Graduate Research Assistant/Graduate Teaching Assistant (GRA/GTA):**

Graduate assistantship for research or teaching.

#### **6. Immediate Family:**

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

#### **7. Investigator:**

**PHS:** “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 proposed for such funding, which may include, for example, collaborators or consultants.”

**DOE:** “Investigator means the principal Investigator (PI) and any other person, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. DOE program offices have the discretion to expand the definition to include also any person who participates in the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. Such expansion will be specified in the applicable funding opportunity announcement and/or terms and conditions of the financial assistance award.”

**NSF:** “The term investigator means the principal investigator, co-principal investigators, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by NSF.”

#### **8. Outside Interest:**

An outside interest is defined as:

- A. An employment, consulting, or other professional activity or service, paid or unpaid, for a third party that is not part of the Employee's University Responsibilities, and such activity or service for the third party nonetheless relates to work within the scope of the Employee’s University Responsibilities. This includes, without limitation, any activity or service that involves the use of the Employee's expertise, the practice of his or her profession, or any activity or service that contributes to the Employee's professional competence or development; or

B. Engagement in income generating activities, that are **not** part of or related to the Employee's University Responsibilities, when such engagement constitutes, individually or collectively, more than 10 hours per week (average) during the term of the Employee's contract or generates a total of \$5000/year.

C. A direct or indirect financial interest in an entity that proposes to do business or is doing business with the University; or

D. A direct or indirect financial interest in an entity that proposes to acquire or has acquired rights to University owned intellectual property; or

E. Whenever an employee's duties include research or investigation, a direct or indirect financial

interest in an entity conducting research or business that is relevant to the scope of the Employee's University Responsibilities; or

F. Any other activity that could be construed as relating to or overlapping or competing with the core missions of the University.

### 9. **Public Health Services (PHS)**

The Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority involved may be delegated, including the National Institutes of Health (NIH).

### 10. **University Responsibilities**

Employee's responsibilities for which such Employee was hired, and which are conducted at or undertaken on behalf of the University, which may include, but is not limited to, activities such as research, research consultation, teaching, outreach/extension, professional practice, institutional committee memberships and service on University-based panels.

## **II. OVERVIEW**

The Conflict of Interest Committee (COIC) has been charged by the Chancellor pursuant to CCR [330.015](#) , [420.030](#) , and [410.020](#) with the responsibility for management of all conflicts of interest at the University of Missouri-St. Louis. The University of Missouri System is committed to fostering an academic environment in which the University's teaching, research, service, and economic development missions are furthered. Participation in outside professional or commercial activities make important direct and indirect contributions to the strength and vitality of the University. As a steward of public funds and public trust, the University is committed to identifying activities that present the potential for conflicts and managing them to assure that they do not threaten the integrity of the University's students, staff, and faculty.

The COIC works to assist faculty and staff to appropriately structure their various interests to avoid, mitigate or manage those conflicts. No two situations are the same, therefore, the Committee works diligently to understand each scenario to find custom solutions that best meet the needs of the parties involved.

The Conflict-of-Interest Disclosure/Conflict of Commitment Form also captures information used by Supervisors and Administrators in the course of fulfilling their obligations, i.e., Supervisors

managing Conflicts of Commitment, the Administrative Review for FCOI as outlined in the University of Missouri Financial Conflict Of Interest (FCOI) Policy.

## **DISCLOSURE**

All exempt employees are required to disclose at the time of hire. Adjuncts, GRAs, and GTAs are required to update their disclosure as changes occur, and prior to engaging in new activities. **All other faculty and exempt personnel are required to disclose outside interests annually and as new interests arise, or changes occur.** All other Employees regardless of title, position, or involvement in research activities shall disclose Outside Interest as such interests arise (e.g. transactional reporting) ([CRR 330.015](#), [360.020](#)).

**Any employee determined to be an investigator with PHS/NSF/DOE funding must also disclose according to the Financial Conflict of Interest (FCOI) Policy.**

### **III. WHAT IS REQUIRED TO BE DISCLOSED**

#### **A. Outside Interests:**

- 1) Any employment, consulting, or other professional activity or service, either paid or unpaid, which is not part of but relates to the Employee's University Responsibilities. This includes any activity or service that involves the use of the Employee's expertise, the practice of his or her profession, or any activity or service that contributes to the Employee's professional competence or development.
- 2) For exempt employees, engagement in income generating activities, that are not part of or related to the Employee's University Responsibilities, when such engagement constitutes, individually or collectively, more than 10 hours per week (average) during the term of the Employee's contract or generates a total of \$5000/year.
- 3) A direct or indirect financial interest in an entity that proposes to do business or is doing business with the University.
- 4) A direct or indirect financial interest in an entity that proposes to acquire or has acquired rights to University owned intellectual property.
- 5) If an employee's duties include research or investigation, a direct or indirect financial interest in an entity conducting research or business that is relevant to the scope of the Employee's University responsibilities.
- 6) Any other activity that could be construed as relating to or overlapping or competing with the core missions of the University.

## **B. Public Health Services (PHS), Department of Energy (DOE) and National Science Foundation (NSF) Investigators Disclosure Requirement:**

See the Financial Conflict of Interest FCOI Policies for disclosure, review and reporting requirements related to PHS and NSF Investigators.

## **IV. HOW TO DISCLOSE**

All disclosures, personal and PHS/NSF required, are submitted through eCompliance at <https://umsl.ecompliance.umsystem.edu/login> through the COI module.

## **V. COLLECTION AND REVIEW OF DISCLOSURE FORMS**

### **COI Committee**

COIC members are charged, and empowered with the following responsibilities (1) to review potential conflict of interest disclosures submitted by Employees; (2) to investigate questions of potential conflicts of interest and request additional information and/or disclosure; (3) to recommend and approve responses to disclosures and, if necessary, develop, distribute and enforce management strategies on behalf of the Chancellor; and (4) to assist in the development and implementation of communication strategies to ensure that all Employees are properly advised of their responsibilities regarding conflict of interest. The Committee has delegated some responsibilities to the COI Office.

### **COI Office**

The COI Office educates faculty and staff to facilitate compliance with 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. Employees are required to update as changes occur or as new interests arise.

The COI Office will request annual Conflict of Interest/Conflict of Commitment disclosures from Employees with assistance from the Deans and contacts in each Unit. Following the receipt of a Disclosure, the COI Office will:

- Review the disclosure
- Follow up with the Employee if questions remain or the information appears inaccurate or incomplete.
- Determine the management strategies (if any) needed to mitigate the conflict. Management strategies may contain conditions that actively manage the outside interest. Notifications will be added to the disclosure to provide directed information to the Employee regarding policies or guidance.
- As needed, the COI Office may request input from the COI Small Group (COI-SG). The COI-SG will be constituted as deemed necessary by the COI Office.
- Any disclosure presenting a higher risk to the institution (e.g., faculty start-up business requiring a management plan) or requiring additional guidance will be forwarded to the COIC for necessary management.

The Office will record the determinations and set the supervisor/chair/dean/director to review any activity that may be a conflict of commitment. The COI Office will draft letters associated with each disclosure or entity reviewed.

**COIC Meetings and Review:**

Oversight Management Plans, Project Management Plans, complex cases, and cases of violations are under the purview of the Committee. The Committee is provided the cases for review each month. The COI Office will assure a valid quorum is present prior to and during the COIC meetings. If the quorum fails at any time during a convened meeting the meeting is terminated from further action until a valid quorum can be restored.

The Committee may request input from others as needed. The minutes of each convened meeting will include the necessary documentation to enable reconstruction of the discussion and vote.

Discussion and voting will be documented without identifiers. Any identifiable information related to discussion and voting will remain within the committee and will not be shared outside of the meeting. COIC, ad hoc members, and visitors will be asked to sign a statement of confidentiality.

**1. *Analysis and Management 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. The information below is intended to provide guidance and may not be all inclusive.

- A. **NO INTERESTS TO DISCLOSE**: Employees with no outside interests to disclose receive an automated email stating that no outside interests were reported at this time.
- B. **MOOT**: The activity is part of the Employees University position and does not need to be reported or otherwise does not need to be reported. The Employee is advised that the activity can be removed from their disclosure.
- C. **NO APPARENT CONFLICT**: The outside interest is determined not to be a conflict of interest, nor represent a potential conflict of commitment, and the Employee does not need any additional guidance.
- D. **OUTSIDE INTEREST MANAGED BY DISCLOSURE**: The outside interest does not meet the criteria for needing any conditions or notifications for management. No additional management is needed beyond disclosure itself.

E. **OUTSIDE INTEREST MANAGED BY NOTIFICATIONS**: Guidance is provided to the Employee to make the Employee aware of policies and/or best practices (examples below).

Notification/Guidance	Applies when:	Employee Letter Language
Disclaimer	Employee is consulting or providing expert testimony in their own capacity and not on behalf of the University	Informs Employee that, when consulting or providing expert witness testimony, they must indicate their work for the entity is not part of their University role
Disclosure	Employee has a relationship, typically consulting, research or ownership, which may require disclosure in related publications, presentations and/or reports	Informs Employee of the requirement to disclose the outside relationship in any related publications, presentations, or reports.
Fundraising	Employee in Advancement involved in fundraising for an outside entity	Advises Employee not to use their University position to recruit donations for the outside entity from donors to the University
IT Security	Employee is involved with an entity located outside of the United States	Provides Employee a <a href="#">link</a> to best practices as it relates to IT Security and international activities.
University Identity Standards	Employee has a financial interest and may need to be aware of the UM System policy on University identity standards.	Provides Employee a link the <a href="#">Collected Rule 170</a>
University Resources	Employee has created a company or has a consulting relationship that may involve the use of University resources	Advises employee not to use University resources, including equipment or lab space, for the activity without an appropriate contract to compensate the University
University Vendor	Employee is a board member or serves in a fiduciary role with an entity that sells goods or services to the University	Advises Employee to recuse their self from involvement in approval and/or payment of invoices between the entity and the University and inform the COI office prior to contracting with the entity within the Employee's University role
No Referrals	Employee or Employee's family members have a business that sells goods or services	Advises Employee not to promote the outside activity in their University role
Recusal	Employee has a relationship with an entity that may contract with the University	Advises Employee to recuse their self from any decisions with respect to business between the University and the entity

Role Delineation	Employee is working in area that overlaps with their University role with the potential to work on the activity while working from the University	Advises Employee (1) to maintain clear separation between their University role and activities with the entity and (2) that activities for the entity should not be conducted during University paid working hours
Textbook Royalties	Employee earns royalties on the sale of educational textbooks/materials (CRR 330.015.D.5)	Informs Employee of the requirement to donate royalties from the sale of materials assigned to students in their courses

**F. OUTSIDE INTEREST MANAGED BY CONDITIONS:** One of more conditions may be applied to manage the outside activity. Below are some examples of applicable conditions, when each condition may be applied, and how the condition assists to manage the outside activity.

<b>Conditions</b>	<b>When the condition may apply:</b>	<b>Management:</b>
<b>Supervisor Approval (SA)</b>	<ul style="list-style-type: none"> <li>Employee is engaged in an activity that is a potential conflict of commitment</li> <li>Employee receives a royalty revenue stream related to the Employee's area of expertise from outside the University</li> <li>Employee is serving or running for elected public office (CRR 330.050)</li> </ul>	<p>Each disclosure resolved with supervisor approval is sent to the employee's Chair/Supervisor followed by the Dean/Director for review to ensure:</p> <ol style="list-style-type: none"> <li>To the best of their knowledge, the interests are disclosed accurately and fully;</li> <li>The interests do not conflict with the interests of the Unit;</li> <li>The interests do not create an unmanageable conflict of commitment; and</li> <li>The interests do not result in the undocumented or improper use of University resources.</li> </ol> <p>The Chair/Directors should follow up with the employee if questions remain or the information on the form appears inaccurate or incomplete.</p> <p>The Supervisor may require stipulations or withhold approval on the activity.</p> <p>The Supervisor should follow up with the COI Office if they have any additional concerns not addressed by the initial review of the disclosure or if they are withholding approval on the outside activity.</p> <p>Any stipulations or denial of activities are conveyed by the COI Office to the Employee.</p>

<b>Advancement</b>	<ul style="list-style-type: none"> <li>Employee may receive a gift to either their department or lab.</li> </ul>	Advancement is notified of the relationship. The employee is provided with instructions to notify advancement records management.
<b>Contracting Office Approval (COA)</b>	<ul style="list-style-type: none"> <li>Employee has a financial interest in a Company that contract with or may contract with the University for goods or services</li> <li>Employee contracts with or intends to contract with the University for the sale of goods or services</li> <li>Employee uses or intends to use University resources for outside work</li> </ul>	Contract Administration assures that there is a disclosure on file regarding the outside activity if the Employee or the entity is contracting with the University. Contract Administration ensures that the contract is appropriate. The Employee is responsible for working with the Office to ensure the conflict is managed.
<b>Health Care Regulatory (HC Regulatory)</b>	<ul style="list-style-type: none"> <li>This applies to optometrists (or immediate family member of such a person) when the employee has a financial interest in an outside entity and the employee's patient treatment decisions or referral practices may benefit the outside entity.</li> </ul>	Resolution letter informs employee of the condition and any other applicable information. In addition, the Compliance Council is notified to address any specific concerns relating to Healthcare policy. The Compliance Council is responsible for follow-up with the employee if there are any concerns and will notify COIC of any additional concerns/stipulations.
<b>Institutional Animal Care &amp; Use Committee (IACUC)</b>	<ul style="list-style-type: none"> <li>Employee has a relationship (consulting, employment, etc. with an external company that may sponsor or provide products for animal research at UMSL</li> </ul>	The IACUC office is notified of the outside interest and may require specific conditions to manage any animal protocols. The IACUC Office will relay any protocol specific requirements to the employee. The resolution letter informs employee to notify IACUC of the relationship when conducting any research sponsored by or involving the outside entity. The employee is responsible for working with IACUC to ensure the conflict is managed.
<b>Institutional Review Board (IRB)</b>	<ul style="list-style-type: none"> <li>Employee has a relationship (consulting, employment, etc.) with external company that may sponsor or provide product to conduct human subjects research projects</li> </ul>	The IRB Office is notified of the outside interest and may require conditions to manage any human subject protocols. The IRB will relay any protocol specific requirements to the employee. The resolution letter informs employee to notify the IRB when conducting any research sponsored by or involving the outside entity. The employee is responsible for working with IRB to ensure the conflict is managed.
<b>International Activities</b>	<ul style="list-style-type: none"> <li>Employee discloses an interest or relationship with an entity located outside of the United States</li> </ul>	The employee is made aware of federal sponsor's guidelines and requirements when engaging in international relationships.
<b>Political Office (CRR 330.050)</b>	<ul style="list-style-type: none"> <li>Any employee before he or she officially announces as a candidate for or accepts any public office must first inform his or her superior officer of such intention and such officer must make the fact known to the</li> </ul>	The employee is made aware of the notification requirements of the <a href="#">Collected Rule 330.050 for Political Offices</a> .

	President of the University through appropriate channels.	
<b>Procurement</b>	<p>Procurement arranges contracts for goods readily available in the market place and for services such as custodial, printing, design, pest control, advertising, software development, etc. This condition applies when the employee:</p> <ul style="list-style-type: none"> <li>• Consults for company that provides deliverables to UMSL</li> <li>• Serves as director, officer, or board member with company that supplies deliverables to UMSL</li> <li>• Has interest in any local commerce (excl. personal residential properties) that has potential to benefit employee in some way</li> </ul>	<p>Procurement is made aware of the relationship and is responsible for the appropriate considerations when negotiating contracts.</p> <p>The resolution letter informs the employee to notify Procurement of the relationship when requesting a contract with the entity. The employee is responsible for working with the Office to ensure the conflict is managed.</p>
<b>Real Estate Office</b>	<ul style="list-style-type: none"> <li>• Employee owns commercial property that maybe leased or purchased by UMSL</li> </ul>	<p>The Real Estate Office is made aware of the relationship and is responsible for the appropriate considerations when negotiating a contract.</p> <p>The resolution letter informs the employee to notify the Real Estate Office of the relationship when requesting a contract with the entity. The employee is responsible for working with the Office to ensure the conflict is managed.</p>
<b>Sponsored Programs</b>	<ul style="list-style-type: none"> <li>• Employee has a fiduciary or financial relationship with an entity which may contract to sponsor research to be conducted by the employee in their University role</li> </ul>	<p>The employee is advised of the need to let Sponsored Programs know about their conflict if there is a contract.</p>
<b>Student or Employee Awareness</b>	<p>Employee has a financial interest in an outside entity and University employees or students who report to the Employee are:</p> <ul style="list-style-type: none"> <li>• Engaged in activities with the outside entity, or</li> <li>• Working on a subcontract at the University from the outside entity</li> </ul>	<p>The COI Office must be notified in advance to work with all parties to implement an agreement.</p> <p>Graduate studies, the chair, dean or other appropriate party is made aware of the involvement of students/employees.</p> <p>An awareness agreement is implemented and a non-conflicted representative is made available to the students/employees.</p>
<b>Technology Commercialization &amp; Economic Development Office (TCED)</b>	<ul style="list-style-type: none"> <li>• Employee has intellectual property (patents, copyrights, licenses) which they plan to transfer outside of the University; transfer use of materials has to be codified in written agreement with TCED</li> <li>• Employee may develop IP with outside entity</li> </ul>	<p>TCED is made aware of the outside relationship and is responsible for providing education to the employee regarding intellectual property rights and agreements. TCED works closely with COI ensuring transparency. The employee is notified to contact TCED with any questions or concerns regarding intellectual property. TCED will refer proposed agreements involving COI to the COIC.</p>

	<ul style="list-style-type: none"> <li>Employee has students creating intellectual property which they plan to use (e.g., through capstone class projects)</li> <li>Employee hires students whose intellectual property will be used in some way</li> </ul>	
<b>Treasurer's Office</b>	<ul style="list-style-type: none"> <li>Employee is serving on a board for a bank or other financial institution that may conduct business engagements with the University.</li> </ul>	<p>The Treasurer's Office and the Vice Chancellor for Finance is notified of the relationship and considers this when entering into relationship with the outside entity where there may be a perception the employee may have influence.</p> <p>The employee is notified to ensure the Treasurer's Office is aware if they have any influence in any contracts.</p>
<b>Student or employee awareness</b>	<p><b><i>The COI Office is required to be notified in advance to work with all parties to implement an agreement.</i></b></p> <ul style="list-style-type: none"> <li>Employees/students engaged in an outside activity in which the person they report to at UMSL has an interest in that outside entity.</li> <li>Student/employee working on subcontract from entity that faculty member has equity.</li> </ul>	<p>Graduate studies, the chair, dean or other appropriate party is made aware of the involvement of students/employees. A meeting is arranged and an awareness agreement implemented. The non-conflicted representative will meet with the student/employee until the relationship is complete.</p> <p>Employees are notified of the requirement to report relationships prior to engagement with the outside entity.</p>

G. **MANAGEMENT WITH CONDITIONS AND NOTIFICATIONS:** Some activities may require management with conditions and nonfictions to mitigate the risk to the institution. All applicable management strategies will be applied.

H. **OTHER MANAGEMENT STRATEGIES:** Not all outside activities can be managed with the conditions or notifications listed above and therefore management may require other strategies, or a combination of the conditions listed and other additional strategies, to address the outside activity. Some, but not all examples, of potential strategies are:

- Time/Income Caps
- Review by an independent party
- Divestiture of a financial interest
- Oversight Management Plan

I. **UNMANAGEABLE:** It is also possible that an outside interest will present an unmanageable conflict of interest or conflict of commitment. The full COI Committee has the option to deny approval of the outside interest when appropriate. If the outside activity is deemed unmanageable, the Employee and Chair will be informed. Employees may appeal the decision through the appeals process (see section X).

**2. Notification of Determinations to the Employee:**

Employees will receive a final letter containing any management strategies needed to mitigate the conflict.

**Disclosures with Supervisor Approval:**

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:

- Any stipulations required by the supervisor.
- Any conditions that are needed to mitigate the conflict.
- Guidance/notifications to the Employee on how they are to manage the activity.

**Supervisor Approval Withheld:**

If the supervisor/chair or dean/director withholds approval, the COI Office will send the 'supervisor denial' letter to the Employee copying the supervisor. The Employee will need to work with the supervisor and update the disclosure as required. The COI Committee cannot overturn the decision by the supervisor/chair/dean/director, but the Employee may appeal through the appeals process (see section X).

Ideally, all Employees will receive a response from the COI Office within 90 days of the submission of the report by the Employee.

**VI. OVERSIGHT MANAGEMENT PLANS (OMP)**

An Oversight Management Plan (OMP) is implemented when an Employee's outside interest with an entity (usually a private business) engages with the University. The Oversight Management Plan reflects the policies of the University and is designed to mitigate risk and manage the relationship between the outside entity and the University. Examples include but are not limited to:

1. The faculty member is a founder/owner/equity holder or has a fiduciary role in a private business or entity that has plans or proposes to acquire rights to University owned intellectual property.
2. The faculty member is a founder/owner/equity holder or has a fiduciary role in a private business or entity that is contracting to the University to conduct research.

The COI Office will arrange a meeting with all University Employees who have any ownership/equity or serve in a fiduciary role with the Entity, the associated supervisor(s)/chair (s), and a representative from SPA, TAO, and the COI Office to gather information on the proposed activities by the Employees. Other individuals be me invited if deemed necessary. The information will be recorded in the OMP template. The information will be provided to COIC.

The COIC will determine:

- a. If any of the proposed activity needs additional management strategies
- b. The frequency of the review of the activities of the Entity as they relate to the University.

The Employee's Chair or Director is responsible for overseeing the relationship and ensuring the terms in the OMP are followed, including but not limited to, the conflict of commitment, use of University resources, and ensuring the Employee is following the management plan. The plan will be reviewed and updated annually, or more frequently, as initiated by COIC or the Chair/Supervisor. The Dean will ensure all management plans within their division/college are being appropriately managed.

## **VII. Managing Research Projects:**

A Project Management Plan (PMP) is implemented to mitigate risks associated with research projects in certain circumstances. The COI Office will work with the principal investigator on creating the management plan. The plan will detail the following:

- The reason for the plan
- The roles for the individuals on the oversight team,
- The roles of project personnel
- What items will be reviewed (data collection and analysis, financial oversight, ensuring disclosure in publications and presentations, etc.)

The oversight team, comprised of the Chair/Supervisor or Dean/Director, is responsible for overseeing and completing the PMP checklist. The Supervisor may involve others as needed to ensure appropriate oversight.

The oversight team typically conducts a scientific review quarterly and a fiscal review every 30 days, providing the report to the COI Committee annually unless otherwise specified by the committee. Any issues identified by the team will be referred to the appropriate office for resolution. If not resolved in a timely manner, the COIC Committee will be notified.

Any PMP implemented under an OMP will be evaluated at the OMP meeting.

A PMP may or may not be associated with an Oversight Management Plan (OMP). The most common situation when a PMP is not associated with an OMP is when an FCOI is identified (see UMSL FCOI policy).

## **VIII. CONFLICTS IN THE REVIEW/OVERSIGHT PROCESS**

To avoid real or perceived conflicts of interest by committee members, individual COIC members and Oversight member will disclose any relationships or conflicts they may have related to the case under review and recuse him/herself from the review.

## **IX. NONCOMPLIANCE:**

When an Employee fails to disclose an Outside Interest per the applicable Collected Rules or University policies, the COI Director and Employee's departmental chair/supervisor or dean/director are notified. The Director shall contact the Employee and request that a formal disclosure of the potential conflict be made. This request shall be copied to the Employee's departmental chair/supervisor or dean/director. The Director shall also request that the Employee provide specific reasons and justification for the failure to disclose. The information will then be provided to the COI Committee for review.

COIC has authority to determine if a violation of the Collected Rules or a Management Plan has occurred, and if an action plan is necessary to correct and mitigate the conflict or if the violation warrants a letter to the Chancellor with a recommendation of sanctions.

An action plan may include, but are not limited to the following:

- a) Requiring retrospective disclosures be made.
- b) Increased monitoring or oversight
- c) Requiring additional training
- d) Freezing of research funds or accounts
- e) Letter of warning from the committee

If the COI Committee determines a recommendation of sanctions of an Employee for failure to cooperate with, or upon finding a violation of COI policy ([CRR 330.015.A.3](#)), a letter will be sent to the Chancellor. The Chancellor may apply sanctions as he/she feels is appropriate. Possible sanctions include, but are not limited to, the following:

- a) Letter of warning or admonishment.
- b) Suspension or termination of research compliance committee approvals.
- c) Suspension or termination of the privilege to submit sponsored activity proposals.
- d) Suspension or termination of sponsored research activity spending authority.
- e) Demotion or removal from assigned administrative roles.
- f) Referral to campus Committee on Tenure or other appropriate committee for discipline or dismissal for cause of faculty.
- g) Suspension or termination of employment (pursuant and subject to [CRR 310.060](#), Procedures in Case of Dismissal for Cause, for those faculty covered by that rule).

## **X. APPEAL/RECONSIDERATION PROCESS**

### **Appeal of determination made by the Supervisor**

If the supervisor/chair/dean/director withhold approval or approve an activity with conditions, and an Employee believes the determined course of action is inappropriate, the Employee may ask for the decision to be reconsidered by the supervisor/chair/dean/director. 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.

### **Appeal of determination by COIC**

If an Employee does not agree with the determination by the COI Committee, the Employee may ask for the decision to be reconsidered by the full COIC by submitting a request to the Director of the COI Office. 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.

### **Appeals of Sanctions by the Chancellor**

Appeals of sanctions issued by the Chancellor shall be governed by the procedures set forth in Section 370.010.C.3.b. through 370.010.D.