



Conflict of Interest Training For Faculty

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What will be covered?



- ❖ Conflict of Interest Overview
- ❖ Employees Required to Disclose
- ❖ What to Disclose & Why
- ❖ Timeline for Completion & Review
- ❖ Examples of COI's
- ❖ Management Plans
- ❖ Supervisor Expectations
- ❖ Frequently Asked Questions
- ❖ Resources/Contact info

Conflict of Interest Overview



- ❖ In general, a conflict of interest is a scenario where an outside activity could influence a person (or team) in such a way that it creates a real or perceived bias in their work.
- ❖ That perception of a conflict can have a negative impact on the reputation of both the employee and the University.
- ❖ Conflicts of Interests are mainly seen in three forms:
 1. Financial Conflict of Interest
 2. Research Conflict of Interest
 3. Institutional Conflict of Interest

Who's Required to Disclose?



- All Regular employees of UT
- GA's (GA's, GRA's, and GTA's)
- Temp Employees who are not event staff

Some Requirements Regulating Disclosures



National Security Presidential Memorandum 33

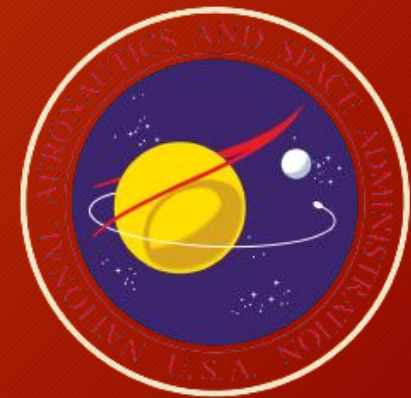
PHS - Requirements

Certain agencies require Org. Coi to be cleared prior to submitting proposals

Certain agencies require annual disclosure forms to be current and reviewed for SFI's before agreements can be finalized.

UTK Faculty Handbook, Chapter 7 (Prior agreement/20%)

Some Agencies Who Require Disclosures



What to Disclose vs. Not Disclose



Examples to Disclose

- Outside work that may appear related, regardless of financial interest, even if performed during summer months
- Other outside interests that meets the requirement/limit on form
- Start-up company (attach licensing agreements, facility use agreements, etc.)
- Interest related to *what you do* at UT (ex. Husband's food truck, if you select lunch vendor)

Examples Not to Disclose

- UT sponsored project or gift
- Personal vacation
- Your IP handled by UTRF
- ORNL joint appointment
- Review panel, travel, seminar sponsored by US institutions of higher education, US government

Guidance for Disclosing



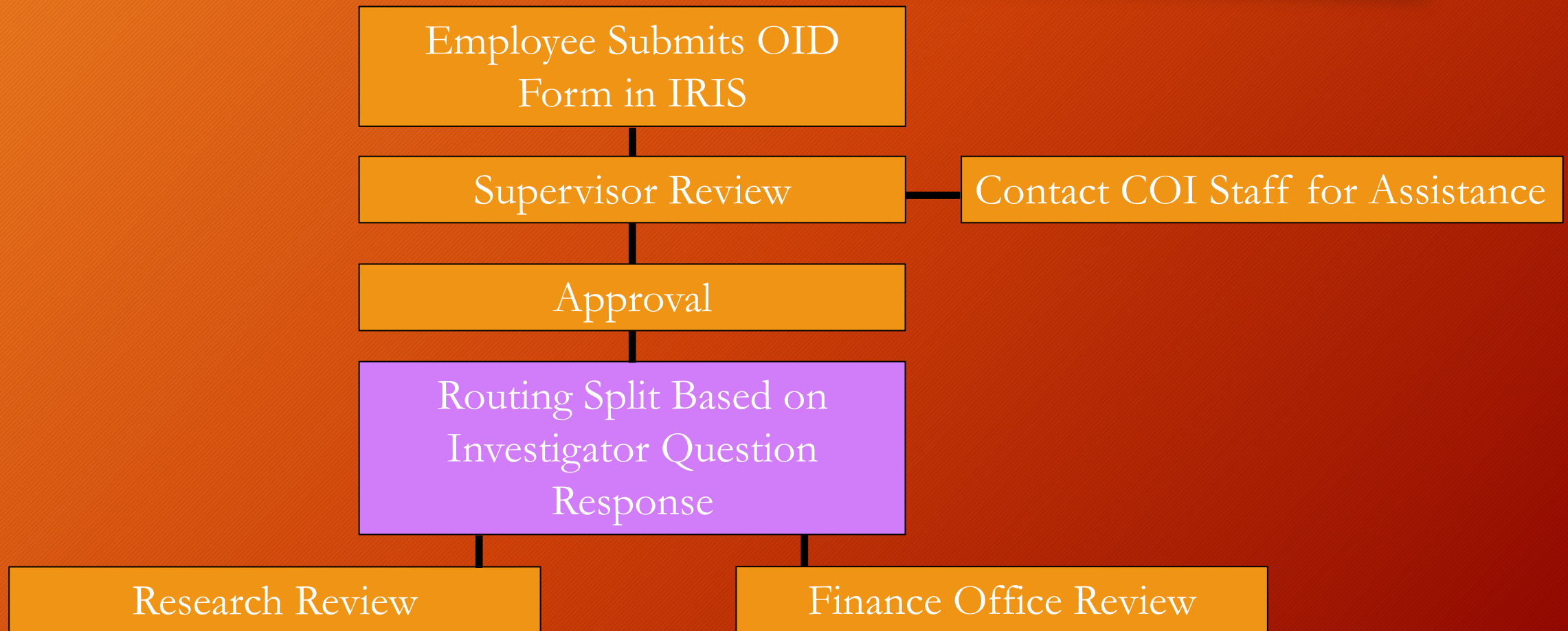
- When filling out your disclosure form, you are not making an evaluation of whether a conflict exists.
- Include explanations! Providing context up front helps when reviews occur on the back end.
- If you have supporting documents, including outside contracts, have those items ready to attach.
- Attach any UT approval of outside work documentation (e-mail or form).

Timeline for Completion of Disclosure Form



- Annual Completion of the Form:
 - Notifications to complete the OID form will be sent out in August.
 - The expectation is for employees to completed the Form by August 31st.
- Update/Changes:
 - Any changes in outside interest must be disclosed via the OID form within 30 days of the change.
- New Hires & Transfers:
 - The OID is required to be completed within 30 days of a new employee's hire date.
 - Current employees transferring positions are required to disclose outside activities within 30 days of transfer into their new position.

Flow of Review



What a COI May Look Like, Part 1



- Dr. Krang (UT-Employee) works as a consultant for Dimension X Construction, providing guidance in a major building project.
- Dimension X Construction is also looking to sponsor Dr. Krang's research on a new building material which could create a better domed structure.
- Does Dr. Krang potentially have a COI? Yes.
- It could be perceived as though money paid through consultant work could influence research results to provide an outcome favorable to Dimension X Construction.

What a COI May Look Like, Part 2



- Leo (UT-Employee) serves on a steering committee for a local Parks and Recreation Department.
- Leo is set to receive State funding to research the impact of skateparks in his state and deliver recommendations for underserved locations.
- Does Leo potentially have a COI? Yes.
- The perception could exist that Leo's committee position could introduce bias into the research which would lead towards more or stronger recommendations to his locality.
- Leo could stand to gain personally from any directives which are made as a result of recommendations concerning areas in his locality.

What a COI May Look Like, Part 3



- Dr. Oroku is a UT employee and has responsibilities which include conference and event planning.
- Dr. Oroku's wife is the owner of a local restaurant and catering company – Oroku's Sake & Shreds, Bar and BBQ.
- Does Dr. Oroku potentially have a COI? Yes.
- If Dr. Oroku has the authority to select food vendors, then a conflict of interest would be present due to the ties to an immediate family member's company.
- Let's discuss how best to mitigate this potential conflict!

What a COI May Look Like, Part 4



- A PI, Ms. O'Neil is a 9-month 100% researcher who is also starting a private company, Tidy Widgets. The company makes Widget sanitizing cases. Tidy Widgets is the only company able to meet sanitation level requirements for Widgets under certain sponsored research.
- Ms. O'Neil does not use her products in any of her research projects; however, other researchers within her department will need them.
- Is there potential for a real or perceived conflict related to Tidy Widgets? Yes.
- Let's discuss why and how to mitigate this! (Mitigation does not include prohibiting the purchase.)

If a COI is present, what happens then?



- A COI official will hold conversations with both the employee and their supervisor to gain a full understanding of the scenario. All policies and Federal requirements will be reviewed, as they apply.
- A management plan is tailored to each scenario and agreed upon by both the individual, supervisor, and COI Committee.
- The intention of a management plan is to mitigate, manage, or eliminate (rare) the conflict of interest.

Potential Action Items

- Disclosure of the COI to various parties and at the time of publication.
- Restrictions on supervision of students or staff.
- Data monitored or reviewed by a third party.
- Recusal in decision making process.
- Other actionable means which fit the scenario.

Supervisor Expectations



- Best suited to evaluate and provide perspective. If there is any hesitation to the Yes/No question, then utilize the notes section to add any clarification and provide background, and/or reach out to a COI official for guidance.
- You have first-hand knowledge of the day-to-day expectations of each employee's position and are well positioned to know if an outside interest is so similar in nature to their University roles and responsibilities that it needs a closer review.
- Questioning or calling attention to the need for potential additional or external review is good due diligence. It doesn't mean the interest will be determined to be a conflict.
- Annual performance evaluation systems will include a section on review/verification of outside interest disclosures.

Example Supervisor Questions



- Does the form match what you know about the individual?
- Is there a start-up company?
- Are there any inconsistencies from what you have come expect as typical travel for the employee?
- Is the person performing service (speaking engagements, consulting, etc.) for an outside company?
- Is the employee affiliated with another organization (on board, adjunct appointment, advising students elsewhere)?
- How do the disclosed activities intersect with UT responsibilities?
- Have you approved outside work, in relation to conflict of commitment (Faculty Handbook guidance) and effort reporting requirements?
- Does the employee supervise a relative?

FAQs About the OLD Form/Process



- I traveled on vacation internationally. Do I need to disclose this travel?
 - No. Provided no UT work was done on the trip, it does not need to be disclosed.
- Does having an affiliation with an international institution or organization mean that I am doing something wrong?
 - No. International affiliations can be a positive for all parties involved. They will be reviewed in the same manner as any other disclosure. The key is they must be disclosed so that the review can take place and you remain in compliance with federal regulations.

FAQs About the OLD Form/Process



- I am a 9-month faculty member, why do I need to disclose what I do over the summer months?
 - Outside activities during the summer months can still create a conflict of interest in research which you are engaging in during the academic year.
- Do you have any resources available which I can reference before I agree to engage in outside consulting work?
 - Yes. The Guidance for Outside Consulting Activity outlines many items which you may wish to consider before agreeing to perform consulting work (disclosures, facilities use, IP concerns, etc). A link to this document is at the end of this presentation.

FAQs About the OID Form/Process



- Personal services
 - Can I hire UT employees or students to baby sit, pet sit, provide lawn care services, work for my business, house sit, etc...
 - No, if the person is someone with whom you have any supervisory, day-to-day oversight, influence in merit/reviews, instruct, advise, or have the potential to instruct or advise.
- Employment of Relatives
 - Can I work in the same department as my family?
 - No, if you have any supervisory, day-to-day oversight, influence in merit/reviews, instruct, or advise; otherwise, this is allowable.
 - You should continue to disclose this information on the annual OID form, so it can be reviewed.

At The End of The Day...



- The goal of the OID process is to ensure full compliance with State and Federal requirements for the protection of UT employees and the University.
- We aim to request only necessary information needed to provide that protection.
- We are here to provide a service which helps alleviate the burdens of intricate regulation, so you have more time to focus on research.

Resources/Contact Info



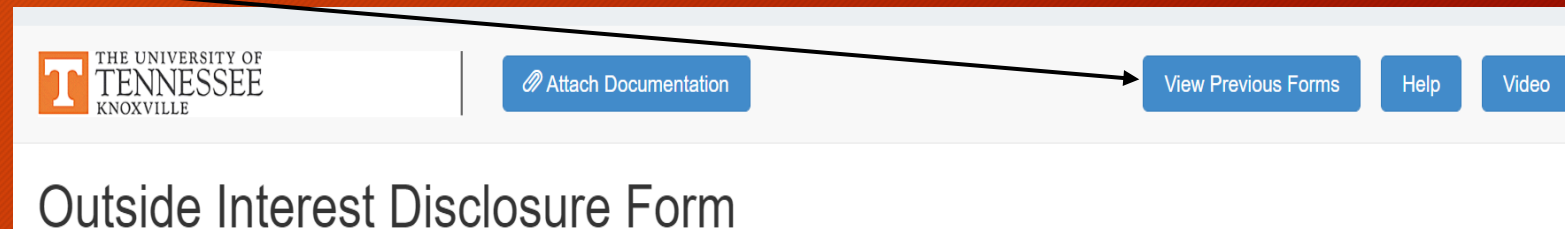
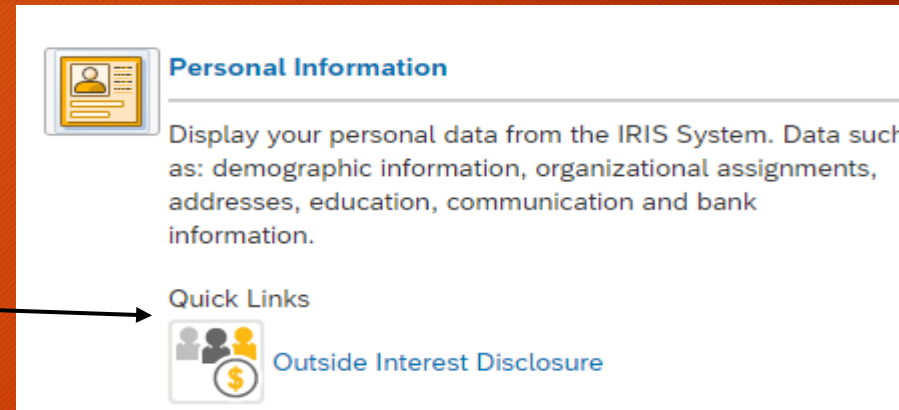
- ❖ Research, Innovation & Economic Development (ORIED) Website, <https://research.utk.edu/research-integrity/research-conflicts-of-interest-commitment/>
- ❖ DRA-Proposal Preparation & Submission (Formally, OSP) <https://research.utk.edu/research-administration/proposals/>
- ❖ UT Policy [GE0002](#) – Conflicts of Interest & Commitment
 - Guidance Documents for GE0002
- ❖ [Do I Disclose](#) & [What to Disclose](#)
- ❖ UTK Conflicts of Interest Website, Coi.utk.edu
- ❖ [Faculty Outside Consulting Activity](#)
- ❖ [Faculty Handbook](#)
- ❖ [HRO122 – Employment of University Employees by Other University Personnel](#)
- ❖ [HRO115 – Employment of Relatives](#)

Accessing Old Forms on IRIS Web



The link below will take you to the current form and allow access to previous forms.

- View the “Employee Self-Service” tab. Click Outside Interest Disclosure.
- When form opens, in right hand corner, choose “previous forms.”



<https://irisweb.tennessee.edu/irj/portal>

COI Contacts



Research and Financial/Org. COI Contacts:

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Survey: https://utk.co1.qualtrics.com/jfe/form/SV_8FTSb2vtxym951Y