Review Dates:

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**Approved By:**

**OSP Director/Designee Date**

**Conflict of Interest (COI)**

**PURPOSE, SCOPE, AND PRINCIPLE:**

The purpose of this Standard Operating Procedure (SOP) is to instruct Office of Sponsored Project (OSP) personnel with the handling of Conflicts of Interest (COI) and Intellectual Property (IP) regarding sponsored projects. This procedure applies to all Salt Lake Community College (SLCC) faculty, staff, and students who are involved with sponsored projects. OSP is responsible for COI and IP education and adherence related to sponsored projects. However, OSP works in coordination with other departments to support the enforcement of SLCC’s COI policies. Assurances on COI and IP will be maintained within Cayuse SP.

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**RESPONSIBILITIES:**

1. OSP
   1. Provide processes to report COI for sponsored projects as required by applicable regulations
   2. Provide training, formal or informal, on COI related to sponsored projects
   3. Provide reasonable infrastructure to protect against COI in sponsored projects
   4. Grant Officer supports the PI in completing the COI and IP required forms and follows-up as necessary
2. Project personnel (see definition below)
   1. Understand COI disclosure requirements for sponsored projects and how they relate to SLCC policy
   2. Identify potential COIs
   3. Report potential COIs to supervisors and OSP
   4. Instruct other project personnel to be knowledgeable about COI policy for sponsored projects
3. Human Resources
   1. Develop, maintain and oversee COI policy

**DOCUMENTS/RESOURCES NEEDED:**

Co-Principal Investigator (Co-PI) Assurance Form

Sponsored Projects Handbook

Cayuse SP

SP Proposal Administration Guide

SP Proposal User Guide

**DEFINITIONS:**

* **Conflict of Interest**:  Actual or potential conflicts arise when personal interests adversely affect SLCC employment responsibilities with regards to their involvement with sponsored projects or are not in compliance with federal regulations governing sponsored projects. These can include:
* Financial, professional or personal considerations that compromise, or have the appearance of compromising, an employee’s professional loyalty and responsibility to SLCC, or an employee’s professional judgment and ability to perform his or her duties and responsibilities to support SLCC’s best interests.
* An employee’s financial, professional or personal activities that compete (or have the appearance of competing) with SLCC or are of such nature that they would adversely impact the reputation, or mission, or the quality of services provided by SLCC to its stakeholders.
* An employee seeks to participate directly or indirectly in or influence directly or indirectly any employment or academic decision that involves a direct benefit or detriment to the employee or to a Close Relation of the employee. An employment or academic decision includes decisions relating to initial appointment or hire, retention, termination, promotion, compensation, benefits, leave of absence or decisions on admission, grades or academic advancement
  + Close Relation: spouses, domestic partners, and parents, children, siblings and each of their respective spouses or domestic partners. Having a family or other intimate relationship to an employee will not be a bar to equal opportunity in education or employment. At the same time, employees should take all reasonable steps to avoid a conflict of interest or the appearance of a conflict of interest in their SLCC sponsored project work that could arise from such a relationship.
* An employee’s distribution of effort between his/her College employment and his/her participation in an outside activity. Although participation in outside activities is encouraged, activities that interfere with the employee’s primary professional responsibility to the College create a conflict of commitment, which is a form of conflict of interest.
* **Project personnel**: All faculty, staff, and students employed or otherwise engaged by SLCC and working on sponsored projects. This policy continues to apply to employees while on sabbatical, other leaves or on vacation, while visiting other institutions, and while consulting with external entities.
* **Consulting**: Consulting includes only that outside activity which provides expert advice and/or counsel of a non-continuous nature.
* **Other Employment Activities**: Other employment activities such as after-hours employment by another firm, or operating a part-time business other than consulting, etc., with the exceptions of approved professional development.
* **College Business**: College business includes those activities conducted away from campus for purposes of the College, while receiving regular College pay.
* **Cayuse SP (SP):** electronic research administration software
* **SP Proposal Administration (PA) Guide:** Instructions for OSP on how to enter and maintain information in the Proposal Administration section of Cayuse SP
* **SP Proposal User (PU) Guide:** Instructions for PI’s and other project personnel on how to enter and maintain information in the Proposal section of Cayuse SP

**PROCEDURE:**

**For COI, all project personnel are obligated to the full extent of their employment contract with SLCC to be alert to the possibility that outside obligations, financial interests, employment, and certain family or intimate relationships can affect that contract. Therefore, all employees are responsible for determining whether they, or their Close Relations, have a potential or actual COI that is reportable under this procedure. Because no policy or procedure can anticipate the full range of outside relationships and activities that may give rise to COIs, employees must disclose any outside relationship or activity that may give the appearance of a conflict as soon as feasible after discovery of the potential or actual conflict.**

1. Grant Officer
   1. Assist the PI throughout the Cayuse SP application process
      1. Refer project personnel to the GATS training; ask them to complete it, if they haven’t already, before they finish the COI and IP portions of SP
      2. Assist the PI to complete both the COI and IP sections
         1. If there are Co-PI’s, each additional PI must fill out the OSP Co-PI Assurance Form.
   2. Review the completed COI and IP questions in Cayuse SP to determine if there are any conflicts or concerns
      1. For each question on which a PI or Co-PI has answered yes, the Grant Officer must review the question with the PI and take appropriate next steps (see A.5 for COI next steps; A.6 for IP)
   3. Review the Co-PI Assurance Form(s), if applicable, to determine if there are conflicts or concerns
   4. If OSP becomes aware of a COI or IP concern that was not indicated or reviewed in the COI and IP portions of Cayuse SP, the assigned Grant Officer will contact the PI and instruct them to disclose the COI and IP concerns per College Policy and this SOP.
   5. When a potential or actual COI is reported:
      1. Record details of the COI in Cayuse SP under Submission Notes; file any documentation of the COI outside of SP on the Proposal Attachments page
      2. Review COI policies for the sponsor or prime awardee; advise PI and others as appropriate
      3. Follow-up with the PI or others regarding the COI determination and action taken, if any; record this information on Submission Notes page
      4. Disclose in writing any potential or actual COI according to the applicable policy to the sponsor or prime awardee
   6. When potential for IP concern is reported:
      1. OSP will review the IP concern with the PI to determine if further steps need to be taken
      2. Disclose in writing any potential or actual IP concern according to the applicable policy to the sponsor or prime awardee within the electronic project file.
   7. **Note: OSP does not have sole jurisdiction to make COI or IP determinations. However, OSP must be made aware of such determinations to take appropriate actions as required by applicable sponsored projects COI regulations.**
2. Project personnel
   1. Complete required and other training/instruction on COI and IP as provided by OSP
   2. PI’s complete the COI and IP pages within Cayuse SP with the assistance of OSP; Co-PI’s complete the Co-PI Assurance Form
   3. Review activities to determine if a COI and/or IP concern exists
   4. If COI concern does exist, report potential or actual concern to supervisor and OSP personnel according to SLCC policy and this procedure
      1. File a full disclosure of the potential or actual conflict, in writing, to their supervisor with a copy to the associated Vice President and OSP. Refer to COI SLCC policy to assist with this process.
      2. With OSP, consult and follow the sponsor’s policies concerning COI
   5. If IP concern does exist, review the concern with OSP, to consider if further action is needed
      1. With OSP, consult and follow the sponsor’s policies concerning IP
3. Human Resources
4. Provide guidance on determining if a COI and/or IP exists and recommended actions to mitigate or eliminate the COI/IP, if a concern is reported

**REFERENCES:**

SLCC Policies and Procedures, c2s03-03, “Conflict of Interest”

Uniform Guidance, 2 CFR 200.112 “Conflict of Interest” <http://www.ecfr.gov/cgi-bin/text-idx?SID=a3e66303d8b9ebf18aca4229cf640538&mc=true&node=sp2.1.200.b&rgn=div6#se2.1.200_1112>