Conflict of Interest Policy

General Description

Policy Summary:
Conflicts of interest occur when employees are in a position to influence decisions on policy, purchases or research data where they may directly or indirectly receive financial benefit or give improper advantage to associates/family. Conflicts of commitment arise when employees are involved in outside activities that substantially interfere with their primary responsibility to the university. The term "employees" includes faculty (full time and part-time), staff (contract and classified), and visiting faculty and staff. Italized words are defined on the back of the "Conflict of Interest Disclosure Statement."

Trinity University expects all employees to exercise good judgement, professional commitment, and the highest ethical standards in their extramural activities if those activities can in any way affect the university. Every employee has an obligation to avoid any activity, agreement, business investment or interest, or other situation that could be construed to be in conflict with the university's interest or to interfere with the employee's duty to serve the university. Where existing outside interests contravene the policy, the employee will be permitted a reasonable period, not to exceed three months, to make adjustments. Research proposals are not to be submitted to grantor agencies until the university official responsible for sponsored research has been satisfied that the outside interest has been reduced/eliminated.

Exceptions:

1. Specific exceptions may be made by the Conflict of Interest Committee upon application in writing by the employee. Such exceptions shall be wholly discretionary and shall be adopted at such times and under such conditions as will serve the interests of the university.
2. The Conflict of Interest Committee is composed of four Vice Presidents or his/her designee. Each must be in attendance to consider the exception. Absentees will be considered negative votes. The President of the University will make the decision in case of a tie vote.
3. The Conflict of Interest Committee will determine whether an actual or potential conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by Trinity to manage, reduce or eliminate such conflict of interest.

Policy Content

It is the Policy of Trinity University that:

1. No employee shall have a direct or indirect interest in any business enterprise that is a competitor of the university or has dealings with the university as a supplier. An employee in a position to influence a university business decision for which he/she may receive
material benefit should disclose the nature of the conflict to his/her immediate supervisor, and, where possible remove himself/herself from involvement in the decision. If the individual(s) continue to participate in the decision process, discussion with supervisors and documentation of the potential conflict should be presented to the Conflict of Interest Committee.

2. No employee shall seek or receive, for personal or any other person's gain, any payment, whether for services or otherwise, loan (except from a bank), gift or discount of more than nominal value, or entertainment that goes beyond common courtesies usually associated with accepted business practice from any business enterprise that is a competitor of the university or has current or known prospective dealings with the university as a supplier or could benefit from your submission of research data.

3. No employee shall, for personal or any other person's gain, deprive the university of any opportunity for benefit that could be construed as related to any existing or reasonably anticipated future activity of the university.

4. No employee shall, for personal or any other person's gain, make use of or disclose confidential information learned as a result of employment by the university. Any information that has been acquired in connection with sponsored research by university members cannot be withheld from the sponsoring organization(s) for personal benefit.

5. No employee shall have any outside interest that materially interferes with the required time or attention that the employee must devote to the university. Employees should not undertake or orient activities to serve the needs of an outside organization at the expense of fulfilling the mission of the university.

6. Before considering outside employment or consulting activities, an employee should discuss with his/her appropriate supervisor potential conflicts of commitment or interest. Employees regularly involved in consulting activities from which they profit financially, are not in conflict as long as:
   1. University resources (laboratories, studios, equipment, computational facilities, and/or human resources) are not used more than incidentally without reimbursing the university.
   2. Such activities do not unduly interfere with the time and energy committed by the individuals to their primary responsibilities to the university. The allowable amount of time dedicated to consulting will be governed by the Consulting Policy.
   3. Such involvement does not inhibit the publication of research findings developed in the course of the individual's regular university activities.

7. The university actively encourages involvement in professional organizations, panels, advisory commissions, government, charitable and community organizations. However, such involvement should not become so dominant that university members no longer effectively satisfy their responsibilities to the university.

8. Faculty members must exercise prudence in directing students and supervised employees toward activities from which the faculty might financially benefit. If a potential conflict exists, faculty are encouraged to consult their department chair or dean for an independent evaluation of the activities' educational merits.
9. No employee shall act or be involved in any situation that potentially conflicts with the principle that this policy is intended to implement.

**Standards for Compliance**

1. Prohibitions of this policy should be construed broadly rather than narrowly. A conflict of interest may be deemed to exist even though it may not result in financial loss to the university, regardless of the motive of the employee involved.

2. Each investigator who is/will be responsible for the design, conduct or reporting of research or educational activities funded by federal monies will submit an annual disclosure statement to the official university sponsored project representative. Annual Disclosure Statements should be submitted between the first business day of January and the last business day of January. If a possible conflict of interest arises, the employee is encouraged to discuss the matter with the appropriate Vice President designated by the Conflict of Interest Committee to determine whether such a conflict in fact exists and, if so, how it may be resolved.

3. Significant financial interests of an investigator’s spouse and dependent children are required to be disclosed on the annual disclosure statement.

4. The Vice President or Dean of each division of the university shall be responsible for appropriate dissemination of this policy.

5. The official university sponsored project representative will be responsible for maintaining all documented actions taken by Trinity with respect to each confidential significant financial interest. Documentation retention is for 3 years after the completion of the grant.

6. The official university sponsored project representative must notify the appropriate funding authority within 60 days of becoming aware of a significant financial interest of a principal investigator that was not disclosed when the grant was approved. An investigator with a significant financial interest that was not disclosed or managed in accordance with the Department of Health and Human Services guidelines must disclose that financial interest in each public presentation of the results of the research concerning the evaluation of the safety or effectiveness of a drug, medical device or treatment.

7. All financial disclosures must be updated during the pendency of a research award, either on an annual basis, or as new reportable significant financial interests are obtained.

8. The official university sponsored project representative must notify the funding source if Trinity's Conflict of Interest Committee determines that it is unable to manage an actual or potential conflict of interest within 60 days after it is known.

9. If the failure of an employee to comply with this policy has biased the design, conduct, or reporting of federally funded research data

10. the official university sponsored project representative must promptly notify the grantor of the corrective action taken.
Performance Evaluation

Consequences of Policy Violation:

1. Reports and Investigation
2. The Conflict of Interest Committee shall have authority to direct the internal auditing department to investigate any suspected violation of this policy by any university member.
3. Violation of this policy may be grounds for disciplinary action. The university will make the final determination for disciplinary action. Many actions are available and may be taken in a fashion consistent and commensurate with the nature of the proven acts of misconduct. Examples include:
   - Probation
   - Suspension
   - Salary reduction
   - Rank reduction
   - Termination of employment
4. The Conflict of Interest Committee will inform the President in a timely manner (i.e. 24 business hours) of any decisions concerning an employee being asked to reduce or eliminate certain business interests.

Conflict of Interests Forms:

Part A
Part B
Part C

Requirements

Approvals:
VP for Finance and Administration

Terms and Definitions:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<td>Employees</td>
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## Attachments

- Conflict of Interest Form Part A
- Conflict of Interest Form Part B
- Conflict of Interest Form Part C

## Revision Management

### Revision History Log:

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<td>8/2/2019 2:14 PM</td>
<td>New document</td>
<td>Jennifer Gilmore Adamo</td>
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