

Conflicts of Interest and Commitment

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[Procedures, Applications, and Guidance Document \[PDF\]](#)

[FAQ - Conflicts of Interest and Commitment \[PDF\]](#)

[Consulting Tips \[PDF\]](#)

[Conflicts of Interest and Commitment website](#)

[COIC Department Management Plan for Consulting \(and other External Activities\)](#)

[COIC Policy Resources \(below\)](#)

[Procurement Services' Conflict of Interest Guidelines](#)

[Conflict of Interest Vendors/Employees, Procurement](#)

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Introduction

Iowa State University encourages active participation of university personnel in external activities that promote the university's mission, enhance professional skills, expand knowledge, and/or contribute to public service. At the same time, the university expects all employees to have an allegiance to the university and to conscientiously guard against possible adverse effects of their activities on the performance of their university duties and the reputation of the university. Possible adverse effects of these activities include, but are not limited to:

- Failure to make decisions objectively and in the best interests of the university
- Inappropriate use of university or state resources
- Insufficient time and attention dedicated to university duties to perform them satisfactorily

Activities or financial interests with the potential to lead to such adverse effects are termed "conflicts."

This policy provides a broad framework for understanding, disclosing and managing conflicts. Details of procedures for disclosing and managing specific types of conflicts are provided in the guidelines and policies linked at the end of this document. Included are guidelines related to:

- Financial conflicts of interest (financial interests in, management roles in and consulting for external entities, as well as ownership of patents, patent applications and royalty rights)
- Professional Activity Leave
- Service to government and professional associations

23 The [Resources](#) below include related policies dealing with conflicts of interest in procurement (conflict of interest
24 vendors), nepotism, and consenting relationships.

25 The failure to perform university duties in a satisfactory manner, whether or not substantially related to an
26 external activity or financial interest, is expected to be handled as a performance issue by the employee's
27 supervisor. In the case of performance issues arising from activities covered by a conflict policy or guideline,
28 performance management measures may be invoked in addition to any management required or recommended
29 by the policies and guidelines.

30 This policy complies with federal and state law and Board of Regent policies and rules regarding all forms of
31 conflicts. All covered employees are required to comply with Iowa Code Chapters 68B and 71, Iowa
32 Administrative Code Section 681, and the policies of the Board of Regents, State of Iowa. Covered employees
33 receiving sponsored funds must also comply with the policies of their sponsoring agencies. The university must
34 comply with federal circular OMB A110 which specifies that universities receiving federal funding must maintain a
35 written and enforced policy on conflict of interest.

36 See the [Resources](#) section below for related laws, policies, and rules.
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38 Policy Statement

39 Iowa State University requires the disclosure, review/approval, and management of external activities or financial
40 interests with the potential to interfere with one or more of the following:

- 41 • **Performance of Duties:** Covered employees are expected to devote sufficient time and attention to their
42 university duties to perform them conscientiously. An external activity with the potential to interfere with the
43 employee's university duties is known as a conflict of commitment.
- 44 • **Objectivity:** Covered employees are expected to be objective in the decisions they make while performing
45 their university responsibilities. Financial or other personal considerations with the potential to compromise
46 an employee's objectivity are known as conflicts of interest.
- 47 • **Appropriate Use of State Resources:** State law prohibits the use of state resources, including the
48 university name and trademarks, for personal benefit when such use is detrimental to the state or university.

49 All covered employees are required to comply with this policy and the [Procedures, Applications, and](#)
50 [Guidance](#) established for disclosure, approval, and management of conflicts of interest and commitment.
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52 Definitions

- 53 • **Conflict of Commitment:** An external activity with the potential to reduce the time and attention an
54 employee can devote to his/her university responsibilities, and thus negatively impact his/her performance of
55 assigned university duties, constitutes a "conflict of commitment."
- 56 • **Conflict of Interest:** Any external activity, significant financial interest or management role that has the
57 potential to negatively impact objectivity in the execution of university duties is a "conflict of interest."
- 58 • **Consulting:** The term "consulting" refers to professional services to a non-university entity that are not a part
59 of the employee's position responsibilities.
- 60 • **Covered Employee:** Covered employees, for the purposes of this policy, include all persons carrying out
61 duties, whether paid or unpaid, on behalf of the university. This definition includes full-time and part-time
62 faculty, Professional and Scientific staff, Merit staff*, contract employees, graduate assistants, and post
63 doctoral scholars.
 - 64 ○ Those persons designated as emeritus faculty who receive sponsored funding through the university and
65 those persons with uncompensated faculty rank, such as affiliates, collaborators, and visiting faculty are
66 considered covered employees.
 - 67 ○ Casual hourly employees are not considered covered employees.
 - 68 ○ The definition of employee is different for conflict of interest vendor and nepotism policies.
69 See [Resources](#) below.
- 70 • **External Activities:** For the purposes of this policy, "external activities" means service and/or organized
71 activities/employment which require a substantial and regular commitment of time, whether compensated or

72 not, for a non-university entity. This term excludes scholarly activities undertaken as a part of the employee's
73 position responsibilities.

- 74 • **Immediate Family Members:** For purposes of this policy, an "immediate family member" refers to spouse
75 and dependent children. Domestic partners shall be treated as spouses for purposes of this policy. The
76 definition is different in policies related to nepotism and purchasing.
- 77 • **Management Role:** Management role refers to a position in a non-university entity with oversight over or
78 responsibility for the entity's strategies and/or operations. Examples include director, scientific director, board
79 member, line officer, etc.
- 80 • **Non-University Entity:** The term "non-university entity" includes for-profit or not-for-profit entities outside of
81 the university, such as corporations, companies, partnerships, sole proprietorships, associations and
82 governmental entities (federal, state or local). The term excludes affiliated entities which act for the benefit of
83 the university (such as the Board of Regents, Alumni Association, ISU Research Foundation, ISU Foundation
84 or the like).
- 85 • **Professional Activity Leave:** Supervisor-approved leave granted to faculty and P&S staff for external
86 activity such as consulting.
- 87 • **Significant Financial Interest:** A "significant financial interest" is any financial interest that has the potential
88 to compromise an individual's objectivity. The dollar value that is considered "significant" for the purposes of
89 this policy is determined by the relevant federal or state law, or agency policy. See the [Procedures,](#)
90 [Applications, and Guidance](#) for dollar values specific to each situation. Significant financial interest includes,
91 but is not limited to:
 - 92 ○ Equity ownership or stock options. Excepted are equities held in retirement accounts or mutual funds.
 - 93 ○ Sole proprietor, partner, owner or member of a partnership or limited liability for-profit entity (includes
94 remuneration from private consulting activities).
 - 95 ○ Consulting substantially related to patented or patentable intellectual property in which the employee has
96 an interest.
 - 97 ○ Consulting for an entity that has a financial interest in or sponsors the employee's university scholarly
98 activities.
 - 99 ○ Ownership of, or rights held in, intellectual property or research materials (which may include rights to
100 receive royalties), the value of which may be affected by the outcome of the employee's university
101 activities. Excepted are intellectual property and research materials held by ISURF.
 - 102 ○ Any of the above applicable to the employee's spouse and/or dependent children

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104 **Disclosure of Conflicts**

105 It is the responsibility of every university employee covered by this policy to fully disclose the nature and degree
106 of conflicts of interest and conflicts of commitment, as defined above. (*Any disclosures made by Merit
107 employees are not made through the online disclosure system as described in the [Procedures, Applications, and](#)
108 [Guidance](#).) The disclosures must be made prior to initiating the activity, annually, and whenever the employee's
109 situation changes. The appropriate method of disclosure varies with the type of activity as described in
110 the [Procedures, Applications, and Guidance](#).

111 **Management Plans**

112 Management plans are required for external activities, significant financial interests and/or management roles
113 with the potential to impair an employee's ability to perform his/her university duties responsibly and with
114 integrity. The form and content of management plans vary depending on the nature of the financial interest or
115 management role and the presumed risks. For some activities, disclosure and approval by the supervisor may be
116 sufficient. Other activities require a written plan that describes the conflict; specifies the actions to be taken to
117 manage, reduce, or eliminate the conflict; and defines the effective period of the plan.

118 Specific guidelines for when and how to develop management plans are described in the [Procedures,](#)
119 [Applications, and Guidance](#). All written plans must be reviewed and updated no less than annually for as long as
120 the conflict exists.

122 **Disciplinary Actions**

123 Failure to comply with this policy may result in sanctions or disciplinary actions in accordance with the Iowa State
124 University misconduct policies and procedures.

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126 **Procedures, Applications, and Guidance**

127 The principles underlying disclosure and management, as described in this policy, are similar for a wide variety of
128 types of conflict. However, because of the diversity of applicable federal and state laws and rules and funding
129 agency policies, the precise mechanisms for disclosure and management vary depending on the type of conflict
130 and the applicable laws, rules and policies.

131 For guidelines on the application of this Conflicts of Interest and Commitment policy to various types of conflict,
132 see the online [Procedures, Applications, and Guidance](#) document. Included are:

133 ***General Application of the Conflict of Interest and Commitment Policy***

- 134 • Disclosures
- 135 • Review of Disclosures
- 136 • Retention of Disclosures
- 137 • Supervisory Responsibility
- 138 • Professional Activity Leave
- 139 • Use of Facilities

140 ***Application of the Conflict of Interest and Commitment Policy in Specific Situations***

- 141 • Management Role and/or Significant Financial Interest
- 142 • Consulting
- 143 • Service to Government and Associations
- 144 • Multiple Interests or Roles
- 145 • Other Outside Employment
- 146 • Special Conditions in Sponsored Agreements

147 See also the [Frequently Asked Questions](#).

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149 **Resources**

150 **Links**

- 151 • [Conflict of Interest website - Senior Vice President and Provost](#)
- 152 • [ISU Office of Research Integrity](#)
- 153 • [Procedures, Applications, and Guidance - Conflicts of Interest and Commitment \[PDF\]](#)
- 154 • [FAQ - Conflicts of Interest and Commitment \[PDF\]](#)
- 155 • [Conflict of Interest Vendors / Employees, Procurement \(ISU Policy\)](#)
- 156 • [Procurement Services' Conflicts of Interest Guidelines](#)
- 157 • [Extension COIC Policy \[PDF\]](#)
- 158 • [Nepotism: Employment and Supervision of Immediate Family Members \(§2.1.4.F, Regents Policy Manual\)](#)
- 159 • [Consenting Relationships \(ISU Policy\)](#)
- 160 • [Conflict of Interest – Duty of Loyalty \(§1.3, Regents Policy Manual\)](#)
- 161 • [DHHS Office of Research Integrity](#)
- 162 • [Government Ethics and Lobbying Act \(Iowa Code Chapter 68B\)](#)
- 163 • [COIC Department Management Plan for Consulting \(and other External Activities\) \[DOCX\]](#)

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