

1 Conflicts of Interest and Commitment

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5 Introduction

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

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

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

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

- 20 • Financial conflicts of interest (financial interests in, management roles in and consulting for
21 external entities, as well as ownership of patents, patent applications and royalty rights)

- 22 • Professional Activity Leave
- 23 • Service to government and professional associations

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

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

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

38 See the [Resources](#) section below for related laws, policies, and rules.
39

40 **Policy Statement**

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

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

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

56 **Definitions**

- 57 • **Conflict of Commitment:** An external activity with the potential to reduce the time and
58 attention an employee can devote to his/her university responsibilities, and thus negatively
59 impact his/her performance of assigned university duties, constitutes a "conflict of
60 commitment."

- 61 • **Conflict of Interest:** Any external activity, significant financial interest or management role
62 that has the potential to negatively impact objectivity in the execution of university duties is a
63 "conflict of interest."
- 64 • **Consulting:** The term "consulting" refers to professional services to a non-university entity
65 that are not a part of the employee's position responsibilities.
- 66 • **Covered Employee:** Covered employees, for the purposes of this policy, include all persons
67 carrying out duties, whether paid or unpaid, on behalf of the university. This definition
68 includes full-time and part-time faculty, professional and scientific staff, merit staff*, contract
69 employees, graduate assistants, and post doctoral scholars.
- 70 ○ Those persons designated as emeritus faculty who receive sponsored funding
71 through the university and those persons with uncompensated faculty rank, such as
72 affiliates, collaborators, and visiting faculty are considered covered employees.
- 73 ○ Casual hourly employees are not considered covered employees.
- 74 ○ The definition of employee is different for conflict of interest vendor and nepotism
75 policies. See [Resources](#) below.
- 76 • **External Activities:** For the purposes of this policy, "external activities" means service
77 and/or organized activities/employment which require a substantial and regular commitment
78 of time, whether compensated or not, for a non-university entity. This term excludes scholarly
79 activities undertaken as a part of the employee's position responsibilities.
- 80 • **Immediate Family Members:** For purposes of this policy, an "immediate family member"
81 refers to spouse and dependent children. Domestic partners shall be treated as spouses for
82 purposes of this policy. The definition is different in policies related to nepotism and
83 purchasing.
- 84 • **Management Role:** Management role refers to a position in a non-university entity with
85 oversight over or responsibility for the entity's strategies and/or operations. Examples include
86 director, scientific director, board member, line officer, etc.
- 87 • **Non-University Entity:** The term "non-university entity" includes for-profit or not-for-profit
88 entities outside of the university, such as corporations, companies, partnerships, sole
89 proprietorships, associations and governmental entities (federal, state or local). The term
90 excludes affiliated entities which act for the benefit of the university (such as the Board of
91 Regents, Alumni Association, ISU Research Foundation, ISU Foundation or the like).
- 92 • **Professional Activity Leave:** Supervisor-approved leave granted to faculty and P&S staff
93 for external activity such as consulting.
- 94 • **Significant Financial Interest:** A "significant financial interest" is any financial interest that
95 has the potential to compromise an individual's objectivity. The dollar value that is
96 considered "significant" for the purposes of this policy is determined by the relevant federal
97 or state law, or agency policy. See the [Procedures, Applications, and Guidance](#) for dollar
98 values specific to each situation. Significant financial interest includes, but is not limited to:
- 99 ○ Equity ownership or stock options. Excepted are equities held in retirement accounts
100 or mutual funds.
- 101 ○ Sole proprietor, partner, owner or member of a partnership or limited liability for-profit
102 entity (includes remuneration from private consulting activities).
- 103 ○ Consulting substantially related to patented or patentable intellectual property in
104 which the employee has an interest.
- 105 ○ Consulting for an entity that has a financial interest in or sponsors the employee's
106 university scholarly activities.
- 107

- 108 ○ Ownership of, or rights held in, intellectual property or research materials (which may
109 include rights to receive royalties), the value of which may be affected by the
110 outcome of the employee's university activities. Excepted are intellectual property
111 and research materials held by ISURF.
- 112 ○ Any of the above applicable to the employee's spouse and/or dependent children

113

114 **Disclosure of Conflicts**

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

122 **Management Plans**

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

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

133 **Disciplinary Actions**

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

136

137 **Procedures, Applications, and Guidance**

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

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

144

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

- 146 • Disclosures
- 147 • Review of Disclosures
- 148 • Retention of Disclosures
- 149 • Supervisory Responsibility
- 150 • Professional Activity Leave
- 151 • Use of Facilities

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

- 153 • Management Role and/or Significant Financial Interest
- 154 • Consulting
- 155 • Service to Government and Associations
- 156 • Multiple Interests or Roles
- 157 • Other Outside Employment
- 158 • Special Conditions in Sponsored Agreements

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

160 **Resources**

161 **Links**

- 162 • [Conflict of Interest website - Senior Vice President and Provost](#)
- 163 • [ISU Office of Research Integrity](#)
- 164 • [Procedures, Applications, and Guidance - Conflicts of Interest and Commitment \[PDF\]](#)
- 165 • [FAQ - Conflicts of Interest and Commitment \[PDF\]](#)
- 166 • [Conflict of Interest Vendors / Employees, Procurement \(ISU Policy\)](#)
- 167 • [Conflicts of Interest - Purchasing Department Guidelines](#)
- 168 • [Extension COIC Policy \[PDF\]](#)
- 169 • [Nepotism: Employment and Supervision of Immediate Family Members \(§4.11, Regents Policy Manual\)](#)
- 170
- 171 • [Consenting Relationships \(ISU Policy\)](#)
- 172 • [Conflict of Interest – Duty of Loyalty \(§4.40, Regents Policy Manual\)](#)
- 173 • [DHHS Office of Research Integrity](#)
- 174 • [Government Ethics and Lobbying Act \(Iowa Code Chapter 68B\)](#)