



Financial Conflict of Interest Related to Research Policy

Policy Number: 1.0.4

Version Number: 1

Classification: Conduct of Research

Effective Date: June 13, 2019

Responsible University Office: Conflict of Interest in Research Office

1.0 Purpose and Background

Clemson University has formulated the Clemson University Financial Conflict of Interest Related to Research Policy (fCOI) to identify and address real and apparent financial conflicts of interest in research with the goal of preventing personal interests and activities from adversely influencing Clemson operations. University researchers have an obligation to act in the best interest of the University and its mission and must not let outside activities or significant outside financial interests interfere with those obligations. This policy is intended to increase awareness of research personnel to the potential for conflicts of interest and to establish procedures whereby such conflicts may be avoided or properly managed. Principles and procedures, outlined in this policy, assure that University research personnel will report external commitments and financial interests in a timely manner and real and apparent conflicts will be identified and responsibly managed.

As a steward of public funds, Clemson has a responsibility to ensure that all its activities reflect the primary goals of education, scholarly inquiry, public service, and economic development. The public has endowed Clemson with certain privileges and entrusted it with resources in the expectation that no single party will derive sole benefit or be unjustly enriched from the public's investment in Clemson. The public should be confident that Clemson is a place of rigorous and open inquiry, unencumbered by potential conflicts of interest that could reasonably be considered to affect the sound judgment of Clemson research personnel.

Clemson, as a contemporary, public research university, has a responsibility to actively participate and promote education, research, and economic development, even if conflicts of interest are more likely and many times unavoidable. Conflicts of interest, therefore, may arise from ordinary and appropriate activities as a part of assigned employment duties so the existence of a conflict should not imply wrongdoing. When conflicts of interest do arise, however, they must be recognized and disclosed, then eliminated or appropriately managed. Clemson's Board of Trustees has a duty to govern in a manner such that conflicts are appropriately reviewed and acted on to maintain public confidence in the integrity of our institution.

2.0 Applicability

This policy applies to all Clemson University research personnel. For the purpose of this policy, research personnel refers to the following: tenure/tenure track faculty, research faculty, research associates, post-doctoral research fellows, and others identified at the time of proposal submission as having potential for a conflict of interest related to a research activity that involves their University responsibilities. This includes all full-time, part-time, regular FTE, temporary, and contract research personnel and others acting on Clemson's behalf in the performance of University-related research.

3.0 Government Rules and Regulations

This policy promotes compliance with all applicable federal and state laws, regulations, and policies regarding conflicts of interest. Nothing in this policy shall be construed to permit, even with disclosure, any activity that is prohibited by law.

South Carolina Ethics Act: The S.C. Ethics Act, S.C. Code § 8-13-100 et seq, regulates the outside interests and commitments of Clemson employees that may create conflicts of interest between the employee and the University. This policy is implemented in addition to all requirements of the S.C. Ethics Act and does not supersede it.

Public Health Service (PHS)/National Institutes of Health (NIH) Funded Research: Clemson research personnel who seek to conduct federally-funded research (including PHS/NIH funding) or are funded by a federal agency are subject to the federal policy governing that agency's fCOI policy in addition to the Clemson University Financial Conflict of Interest (fCOI) Related to Research Policy. Any conflict of interest subject to the Financial Conflict of Interest Related to Research Policy shall be reviewed and managed pursuant to the requirements of the applicable federal agency's policy.

Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards: This policy is intended to comply with the requirements of 2 CFR 200.318 as applicable to Clemson University.

Conflicts of Interest in Human Subjects Research: Conflicts of interest related to research involving human subjects pose special concerns. The University and its researchers have ethical obligations to honor the rights and protect the safety of persons who participate in research conducted at the University. Financial interests held by those conducting the research may compromise the fulfillment of those ethical obligations and the well-being of the research subjects, as well as the integrity of the related research. Accordingly, any person with an unmanaged COI is prohibited from participating in the conduct of such research. In addition, research involving human subjects where there is a financial conflict

of interest may only go forward if the design and circumstances of the human subjects research are such that they serve to protect both the human subjects and the objectivity of the data obtained.

Institutional Review Board (IRB) Review: If a protocol-related external commitment or financial interest is identified in a protocol application, the IRB may not approve the protocol until the COIC has completed a review of the disclosure and any necessary management plan has been approved and implemented. The IRB has the authority to recommend, as a condition of the protocol approval, adding human participant protection measures to an approved management plan, but does not have the authority to delete other items approved by the COIC.

4.0 Principles ***Objectivity and integrity in decision-making:*** Clemson University's research personnel are obligated to make decisions that are in the best interest of the institution, free from any conflict that might place personal interests ahead of the public interest.

Fulfillment of obligations to students: The student-faculty relationship lies at the heart of the academic enterprise. Insulating that relationship from inappropriate pressures is vital to the educational welfare of individual students and to the quality of teaching that the institution provides.

Transparency in relationships with external communities: Activities with outside enterprises and other economic activities of the University itself should be conducted so as to maintain public confidence in the University as an institution committed to the pursuit of truth and advancement of knowledge.

Commitment to oversight and management: The University's leadership and administration must be aware of and deal appropriately with potential conflict of interest situations, both real and perceived, which may arise in connection with outside professional activities. All Clemson University research personnel are obligated to disclose any interests that may be determined by the Conflict of Interest Committee (COIC) as potential conflicts and the University is then responsible for providing a conflict of interest management process that protects the interests of research personnel, the University and the public.

All research personnel are required to disclose, as the situation arises and at least on an annual basis, professional and relevant personal activities and relationships that create a conflict of interest or that have the appearance of creating a conflict of interest. For all positive disclosures, a plan to manage, mitigate or eliminate the conflict will be developed and approved.

6.0 Responsibilities

The Executive Vice President for Academic Affairs and Provost is responsible for overseeing the implementation of this Policy. Day-to-day responsibility for such implementation is delegated through the Vice President for Research to the Conflict of Interest Office. The Conflict of Interest Office will coordinate with the Conflict of Interest Committee (COIC) to manage policy issues and maintain relevant records.

Training and Disclosure

All research personnel are required to complete conflict of interest training within six months of onboarding as a new Clemson employee and as part of the required annual disclosure process.

Reporting Suspected Conflicts of Others

Members of the University community who become aware of any undocumented conflict of interest subject to this policy, not just their own, should report it through the University's Ethics/Safety Line. Supervisors who become aware of undisclosed conflicts of interest subject to this policy should instruct the personnel to immediately disclose. Any failure to disclose in a timely fashion should be reported to the COIC.

Conflict of Interest Committee

The Conflict of Interest Committee (COIC) serves as a University resource with respect to matters involving conflicts of interest and commitment related to research personnel. Committee members must sign a non-disclosure agreement at term beginning and are expected to establish processes and procedures of operation consistent with this policy. The COIC serves as the appeals body for conflict of interest situations that are not able to be resolved. The decision of the COIC is final and cannot be appealed by the conflicted employee to a higher level within the University.

7.0 Sanctions for Non-Compliance

Research personnel who violate this policy are subject to disciplinary action, up to and including termination. In addition, to the extent the conduct or omission also violates the S.C. Ethics Act, the violation may be reported to the S.C. Ethics Commission and/or prosecuted as a criminal matter subject to imprisonment and fines as set forth more specifically in the S.C. Ethics Act, S.C. Code § 8-13-100, et seq.

8.0 Approval Signatures

This policy has been approved by:



Tanju Karanfil
Vice President for Research

06/13/2019
Date

REVISION HISTORY		
EFFECTIVE DATE	REVISION NUMBER	MODIFICATION
June 2018		
June 13, 2019	1	Reformat of policy