



**RESEARCH POLICY 7 (RP-7) (FORMER RP/TAP-33)
CONFLICTS OF INTEREST IN GRANTS AND AWARDS**

1. Introduction

Duquesne University, in ensuring the integrity of the institution and its employees, sets forth procedures and guidelines to be followed by all employees in resolving actual and potential Conflicts of Significant Financial Interests pertaining to sponsored grants and awards funded by:

1. Foundation, commercial, and other non-profit sponsors.
2. Federal and other government agencies having specific Conflicts of Interest requirements.
3. Purchase orders and subcontracts issued or received by Duquesne University for such projects.

2. Policy Statement

This Research Policy specifically addresses Conflicts of Significant Financial Interests, which are situations in which recipients of sponsored grants or awards may have the opportunity to influence the University’s business decisions in ways that could lead to personal gain or give improper advantage to themselves, co-recipients, or a member/members of their family. Such conflicts could affect the design, conduct, or reporting of research results.

3. Policy Scope

This Policy applies to all University employees who are engaged in submitting, receiving, and administering sponsored grants and awards; this extends to family members, as well.

4. Definitions of Terms

Significant Financial Interest	A monetary value, including, but not limited to, salary or other payments for services (e.g. consulting fees or honoraria); equity interests (e.g. stocks, stock options, or other ownership interests); and intellectual property rights (e.g. patents, copyrights, royalties from such rights).
Family Member of an Individual	Includes their spouse, ancestors, brothers and sisters (whether whole or half-blood), children (whether natural or adopted), grandchildren, great grandchildren, and spouses of brothers, sisters, children, grandchildren, and great grandchildren.

5. Responsibilities

When the University engages in or intends to engage in a sponsored grant or award with a sponsoring entity, or has subcontracted or intends to subcontract with a sponsoring entity under a sponsored grant or award, a Conflict of Significant Financial Interest may occur when there is an affiliation with the sponsoring entity that meets any of the following criteria:

1. The recipient/proposed recipient of the sponsored grant or award is an officer, director, partner, trustee, employee, advisory board member, consultant or agent of the sponsoring entity either funding a sponsored grant or award or providing goods and services under a sponsored grant or award on which the recipient/proposed recipient is participating in any capacity.
2. The recipient/proposed recipient is the actual beneficial owner of more than five percent (5%) of the voting stock or controlling interest in such organization or corporation or would receive such voting stock or controlling interest in the organization or corporation as part of the grant or sponsor award.
3. The recipient/proposed recipient has dealings with such organization or corporation from which the recipient/proposed recipient derives income of more than \$10,000 per year, exclusive of dividends and interest or would derive such income as part of the sponsored grant or award.
4. The recipient/proposed recipient, or the co-recipient/proposed co-recipient has relationships with such sponsoring entity that might influence the University's dealings in ways leading to personal gain or improper advantage for a member or members of the recipient/proposed recipient or the co-recipient/proposed co-recipient's family.
5. The recipient/proposed recipient or the co-recipient/proposed co-recipient intends to use for personal profit unpublished information emanating from sponsored agreements or confidential University sources, or intends to assist the sponsoring entity by giving it exclusive access to such information, or intends to provide consulting services for the sponsoring entity that impose obligations upon the recipient/proposed recipient or the co-recipient/proposed co-recipient that conflict with the University's patents and intellectual property policies or the University's obligations under sponsored grant or award agreements.
6. A member or members of the recipient/proposed recipient or the co-recipient/proposed co-recipient's family meet any of the criteria stated in 1-5 above.

Each recipient/proposed recipient and co-recipient/proposed co-recipient participating in a sponsored grant or award covered by this Research Policy must disclose whether or not such recipient/proposed recipient or co-recipient/proposed co-recipient has external affiliations that may constitute a conflict as described above.

6. Procedures

Disclosure is executed by completing the appropriate section of the required Proposal Approval Form that is submitted for institutional approval. Negative disclosures will be filed in the Office of Research and Innovation, with no further review required. For positive disclosures, a Disclosure Statement Form (Attachment A) must be submitted initially to the Office of Research and Innovation and updated whenever new financial interests are secured or as the sponsoring entity guidelines require. Positive disclosure forms will be reviewed by a Conflict Review Committee consisting of a representative of the General Counsel, the Senior Director of Sponsored Research (Chair), and one faculty representative. The review must be completed prior to the University's acceptance of the sponsored grant or award or issuance of purchase orders or subcontracts for the acquisition of goods and services.

6.1. Procedures – Review

In reviewing positive disclosures, the Conflict Review Committee will:

1. Assure adherence to relevant federal and state law and University policies as contained in the Faculty Handbook, the University TAPs and other policies, University Executive Resolutions, and all applicable Research Policies.
2. Consider the nature and extent of the financial interests in the relationship of the recipient/proposed recipient, co-recipient/proposed co-recipient, or a member or members of their family and the sponsoring entity.
3. Give special consideration to the terms and conditions of sponsored grant or award agreements that may mitigate or complicate the given situation.
4. Consult with and obtain additional information from the recipient/proposed recipient or co-recipient/proposed co-recipient as either the Conflict Review Committee or the recipient/proposed or co-recipient/proposed co-recipient may feel helpful in resolving actual or potential conflicts.
5. Act in a timely manner so as not to delay unduly the conduct of a sponsored grant or award.
6. Identify possible actions the University might take to ensure that conflicting financial interests will be appropriately managed, reduced, or eliminated.

6.2. Procedures – Management

If, after disclosure, the Conflict Review Committee determines that no conflict exists, the University may accept the sponsored grant or award. However, if after disclosure, the Conflict Review Committee determines that a conflict exists, the University, through the Executive Vice President and Provost, may take one of the following actions:

1. Not accept the sponsored grant or award.
2. Accept the sponsored grant or award subject to suitable modifications in the award document or in the recipient/proposed recipient, co-recipient/proposed co-recipient, or their family member's/members' affiliation with the sponsoring entity involved. Such modifications might include:
 - a. Making public disclosure of the financial interests.
 - b. Review of data and research results by inhouse independent reviewers identified by the committee and the recipient(s).
 - c. Modification of the research plan.
 - d. Disqualification from participation in a portion of the research.
 - e. Divestiture of significant financial interests.
 - f. Severance of relationships that create actual or potential conflicts.

When appropriate, a conflict of interest management plan will be prepared and implemented by the Conflict Review Committee in consultation with the Executive Vice President and Provost and the University member who has the conflict. The University member must acknowledge, sign, and abide by any such conflict of interest management plan. The department chair or person holding an equivalent supervisory position is responsible for overseeing compliance with the management plans. The Conflict of Interest Committee, with the assistance of the Office of Research and Innovation, will report the management plan to federal agencies and other funding sources as required.

Violations of this Research Policy, such as willful concealment of financial interests, or failure to comply with agreed upon modifications to manage, reduce or eliminate financial interests, may result in sanctions being imposed upon the violating individual(s) in accordance with appropriate University policy.

If the recipient/proposed recipient or co-recipient(s)/proposed co-recipient(s) are dissatisfied with the Conflict Review Committee's findings, they may appeal to the President of the University, or his/her designee, who will consult with the applicant and the Conflict Review Committee as deemed necessary and appropriate to the particular circumstance. The decision of the President or his/her designee upon appeal shall be final.

The Office of Research and Innovation shall maintain records pertaining to each disclosure. Access to such records will be limited to the recipient(s), the Conflict Review Committee, the Executive Vice President and Provost, the President (or his/her designee) and others who have a need to know. Certain sponsoring entities, particularly federal agencies, may have requirements that differ from this Research Policy with regard to the timing and frequency of disclosures and other conflict considerations as well. In the case of such discrepancies, the sponsor entity's requirements will generally prevail. Additionally, an

annual disclosure statement regarding Conflicts of Financial Interests is distributed by the Controller’s Office and must be completed by all active recipients.

7. Exceptions

Exceptions to this Research policy and procedures require approval from the Vice Provost for Research and normally will be made with the agreement of those involved in the Conflict Review Committee and any others involved in the resolution of the conflict.

8. Related Documents

This Research Policy works in conjunction with the following Research and University Policies, which are fully applicable. To the extent there is any conflict between this Research Policy and any of the Research or University Policies listed below, the University retains the sole discretion to determine which takes precedent.

Research Policy/TAP	Title	Web Address
RP-1	Procedure for Submitting External Sponsored Grants and Awards	https://www.duq.edu/research/research-conduct
RP-2	The Use of Human Subjects in Research	https://www.duq.edu/research/research-conduct
RP-3	Effort Reporting on Sponsored Grants and Awards	https://www.duq.edu/research/research-conduct
RP-4	Faculty Research Proposals to Governmental, Corporate, Foundation and Private Sources	https://www.duq.edu/research/research-conduct
RP-5	Intellectual Property	https://www.duq.edu/research/research-conduct
RP-6	Research Integrity	https://www.duq.edu/research/research-conduct
RP-8	Research Agreements and Private Business Use	https://www.duq.edu/research/research-conduct
TAP-33	Conflict of Interest	https://www.duq.edu/work-at-du/human-resources-home/the-administrative-policies-(taps)/33-conflict-of-interest
TAP-46	Commercial Entities—Faculty, Staff and Student Participation	https://www.duq.edu/work-at-du/human-resources-home/the-

		administrative-policies-(taps)/46-commercial-entities%E2%80%94faculty-staff-and-student-participation
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9. Contacts

Office	Telephone Number	Email Address and/or URL
Office of Research and Innovation	412-396-6326	duq.edu/research ORI@duq.edu

Web Address for this Research Policy: <https://www.duq.edu/research/research-conduct>

10. Effective Date and Revision History

This Research Policy is subject to periodic review and update by the Office of the Provost and the Vice Provost for Research.

09/30/22 (Previous revision was 03/2014)

Internal ID #

**DUQUESNE UNIVERSITY – ATTACHMENT A
DISCLOSURE STATEMENT REGARDING
CONFLICTS OF FINANCIAL INTERESTS**

Applicant		
Title		
Department		
Co-Applicants		
Project Title		
Dates	Start	End
Funding Agency		

1. Are you or your family member(s) an officer, director, partner, trustee, employee, advisory board member, or agent of the sponsoring entity funding this sponsored grant or award or of any organization from which goods and services will be obtained under the sponsored grant or award?

_____ Yes (If so, describe in detail the nature and extent of the affiliation on an attached sheet.)

_____ No

2. Are you or your family member(s) the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of the sponsoring entity funding this sponsored grant or award or any external organization from which goods and services will be obtained under this sponsored project?

_____ Yes (If so, describe in detail the nature and extent of the affiliation on an attached sheet.)

_____ No

3. Have you or your family member(s) derived income within the past year or do you or any family member anticipate deriving income exceeding \$10,000 per year from the sponsoring entity funding this sponsored grant or award or any external organization from which goods and services will be obtained under this sponsored project?

Yes (If so, describe in detail the nature and extent of the affiliation on an attached sheet.)

No

4. Are there other situations, not listed above, that you believe may create an actual or potential conflict of interest?

Yes (Describe in detail the nature and extent of the conflict on an attached sheet.)

No

Certification:

I have read and understand the Duquesne University Conflicts of Interests Policy Pertaining to Grants and Sponsored Research Projects; have made all financial disclosures required; and will comply with any conditions or restrictions imposed to manage, reduce or eliminate actual or potential conflicts of interest.

Signature of Applicant: _____ Date:

Signature of Co-Applicants: _____ Date:

_____ Date: