I. Background

IIT has had a long-standing policy of requiring faculty members and staff conducting research to disclose certain financial interests. The purpose of this disclosure has been to identify and avoid conflicts of interest, actual or apparent. In addition, IIT has required similar disclosure from certain administrators. The university has determined that fairness and sound business practices dictate that this policy now apply to (i) all faculty members, including Investigators, as defined in III.A below, and (ii) all university Administrators, as defined in III.B below, having budgetary or financial responsibility.

This policy’s provisions respecting conflicts of interest are intended to comply with regulations issued by the National Science Foundation (NSF) and the Public Health Service (PHS). With this policy, the university meets its obligations under these regulations to:

- develop, enforce and certify to PHS and NSF a policy to ensure that PHS- or NSF-funded research is not biased by investigators' conflicts of interest;
- inform potential investigators of this policy and of their responsibilities under it;
- designate institutional administrators to solicit and review financial disclosure statements from each investigator planning to participate in NSF- or PHS-funded research;
- provide designated administrators with guidelines for identifying conflicts of interest and taking action to manage, reduce, or eliminate conflicts; and,
- maintain records for at least three years (from the date the final grant expenditures report is submitted) of all financial disclosures and all actions taken by the university.

In addition to addressing issues related to conflicts of interest, this policy also seeks to ensure that Administrators and faculty members, as employees of IIT, fulfill their commitments to IIT.

II. Conflict of Interest

With respect to an Investigator, a “conflict of interest” exists when his or her personal or private interests are such that they reasonably could lead an independent observer to question whether his or her professional actions, judgments or decisions related to the research for which he or she has received an award are or could be determined or influenced by considerations of a significant financial interest, as defined below. With respect to Other Disclosers as defined in III.B below, a “conflict of interest” exists when his or her personal or private interests are such that they reasonably could lead an
independent observer to question whether his or her professional actions, judgments or decisions related to decisions taken on behalf of the university are or could be determined or influenced by considerations of a significant financial interest, as defined below.

III. Investigator / Administrator/Faculty Member Disclosure

A. Prior to the expenditure of any funds from an award to conduct or undertake research, an Investigator must disclose significant financial interests that create, may create or may be perceived to create a conflict of interest. The Investigator must update this information annually and as new such interests are obtained during the life of the award. For purposes of this policy, “Investigator” is defined as a principal investigator, coprincipal investigator or any other person who is responsible for the design, conduct or reporting of the sponsored project or of any related agreement. Disclosures are to be made on the attached Disclosure Form.

B. An Administrator and a non-Investigator faculty member (collectively, referred to as “Other Disclosers”) must annually disclose, and must update this information as new such interests are obtained during the course of the year, significant financial interests that create, may create or be perceived to create a conflict of interest. “Administrators” are those defined by university policy as having budgetary or financial responsibility. Disclosures are to be made on the attached Disclosure Form.

C. In making disclosures pursuant to this policy, Investigators and Other Disclosers must also report any significant financial interests of their spouses and/or dependent children that create, may create or may be perceived to create a conflict of interest.

IV. Significant Financial Interest

The term “significant financial interest” means anything of 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 and royalties from such rights). The term does not include:

1. salary, royalties or other remuneration from IIT;
2. income from seminars, lectures or teaching engagements sponsored by public or nonprofit entities;
3. income from service on advisory committees or review panels for public or nonprofit entities;
4. an equity interest that, when aggregated for the discloser and the discloser's spouse and dependent children, meets both of the following tests: does not (i) exceed $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and (ii) represent more than a 5% ownership interest in any single entity; or
5. salary, royalties or other payments that when aggregated for the discloser and the discloser's spouse and dependent children, are not reasonably expected to exceed $10,000 during the next twelve-month period.
V. Institutional Certification

For Investigators, certification, as necessary and required, will be performed by the Vice Provost for Research, after consultation with the General Counsel’s Office, and will be based on information provided by the Investigator on the attached Disclosure Form. The Vice Provost for Research and the General Counsel, or their respective designees, will review disclosures, assess their potential for conflicts of interest and develop resolution strategies with the Investigator to manage, reduce or eliminate such conflicts.

VI. Resolution Plan

For Investigators, if a conflict of interest is determined to exist, a resolution plan must be developed with the principal investigator and implemented prior to award. The resolution plan must be in writing and approved by the Vice Provost for Research, after consultation with the General Counsel’s Office. For Other Disclosers, if a conflict of interest is determined to exist, a written resolution plan must be approved by the Chief Financial Officer, except that for the Chief Financial Officer and the Provost, if a conflict of interest is determined to exist, a written resolution plan must be approved by the President.

Elements of a resolution plan may include but are not limited to:

- For Investigators, public disclosure to the funding agency or source of the significant financial interest and, if applicable, a waiver of the conflict from the funding agency or source; and for Other Disclosers, disclosure to his or her supervisor of the significant financial interest and, if applicable, a waiver of the conflict from the supervisor;
- monitoring of research by independent reviewers;
- modification of the research plan;
- disqualification from participation in the portion of the project or the decision-making process that is affected by the significant financial interest;
- divestiture of the significant financial interest; or
- severance of the relationship creating the actual or potential conflict of interest.

VII. Enforcement Mechanisms and Sanctions

For Investigators and non-Investigator faculty members, potential violations of a Conflict of Interest Resolution Plan shall be handled by the Provost, who will establish and enforce appropriate sanctions based on the specific conduct of the individual failing to follow the approved Resolution Plan. For Administrators, potential violations of a Conflict of Interest Resolution Plan shall be handled by the Chief Financial Officer, except that for the Chief Financial Officer and the Provost, potential violations of a Conflict of Interest Resolution Plan shall be handled by the President, who will establish and enforce appropriate sanctions based on the specific conduct of the individual failing to follow the approved Resolution Plan.
VIII. Reporting

For Investigators only, the General Counsel will inform NSF’s Office of the General Counsel if IIT is unable to satisfactorily manage a conflict of interest. In the case of PHS, the General Counsel will notify the PHS Awarding Component of the corrective action taken or to be taken if the failure of an Investigator to comply with this policy has biased the design, conduct or reporting of the PHS-funded research. The General Counsel will notify other agencies or offices as necessary and required by their applicable regulations or policies.

IX. Documentation and Record Maintenance

For Investigators, the Vice Provost for Research and General Counsel will establish a reasonable system to maintain the records of all financial disclosures and of all actions taken to resolve conflicts of interest for at least three years beyond the termination or completion of the grant to which they relate or until the resolution of any federal or other action involving those records, whichever is longer.

For Other Disclosers, the General Counsel will establish a reasonable system to maintain the records of all financial disclosures and of all actions taken to resolve conflicts of interest for at least three years thereafter.

X. Conflict of Commitment

All faculty members and administrators employed on a full-time basis owe their primary professional allegiance to IIT, and their primary commitment of time and intellectual energy should be to their IIT-related duties. Whenever an individual's outside activities interfere with his or her professional obligations to IIT, a “conflict of commitment” exists.

In the case of faculty members and administrators employed on a part-time basis, this general principle applies to the extent of their employment. Faculty members and administrators employed on less than a full-time basis may engage in consulting relationships and other employment to the degree that those activities do not interfere with their obligations to IIT.

The following points relate to conflicts of commitment:

1. With respect to faculty members, under no circumstances may their outside consulting work, or other business activities, exceed the limits imposed by the Faculty Handbook. With respect to administrators without faculty appointments, under no circumstances may they undertake outside consulting activities without the express permission of their supervisor. Neither faculty members nor administrators may use university resources, including facilities, personnel, equipment or confidential information, except in a purely incidental way, in connection with outside consulting activities or for any other purposes unrelated to the mission of the university. This does not exclude the formation of formal relationships between faculty and the university for the utilization of university resources as related to entrepreneurial activities.

2. Faculty members and administrators must maintain a significant presence on campus, or at other university-designated locations, throughout each semester in which they are employed by IIT, consistent with the scope of their employment.
3. Neither faculty members nor administrators should allow other professional activities to detract from their primary allegiance to IIT. For example, no faculty member or administrator should usurp a business opportunity that could belong to IIT including, without limitation, a sponsored research project.
Illinois Institute of Technology
Conflict of Interest and Conflict of Commitment Policy
Disclosure Form

All administrators and faculty members, including investigators, as these positions are defined in the IIT Conflict of Interest and Conflict of Commitment Policy, must complete a Disclosure Form. In brief, disclosure is required as follows:

An administrator and non-investigator faculty member must annually disclose significant financial interests, as defined in the policy, that create, may create or be perceived to create a conflict of interest. He or she must also update this information as new interests are obtained during the course of the year.

An investigator must disclose, prior to the expenditure of any funds from an award to conduct or undertake research, significant financial interests, as defined in the policy, that create, may create or may be perceived to create a conflict of interest. He or she and must also update this information annually and as new interests are obtained during the life of the award.

With respect to an investigator, a “conflict of interest” exists when his or her personal or private interests are such that they reasonably could lead an independent observer to question whether his or her professional actions, judgments or decisions related to the research for which he or she has received an award are or could be determined or influenced by considerations of a significant financial interest. With respect to all others, a “conflict of interest” exists when his or her personal or private interests are such that they reasonably could lead an independent observer to question whether his or her professional actions, judgments or decisions related to decisions taken on behalf of the university are or could be determined or influenced by considerations of a significant financial interest.

Based on the foregoing, please answer each question below, sign the form and return it to the Office of the General Counsel, Perlstein Hall, Room 224. If further information is required to complete any conflict analysis, the General Counsel's Office will contact you.

When completing this Form, please note that “I” includes you, your spouse and dependent children. All amounts referred to are in the aggregate. For example, if you have one arrangement with an entity for a medical advisory board position for $5,000 and your spouse has an arrangement with the same entity as part of a speaker's bureau for $7,000, the aggregate amount is $12,000, and these arrangements should be reported.

Administrators and faculty members, including investigators, should refer to the IIT Conflict of Interest and Conflict of Commitment Policy when completing this Form.
DISCLOSURE FORM

1. I have received payments (e.g., salary, honoraria, consulting fees, royalty payments and/or other such remuneration) that qualify as a significant financial interest over the past 12 months or expect to receive such payments that may qualify as a significant financial interest over the next 12 months that create, may create or may be perceived to create a conflict of interest.
   ☐ No.
   ☐ Yes. Please specify:

2. I have an equity interest (e.g., stock, stock options or other ownership interests) in an entity which is valued at more than $10,000 or equals more than 5% of the entity, as determined through reference to public prices or other reasonable measures of fair market value, which creates, may create or may be perceived to create a conflict of interest.
   ☐ No.
   ☐ Yes. Please specify, including how fair market value was determined:

3. I am a director, trustee or officer of a non-IIT affiliated entity, which creates, may create or may be perceived to create a conflict of interest.
   ☐ No.
   ☐ Yes. Please specify:

Attach additional sheets of paper as needed.

I hereby certify that I have received and have had an opportunity to review the IIT Conflict of Interest and Conflict of Commitment Policy, that I understand my obligations under this policy and that the above information is true and accurate as of the date hereof.

Signed: ________________________________

Printed Name: ________________________________

Date: ________________________________