



## Research Integrity Office Conflicts of Interest Guidance

Questions? Email: [COI@uncw.edu](mailto:COI@uncw.edu)

### Guidance to Determine Status of Disclosures Showing *Potential Conflicts of Interest*

[UNCW Policy 03.230 Conflict of Interest or Commitment](#) assigns responsibility to supervisors for review and monitoring of activities related to potential conflict of interest and commitment. (Section III.C.1.b)

#### Reviewing Disclosures that Indicate a Potential Conflict of Interest

**Step 1: Determine which category below is the best fit for the activity listed. (The following categories are based on Section V of the [Conflict of Interest or Commitment Policy](#).)**

➤ **Category A** - Activities that are allowable when disclosed

The examples cited below involve activities that may present the *appearance* of a conflict of interest and thus may prompt questions from students and the community.

1. A subject employee receiving royalties from the publication of books or for the licensure of patented inventions subject to the [UNC Patent and Copyright Policies](#).
2. A subject employee receiving compensation in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on scientific review panels, presentation of scholarly works, and participation in accreditation reviews.
3. A subject employee or his/her immediate family member serving on the board of directors or scientific advisory board of an enterprise that is engaged in an area related to the employee's administrative, research, supervisory, instructional, operational, or financial responsibilities at the university.

➤ **Category B** - Activities requiring disclosure for further administrative review and analysis

The examples cited below suggest a possibility of conflicting interests that can impair objectivity, but disclosure and resulting analysis of relationships may render the activity permissible. Supervisors may decide that situations similar to some of these examples warrant the creation of a conflict management plan, which can be either informal in nature (such as a simple written agreement between the subject employee and supervisor) or formal (such as a plan developed in coordination with the Research Integrity Office and Office of General Counsel, approved by the subject employee, supervisor, and associate provost for research).

1. A subject employee requiring students to purchase the textbook or related instructional materials of the employee or members of his/her immediate family, which produces compensation for the employee or family member.
2. A subject employee receiving compensation or gratuities from any individual or entity doing business with the university. Note that no university employee may seek or receive any gift, reward, or promise of reward for recommending, influencing, or attempting to influence the award of a contract by his or her employer (See [N.C.G.S. 14-234](#) and [N.C.G.S 163A-212](#)).
3. A subject employee or member of his/her immediate family serving on the board of directors or scientific advisory board of an enterprise that provides financial support for university research and the employee or a member of his/her immediate family may receive such financial support.
4. A subject employee or a member of his /her immediate family having an equity or ownership interest in a publicly or non-publicly-traded entity or enterprise whose operations are related to the employee's administrative, research, supervisory, instructional, operational, or financial responsibilities at the university.
5. A subject employee accepting support for university research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication. Research conducted by faculty or students under any form of sponsorship must maintain the university's open teaching and research philosophy and must adhere to a policy that prohibits secrecy in research. Such conditions on publication must be in compliance with *UNC Policy Manual*, [500.1](#) and [500.2](#), and with [UNCW intellectual property and copyright practices](#).

➤ **Category C** - Activities or relationships that are generally not allowable or permitted unless a formal, approved Conflict of Interest Management Plan is in place

The examples cited below involve situations that are generally not permissible because they involve potential financial conflicts of interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. A subject employee may not proceed with an activity or relationship of this nature without a formal, approved Conflict of Interest Management Plan in place that has been signed by the employee, the supervisor and the associate provost for research.

1. A subject employee participating in university research involving a technology owned by or contractually obligated to (by license or an option to license, or otherwise) an enterprise or entity in which the individual or a member of his or her immediate family has a consulting relationship, has an equity or ownership interest, or holds an executive position.
2. A subject employee participating in university research which is funded by a grant or contract from an enterprise or entity in which the individual or a member of his or her immediate family has an equity or ownership interest.
3. A subject employee assigning students, post-doctoral fellows, or other trainees to university research projects sponsored by an enterprise or entity in which the individual or a member of his or her immediate family has an equity or ownership interest.

➤ **Category D** - Activities that are not allowable under any circumstances

1. A subject employee making referrals of university business to an external enterprise in which the individual or a member of his or her immediate family has a financial interest.
2. A subject employee associating his or her own name with the university in such a way as to profit financially by trading on the reputation or goodwill of the university.
3. A subject employee making unauthorized use of privileged information acquired in connection with one's university responsibilities.
4. A subject employee signing agreements that assign institution patent and other intellectual property rights to third parties without prior institutional approval.
5. Any activity otherwise prohibited by law or university policy.

**Step 2: Determine the action needed at this time.**

➤ **No Conflict** – available for category A only.

- The activity reported does not constitute a real or perceived conflict of interest
- Supervisor instructs Research Integrity staff to mark disclosure as “**No Conflict**” in AIR system.

➤ **Acknowledged** – available for categories A or B only.

- Activity may be perceived to be a conflict of interest, but has been disclosed per UNCW policy and supervisor is confident that the covered employee’s objectivity or commitment to the university is not impaired by the activity. The supervisor may ask the subject employee to reach an informal arrangement to manage the perception of conflict.
- Supervisor instructs Research Integrity staff to mark disclosure as “**Acknowledged**” in AIR system.

➤ **Conflict Requires Management** – available for categories B or C.

- The activity constitutes an actual or perceived conflict that requires a management plan
- Supervisor instructs Research Integrity staff to either:
  - Take no action. A management plan is on file and no assistance is needed to update it. Supervisor submits the management plan to the Research Integrity office if it is not already on file; OR
  - Schedule appointment with supervisor and subject employee to develop or update a conflict of interest management plan.

Research Integrity staff will mark the disclosure as “**FCOI Management**” in the AIR system when the management plan is finalized.

UNCW has a management plan template so that plans are created using a consistent format throughout campus. Research Integrity staff will be happy to assist you and the subject employee in developing a management plan in coordination with General Counsel's office if needed.

Examples of mechanisms that can be used to manage conflicts of interest include, but are not limited to:

- simple disclosures of the conflict of interest on consent forms or publications, or disclosure to other members of the research team
- reassigning supervisory relationships for related employees
- reassigning advising duties for a subject employee who advises a student employed by a company owned by the subject employee
- reduction or divestiture of significant financial interests
- monitoring of research by independent reviewers
- modifications to research plans, such as changes to participation in certain aspects of the research
- severance of relationships that create actual or perceived conflicts.

If an activity is disclosed that is not permitted under any circumstances, please notify Leanne Prete, Research Integrity Office director, at [pretel@uncw.edu](mailto:pretel@uncw.edu) or 2-7774.

***If you have any questions, please contact Lee at 2-7774 or email [COI@uncw.edu](mailto:COI@uncw.edu).***

***For additional information, a link to the AIR system, and COI resources, please visit the UNCW COI website: <https://uncw.edu/sparc/integrity/COI.html>.***