Date: 04/26/2012  
Revision: 1.01

**Purpose**  
To establish guidelines for identifying, reviewing, and resolving financial conflicts of interest in research.

**Scope**  
This policy applies to officers and employees of the Research Foundation, as defined in below, including Principal and Co-principal Investigators seeking to receive funds to conduct research.

**Definitions**

Throughout this policy, the terms “officer” and “employee” include 1) any person employed by, representing or acting on behalf of the Research Foundation, and/or 2) any person who is in a significant decision-making capacity with respect to the professional, technical, or scientific aspects of a program or project conducted or administered through the Research Foundation. This includes faculty and staff with SUNY appointments conducting research through the Research Foundation.

A financial conflict of interest occurs when an officer or employee compromises, or appears to compromise, professional judgment as a result of an external relationship that directly or indirectly impacts the financial interest of the officer or employee, a spouse or dependent, or any associated entity.

An interest of $5,000 or more in real property owned by the officer or employee, or a spouse or dependent, is considered to impart a financial conflict of interest.

**Policy and Guidelines**

No officers or employees should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature that is in substantial conflict with the proper discharge of their duties.

No officers or employees should have any financial interest that will, or may be reasonably expected to, bias the design, conduct, or reporting of sponsored programs.

Principal Investigators on sponsored programs will disclose and keep current all relevant conflicts of interest related to any and all applications for external funding in support of sponsored research.
Standards
No officers or employees shall accept other employment that will impair their independence of judgment in the exercise of their duties and responsibilities.

1. No officers or employees shall accept employment or engage in any business or professional activity that will require them to disclose information confidential to the Research Foundation that they have gained by reason of their position or authority.
2. No officers or employees shall disclose information confidential to the Research Foundation acquired by them in the course of their duties except as required by law nor shall they use such information to further their personal interests, unless such information has previously been made public.
3. No officers or employees shall use or attempt to use their position to secure undue privileges or exemptions for themselves or others.
4. No officers or employees shall engage in any transaction as a representative or agent of the Research Foundation with any business entity in which they, their spouse or any dependent, or any business partners have a direct or indirect financial interest that might conflict with the proper discharge of their duties or responsibilities.
5. No officers or employees, or corporation, firm, or association of which they, their spouse or any dependent, or any business partner is a member, shall sell, contract for, or provide goods or services to the Research Foundation in connection with a program or project administered through the Foundation in a manner that is inconsistent with the Foundation's established procurement policy.
6. Officers and employees shall not by their conduct give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in performance of their duties, or that they are affected by the kinship, rank, position or influence of any party or person.
7. Officers and employees shall abstain from holding personal investments in enterprises that they have reason to believe may be directly involved in decisions to be made by them or that will otherwise create conflict between their duties in the best interests of the Research Foundation and their private interests.

Disclosure Statement
The Disclosure Statement that is made a part of this conflict of interest policy must be completed by principal investigators or co-principal investigators who are applying for funds from an agency of the federal government or from a business or industry sponsoring research.
Disclosure statements are to be filed in accordance with this policy at the time of application for funding.
Real, Apparent, or Potential Conflicts
All real, apparent, or potential conflicts of interest as defined under the standards must be disclosed for review and determination as to whether a violation of this policy exists.

In the event of a real, apparent, or potential conflict, the campus Operations Manager, or designee, shall immediately advise the campus President, the Vice President and Dean for Academic Affairs, the Associate Dean for Graduate Studies and Research.

Where a conflict of interest is discovered, appropriate steps will be taken to manage, reduce, or eliminate such conflict of interest. These steps can include:

1. public disclosure of significant financial interests
2. monitoring of research by independent reviewers
3. modification of research plan
4. disqualification for participation in the portion of the sponsored research that would be affected by significant financial interests
5. divestiture of significant financial interests
6. severance of relationships that create actual or potential conflicts
7. disallowance of the study

The reviewer(s) may allow the research to go forward without imposing such conditions or restrictions if the reviewer(s) determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from significant financial interests are outweighed by interests of scientific progress, technology transfer, or the public health and welfare.

Complaints and Inquiries
Anyone may bring a complaint or make inquiries concerning possible violation of this conflict of interest policy.

All complaints or inquiries should be immediately reported to the campus Operations Manager or designee who shall immediately advise the campus president, or the president's designee, for review and determination, in consultation with the RF Office of General Counsel and Secretary, as to whether a violation of this policy exists.

Upon receipt or notification of such complaint or inquiry, the campus Operations Manager or designee shall immediately advise the campus president, the person against whom the complaint is made, and the Office of General Counsel and Secretary of the substance of the complaint or inquiry.

An impartial panel will be established by the President or his designee to conduct a review and investigation. The review must be completed within sixty(60) calendar days from receipt of the disclosure, including preparation of a written report.
If findings from a review provide sufficient basis for conducting an investigation, an investigation must be initiated within thirty(30) calendar days of the completion of the review. Investigations must be completed within sixty(60) calendar days.

Documentation must be maintained for at least three (3) years, and must, upon request, be provided to the officers of the board of Directors of the Research Foundation.
Any determination by the campus Operations Manager or designee shall be forwarded to the president of the campus. The campus shall be the office of record for all final determinations. The campus Operations Manager shall assure that Research Foundation policies and procedures for maintaining such determinations are in place.

Appeal
An officer or employee who disagrees with the determination of the campus Operations Manager may appeal to the president of the College, or the president’s designee, for reconsideration of such determination. The determination of the president shall be final and binding.

Violation
In addition to any penalty contained in any provision of law or federal policy, officers or employees who knowingly and intentionally violate any of these provisions may be suspended from or terminated from employment with the Research Foundation if employed by the Research Foundation, or if not employed by the Research Foundation their relationship with the Research Foundation may otherwise be terminated.

References
RF Conflict of Interest Policy:
https://portal.rfsuny.org/portal/page/portal/The%20Research%20Foundation%20of%20SUNY/home/commercialization/comm_policies_guidance/conflict_of_interest_policy

Procedure for Investigating Conflict of Interest

Sponsored Program Authorization contains the Disclosure of Conflict of Interest Form:
http://www.sunyopt.edu/pdfs/academics/Sponsored_Program.pdf

Approval
RF Operations Manager
David A. Bowers
Date 4/26/12

Vice President for Academic Affairs
David Troilo
Date 4/27/12

The President
David Heath
Date 4/27/12