

## **GUIDELINES FOR MANAGING CONFLICTS OF INTEREST AND COMMITMENT**

In compliance with the Indiana University Policy on Conflicts of Interest and Commitment, these guidelines are meant to provide Unit Heads and their designees with some general guidelines and tools to assess Conflict Of Interest and Commitment disclosures within their areas.

The Indiana University Policy on Conflicts of Interest and Commitment (“Policy”) addresses significant interests related to an individual’s University Responsibilities. A Conflict of Interest or Commitment occurs in circumstances in which an IU academic appointee or employee has private interests that are at odds with their University Responsibilities. These conflicts can take many different forms, and the disclosure asks specific questions to bring those situations to light so they can be appropriately assessed and managed.

The policy requires that these individuals submit a formal disclosure of any such situations, and that their Unit Head review that disclosure within 60 days to ensure that any conflicts are appropriately managed. Disclosures should be reviewed and updated on an annual basis.

### **ACCESSING DISCLOSURES**

1. All designated reviewers have access to view disclosures in Quali COI-C as a unit viewer, and have been supplied with an Excel spreadsheet containing all of the information submitted by individuals within their designated unit (if you need an updated spreadsheet please contact the [University Compliance Office](#)).
2. For those disclosures that do contain an outside activity/entity, all information disclosed will be contained in the spreadsheet. Individuals who have disclosed multiple entities will have multiple lines in the spreadsheet.
3. Please contact the [University Compliance Office](#) if you encounter difficulties in understanding these reports.

### **EVALUATING AND MANAGING DISCLOSURES**

1. Unit Heads or their designees may contact the [University Compliance Office](#) for guidance on specific situations encountered during the evaluation process.
2. You have been supplied with a spreadsheet containing a list of all individuals within your unit who have submitted a disclosure, as well as the number of outside entities with which each has disclosed a relationship. Anyone who has disclosed zero outside entities needs no further assessment.
3. You have also been provided access to view individual disclosures as a unit viewer in Quali COI-C.
4. The first questions to ask for those who have a disclosed outside entity are: have any situations that constitute a conflict been disclosed? Are you aware of any conflicts for this individual that have not been disclosed? If the answer to both of these questions is ‘no’, no further evaluation is necessary.
5. Appearances matter in this area. If a situation doesn’t appear to be ethically sound, or isn’t something that you would feel comfortable seeing discussed in the media, further questions

should be asked about the situation, and the University Compliance Office should be consulted.

5. Conflicts of Interest

- a. Conflicts of interest should be eliminated or minimized if possible, and otherwise managed. Unit heads should ensure that there is an appropriate, written management strategy in place to deal with approved conflicts of interest. Contact the [University Compliance Office](#) for assistance while developing management plans. Examples of situations that may require a management plan include:
  - i. Teaching classes that directly compete with Indiana University for other institutions (in-person or online).
  - ii. A faculty or staff member (or a member of their immediate family) has a financial interest in an organization and are also interacting with that organization in their official capacity within Indiana University (see below for additional information).
  - iii. Situations involving nepotism (see below for additional information).
  - iv. A faculty or staff member discloses an outside activity that has the appearance of creating an impediment to their ability to discharge their official duties for the university (see below for additional information).
- b. Conflicts of interest involving research are managed through a [centralized process and committee](#). If you have questions about research-related conflicts of interest please contact [coi@iu.edu](mailto:coi@iu.edu).
- c. Conflicts with specific contracts or purchases
  - i. When an academic appointee or employee, or their spouse or dependents, has a financial interest related to a specific procurement transaction related to Indiana University they should not participate in any way in the award, selection, or administration of the contract.
  - ii. Unit heads who become aware of these situations should immediately contact the Associate Vice President for Procurement Services, who will work with the University Compliance Office to ensure that our legal requirements in this area are met.
  - iii. Under [Indiana state law](#), the matter must be addressed appropriately before any final action is taken on the contract or purchase.
- d. Gifts and Gratuities - The current Gifts and Gratuities Policy and Conflicts of Interest Policy make no allowance for employee participation in activities provided and funded by a for-profit supplier or potential supplier to Indiana University, regardless of the benefit to the university.
- e. Intellectual property situations are governed by the [Intellectual Property Policy](#). Questions about disclosures that involve intellectual property should be directed to the [Innovation and Commercialization Office](#) at [ico@iu.edu](mailto:ico@iu.edu).
- f. Nepotism
  - i. Academic appointees and employees may not supervise or exercise other influence over the professional activities of anyone with whom they have a familial or personal relationship.
  - ii. Situations in which the family member of an academic appointee or employee is working anywhere in the organizational chart below that person, or where

the academic appointee or employee may *appear* to have influence over the professional activities of a family member, should be reported to the [University Compliance Office](#). The Compliance Office will work with the department and others to craft a management plan that addresses the nepotism issue.

- g. Note that academic appointees and employees within the IU School of Medicine must comply with the departmental [Industry Relations Policy](#).
6. Outside Activities and Conflicts of Commitment
- a. University resources, including but not limited to vehicles, trademarks, facilities, and supplies, should not be used for external activities.
  - b. There are important differences in this area between the approaches that Indiana University takes with academic appointees, and those with other employees.
  - c. Academic Appointees
    - i. All academic appointees are required to meet the professional obligations of their appointments.
    - ii. Academic appointees may engage in Outside Professional Activities if they do not constitute a conflict of commitment, which arises either when outside professional activities interfere with the fulfillment of an academic appointment, when an activity is undertaken for another organization in competition with Indiana University, or when externally funded research is managed entirely outside of Indiana University.
    - iii. Full time tenured and tenure track academic appointees may spend, on average, one non-weekend day per week on Outside Professional Activities.
  - d. All other employees
    - i. University work activities are expected to be devoted to official functions of the university.
    - ii. Non-university activities may not interfere with university duties and responsibilities, and must be done on the employee's own time.
    - iii. Employees should not accept compensation from other entities for work performed in the course of their employment at IU.