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**Marymount University**

**Office of Sponsored Programs**

osp@marymount.edu

2807 North Glebe Road, Chapel Hill 2011

Arlington, VA 22207

(703) 526-6978

**Marymount University**

**Conflict of Interest Disclosure Form**

**Documentation Required for Sponsored Programs**

|  |  |
| --- | --- |
| Investigator Name: | Rank/Title: |
| Dean or Division/Area Head: | Role: [ ]  PI [ ]  Senior/Key Personnel [ ]  Consultant[ ]  Partner/Collaborator PI [ ]  Other |
| School (Academic) or Division (non-Academic): | Department: |
| Email: | Campus Phone: |
| Institution (if Subrecipient or subcontractor on a MU sponsored award and following MU COI Policies and Procedures): |
| List all of your active sponsored programs and sponsored programs being developed for submission: |

I am reporting on activities: [ ]  **Initial Disclosure**, on Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 [ ]  **Annual Disclosure** for the year **\_\_\_\_\_\_**

 [ ]  **Updated Disclosure** as an addendum to most recent COI Disclosure Form

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**Please read Section III-8 of the HR Policy and Procedure Manual (which is attached) before signing.**

[ ]  **I have NO Conflicts of Interest**. **(If you answer “No,” sign below and submit form to OSP)**

# Investigator’s Certification & Signature

I certify and affirm that:

* I have read the University’s Conflict of Interest (COI) Policy.
* The above information is true to the best of my knowledge.
* If a potential COI occurs in the future, I will notify the Office of Sponsored Programs within 30 days.

Investigator’s Printed Name: Signature: Date:

# Please send form to Office of Sponsored Programs at osp@marymount.edu

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[ ]  **YES, I am reporting the following as a Conflict of Interest (COI**) or a situation that could give the appearance of a COI. **(If you respond YES, then complete the remainder of this form and sign at the end of the document.)**

1. In which area of HR III-8 (attached at end) is the potential conflict of interest (COI)? *(Note: If the COI is a Financial/ Fiduciary, note it here, but use the next Section of this document to describe the Financial/Fiduciary COI in greater detail).*
2. Describe the nature of the non-financial conflict of interest.
3. Describe steps taken to mitigate the non-financial conflict of interest.

|  |
| --- |
| Complete this section if the COI you are reporting is a Fiduciary/Financial **COI as described in HR Employee Policy and Procedure Manual, Section III-8 (C)**. |
| 1. **Describe any Financial conflict of interest that could impair, or give the appearance of impairing, your independent and unbiased judgments related to your university or sponsored research/program responsibilities.**
2. **Describe how a financial interest is or may be related to your sponsored research/program or University responsibilities.**

[ ]  Entity is or may be a research or program Sponsor.[ ]  Entity’s product(s) or service(s) is or may be utilized, tested, evaluated, or otherwise in the research or program.[ ]  Entity does/will license University intellectual property utilized, tested, evaluated or otherwise in the research or program.[ ]  Entity sponsors/reimburses Investigator for travel related to Investigator’s research, program or University responsibilities.[ ]  Investigator’s Institutional Responsibilities may involve or require interacting with the external Entity.[ ]  The activities with the external Entity are not related to Investigator’s research. program or University responsibilities.[ ]  Other, *describe*: If related financial interests are found, then list all affected sponsored program projects (titles and proposal and award dates):**4. Will the relationship continue into the next 12 months from the date of this disclosure?** [ ]  Yes [ ]  No*(continue to Section B – Certification & Signature Page)* |

#  B. Investigator’s Certification & Signature

I certify and affirm that:

* I have read the University’s Conflict of Interest Policy.
* The above information is true to the best of my knowledge.
* If the disclosed relationship with the external Entity is determined by the University to be a Financial Conflict of Interest (FCOI) related to the sponsored program(s), then I agree to comply with any approved University FCOI Management Plan prior to any expenditure of funds related to the sponsored program(s).

Investigator’s Printed Name: Signature: Date:

# Please send form to Office of Sponsored Programs at osp@marymount.edu

 **C. OSP Review**

**Administration only – To be completed by the Institutional FCIO Official (IO):**

[ ]  No financial or fiduciary relationships or COI disclosed.

[ ]  The relationship disclosed represents a COI.

[ ]  The COI disclosed may be reasonably related to the sponsored program(s) specified below.

[ ]  A Conflict of Interest has been identified that requires additional management.

[ ]  A complex COI appears to exist and review is needed by the Sponsored Program FCOI Committee.

[ ]  FOR PROPOSALS: A COI may exist. The proposal may be submitted, but if the sponsored program is awarded, no expenditures are allowed until an approved Management Plan is in place.

[ ]  FOR UPDATED FCOI DISCLOSURES: A COI may exist. No sponsored program proposals or expenditures may go forward until an approved Management Plan is in place.

[ ]  The COI is unmanageable and the sponsored program is not allowed to continue.

IO Signature Printed Name Date

AOR Signature Printed Name Date

*Office of Human Resource Services: Employee Policy and Procedures Manual*

**HR III-8 Conflict of Interest**

**Purpose**

This policy applies to all university employees. MU's goal is to avoid not only conflicts of interest, but also any situation that might give rise to questions about MU’s integrity. It is critical that MU employees not engage in conduct that constitutes an actual conflict of interest or commitment, or gives the appearance of a conflict of interest or commitment.

**Applicability**

An employee who violates the conflict of interest policy is subject to corrective and/or disciplinary action in accordance with the University Progressive Discipline Process. Instances of deliberate breach of this policy by agents (such as contractors and volunteers) will result in termination of contracts and/or services or dismissal of volunteer assignments. Instances of deliberate breach of policy by officers (such as the Board of Trustees) will be adjudicated in accordance with applicable disciplinary procedures set by the Board of Trustees for its members.

**A. Outside Employment**

MU strives to provide the best service to our community, and we require the full attention and effort of our talented employees. To this end, MU focuses on shared values, purpose, and vision and neither endorses nor precludes employees’ seeking employment outside their positions with MU.

Prior to an offer of employment, all employees must disclose, in writing, outside employment or engagement in consulting for others and receive approval to continue that employment. During the course of employment and prior to the commencement of outside employment or consulting, employees must first seek approval from the university to ensure that the employment would not present a conflict of interest or commitment, potential conflict of interest or commitment, or the appearance of a conflict of interest or commitment.

Employees are required to periodically update outside employment interests when requested by the university. Full-time faculty who are engaged in outside employment will follow the guidelines for disclosure and approval in Section 8.3 of the Faculty Handbook.

a. Staff will update the conflict of interest form in conjunction with the annual evaluation process.

b. Faculty will update the conflict of interest form in conjunction with the annual contract renewal process.

Any employee holding a position with another organization must demonstrate satisfactory performance in his or her job responsibilities with MU at all times. All employees are expected to meet the job performance standards established by the university and will be subject to MU’s work and scheduling demands, regardless of any other outside work requirements. Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

If determined that an employee’s outside work interferes with his/her job performance or the ability to meet the requirements of MU at any time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with MU. A refusal to comply with MU’s reasonable request to terminate outside employment may result in immediate termination of employment with MU.

**B. Employment of Relatives**

A relative of a current MU employee may be hired for a MU position if the employment of the relative does not present a conflict of interest or the appearance of a conflict of interest. For purposes of this policy, a current employee’s relatives include his/her spouse, parents, parents-in-law, children, children-in-law, siblings, uncles, aunts, first cousins, step-relations, grandparents, nieces, and nephews, or any other person residing in the same household as the employee.

A relative of a current MU employee may not be hired for a position in *the following situations*:

a. If there would be a reporting relationship between the related employees.

b. If one of the related employees would be in a position to control, approve, and/or review financial transactions prepared or performed by the other.

c. If one of the related employees would have supervisory authority over the other.

d. If the related employees would be in the same department.

A relative of a current MU employee may be hired for a position if the individuals who are related by blood, marriage, or reside in the same household have no direct reporting or supervisor to subordinate relationships exist.

If two employees marry, become related, or develop any other personal relationship where the potential problems noted above may arise, only one of the employees will be permitted to remain in the department unless the potential or actual conflict of interest can be eliminated or managed.

**C. Fiduciary**

The members of the university’s Board of Trustees and its officers including the president and all vice presidents, deans, the heads of academic and administrative departments, and certain other designated personnel, are considered representatives of the university and shall report personal activities and interests which create, or which appear to create, a fiduciary conflict with the interests of the university. A conflict of interest shall be deemed to exist when any of the representatives (1) is an officer, director, trustee, general manager, or other key management employee of any partnership, corporation, trust, organization, or other enterprise which (a) conducts or seeks to conduct business with the university, or (b) may receive, directly or indirectly, material financial or other benefit from knowledge or information which is either confidential or proprietary to the university; (2) owns, directly or indirectly, an interest in more than five percent (5%) of the stock, equity or profits of any entity referred to in (1) above; (3) is in partnership with or has another significant business relationship with any other person covered by (1) and (2) above; or (4) otherwise has an existing or potential financial or other interest which impairs, may impair, or appears to impair the independent, unbiased judgment of such representative in the discharge of his or her duties to the university.

For the purpose of a fiduciary conflict of interest, the interests of the representative shall include an interest of their respective family members who are spouses, ancestors, lineal descendants (including adoptive descendants), spouses of lineal descendants, and other relatives living in and a part of the same household of the representative.

According to the Board of Trustees’ Conflict of Interest Policy, each year the representatives are required to disclose in writing any interest, which is or may appear to be in conflict with the interests of the university.

**D. Gratuities/Gifts and Solicitations**

The officers, employees, and agents of the university shall neither solicit nor accept gifts or gratuities, favors, or anything of monetary value from students, student’s relatives, visitors, or vendors, contractors doing business with, or seeking to do business with MU, or parties to sub-agreements.

Unless specifically excepted by this policy, university employees shall not accept non-cash gifts of any type, including materials, services, travel, and attendance at a charitable or similar event as a guest and entertainment at no cost or at unreasonably discounted prices from persons or entities doing (or proposing to do) business with the university. Excepted from this policy are usual and customary:

1. celebratory business gifts of a value of not more than $75 for the shared use of department personnel;
2. occasional meals in connection with university business meetings and events and university sponsored or pre-approved charitable, in connection with attendance at professional meetings and similarly sponsored events by industrial, technical, professional, or educational associations, or at public ceremonies in an official capacity or similar events;
3. review copies of vendor provided textbooks and other teaching related materials or informational material such as books, reports, pamphlets, calendars, periodicals, or other unsolicited promotional material; and
4. ceremonial gifts received by university employees in the course of official business. Such ceremonial gifts are the property of the university.

All unpermitted gifts must be immediately declined, returned, or discarded. If any individual or organization dealing with the university offers an employee a gratuity or gift, outside the exceptions listed above, that person or representative should be informed of university policy and any such gratuity or gift should be returned.

This policy does not apply to the acceptance of gifts related to fundraising by officers or agents of the university.

No employee may solicit another employee for any purpose while either employee is on working time. The distribution of handbills or other literature during working time or in working areas is forbidden. Persons who are not employed by the university are prohibited from soliciting any employee or distributing literature on university jobsites, premises, or at employee work locations at any time.