
FEDERAL GRANT FINANCIAL DISCLOSURE REQUIREMENTS

PURPOSE: This policy is provided in order to comply with the Objectivity in Research Policy of the National Institute of Health and Public Health Service (NIH/PHS), the Investigator Disclosure Policy of the National Science Foundation (NSF), and policies of other federal agencies that require the University to maintain conflict of interest policies and certifications for principal investigators, co-principal investigators, and authorized institutional representatives regarding significant financial interests.

I. FINANCIAL DISCLOSURE

Each investigator shall disclose to the vice president for research all significant financial interests of the investigator (including those of the investigator's spouse and dependent children) (1) that would reasonably appear to be directly and significantly affected by the research or education activities funded or proposed for funding; or (2) in entities whose financial interests would reasonably appear to be directly and significantly affected by such activities.

- A. The term 'investigator' means the principal investigator, co-principal investigators, and any other person at the university who is responsible for the design, conduct, or reporting of research or education activities substantially funded or proposed for funding to be managed by the university. Compliance by subgrantees, contractors and collaborators is also required under this policy.
- B. 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 the university.
 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; or
 4. financial interests in business enterprises or entities if the value of such interests does not exceed \$5,000 or represent more than 5% ownership for any one enterprise or entity when aggregated for the investigator and the investigator's spouse and dependent children.
- C. Investigators must provide all required financial disclosures at the time a proposal is submitted to the Office of Research Administration (see Certification of Compliance form appended to this policy). Financial disclosures must be updated during the

pendency of the award, at a minimum of an annual basis, or as new reportable significant financial interests are obtained during the interim.

- D. The term “research”, for the purposes of the NIH/PHS, includes the systematic investigation relating broadly to public health, including behavioral and social–sciences research. The term encompasses basic and applied research and product development.

II. REVIEW PROCEDURE

- A. The vice president for research, or his or her designee, is responsible to administer this policy and review financial disclosures. In cases where the vice president for research believes that an actual or potential conflict of interest exists, s/he shall determine the conditions or restrictions, if any, that should be imposed by the University to manage, reduce or eliminate such conflicts of interest. If the objectivity of a faculty member could reasonably be questioned, the vice president for research may establish an independent oversight committee to review the appropriateness of the proposed research to be conducted at Boise State University, oversee the conduct of the research, and ensure open and timely dissemination of the research results. Such oversight committees will be required for all clinical trials raising questions of conflict of interest.
- B. The vice president for research is also responsible for interpretation of policy provisions, and for reporting to the Committee on Research annually on the status of this policy and its implementation.
- C. The vice president for research may consider and approve exceptions to this policy and potential procedures to ensure timely review of annual and ad hoc disclosures by faculty of potential or apparent conflicts. Such procedures shall involve representatives from the faculty as part of the reviewing body.
- D. The vice president for research is responsible for promptly notifying the affected faculty member and his/her college dean of all decisions pertaining to resolution of conflicts of interest.
- E. Should a faculty member and/or the college dean wish to appeal a decision made by the vice president for research, he or she may present the appeal to the Provost.

III. CONFLICTS AND MANAGEMENT

An actual or potential conflict of interest exists when the reviewer(s) reasonably determine that a significant financial interest could affect the design, conduct, or reporting of the research or educational activities funded or proposed for funding.

- A. Examples of conditions or restrictions that might be imposed to manage, reduce or eliminate actual or potential conflicts of interest include:
 - 1. public disclosure of significant financial interests;
 - 2. modification of the research plan;
 - 3. disqualification from participation in the portion of the research that would be affected by the significant financial interests;
 - 4. divestiture of significant financial interest;
 - 5. severance of relationships that create actual or potential conflicts;
 - 6. appoint an administrative principal investigator.
- B. 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 a significant financial interest are outweighed by interests of scientific progress,

technology transfer, or the public health and welfare, that the reviewer(s) may allow the research to go forward without imposing such conditions or restrictions.

- C. Prior to the expenditure of funds, the university will report the existence of a conflicting interest (but not the nature of the interest or other details) found by the university and assure that the interest has been managed, reduced or eliminated. For any interest the university subsequently identifies as conflicting, the university shall report, manage, reduce or eliminate the conflicting interest, at least on an interim basis, within sixty (60) days of that identification.

IV. COMPLIANCE ENFORCEMENT, SANCTIONS, AND RECORDS

- A. Failure to comply with this policy may result in disciplinary action up to and including dismissal depending upon the circumstances.
- B. The vice president for research must keep the federal funding authority appropriately informed if the university finds that it is unable to satisfactorily manage an actual or potential conflict of interest.
- C. The vice president for research must maintain the records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest until at least three (3) years after the later of the termination or completion of the award to which they relate, or the resolution of any government action involving those records.

V. RELATED LAWS AND POLICIES

Employees should also be aware of the following laws and policies that may apply to their activities with respect to conflict of interest:

A. State Law:

- 1. Bribery and Corrupt Influences Act, Idaho Code §18-1351 et. seq.
- 2. Ethics in Government Act of 1990, Idaho Code §59-701 et. seq.

B. Idaho State Board of Education Governing Policies and Procedures:

- 1. "Conflict of Interest", Section I, Subsection G
- 2. "Conflict of Interest and Ethical Conduct – All Employees", Section II, Subsection Q
- 3. "Intellectual Property", Section V, Subsection M

C. Boise State University Policies:

- 1. [5040-A Ethics in Government/Conflict of Interest](#)
- 2. [5359-B Absence from Campus - Faculty](#)
- 3. [5365-B Professional Research, Consulting, or Service Activities](#)
- 4. [5366-B Conflict of Commitment: Independent Consulting and Outside Employment](#)
- 5. [6300-B Office of Research Administration](#)
- 6. [6320-B Boise State University Intellectual Property Policy](#)