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**LAMAR UNIVERSITY**  
**MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES**

**SECTION: Academic Affairs**  
**AREA: ORSPA**

**MAPP 02.07.04**

<b>Financial Conflicts of Interest for Sponsored Research Investigators</b>
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**I. POLICY**

- A. At Lamar University, our commitment to fostering a culture of excellence in research, innovation, and academic pursuits is paramount. To ensure the integrity, quality, and effectiveness of our research endeavors, it is essential to address potential financial conflicts of interest that may arise among our faculty and researchers.

**II. PURPOSE AND SCOPE**

- A. The purpose of this policy is to define a framework for identifying and addressing financial conflicts of interest that may arise when university faculty and researchers engage in external activities that could interfere with their primary obligations to the university and its research mission.
- B. Lamar University is an institution of public trust. Researchers (see **Section IV. DEFINITIONS**) must respect that status and conduct their affairs in ways that will not compromise the integrity of the University or impede its mission of research. It is the policy of this institution that its researchers conduct the affairs of the University in accordance with the highest legal, ethical, and moral standards. Serious challenges arise when actions made during a researcher's University activities are determined by personal gain. Such behavior calls into question the professional objectivity and ethics of the individual, threatens the objectivity of scientific research, and reflects negatively on the University.
- C. In addition to traditional externally sponsored programs (see **Section IV. DEFINITIONS**), researchers may be involved in the commercialization of technologies derived from their research, in the University-originated startup companies, and other entrepreneurial activities related or unrelated to research. It is often appropriate to reward faculty for participation in these activities through consulting fees, royalty sharing from the commercialization of their work, or other non-financial rewards or benefits.
- D. The University has established this policy relating to financial conflicts of interest in all research, funded and unfunded, and in all sponsored programs regardless of the funding source. The University has developed administrative procedures for identification, disclosure, review, and mitigation or management of such conflicts. As these are intended to support and facilitate research achievements, it is incumbent on researchers to become familiar with, and abide by, the policy and all related procedures.

### III. REGULATORY BASIS

- A. The Federal government has established minimum standards for grantees' Conflicts of Interest policies and has required compliance from Principal Investigators, Key Personnel, and Institutional Representatives (see **Section IV. DEFINITIONS**). The National Science Foundation (**NSF Award and Administration Guide 08-1 January 2008 Chapter IV – Grantee Standards**) and Public Health Service, Department of Health and Human Services (**42 CFR Part 50, Subpart F**) have established distinct requirements that may further apply in cases of activities funded through those agencies.
- B. This policy and resulting administrative procedures are additionally bound to compliance with the following state and institutional policies and regulations:
  - 1. Texas Education Code 51.912.
  - 2. The Texas State University System Rules and Regulations, Chapter III Sections 12(16)-12(18).
  - 3. Lamar University Human Resources Policy 5.3 – Outside Employment, Dual Employment, and Other Activities.
  - 4. Lamar University Human Resources Policy 2.23 – Code of Ethics.
  - 5. Lamar University Human Resources Policy 3.9 Employment of Relatives (Nepotism Rule).
  - 6. The Conflicts of Commitment Policy in the Office of Research and Sponsored Program Administration.
- C. This policy is further applied in conjunction with the Lamar University Faculty Handbook, Chapter II, Section 39, Policy on Additional Employment of Faculty and Academic Administrators (Conflict of Interest).
- D. This policy applies to all research, funded or unfunded, as well as all sponsored programs regardless of the source of funding for the activity or the location where the activity will be conducted.
- E. This policy is applicable to all Lamar University researchers or anyone else conducting research for or on behalf of Lamar University.
- F. All Significant Financial Interests will be disclosed by researchers via a Financial Conflict of Interest Disclosure Form. Filing this document is mandatory for researchers initiating any sponsored program research activity regardless of the source of funding. Further, more specific disclosures may be required by external agencies based upon their policies and should be followed during the grant submission or contract process.
- G. Each person completing a Financial Conflict of Interest Disclosure Form must list:

1. All General Conflicts of Interest, as described on the form.
2. All Significant Financial Interests and those of their immediate family.
3. All of their interests in or affiliation with any Financially Interested Entity, including those of their family members as defined in HR No. Policy 3.9 Employment of Relatives (Nepotism Rule).
4. At a minimum, the Financial Conflict of Disclosure Form must be updated on an annual basis. The disclosure must also be updated within thirty (30) days as new reportable Significant Financial Interests or General Conflicts are obtained and/or identified. When sponsored program activity, regardless of the source of funding, is initiated, all principal researchers or key personnel (see **Section IV. DEFINITIONS**) on the proposal, contract, or agreement will be required to have an up-to-date Financial Conflict of Interest Disclosure Form for the current calendar year on file with the Office of Research and Sponsored Programs Administration (ORSPA) prior to submitting a proposal, signing a contract, or finalizing any agreement. When the proposal, contract, or other agreement is routed for approval, all Key Personnel on the project will also certify that they have an up-to-date Financial Conflict of Interest Disclosure Form for the current calendar year on file.
5. This policy does not apply directly to Conflicts of Commitment, which are situations involving researcher participation in activities that are external to, and in addition to, their commitment to Lamar University. Conflicts of Commitment may also call into question the professional objectivity and ethics of the individual, threaten the objectivity of scientific research, and reflect negatively on the university. These situations are addressed in a separate policy, Conflicts of Commitment in Research and Sponsored Programs Administration.

#### IV. DEFINITIONS

- A. **Chief Research Officer.** An individual ultimately responsible for the oversight of funded research and sponsored programs at Lamar University. At Lamar University, the Chief Research Officer is the Associate Provost for Research. The Chief Research Officer may designate an appropriate official to act on their behalf.
- B. **Conflicts of Interest (COI).** A potential or actual Conflict of Interest exists when commitments, professional judgment, obligations to Lamar University, or to widely recognized professional norms are compromised by a researcher's other interests or commitments (or those of a member of their immediate family) or could be perceived by an objective third party as such. Federal regulations provide that a conflict of interest exists if a significant financial interest or general conflict could "directly and significantly affect the design, conduct, or reporting" of federally funded research activities.
- C. **Financial Conflict of Interest Disclosure Form.** A document, provided by the Office of Research and Sponsored Programs Administration, that requests an individual to describe all Significant Financial Interests or General Conflicts of Interest of the researcher and immediate family that are, or would reasonably appear to be, directly and significantly affected by, or related to, funded

or unfunded research or sponsored programs activities. This also includes all significant relationships of the researcher and immediate family to entities whose financial interests are, or would reasonably appear to be, directly and significantly affected by, or related to, such activities.

- D. **Financially Interested Entity.** A commercial or non-profit entity with financial interests that would reasonably appear to be affected by the conduct or outcome of Lamar University research or sponsored programs activities. This includes any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company ownership, receivership, business or real estate trust, or any other legal entity organized for profit or non-profit purposes. This term includes companies that compete with the sponsor of the research or the manufacturer of the investigational product if the covered individual knows or should know that the financial interests of such a company would reasonably appear to be affected by the research or business at Lamar University. This term also includes any entity acting as the agent of a financially interested entity (e.g., a contract research organization).
- E. **General Conflict of Interest.** A non-financial conflict of interest may occur if a researcher has one of the following:
1. Pre-existing relationship or affiliation with any of the external entities or their staff, or subjects or potential subjects, associated with the grant, sponsored program, or research.
  2. Involvement with the development of any materials or products affiliated with the grant, sponsored program, or research.
  3. Benefits or potential benefits from the grant, sponsored program, or research, or the commercialization of its results.
  4. A possible perception by objective, outside entities of any other form of conflict.
- F. **Immediate Family.** The researcher, their spouse/domestic partner, and dependent children.
- G. **Intellectual Property.** Property that can be protected under federal law, including copyrightable or patentable works, ideas, discoveries, and inventions.
- H. **Key Personnel.** Individuals explicitly designated in a specific contract, grant, or sponsored program as having a role in execution of said project. These may be researchers, administrators, staff, or other employees that are responsible for, and benefit from, any funded or unfunded venture.
- I. **Management Plan.** A plan created on a case-by-case basis with conditions or limitations that will contribute to the elimination, reduction, or oversight of an actual or potential conflict. This plan will be formulated by the Research Compliance Officer under the approval of the Chief Research Officer.
- J. **Researcher.** All Individuals who are engaged in research, whether funded or unfunded, or in sponsored programs activities. For the purposes of this policy, the term researcher refers to any Lamar University faculty or staff member having direct responsibility for the design, conduct or

reporting of funded or unfunded research or other sponsored programs activities funded or proposed for funding by the federal government or other external funder.

- K. **Research Compliance Officer.** An individual responsible for interpreting and enforcing compliance across all research and sponsored programs enterprises across the University. This officer shall be appointed by the Chief Research Officer and work within the Office of Research and Sponsored Programs Administration.
- L. **Significant Financial Interest.** A significant financial interest means anything of monetary value in excess of \$5,000, including but not limited to:
1. salary or payments for services (e.g., consulting fees or honoraria);
  2. equity interests (e.g., stocks, stock options or other ownership interests) in any publicly or non-publicly traded entity;
  3. intellectual properties rights or interests upon receipt of income; or
  4. sponsored or reimbursed travel.
  5. Significant financial interest does NOT include income from seminars, lectures, or teaching, and service on advisory committees or review panels, for government agencies or institutions of higher education. Other exclusions from this definition may be determined on a case-by-case basis after review by the Research Compliance Officer.
- M. **Sponsor.** External source providing funds, materials, or other compensation under a grant, contract, or other agreement.
- N. **Sponsored Programs.** All extramurally funded activities, including but not limited to: research, training, instruction and/or public service projects involving funds, materials, or other compensation from sources (sponsors) outside of Lamar University, under a grant, contract or other agreement that meets any of the following conditions:
1. Lamar University is bound to a line of scholarly or scientific inquiry specified to a substantial level of detail. Such specificity may be indicated by a plan, by the stipulation of requirements for orderly testing or validation of particular approaches, or by the designation of performance targets.
  2. The sponsor requires, or the proposal submitted for consideration contains, a line-item budget or modular budget. A line-item budget details expenses by activity, function, or project period. The designation of overhead (or indirect costs) qualifies a budget as the sponsor requires financial and/or programmatic reports.
  3. The sponsor requires that the services performed, the funds awarded, or the materials supplied under the agreement are subject to internal and/or external audit.

4. The agreement provides for the disposition of either tangible (e.g., equipment, records, technical reports, theses, or dissertations) or intangible (e.g., rights in data or inventions) properties that may result from activities covered by the agreement.

## V. REPORTING OBLIGATIONS

- A. All faculty members and researchers must promptly and fully disclose, in writing, any external commitments that have the potential to create an actual or perceived conflict of commitment as defined above and requested on the Financial Conflicts of Interest Disclosure Form to the Office of Research and Sponsored Programs Administration. In addition, per the Policy on Additional Employment of Faculty and Academic Administrators, it may also be necessary and appropriate for them to notify their department Chair or other supervisor. Such activities may be significant even though they involve comparatively little time. For example, a single guest lecture or a one-time consulting visit may not normally be considered significant, but a lecture series or an on-going consulting relationship could be perceived in such a manner.
- B. In cases where the propriety of an activity is disputed, the Chief Research Officer, the appropriate Dean, and the researcher involved shall make their best efforts to arrive at a resolution consistent with the shared missions of the department and the University. The ultimate determination is reserved by the Chief Research Officer.

## VI. ROLES AND RESPONSIBILITIES

- A. **Chief Research Officer.** The Associate Provost for Research and the Office of Research and Sponsored Programs Administration bear responsibility for all sponsored grants and contracts and their possible conflicts by providing continuous support and oversight of these activities.
- B. **Office of Research and Sponsored Programs Administration.** The Office of Research and Sponsored Programs Administration shall be represented by the Research Compliance Officer as appointed by the Chief Research Officer. This individual has the following responsibilities:
  1. Maintaining current and accurate files on every researcher involved in internal and external sponsored programs.
  2. Requesting updated disclosures from researchers at the time of funding.
  3. Developing approved management plans when applicable.
  4. Providing and maintaining relevant training to researchers.
  5. Investigating non-compliance or misconduct.
- C. **Academic Deans and Department Chairs** are responsible for awareness of their employees' conduct and actions while serving in their respective departments. Deans and Chairs are the first line of compliance, as faculty and researchers are required to report outside commitments to their Chair, Dean, or other direct supervisor. Deans and Chairs must, in turn, report any actionable information to the Office of Research and Sponsored Programs Administration.

- D. **Researchers** must promptly and fully disclose, in writing, any Significant Financial Interests or General Conflict of Interest (as defined in **Section IV. DEFINITIONS**) that have the potential to create an actual or perceived conflict of interest, as defined above, to the Chief Research officer. In addition, per the Policy on Additional Employment of Faculty and Academic Administrators, it may also be necessary and appropriate for them to notify their department Chair or other supervisor.

## VII. MITIGATION MEASURES

- A. If a financial conflict of interest is identified, the University will work with the researcher to develop a mutually agreeable management plan to mitigate the conflict. Mitigation measures may include, but are not limited to:
1. Adjusting the scope or timing of the external commitment to minimize interference with university responsibilities.
  2. Limiting the financial interests or compensation related to the external commitment.
  3. Establishing oversight mechanisms to ensure transparency and adherence to University policies.
- B. The Research Compliance Officer shall develop an acceptable management plan in cooperation with the researcher and enforce it upon approval from the Chief Research Officer.

## VIII. NON-COMPLIANCE

- A. Lamar University requires that all researchers comply fully, truthfully, and in a timely manner with this policy. Instances of deliberate breach will subject the researcher to disciplinary actions under policies of Lamar University and the Texas State University System. Such action could result in a formal reprimand, non-renewal of appointment, termination of appointment, or other enforcement action.
- B. If the failure of a researcher to comply with this policy has biased the design, conduct or reporting of funded or unfunded research or sponsored programs activities, Lamar University will promptly notify the appropriate granting agency, sponsor, or other appropriate agency of the incident and corrective action will be taken.

## IX. EDUCATION AND TRAINING

- A. The University will provide education and training sessions through the CITI system on conflict of interest regulations and best practices to ensure researchers understand their obligations and responsibilities.

**X. CONCLUSION**

A. By adhering to this Conflict of Commitment Policy, Lamar University reinforces its commitment to promoting a research environment that prioritizes transparency, accountability, and ethical conduct. Faculty members and researchers are essential stakeholders in upholding the University's reputation and advancing knowledge, and their dedication to managing potential conflicts of commitment will contribute to the sustained success of our research enterprise.

**XI. REVIEW AND RESPONSIBILITY**

Responsible Parties: Academic Policy Advisory Council; Office of Research and Sponsored Programs Administration.

Review Schedule: Every three years on or before the date the policy was last revised and/or approved.

**XII. APPROVAL**

Dr. Brett Welch 11/08/2024  
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 Interim Provost and Vice President for Academic Affairs Date

Dr. Jaime Taylor 11/08/2024  
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 Lamar University President Date

**POLICY LOG**

Version	Date	Description of Changes
1	01/01/2011	Issued.
	08/01/2023	Last updated.
		Reviews by constituency groups completed.
		Review by campus community completed.
		Policy approved by President.



## APPENDICES

### Related Links

Office of Research and Sponsored Programs Administration (<https://www.lamar.edu/research/research-and-sponsored-programs.html>)

Financial Conflict of Interest Disclosure Form (<https://www.lamar.edu/research/research-and-sponsored-programs/research-compliance/coi/>)

Faculty Information (<https://www.lamar.edu/faculty-staff/academic-affairs/faculty-info/index.html>)

Faculty and Staff Policies (<https://www.lamar.edu/faculty-staff/policies.html>)

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