

## **APPENDIX F**

### **EMMANUEL COLLEGE POLICIES GOVERNING FACULTY OUTSIDE PROFESSIONAL ACTIVITIES AND CONFLICT OF INTEREST**

Emmanuel holds to the belief that its academic mission, education programs and students are best served by faculty who are firmly dedicated to teaching excellence while at the same time actively engaged in their respective fields and deeply committed to continuous scholarly and professional growth. Mindful of this, the College encourages active participation of its faculty in research and professional development activities, including consulting, which provide opportunities for sustained professional challenge and growth, or otherwise enhance the effectiveness of a faculty member's service to the College. Interaction outside the classroom with industry, business, government and other institutions of our society all combine to provide valuable avenues by which faculty can develop both professionally and as teachers.

It is recognized that the potential magnitude of such outside professional activity for faculty is such that orderly procedures must be followed to ensure that ethical and legal conflicts of interest are avoided and that the nature and extent of such activities do not overshadow or otherwise conflict with the faculty member's full-time responsibilities to the College. Essential to the effectiveness of such procedures are (a) complete disclosure of outside professional activities, and (b) the availability of competent advice and consultation with the appropriate Department Chair.

#### **Potential Conflict of Interest**

Personal responsibility, integrity, and commitment to the highest ethical standards constitute the principal factors in avoiding conflicts of interest. Consequently, it is the expectation of the College that faculty will conduct their outside activities in a manner which reflects credit on themselves, their profession, and the College.

It is the policy of Emmanuel College that its administration, faculty, staff, and others acting on its behalf will conduct their activities according to the highest ethical standards and will govern themselves in a manner such as to avoid ethical, legal, financial, or other conflicts of interest and to ensure that their activities and interests do not conflict with their full-time obligations to the College or its welfare. Accordingly, Officers of the College, members of the administration, faculty and staff in a position to make decisions favoring one or another outside interest are required to annually acknowledge in writing that they have no interest, direct or indirect, in conflict with the College's interest, or identify any interests that have the potential for conflict.

It is acknowledged that there may be situations sufficiently complex that judgments may differ as to whether there is or may be a conflict of interest. Consequently, individuals of the highest integrity may unknowingly place themselves in situations where conflicts exist. As such, individuals with a personal interest that may have the potential for conflict with the interest or welfare of the College should seek advice and guidance. For faculty, this consultation should be with the appropriate Department Chair. Administrators and staff should review their circumstances with their respective Vice President.

## **Financial Conflict of Interest (FCOI)**

The federal government established new regulations for defining, disclosing and reporting on significant financial interests (SFI). The new regulations include a reduction in the monetary interest considered to be a "significant" financial interest from the current \$10,000 threshold to \$5,000. These became effective on 24 August 2012 and expanded on previous conflict of interest regulations established in 1995. A financial conflict of interest (FCOI) is one where the College reasonably determines that the significant financial interest of an investigator could directly and significantly affect the design, conduct or reporting of research. Significant financial interests, or any employment or consulting roles, raise particular questions of potential or apparent financial conflicts of interest which require special ad hoc disclosures, review and approval. In addition to filing an annual disclosure and certification in the fall – as noted in the preceding section, faculty must also disclose significant financial interests in the following ways:

- **Ad hoc Disclosure Process:** *Outside of the annual reporting process, any new significant financial interest must be disclosed within 30 days following the date on which the significant financial interest is acquired or arises. This disclosure must be made to the Department Chair, who will inform the Dean. The Dean will inform the Vice President of Academic Affairs.*
- **Proposal-related Disclosure Process:** *Prior to submitting a proposal for funding, the investigators identified in the proposal must disclose whether they have significant financial interests that may be related to the proposal. If there is a potential relationship, the investigator must file a full disclosure with additional information regarding the relationship of the project to the related company prior to submission of the proposal to the sponsor. This disclosure must be made to the Department Chair, who will inform the Dean. The Dean will inform the Vice President of Academic Affairs. Some sponsors – most notably the Public Health Service (PHS) – require mandatory FCOI training for the investigator prior to beginning work on a sponsored project.*
- **FCOI Training:** PHS defines “Investigator” as the project director or Principal Investigator and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research. PHS agencies include:

National Institutes of Health (NIH)  
Food and Drug Administration (FDA)  
Centers for Disease Control (CDC)  
Agency for Healthcare Research and Quality (AHRQ)  
Agency for Toxic Substances and Disease Registry (ATSDR)  
Health Resources and Services Administration (HRSA)  
Indian Health Services (IHS) Substance Abuse and Mental Health Services Administration (SAMHSA)

### **Non-PHS Sponsors adopting PHS FCOI Regulations**

Alliance for Lupus Research  
American Cancer Society  
American Heart Association  
Arthritis Foundation  
Susan G. Komen for the Cure

Investigators must complete the Responsible Conduct of Research Training through CITI at [www.citiprogram.org](http://www.citiprogram.org) in order to satisfy the requirement for FCOI training prior to beginning the research project. The receipt of the certificate of completion must be confirmed with Ellen Mendonca in OSP [mendoncae@emmanuel.edu](mailto:mendoncae@emmanuel.edu).

### **Full-Time Service and Outside Activity**

For faculty, the obligation inherent in full-time service is difficult to define since, in academic life, it typically transcends a stated number of hours per week. In a context where a faculty member has substantial freedom in arranging his or her professional life, it implies a controlling interest, loyalty, and primary responsibility to the College. While this obligation is difficult to define, it is necessary for practical reasons to be more specific. As is stated in the *Faculty Handbook*, a faculty member is appointed with the expectation that he or she will be principally employed at Emmanuel College. As also stated in the *Faculty Handbook*, faculty members shall inform on a regular basis their respective Chair who will inform the Dean of any outside professional remunerative activities. The Dean will keep the Vice President of Academic Affairs informed of such reports.

### **Responsibilities of the Faculty Member - Disclosure and Consultation**

Liaison between the Department Chair and faculty member is the principal means of communication and disclosure in matters involving outside professional activities. The following policies and procedures apply:

- (a) It is the obligation of faculty members to keep their Department Chair informed continually in adequate detail regarding all outside professional activities, service on external committees, and other special assignments outside the College.
- (b) It is the further obligation of faculty members to discuss with their Department Chair the assumption of outside activities that are new in scope before entering an agreement to undertake them. This is particularly true of those outside activities such as direct and active management obligations in outside business entities or teaching in degree and non-degree programs, which normally conflict with the requirement that primary loyalty be, at all times, to the College.
- (c) It is the further obligation of faculty members to discuss with their Department Chair the specific nature of any activities to be carried on with other academic institutions. To avoid any potential conflict of interest or appearance of a conflict of interest, faculty wishing to enter into agreements with other educational institutions during the normal academic year must first have the approval of their Department Chair before entering into such agreements.
- (d) It is the further obligation of the faculty member to disclose any "substantial interest" he or she has in any corporation, partnership, limited liability company or other association or entity that had in the prior year, currently has or seeks to have a financial relationship with the College. Each faculty member is required to submit a Disclosure Statement (using the form found below) to their Department Chair (and ultimately to the Dean) for each fiscal year, which shall be promptly updated to disclose any new or proposed financial relationships with the College arising after it is filed. Violation of this disclosure requirement may result in disciplinary action and (depending upon the severity of the

violation) possible termination, consistent with the terms of employment for that faculty member.

### **Responsibilities of the Department Chair**

It is the responsibility of the Department Chair to ensure that faculty members are familiar with College policies and procedures regarding outside professional activities. The role of the Department Chair in such matters further includes:

- (a) being currently informed as to the outside professional activities of members of the faculty and passing on such information to the Dean;
- (b) advising faculty members so they may avoid conflicts of interest or situations that may adversely affect the College;
- (c) consulting with the Dean when additional guidance is needed.

In addition to the foregoing procedure, the Department Chairs in consultation with the Dean should ascertain, in September of each year, the nature and extent of the outside professional activities of members of the division/department, *not including*, however, the income derived from such activities. The following information is required:

- (a) number of days spent on outside professional activities performed for professional societies; for government and industry committees, review boards, and panels; or for other educational institutions, and for which compensation is normally incidental;
- (b) the number of days spent on compensated outside professional activities (but not to include the amount of compensation derived therefrom);
- (c) the nature of the relationship involved in the outside connections of a faculty member;
- (d) the extent that a company in which a faculty member is involved does business with Emmanuel, and information on any significant financial interest the faculty member may have in such a company; and
- (e) names and responsibilities of committees (in government and industry) on which the faculty member serves.

The fact that such a review is made once a year should not lead faculty members to ignore their obligation to keep their Department Chair continually informed concerning their outside professional activities.

**EMMANUEL COLLEGE  
FACULTY REPORT ON OUTSIDE PROFESSIONAL ACTIVITIES**

NAME \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

**I. Compensated Outside Professional Activity:** (consulting, teaching, board membership, etc.)

**DO NOT** indicate amount of compensation.

<b><u>Company or Organization</u></b>	<b><u>Nature of Work or Relationship</u></b>	<b><u>Total Calendar Days (Academic Year)</u></b>
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**II. Uncompensated Outside Professional Activity:** (professional societies, committees, panels, Community service, etc. with no or nominal compensation.)

<b><u>Company or Organization</u></b>	<b><u>Nature of Work or Relationship</u></b>	<b><u>Total Calendar Days (Academic Year)</u></b>
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**III. Disclosure of Substantial Interests**

Do you, directly or indirectly, have a Substantial Interest in a business entity that in the prior fiscal year (July 1 – June 30) had, or now has or seeks in the coming fiscal year to have, a financial or other business relationship with the College?

NO (✓) YES ( )

If yes, please provide the information below:

of Name & Financial <u>Identity of Owner</u> <u>Relationship</u>	Name of <u>Business Entity</u>	Nature of <u>Ownership Interest</u>	Nature
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**Substantial Interest** means (i) ownership by you of an interest of 5% or more in a business entity; (ii) annual income or payment, or expected annual income or payment by you of more than \$10,000 from a business entity; or (iii) service as an officer, manager, trustee, director, agent or employee of a business entity (except that uncompensated service as a director of a not-for-profit corporation is not a Substantial Interest).

IV. Considering the College policy on conflict of interest, in your view have any of the relationships described in this report the potential or the appearance of a conflict of interest? If so, please describe.

\_\_\_\_\_

Name

\_\_\_\_\_

Signature