

**Coppin State University**

**58.0 III-1.11 POLICY AND PROCEDURES ON CONFLICTS OF INTEREST IN RESEARCH OR DEVELOPMENT**

**I. Introduction**

Maryland law encourages public senior higher education institutions to promote economic development in the State and to increase their financial resources through arrangements with the private sector, including collaborative research and development, commercial application of institution-owned intellectual property, and provision of technical assistance. To facilitate these purposes, the Maryland Public Ethics Law allows for the exemption of University System of Maryland personnel from some of that law's conflict of interest provisions. This policy establishes the essential elements of the procedures, adopted by Coppin State University, for obtaining such exemptions. Any procedures established within the policy apply to the BOR III-1.11 Policy and Procedures on Conflicts of Interest in Research and development and BOR II-3.10 Policy on Professional Commitment of Faculty.

**II. Policy**

A current administrator or faculty member of CSU may have a relationship (as defined herein) with an entity engaged in research or development, or an entity having a direct interest in the outcome of research or development, which relationship would otherwise be prohibited by the conflict of interest provisions of the Ethics Law, if such relationship is disclosed and approved by the President of Coppin State University in accordance with the Coppin State University's faculty conflict of interest procedures developed pursuant to this Policy.

The President, Vice President or one holding a similar such position may have such a relationship in accordance with Board of Regents' III.-1.11 Policy on Conflicts of Interest in Research or Development.

- A. This Policy does not exempt a former or present administrator or faculty member from any of the provisions of the State Ethics Law.
- B. Nothing in this policy allows an exemption on the part of any administrator or faculty member of the University from the provisions of 15-505 ("Solicitation or acceptance of gifts") of the State Government Article. Further, an official or employee of the System may not (1) represent a party for contingent compensation in any matter before the Board of Regents or before the State's Board of Public Works, or (2) intentionally misuse his or her position with the University for personal gain or for the gain of another person.
- C. The approval of a relationship under this policy does not relieve the administrator or faculty member from the obligation to comply with CSU policies, including the System Policy on Professional Commitment of Faculty.

- D. The President is encouraged to consult periodically with the Maryland Department of Business & Economic Development and with Federal agencies that regulate federally-funded research concerning the implementation of this policy.

### **III. Procedures**

Coppin State University shall finalize its procedures based on the above policy and the purposes of the Maryland Public Ethics Law as stated at Section 15-101 of the State Government Article of the Maryland Annotated Code. Upon approval by the Attorney General's Office and found to be in conformity with Maryland Public Ethics Law by the State Ethics Commission, procedures shall be filed with the CSU President's Office.

Procedures shall:

1. Require timely disclosure of any relationship. The disclosure shall be filed with the State Ethics Commission, and maintained as a public record at Coppin State University.
2. Subject to paragraph (5), require review of all disclosed relationships by a designated administrator who shall determine what further information must be disclosed and what restrictions shall be imposed in order to manage, reduce, or eliminate any actual or potential conflict of interest. The designated administrator shall also determine whether or not the disclosed relationship represents a harmful interest, as defined herein. If so, approval shall not be granted.
3. Include guidelines to ensure that relationships do not improperly give an advantage to entities with which the relationships exist, lead to misuse of CSU students or faculty members for the benefit of such entities, or otherwise interfere with the duties and responsibilities of the administrator or faculty maintaining the relationship.
4. Subject to paragraph (5), require that each relationship be approved or disapproved by the president of the university, with such determination to be the final decision.
5. Require that any relationship maintained by the President or Provost and by one holding any other position designated by the Board of Regents be approved by the Board of Regents. Refer to schedules I, II, III and IV.

### **IV. Reporting**

Coppin State University shall submit to the Chancellor in a format determined by the Chancellor a quarterly report which shall include all approvals granted under this Policy. The Board of Regents shall report to the Governor, the Legislative Policy Committee of the General Assembly,

and the State Ethics Commission, the number of approvals granted under this Policy and how this Policy and the procedures adopted pursuant to it have been implemented in the preceding quarter.

Faculty, staff and other employees will report on an annual basis to the department chair, Director and/or dean, outside activities that may present a conflict of interest and/or commitment as stated in the BOR policy. Schedules I-IV are included within the policy for this purpose. However, timely disclosure of commitment to significant activities undertaken outside of Coppin State University or in some cases, outside the department or school or unit is necessary and should be done prior to establishment of such significant activities and commitments.

## **V. Resolving Conflict of Interest**

In cases where significant activities or commitments require further information, the department chair, Director and/or dean may request that an ad-hoc committee be convened to gather and review the activities or commitments in a broader context and present their findings to the Provost & Vice President for Academic Affairs. The Provost & Vice President for Academic Affairs will then review the committees' findings and make recommendations to the President who makes the final determination of approval or disapproval of the activities or commitments.

### Guidelines for Resolving Conflict

1. Committees may be comprised of 4 to 6 faculty members, including a sponsored research officer or designee chosen by the department chair, Director and/or dean in consultation with the Provost and Vice President for Academic Affairs. Committees are encouraged to seek information from individuals that may be named in such relationships and/or and may also seek counsel and/or guidance from regulations established by appropriate agencies in which rules may apply.
2. Relationships may be approved by the committee requiring no further action from the parties involved. However, relationships may not be approved if the following situations apply:
  - A. The relationship provides inappropriate favor or advantage to the entity with whom the employee has a relationship and clearly violates state and federal policies and/or those policies of the University;
  - B. The relationship leads to a misuse of the University's human, capital and other resources;
  - C. The relationship interferes with duties and responsibilities of the faculty and/or staff member or employee maintaining the relationship; and
  - D. The relationship may lead to bias in the research or commitment, the publishing of research results and/or may lead to harm subjects and/or individuals involved.

3. Approval granted by the committee or by the President may be rescinded at anytime should it later be determined that any party involved misrepresented any information provided for review and approval.

## **VI. Definitions**

- A. "Harmful interest" means an interest which is found to be so influential as to impair impartiality in the conduct of the research, the interpretation of the results of the research, and/or the determination of research or other professional and employment priorities.
- B. "Relationship" means any interest, service, employment, gift, or other benefit or relationship with an entity that would be prohibited by Title 15, Subtitle 5 of the State's Public Ethics Law if not disclosed and approved pursuant to this Policy and procedures adopted pursuant to it. "Relationship" includes any relationship of the spouse or other relative of an officer or employee if such relationship creates restrictions on the officer or employee under the conflict of interest provisions of the Ethics Law.
- C. "Research or development" means basic or applied research or development, and includes the development or marketing of university-owned technology, the acquisition of services of an official or employee by an entity for research and development purposes, or participation in State economic development programs.
- D. "Timely Disclosure" means that any significant commitment or activity should be made before any commitments are finalized and presented for review.

## **Schedule I: Ownership/Financial Interest**

Report on this Schedule any ownership of financial interest in any corporation, partnership, or other non-corporate entity that is engaged in research or development or that has a direct interest in the outcome of research or development.

- 1. Name and Address of principal office of entity:**
  
- 2. Describe the research or development in which the entity is engaged, and/or the entity's direct interest in the outcome of research or development:**
  
- 3. Nature of Interest** (Describe fully who owns the interest, whether it is held solely or jointly with others, whether it is held directly or through any other entity, the percentage of the entity owned, any conditions and encumbrances affecting the interest.):
  
- 4. Date Acquired:**
  
- 5. From who acquired:**
  
- 6. Nature of consideration, including the dollar amount and/or the fair market value at the time of the acquisition:**
  
- 7. If any part of an interest reported on this form has been transferred since it was last reported, describe what was transferred, the consideration received** (dollar amount or fair market value at the time of transfer), **and the identity of the transferee:**

## **Schedule II: Employment**

Report on this Schedule any employment, office, board membership, service, or other working relationship with any entity engaged in research or development or having a direct interest in the outcome of research or development.

1. **Name and Address of principal office or entity.**
  
2. **Describe the research or development in which the entity is engaged and/or the attorney's direct interest in the outcome of the research or development.**
  
3. **Title and Duties of the position to be held, and the name of the person holding the position.**
  
4. **Compensation** (dollar amount if applicable, and/or fair market value of other compensation):
  
5. **Date the relationship was established:**
  
6. **If the relationship has materially changed since it was last reported, describe the change, including all changes in previously reported information.**

### **Schedule III: Other Interest or Relationship**

Report on this Schedule any relationship not reported on Schedules I and II with any entity engaged in research or development or having a direct interest in the outcome of research or development.

- 1. Name and address of principal office of the entity.**
- 2. Describe the research or development in which the entity is engaged and/or the attorney's direct interest in the outcome of the research or development.**
- 3. Describe the relationship fully, including who maintains the relationship, its nature and purpose, and any compensation provided by the entity.**

#### **Schedule IV: Mitigating Factors**

Please provide below any additional information that would assist the University System of Maryland Board of Regents in considering whether any relationship disclosed in Schedules I, II, and III constitute a conflict of interest, and if so, whether the relationship should be approved, including any conditions and restrictions which would allow a conflict of interest to be managed consistent with the purposes of the State Ethics Law.

**Provide explanation below:**