

MICHIGAN STATE
UNIVERSITY

April 3, 2012

MEMORANDUM

TO: Trustee Policy Committee
FROM: Kim Wilcox, Provost *KAW*
SUBJECT: Revision to the *Faculty Conflicts of Interest Policy*

RECOMMENDATION:

BE IT RESOLVED that the Trustee Policy Committee recommends to the Board of Trustees that it approve the revised Faculty Conflicts of Interest Policy, as presented in Attachment A.

BACKGROUND:

The University Committee on Faculty Affairs ("UCFA") endorsed the attached revision to the Policy on March 13, 2012. The revised policy was subsequently endorsed by the Faculty Senate on March 27, 2012.

The current policy was approved by the Board of Trustees in April, 2006 and has not been updated since that time.

A copy of a memorandum to the UCFA Chairperson summarizing the changes to the policy is presented in Attachment B. As more fully outlined in Attachment B, the changes in the policy are intended to reflect the best practices of other comparable research-intensive universities and address new regulatory requirements of the Public Health Service, which require implementation and compliance by August 24, 2012.

A copy of the current policy is presented in Attachment C.

Vice President Ian Gray, Associate Provost Terry Curry, Dr. Terry May, and Assistant General Counsel Lee Bollinger will be available to meet with the Trustee Policy Committee to answer any questions you may have regarding the proposed revision.



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Conflicts of Interest, Faculty/Academic Staff

This policy was approved by the Board of Trustees on [approval date].

I. PREAMBLE

As a modern research-intensive land-grant university, Michigan State University is committed to maintaining the trust of the general public which supports it and which it serves. For the University to do so, its faculty must pursue their research, teaching, outreach, and service responsibilities with integrity and proper professional judgment in a manner consistent with the highest standards of their respective disciplines and in the best interests of the University. A faculty member's reputation for integrity and for exercising proper professional judgment can be seriously compromised, however, if the faculty member fails to disclose a significant financial interest that is related to his/her institutional responsibilities. Moreover, an individual faculty member's unmanaged and unresolved conflict of interest can undermine confidence in the University and, thus, harm its standing and that of its entire faculty.

This Policy addresses the disclosure, review, management, and resolution of conflicts of interest relating to the performance by faculty of their research, teaching, outreach, and service responsibilities at the University. For purposes of this Policy, a "conflict of interest" exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the University.¹

II. APPLICABILITY²

This Policy applies to individuals appointed through the academic personnel system with research, teaching, outreach, or service institutional responsibilities. This Policy also applies to other individuals who have independent responsibility for proposing, conducting, or reporting the results of University research and other sponsored projects.³

III. IMPLEMENTATION

A. Disclosure

Faculty members must annually disclose all significant financial interests⁴ and other opportunities for tangible personal benefit that are related to the faculty member's institutional responsibilities. Faculty members must also submit an updated disclosure within thirty days of acquiring any new significant financial interest or other opportunity for

¹ In amplification and not in limitation of the foregoing, a conflict of interest exists if a faculty member's financial interests (or other opportunities for tangible personal benefit) directly and significantly affect the design, conduct, or reporting of the results of research or other sponsored projects.

² For purposes of this Policy, the individuals described in Section II (Applicability) will generally be referred to as "Faculty" or "Faculty Members," although the term encompasses, and the Policy applies to, all individuals described in Section II.

³ For a more detailed description of this Policy's application to individuals involved in University research and other sponsored projects, refer to the Faculty Conflict of Interest Handbook.

⁴ A "significant financial interest" is defined in the Faculty Conflict of Interest Handbook.

34 tangible personal benefit. "Institutional responsibilities" refer to the faculty member's
35 professional responsibilities on behalf of the University, which include research,
36 teaching/education, outreach, and service activities, both within and outside the University,
37 in the general area of expertise for which the faculty member is employed by the University.

38 Disclosures will be made in accordance with the procedure established by the Faculty
39 Conflict of Interest Officer (FCOIO). Each faculty member shall provide all information
40 necessary for the University to review, manage, and resolve any conflicts of interest
41 involving that faculty member.

42 The University shall respect the confidentiality of private financial and other private
43 information supplied by faculty, and shall not release this information publicly unless it is
44 legally required to do so, the resolution or elimination of the conflict of interest requires
45 public disclosure of the information, or the faculty member consents to its public disclosure.

46 B. Faculty Conflict of Interest Officer

47 The Vice President for Research and Graduate Studies (VPRGS), in consultation with
48 representatives of the University Committee on Graduate Studies (UCGS) and the University
49 Committee on Faculty Affairs (UCFA), will appoint a FCOIO to administer this Policy. The
50 FCOIO shall serve as a resource to faculty and administrators on defining and addressing
51 faculty conflicts of interest and shall convene and serve, *ex officio*, as a non-voting member
52 of the Conflict Review Committee described in Section III.D of this Policy.

53 The FCOIO shall develop and maintain an institutional procedure for faculty members to
54 report significant financial interests and other opportunities for tangible personal benefit, as
55 required by this Policy.

56 The FCOIO, in consultation with relevant administrators and appropriate academic
57 governance committees, shall arrange for the preparation of a handbook for faculty,
58 incorporating a list of frequently asked questions, explaining and interpreting this Policy.
59 Assessment, management, and resolution of conflicts of interest should take into account
60 the different norms, customs, and expectations of the various disciplines found among
61 faculty in the University.

62 C. College-Specific Addenda

63 Each college (or relevant non-college unit) is encouraged to prepare, in consultation with
64 the FCOIO, a supplement to the conflict of interest handbook, with frequently asked
65 questions, that addresses conflict of interest issues specific to the disciplines and activities
66 of the faculty of that college. A college may also adopt its own addendum to this Policy to
67 address specific conflict situations which occur in that college. Such addenda must be
68 prepared in consultation with the FCOIO and approved by the VPRGS. College-specific
69 addenda must be consistent with, and no less stringent than, the provisions of this Policy
70 and federal law and regulations regarding conflict of interest.

71 D. Conflict Review Committee

72 The VPRGS, in consultation with representatives of the UCGS and the UCFA, shall appoint a
73 Conflict Review Committee (CRC) composed of at least five faculty members from different
74 disciplines, one of whom they will select as chairperson. At the discretion of the VPRGS,
75 additional members may be appointed to the CRC. CRC members shall serve for staggered
76 three-year terms and may be reappointed to additional terms. The FCOIO shall convene the
77 CRC and serve, *ex officio*, as a non-voting member. The FCOIO and CRC have the authority
78 to invite any input they deem necessary to assess a potential conflict of interest.

79 The FCOIO shall make the initial assessment about the existence of a conflict of interest
80 based on the extent to which a disclosed significant financial interest or opportunity for
81 tangible personal benefit could reasonably be expected to affect, or be perceived to affect, a
82 faculty member's performance of a University responsibility. If the FCOIO determines that a
83 disclosed interest may create a real or potential conflict of interest, the FCOIO shall forward
84 the disclosure to the CRC for additional assessment. If the CRC determines that no conflict
85 of interest exists, it shall inform the faculty member and the VPRGS of that determination in
86 writing. If the CRC determines that a conflict of interest exists as a result of the disclosures
87 made by the faculty member, or as a result of a report made by another party, the CRC
88 shall develop a written plan for the resolution or management of the conflict of interest.
89 The CRC may consult with the faculty member, the faculty member's unit administrators,⁵
90 the FCOIO, and appropriate representatives of the central administration in developing a
91 plan.

92
93 The FCOIO shall submit the plan to the faculty member and the faculty member's unit
94 administrators for review and comment. If the faculty member does not agree with the
95 CRC's plan for the management or resolution of the conflict of interest, the faculty member
96 may file a written objection detailing the nature of his/her objections with the VPRGS within
97 ten days of receiving notice of the CRC's plan. The CRC's plan, along with any written
98 comments submitted by unit administrators, and the objections of the faculty member shall
99 be submitted to the VPRGS. The VPRGS may accept the CRC's plan or decide to implement
100 an alternative plan for the management or resolution of the conflict of interest. The VPRGS
101 shall issue his/her decision within thirty days of his/her receipt of the CRC's plan and any
102 supplemental material.⁶ The VPRGS shall report his/her decision to the CRC, faculty
103 member, unit administrators, and FCOIO.

104
105 In devising the plan to address the conflict of interest, the CRC shall seek to employ the
106 least intrusive management techniques that will suffice to resolve the ethical and legal
107 concerns arising from the conflict.

108 The CRC may recommend to the Provost and VPRGS the issuance of specific guidelines to
109 investigators and other faculty regarding common conflict situations.

110 IV. SPECIFIC REQUIREMENTS FOR RESEARCH AND PROJECTS FUNDED BY THE PUBLIC 111 HEALTH SERVICE AND NATIONAL SCIENCE FOUNDATION

112 The Public Health Service (PHS) and National Science Foundation (NSF) have developed
113 policies and procedures to ensure that the design, conduct, and reporting of research
114 funded under PHS or NSF grants, cooperative agreements, and contracts will not be biased
115 by conflicts of interest affecting the investigators responsible for such research.

116 The PHS/NSF regulations require that each institution and investigator applying for,
117 receiving, or being supported by PHS/NSF funds be compliant with PHS/NSF rules regarding
118 training and disclosure prior to applying for funds and the establishment of conflict of
119 interest management plans prior to the expenditure of funds.

120 Investigators applying to PHS or NSF must disclose to the University all "significant financial
121 interests" (as defined in the regulations) related to the investigator's institutional

⁵ For purposes of this Policy, references to a faculty member's "unit administrators" include the relevant department chair, dean, and/or separately reporting director.

⁶ This thirty-day period may be extended by the FCOIO upon the written request of the VPRGS.

122 responsibilities. Further, investigators participating in PHS- or NSF-funded research are
123 required to submit an updated disclosure of significant financial interests within thirty days
124 of acquiring any new significant financial interest.

125 A conflict of interest exists if the University determines that the investigator has a
126 significant financial interest that could directly and significantly affect the design, conduct,
127 or reporting of PHS- or NSF-funded research. The University will not authorize the
128 expenditure of any funds under a PHS- or NSF-funded research project until (a) all
129 investigator disclosures have been reviewed for potential conflicts of interest; and (b) if a
130 conflict of interest exists, a plan satisfactory to the VPRGS to manage the conflict of interest
131 has been developed and implemented.

132 To the extent that these or any other legal requirements are more stringent than this Policy,
133 they will take precedence. For a detailed description of the disclosure requirements
134 applicable to PHS/NSF investigators, refer to the "Guidelines on Conflict of Interest
135 Pertaining to Applications for NSF and PHS Research Support," which is a supplement to this
136 Policy.

137 V. NON-COMPLIANCE

138 A faculty member who violates this Policy is subject to disciplinary action. Any University
139 employee or student who knowingly files a false allegation that this Policy has been violated,
140 or who knowingly provides false information to or intentionally misleads University officials
141 who are investigating an alleged violation of this Policy, may be subject to disciplinary
142 action. The VPRGS shall establish a mechanism, after consulting with the FCOIO, for
143 investigating concerns or allegations regarding significant financial interests and other
144 opportunities for tangible personal benefit of faculty which are not reported as required
145 under this Policy. The review and investigation of concerns or allegations that this Policy
146 has been violated will be conducted confidentially to the extent permitted by law, except
147 insofar as information needs to be disclosed so that the University may effectively
148 investigate the matter or take corrective action.

149 If the failure of a faculty member to comply with this Policy has biased the design, conduct,
150 or reporting of funded research, the University may, and in some cases is required to, notify
151 the awarding agency of the compliance failure and the corrective action taken by the
152 University.

153 VI. TIMING OF IMPLEMENTATION

154 The current Faculty Conflicts of Interest Policy was approved by the Board of Trustees on
155 April 13, 2006. This revised Faculty Conflicts of Interest Policy shall supersede the current
156 Policy upon approval by the Board of Trustees.

157 Effective August 24, 2012, all individuals who have independent responsibility for proposing,
158 conducting, or reporting the results of University PHS- or NSF-funded research must be in
159 compliance with this Policy and related University policies and guidelines applicable to PHS-
160 or NSF-funded research.

161 The President, in consultation with the VPRGS, shall determine the timing of implementation
162 of the annual reporting requirement under Section III, Part A of this Policy for covered
163 individuals to whom the foregoing paragraph does not apply. Such individuals shall comply
164 with the disclosure requirements set forth in the Faculty Conflicts of Interest Policy
165 approved by the Board of Trustees on April 13, 2006 until the President has determined that
166 the disclosure requirements set forth in this revised Policy are applicable to them, which
167 shall be no later than January 1, 2015.

168

169 Appendix: Role, Appointment, and Evaluation of the Faculty Conflict of Interest Officer
170 (FCOIO)

171 1. Role of the FCOIO

- 172
173 A. Serves as an information resource to faculty and administrators on defining and
174 addressing conflicts of interest, as defined in the Policy.
175
176 B. Prepares an institutional procedure to be used in establishing conflict reporting
177 mechanisms.
178
179 C. Convenes the Conflict Review Committee (CRC) and serves, *ex officio*, as a non-
180 voting member.
181
182 D. In consultation with relevant administrators and appropriate faculty committees,
183 arranges preparation of a handbook incorporating a list of frequently asked questions
184 explaining and interpreting the Policy.

185 2. Appointment of the FCOIO

- 186
187 A. The FCOIO shall be appointed by the Vice President for Research and Graduate
188 Studies (VPRGS) after consultation with representatives of the University Committee
189 on Graduate Studies (UCGS) and University Committee on Faculty Affairs (UCFA). The
190 FCOIO shall serve at the pleasure of the VPRGS.
191
192 B. The FCOIO shall report to the VPRGS. The FCOIO shall keep the Provost and
193 President informed about the implementation of this Policy and about educational and
194 other activities of his/her office.
195
196 C. Should the FCOIO recuse himself/herself from FCOIO duties with regard to a
197 particular conflict of interest, the VPRGS shall appoint a substitute after consultation
198 with the chairperson of the Academic Subcommittee of the UCGS.

199 3. Evaluation of FCOIO

- 200
201 The VPRGS shall evaluate the performance of the FCOIO at intervals not to exceed five
202 years pursuant to criteria established by the President, Provost, and VPRGS in
203 consultation with the UCGS. The VPRGS shall submit the results of this evaluation to
204 the President, the Provost, and the UCGS.

March 22, 2012

MEMORANDUM

TO: Dr. William A. Anderson, Chair, University Committee on Faculty Affairs

FROM: Theodore H. Curry, Associate Provost and Associate Vice President of Academic Human Resources, Office of the Provost

RE: Proposed Revisions to the *Faculty Conflicts of Interest Policy*

I write following the University Committee on Faculty Affairs' ("UCFA") endorsement of the proposed revision to the *Faculty Conflicts of Interest Policy* on March 13, 2012. The UCFA endorsed the proposed revision on the condition that (a) the UCFA receive annual reports concerning the implementation of the new annual disclosure requirement, and (b) the deadline for University-wide implementation of the annual disclosure be moved back one year, from the date initially proposed of January 1, 2014, to January 1, 2015. The revised policy will now be submitted to the Faculty Senate for approval at its meeting of March 27, 2012.

The existing *Faculty Conflicts of Interest Policy* was approved by the Board of Trustees on April 13, 2006. The policy revisions are intended to both (a) reflect the best practices of other comparable research-intensive universities and (b) address new requirements of the Public Health Service ("PHS"), which require implementation and compliance by August 24, 2012.

In sum, the main substantive changes to the policy are as follows:

1. The revised policy covers all individuals appointed through the academic personnel system with research, teaching, outreach, or service institutional responsibilities. Additionally, although most individuals involved in research and sponsored projects are covered by the current policy, the revised policy makes this coverage explicit, covering all individuals who have independent responsibility for proposing, conducting, or reporting the results of University research and other sponsored projects.
2. Consistent with the best practices of other CIC institutions, the revised policy requires annual reports of faculty members'¹ significant financial interests ("SFI"). By contrast, the current policy requires faculty to self-report as potential conflicts arise. The annual reporting requirement of the revised policy will be implemented in stages, beginning with PHS/NSF investigators (*see* Section VI). This gradual implementation of annual reporting will permit the University to develop the administrative capacity to process the larger volume of disclosures that will be generated under the revised policy.

¹ As in the revised policy, references to "faculty" and "faculty members" in this memo refer to all individuals described in Section II of the revised policy (i.e. individuals appointed through the academic personnel system with research, teaching, outreach, or service institutional responsibilities and individuals who have independent responsibility for proposing, conducting, or reporting the results of University research and other sponsored projects.)

3. The revised policy requires the disclosure of all SFIs related to the faculty member's "institutional responsibilities" (as defined in the revised policy). The current policy, by contrast, requires that SFIs be disclosed only when the faculty member assumes a University responsibility that would be affected by an existing SFI. This revision to the policy is consistent with best practices and responsive to new regulatory requirements concerning the scope of financial disclosures needed to identify and manage conflicts of interest.
4. The revised policy gives the Faculty Conflict of Interest Officer ("FCOIO") greater responsibility to administer the policy, including responsibility for (a) developing an institutional procedure for faculty to report SFIs, and (b) making the initial assessment of disclosed SFIs, a responsibility that falls to unit administrators and deans under the current policy. As explained in more detail in Point 7 below, this change is intended to create greater uniformity in the standards by which potential conflicts are assessed.
5. The revised policy gives colleges greater latitude to address conflict of interest issues specific to the disciplines and activities of their respective faculty by permitting the development of college-specific addenda to the main faculty policy. The current policy provides colleges more limited means to address such concerns.
6. Whereas the Conflict Review Committee ("CRC") is composed of only three faculty members with advisory responsibilities under the current policy, the revised policy provides that the CRC is composed of at least five faculty members with expanded responsibilities. Additional members may also be appointed at the discretion of the Vice President for Research and Graduate Studies ("VPRGS").
7. The revised policy changes the manner in which potential conflicts are evaluated and managed with the goal of streamlining the process and imposing greater uniformity in its implementation. This is accomplished by centralizing the assessment and management of conflicts of interest by shifting responsibilities from unit administrators and deans to the FCOIO and CRC.
8. As noted above, the revised policy adds a new section (IV.) to address specific requirements applicable to PHS and NSF investigators, including new PHS requirements effective August 24, 2012.

Conflicts of Interest, Faculty

This policy was approved by the Board of Trustees on April 13, 2006.

1. (a) As a modern research-intensive land-grant university, Michigan State University must maintain the trust of the general public which supports it and which it serves. For the University to do so, its faculty¹ must pursue their research, teaching, outreach, and service responsibilities with integrity and proper professional judgment in a manner consistent with the highest standards of their respective disciplines and in the best interests of the University. A faculty member's reputation for integrity and for exercising proper professional judgment can be seriously compromised, however, if the faculty member fails to avoid or disclose a conflict of interest. Moreover, an individual faculty member's unmanaged and unresolved conflicts of interest can undermine confidence in the University and, thus, harm its standing and that of its entire faculty.

(b) This Policy addresses the disclosure, review, management, and resolution of conflicts of interest relating to the performance by faculty of their research, teaching, outreach, and service responsibilities at the University. For purposes of this Policy, a conflict of interest exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the University.

¹ Although "faculty" is used throughout for simplicity, this Policy applies to all individuals appointed with pay through the academic personnel system other than graduate assistants.

2. The President, in consultation with a joint subcommittee of the University Graduate Council (UGC) and the University Committee on Faculty Affairs (UCFA), will appoint a Faculty Conflict of Interest Information Officer (FCOIIO) to serve as a resource to faculty and administrators on defining and addressing conflicts of interest and to convene the Conflict Review Committee described in Paragraph 6.

3. Each faculty member is responsible for disclosing his/her own conflicts of interest in accordance with the procedure established under Paragraph 4(a).

4. (a) (i) The FCOIIO shall prepare a model college procedure for faculty members to report their own conflicts of interest.

(ii) Any college that chooses not to adopt the model procedure may develop its own procedure for its faculty to report their conflicts of interest, provided that the Vice President for Research and Graduate Studies (VPRGS) approved the procedure after consulting with the FCOIIO.

(b) The VPRGS shall establish a mechanism, after consulting with the FCOIIO, for investigating concerns or allegations regarding conflicts of interest on the part of faculty which are not self-reported.

5. (a) The conduct of research by faculty, particularly research involving human subjects, and efforts to commercialize intellectual property created by faculty present situations in which the disclosure and management of conflicts of interest are

45 especially important. The University administrators charged to manage those areas
46 shall, therefore, prepare disclosure processes, in consultation with academic
47 governance, that accord with applicable legal requirements, including rules imposed by
48 external funding sources, and that permit the timely assessment and resolution of
49 conflicts of interest relating to research and to commercialization of intellectual
50 property created by faculty.

51
52 (b) The University will not make expenditures on externally funded sponsored
53 research or transfer rights in intellectual property to entities in which faculty have a
54 financial interest unless all required disclosures have been made and any conflicts of
55 interest identified as a result of the disclosures have been evaluated and resolved.

- 56 6. The VPRGS shall establish a Conflict Review Committee (CRC) composed of three
57 faculty members from different disciplines, one of whom they will select as
58 chairperson. The deans and the director of the National Superconducting Cyclotron
59 Laboratory (NSCL), after consultation with the relevant faculty advisory body at the
60 college/NSCL, will nominate faculty candidates. Final selection of the faculty members
61 will be made by the joint subcommittee of the UGC and the UCFA. CRC members shall
62 serve for staggered three-year terms. They may be reappointed to additional terms.
63 The FCOIIO shall convene the CRC and may assist the CRC in its deliberations.

- 64 7. (a) When a faculty member self-reports a possible conflict of interest pursuant to the
65 procedure established in Paragraph 4(a), the faculty member's unit administrator
66 should review the disclosure with the faculty member's dean². If the unit
67 administrator and the dean agree that no conflict of interest exists, they shall inform
68 the faculty member and the VPRGS of that determination in writing.

69
70 (b) (i) If any conflict of interest is identified as a result of the disclosures made by a
71 faculty member under Paragraph 4(a), or as a result of a report made by another
72 party and investigated pursuant to the mechanism established in Paragraph 4(b), the
73 faculty member's unit administrator shall develop a written plan for the resolution or
74 management of the conflict of interest in consultation with the faculty member, the
75 FCOIIO, and, depending on the subject matter of the conflict, appropriate
76 representatives of the central administration.

77
78 (ii) The plan shall be submit, first, to the faculty member's dean for approval,
79 then to the CRC for review and comment, and, finally, to the VPRGS, who may accept
80 the plan or decide to implement another plan for the management or resolution of the
81 conflict of interest.

82
83 (iii) If the dean does not approve the plan developed by the unit administrator,
84 the dean may adopt a different plan for the management or resolution of the conflict of
85 interest. In that event, both plans shall be submitted to the CRC for its review and
86 comment. After receiving the recommendations of the CRC on the matter, the VPRGS
87 shall decide on the plan for the management or resolution of the conflict of interest,
88 and shall report his/her decision to the CRC, faculty member, unit administrator, and
89 dean.

90
91 (iv) If the faculty member does not agree with the unit administrator's plan for
92 the management or resolution of the conflict of interest, the faculty member may
93 submit an alternative plan to the dean. The dean may accept the faculty member's
94 plan, the unit administrator's plan, or formulate a different plan. The plans of the
95 faculty member, unit administrator, and dean shall be distributed to the members of

96 the CRC, which shall submit its recommendations on the matter to the VPRGS. The
97 VPRGS shall decide on the plan for the management or resolution of the conflict of
98 interest, and shall report his/her decision to the CRC, faculty member, unit
99 administrator, and dean.

100
101 (v) In devising the plan to address the conflict of interest, the unit administrator,
102 the dean, and the VPRGS shall seek to employ the least intrusive management
103 techniques that will suffice to resolve the ethical and legal concerns arising from the
104 conflict. Sometimes conflict of interest situations may be satisfactorily addressed
105 through public disclosure of the faculty member's financial interest (or other
106 opportunity for tangible personal benefit) that is the cause of the conflict of interest.
107 On other occasions, stronger measures may be required to resolve or eliminate a
108 serious conflict of interest.

109 ² In this Policy, "dean" means deans of colleges and the equivalent unit administrators for faculty
110 appointed in non-college units.

111 8. The University encourages faculty authorship of instructional materials and does not
112 discourage the use of faculty-authored materials in the faculty member's courses. To
113 avoid the semblance of any conflict of interest, however, each academic unit should
114 establish guidelines appropriate to its circumstances for the selection of instructional
115 materials whose purchase by students results in a financial benefit to the faculty
116 member who assigns those materials.

117 9. Each faculty member shall supply the appropriate administrators with all information
118 necessary for those administrators to review, manage, and resolve any conflicts of
119 interest involving that faculty member. The University shall respect the confidentiality
120 of private financial and other private information supplied by faculty, and shall not
121 release this information publicly unless it is legally required to do so, or unless the
122 resolution or elimination of the conflict of interest requires the public disclosure of the
123 information, or unless the faculty member consents to its public disclosure.

124 10. A faculty member who violates this Policy may be subject to disciplinary action as may
125 apply to violations of other University policies.

126 11. Any member of the University community who knowingly files a false allegation that
127 this Policy has been violated, or who knowingly provides false information to or
128 intentionally misleads University officials who are investigating an alleged violation of
129 this Policy, may be subject to disciplinary action.

130 12. The FCOIIO, in consultation with relevant administrators and appropriate faculty
131 committees, shall arrange for the preparation of a handbook for faculty, incorporating
132 a list of frequently asked questions, explaining and interpreting this Policy.
133 Assessment, management, and resolution of conflicts of interest should take into
134 account the different norms, customs, and expectations of the various disciplines
135 found among faculty in the University. Therefore, each college (or relevant non-
136 college unit) is encouraged to prepare, in consultation with the FCOIIO, a supplement
137 to the handbook, with frequently asked questions, that addresses conflict of interest
138 issues specific to the disciplines and activities of the faculty of that college.

139 Appendix: Role, Appointment, and Evaluation of the Faculty Conflict of Interest Information
140 Officer (FCOIIO)

141 1. Role of the FCOIIO

142
143 A. Serves as an information resource to faculty and administrators on defining and
144 addressing conflicts of interest, as defined in the policy (Paragraph 2).

145
146 B. Prepares a model college procedure to be used in establishing conflict reporting
147 mechanisms (Paragraph 4(a)).

148
149 C. Convenes the Conflict Review Committee (CRC) and assists the CRC in its
150 deliberations (Paragraph 6).

151
152 D. Arranges preparation of a handbook incorporating a list of frequently asked
153 questions explaining and interpreting the Policy in consultation with relevant
154 administrators and appropriate faculty committees (Paragraph 12).

155 2. Appointment of the FCOIIO

156
157 A. The FCOIIO shall be appointed, preferably from the tenured faculty of Michigan
158 State University, by the President after consultation with a joint subcommittee of the
159 University Graduate Council (UGC) and the University Committee on Faculty Affairs
160 (UCFA).

161
162 B. The FCOIIO shall report to the President and shall keep the Provost and VPRGS
163 informed about implementation of the Policy and about educational and other activities
164 of his/her office.

165
166 C. Should the FCOIIO recuse himself/herself from FCOIIO duties with regard to a
167 particular conflict of interest, the President shall appoint a replacement after
168 consultation with the chairperson of the Academic Subcommittee of UGC.

169 3. Evaluation of FCOIIO

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171 A. The FCOIIO shall submit a report annually to the UGC describing progress on the
172 implementation of the Policy, relevant consultations with college faculty and
173 administrators, the caseload of and topics addressed by the CRC, and educational and
174 other activities by the FCOIIO.

175
176 B. The UGC shall evaluate the performance of the FCOIIO at intervals not to exceed
177 five years pursuant to criteria established by the President, Provost, and VPRGS in
178 consultation with the UGC. The UGC shall submit the results of this evaluation of the
179 FCOIIO to the President, the Provost, and the VPRGS.

180 4. Nature of Appointment and Other Matters

181
182 A. The FCOIIO shall serve at the pleasure of the President on a half-time basis for
183 renewable terms of five years.

184
185 B. The Office of the VPRGS shall provide the FCOIIO with administrative support.

186