UNIVERSITY POLICY SR-11.00-4/26

TO:	The University of West Florida Community
FROM:	President Manny Diaz, Jr.
SUBJECT:	Conflicts of Interest in Federally Funded Research
RESPONSIBLE OFFICE:	Research Administration and Engagement

I. Purpose:

The purpose of this policy is to ensure that the personal financial interests of the University of West Florida (the "University") investigators do not compromise their objectivity in designing, conducting, or reporting their research activities or protecting the welfare of research participants. Research and educational activities sponsored by federal or state government have specific requirements due to regulations governing disclosure, management, reduction, or elimination of conflicts or the appearance of conflicts of interest. This policy has been developed to comply with these requirements. This policy does not replace HR-23.02, Outside Activities and Conflicts of Interest – employees subject to this policy are also expected to comply with HR-23.02.

II. Definitions:

Conflict of Interest (COI) – Occurs when a UWF Employee's financial, professional, commercial or personal interests or activities outside of UWF affects, or appears to affect, their professional judgment or obligations to UWF.

Covered Individual - an individual who (A) contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency; and (B) is designated as a covered individual by the Federal research agency concerned.

Financial Conflicts of Interest (FCOI) - A Financial Conflict of Interest exists when the University, through its institutional official(s), reasonably determines that an Investigator's Significant Financial Interest is related to research and could directly and significantly affect the design, conduct or reporting of the research or present the appearance thereof.

Financial Interest – Anything of monetary value—including compensation, equity (stock), intellectual property rights (patents, royalties), and gifts—held by a researcher, their spouse, or dependent children, that reasonably appears to relate to the researcher's institutional responsibilities or research activities.

Foreign Talent Recruitment Program (FTRP) - is any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to an individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue.

Investigator – the principal investigator (PI), co-PI(s), multiple PIs, or any other employee responsible for the design, conduct, or reporting of the proposed or funded research or educational activities. For the purpose of determining a Significant Financial Interest, the term Investigator also includes such an employee's spouse or partner and dependent children.

Malign Foreign Talent Recruitment Program (MFTRP) – means any program, position, or activity that includes compensation in the form of cash or certain in-kind compensations in exchange for the individual (1) engaging in the unauthorized transfer of U.S. intellectual property, materials, data products, or other nonpublic information to the government of a foreign country or foreign entity; (2) being required to recruit trainees or researchers to enroll in a program, position or activity; (3) establishing a lab or company, accepting a faculty position; or undertaking any other employment or appointment in a foreign country or with a foreign entity if activities are in violation of the standard terms and conditions of a federal research and development award; (4) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances; (5) being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication of federally funded work; (6) being required to apply for and successfully receive funding from the sponsoring government's funding agencies with the sponsoring foreign organization as the recipient; (7) being required to omit acknowledgement of the recipient institution with which the individual is affiliated, or the federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the federal research and development award; (8) being required to not disclose to the federal research agency or employing institution the participation of such individual in such program, position, or activity; (9) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the federal research and development award.

RAE – UWF Research Administration and Engagement

Significant Financial Interest (SFI) –
A Significant Financial Interest includes a financial interest consisting of one or more of the following interests of an Investigator (and those of the Investigator's spouse or partner and dependent children) related to their Institutional Responsibilities, when combined for the 12 months preceding the disclosure date, from a single Entity:

Nature of SFI	Disclosure Threshold
Remuneration, compensation, and/or other payments for services (e.g. consulting, speaking) when combined with any equity interest in a publicly traded entity	Exceeds $5,000
Remuneration, compensation, and/or other payments for services (e.g., consulting, speaking) from a non-publicly traded entity	Exceeds $5,000
Equity interests in a non-publicly traded company (e.g. start-up company). Equity includes stock, stock options, or other ownership interest.	$0 / Any Value
Intellectual property rights and interests	Exceeds $5,000
Sponsored or reimbursed travel*	Exceeds $5,000

*Disclosure of sponsored or reimbursed travel applies to PHS Investigators only and disclosure will include the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration.

SFI Does Not Include:

- Salary, royalties or other remuneration paid by the University to the Investigator if the Investigator is currently employed or otherwise appointed by the University;
- Intellectual property rights assigned to the University and agreements to share in royalties related to such rights;
- Equity interests through investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles;
- Income from seminars, lectures or teaching engagements sponsored by a federal, state or local government agency, U.S. institutions of higher education, an academic teaching hospital, a medical center or a research institute that is affiliated with a qualifying institution of higher education;
- Income from service on advisory committees or review panels for a federal, state or local government agency, U.S. institutions of higher education, an academic teaching hospital, a medical center or a research institute that is affiliated with a qualifying institution of higher education.
- Except for PHS Investigators, sponsored or reimbursed travel sponsored or paid by a federal, state or local government agency, U.S. institutions of higher education, an academic teaching hospital, a medical center or a research institute that is affiliated with a qualifying institution of higher education.

Sponsored Research -Externally funded academic or scientific investigation where an external organization (government, industry, or non-profit) provides funding via a grant or contract to conduct research with a defined scope of work, objectives, and deliverables, often under a legal agreement

Subrecipient - A legal entity that receives a subaward from a pass-through entity to carry out a portion of a sponsored program. A Subrecipient has responsibility for programmatic decision making; has its performance measured in relation to whether objectives of a programmatic scope of work were met; and is responsible for adherence to applicable sponsored program requirements specified in the sponsored award, as opposed to providing routine goods or services for the benefit of the pass-through entity.

Subrecipient Investigator: An Investigator who is not a University employee or student and who participates in research overseen by the University through a subcontract, subaward, or other agreement.

III. Policy:

A. Sponsor Requirements

All investigators must submit a Financial Conflict of Interest Disclosure prior to proposal submission. Investigators must disclose a new SFI within 30 days of discovery or acquisition of the SFI, and at least annually. Regardless of funding source, Investigators submitting an application for human subject research must disclose at the time of protocol submission and disclose new SFI to the IRB within 30 days of discovery or acquisition.

When required by the sponsor, the University must make information available concerning identified Financial Conflicts of Interest held by senior/key personnel upon written request and update such information as necessary. This information will include at a minimum the Investigator's name; the Investigator's title and role with respect to the research project; the name of any entity in which a Significant Financial Interest ("SFI") is held; the nature of the SFI; and the approximate dollar value of the SFI, or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

Several federal agencies including the National Institutes of Health (NHS) and the National Science Foundation (NSF) require mandatory Conflict of Interest (COI) training for investigators prior to engagement in research every four years. Training must be repeated immediately upon (1) institutional FCOI change in a manner that affects investigator requirements, (2) an investigator is new to the institution, or (3) an institution finds an investigator noncompliant with the institution's FCOI policy or management plan.

It must be emphasized that compensation and other FCOI, although not SFIs for the purposes of the federal regulations, may still need to be reported under University procedures. FCOIs must be disclosed at the time of the submission of the proposal, but approval of the financial interests (with conditions if warranted) need not occur until the project has been funded.

Disclosed Financial Conflicts of Interests and Outside Activities must be submitted for review and approval through the usual departmental, college, and unit approval process. It is the PI's responsibility to ensure that Financial Conflict of Interest disclosures are obtained from all Investigators in order to meet proposal application deadlines. Research Administration & Engagement requires at least three business days to review proposals.

If there is no FCOI at the time of submission of the proposal, but such an interest develops at any point prior to funding, it must be reported and approved prior to the time the project is funded. The federal regulations also require filing of a new disclosure upon obtaining a new FCOI and annual disclosures during the course of the research. Detailed PHS and NSF requirements can be found on their websites. The Small Business Innovation Program and the Small Business Technology Transfer Program are covered under the Small Business Act (15 U.S.C. §638) and the Federal Acquisition Regulations. The Office of Management and Budget Guidelines for Administration of Grants and Agreements with Institutions of Higher Education are found in Uniform Guidance 2 CFR 200.

In sponsored research activities, additional concerns must be addressed. Individuals who serve on the Institutional Review Board for Protection of Human Research Participants (IRB) and the Institutional Animal Care and Use Committee (IACUC) or other decision-making bodies must exercise particular care and diligence in reporting and managing any potential conflicts to ensure that matters that may affect decisions in these areas are protected from external influence. If a conflict or a potential conflict is determined to exist, a procedure to mitigate or manage the conflict satisfactorily may be required.

Additionally, the Creating Helpful Incentives to Produce Semiconductors and Science Act of 2022 (CHIPS and Science Act, Public Law No. 117-167), signed into law on August 09, 2022, directed the White House Office of Science and Technology Policy (OSTP) to publish uniform guidelines for federal research agencies regarding foreign talent recruitment programs. The OSTP issued "Guidelines for Federal Research Agencies Regarding Foreign Talent Recruitment Programs" on February 14, 2024. The guidelines state that covered individuals (those individuals substantively involved with preparing award applications or carrying out awards on federally funded research projects) must disclose if they are a party to a foreign talent recruitment program (FTRP) contract, agreement, or other arrangement; and are prohibited from participating in malign foreign talent recruitment programs (MFTRPs). Covered individuals must certify annually during each year of covered research that they are not participating in a MFTRP. Federal research agencies may request supporting documentation from applicants, and take a range of funding-related actions if warranted.

B. Management Plan

The University shall take appropriate action to manage financial conflicts of interest, including any FCOIs of a subrecipient. Management of an identified financial conflict of interest requires development and implementation of a management plan, and if necessary, a retrospective review and mitigation report as required by federal regulation. The key elements of the management plan should include but is not limited to:

- Role and principal duties of the conflicted Investigator in the research project;
- Conditions of the management plan;
- How the management plan is designed to safeguard objectivity in the research project;
- Confirmation of the Investigator's agreement to the management plan;

- How the management plan will be monitored to ensure Investigator compliance; and
- Other information as needed.

C. Subrecipients
The University must apply relevant originating sponsor conflict of interest requirements to Subrecipients. Therefore, if required by the originating sponsor, the University must identify whether or not a Subrecipient has a conflict of interest policy compliant with applicable originating sponsor conflict of interest requirements. If a Subrecipient does not have a conflict of interest policy compliant with applicable originating sponsor conflict of interest requirements, in order to proceed with the UF collaboration, the Subrecipient must agree to abide by this Policy relative to the Subrecipient Investigators and the specific Subrecipient research activity for the duration of that activity. The subaward must incorporate terms that establish whether the conflict of interest policy of the University or that of the Subrecipient will apply to Subrecipient Investigators, and obligations of the Subrecipient relative to conflict of interest in either case.

D. Policy Violations

1. Examples of Non-Compliance:

    a. Failure to submit a timely disclosure (e.g. more than 30 days after discovery or acquisition of a new Significant Financial Interest);
    b. Submission of an incomplete, erroneous or misleading initial, updated or annual disclosure;
    c. Failure to disclose information as required by this Policy;
    d. Failure to comply with prescribed management plans; or
    e. Other instances as determined by the RCOI Administrator.

2. Non-Compliance.

    Any instances of Investigator noncompliance may require that the Investigator repeat the University's research conflict of interest training module. Additional disciplinary action for noncompliance with this Policy will be decided in accordance with applicable University disciplinary policies, regulations and procedures.

    In accordance with Florida Statutes Section 1012.977, any employee engaged in the design, conduct, or reporting of research who failed to disclose an outside activity related to their UWF area of expertise or any financial interest shall be suspended without pay pending the outcome of an investigation which shall not exceed 60 days. Upon conclusion of the investigation, the University may terminate the contract of the employee. Failure by an employee to comply with this policy or a conflict of interest monitoring or management plan may result in disciplinary action up to and including termination for just cause.

3. Non-Compliance Involving PHS-funded Research.

Whenever a FCOI is not identified or managed in a timely manner, including failure by the Investigator to disclose an SFI, or failure of an Investigator to comply with the conditions of a FCOI Management Plan, the University must conduct a retrospective review of the Investigator's research activities on the project to determine if there is bias in the design, conduct, or reporting of the research resulting from the FCOI.

a. Retrospective Review.

The retrospective review must be completed within 120 days of the determination of noncompliance. The retrospective review will be documented by the RCOI Administrator or designee. If bias is found in the course of the retrospective review, the University must promptly notify PHS and submit a mitigation report that addresses the impact of the bias on the research and the University's plan of action to eliminate or mitigate the effect of the bias.

b. PHS-funded Clinical Research.

In instances of non-compliance in PHS Clinical Research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment, the Investigator is thereafter required to disclose the FCOI in each public presentation of the results of the relevant research and also request an addendum to previously published presentations of the relevant research.

Approved by: ______________________ **Date:** 6/10/26
President Manny Diaz, Jr.

Authority: **42 CFR Part 50 Subpart F for PHS, NHS Grantee Standards**

Cross Ref.: HR-23.02, Outside Activities and Conflicts of Interest

History: Approved November 2009; amended May 2013 and April 2026.

Last Review: April 2026