



Research & Innovation Office
UNIVERSITY OF COLORADO BOULDER

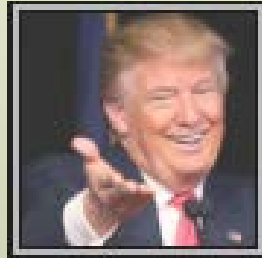
CONFLICTS OF INTEREST & COMMITMENT

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What do YOU think of when you hear the term "Conflict of Interest?"

Outcomes of CoIs

Regardless of setting, the term

Conflict of Interest

is meaningless without the identification of some type of undesirable outcome.



Outcome Terms Commonly Associated with "Col"

Prejudicial decisions/bias/favoritism

Partisanship

Unfair advantage

Undeserved hiring/promotion

Quid pro quo/Pay to play

Bribery/Corruption

Ill-gotten gains (e.g. position/financial)

Diversion of time/resources/monies

Fiscal mismanagement

Pinning down a specific outcome helps to determine which office should be contacted and how to manage the situation.



Departments/Offices

Different departments at CU interface with different types of Cols. Examples:

- **Human Resources and Faculty Affairs-** nepotism, personnel evaluations, merit awards, promotions and tenure.
- **Controller's Office and OCG-** fiscal mgmt., procurement, contracts and grants, campus officer reporting
- **PSC-**purchasing, contracts (see PSC COI form)
- **Advancement-** gifts/donations
- **Ombudsman-** personnel, academic, fiscal, etc.
- **Legal Counsel-** any of the above and below
- **Office of COIC-**academic/research related Cols

CU Departments Relative to Col Outcomes & Overlapping Responsibilities

- Human Resources and Faculty Affairs- ***nepotism, personnel evaluations, merit awards, promotions and tenure.***
- Controller's Office and OCG- ***fiscal mgmt., procurement, contracts and grants, campus officer reporting***
- PSC- ***procurement, contracts***
- Advancement- ***gifts/donations***
- Ombudsman- ***personnel, academic, fiscal, etc. issues***
- Legal Counsel- ***any of the above and below***
- Office of COIC- ***academic/research related Col's***
- Prejudicial decisions/bias/favoritism
- Partisanship
- Unfair advantage
- Undeserved hiring/promotion
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- Fiscal mismanagement

Academic Col's

Does this situations present a Col?

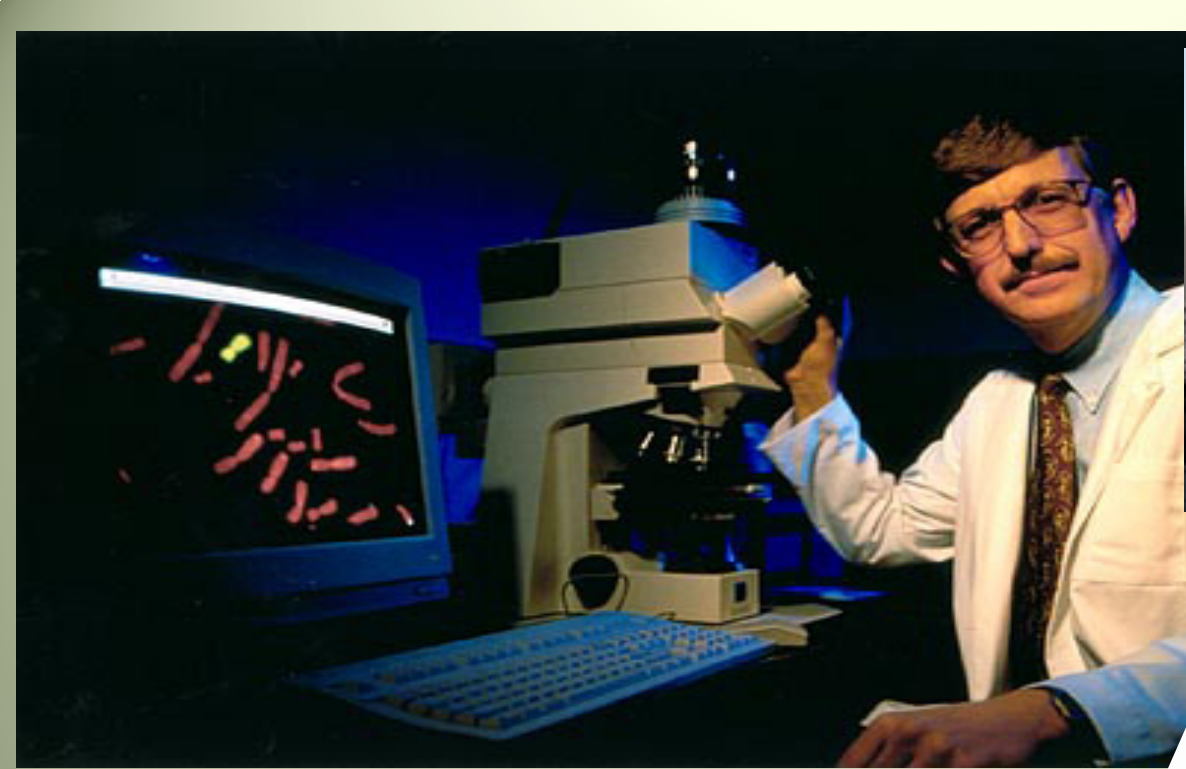
Researcher X. is employed by CU in an Engineering department. His expertise is in microscope development.



Researcher X's family owns a private company, a basket weaving business, and he is on its board of directors.

Overlap?- NONE= conflict of interest.





But what if Researcher X
was also a:
Consultant to
FANTASTIC
MICROSCOPES, Inc.?





OR, had:
Equity in
FANTASTIC MICROSCOPES, Inc.?



OR was:
Owner/ Co-owner of
FANTASTIC
MICROSCOPES, Inc.





OR was the :
Inventor of the
FANTASTIC
MICROSCOPE



Conflicts of Interest by Definition:

University policy defines potential conflicts of interest as existing “when an employee’s financial or personal considerations may compromise, or have the *appearance* of compromising, an employee’s personal judgment” in one or more areas of academic responsibility.

Specific Policies Relevant to the Office of COIC

- Conflicts of Interest and Commitment; APS Number 5012.
- Officer Disclosure of Interests; APS Number 4013.
- Conflicts of Interest-University Community; Policy 3B.
- Outside Consulting and Service on External Boards; Policy 3C.
- Additional Remuneration for Consultative Services; Policy 5E
- Roles and Responsibilities of Department Chairs; APS Number 1026 (Items: 2i and 2j).
- Fiscal Misconduct Reporting; APS Number 4012.
- Principles of Ethical Behavior: Board of Regents Policy; Policy 1C
- Section 510 of the National Science Foundation Grant Policy Manual.
- Policies and Regulations of the National Institution of Health.

Summary of Areas Potentially Affected by Research COIs

1. Scientific
and Scholarly
Integrity
ie **Objectivity**
in
**Research/Bias
Control**

2. Principles in Teaching
i.e. Safeguarding
Students & Avoiding
Exploitation. Not
diverting students'
ideas/academic
progress to the benefit
of an outside entity.

3. Protection
of Human
Subjects

4. Intellectual
Property

5. Procurement/
Shared Space/
Equipment

Why Do We Care about ColS?

- Ethics Matter

CU-B Ethics & Compliance Plan inspired by students' Colorado Creed

- **Integrity:** Make and implement decisions responsibly and with honesty, openness, and accountability
- **Courage:** Work for the benefit of community health and welfare and the greater public good, especially in the face of adversity
- **Respect:** Act with honor and fairness to create a trustworthy and equitable community
- Funding ramifications (esp. since 2012)
- Legal ramifications
- Public confidence in the integrity of our research affects our reputation

Headlines Matter

The New York Times

Coca-Cola Funds Scientists Who Shift Blame for Obesity Away From Bad Diets

By ANAHAD O'CONNOR AUGUST 9, 2015 5:25 PM 1259

Alleged Bias

THE DENVER POST CU nutrition expert who took Coca-Cola money steps down



By DAVID OLINGER | dolinger@denverpost.com

PUBLISHED: March 23, 2016 at 8:24 am | UPDATED: June 6, 2016 at 1:28 pm

Reynard Loki (RL) *Alternet* – Nov 24, 2015

Dana Radcliffe (DR), professor of business ethics at Cornell University

RL: In your article, you also noted that the biases that create conflicts of interest are "generally unconscious and thus can affect even distinguished scientists who are unaware of their bias." You point out that **there have been numerous studies that show that "the source of funding influences the outcome of the research, even if the researchers are convinced of their impartiality."**

If that is the case, is there anything that can be done to prevent these conflicts from happening? Should funding be "anonymized" through a third party? Perhaps, just as academic papers are peer-reviewed, there could be some kind of peer review with regard to funding?

DR: Actually, I don't believe anything is simply a philanthropic gift, with no strings attached. Coca-Cola could make such gifts, but such giving is better done through a truly independent non-profit foundation set up by the company purely for charitable purposes. Also, if Coke wanted to support genuinely unbiased research on obesity, it would have to ensure that the recipient organization didn't know Coke was the source of the funding, and given legal disclosure requirements, I don't see how that would work.

Sorting Out Overlap

Follow-up questions after DEPA reporting:

1. How are your activities with Company P. similar to your research and responsibilities at CU?
2. How are they different?

Example of an unhelpful response:

“My consulting informs my teaching and research, just as my teaching and research inform my consulting.”

CU Boulder in the News

THE HUFFINGTON POST

POLITICS

ENTERTAINMENT

WELLNESS

WHAT'S WORKING

VOICES

VIDEO

Asserting
Bias

THE BLOG

University of Colorado Part of Fracking PR Scheme

The Washington Post

Academics received \$55 million to serve
on health-care company boards in 2013

Daily Camera

CU NEWS

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HOT TOPICS: CU fundraising employee Stephen Tinoco Indigenous Peoples Day Lafayette water

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CU News

Story

**DA: Ex-prof set up company to re-sell
lab equipment to CU at 300% markup**

Prosecuted
for Fiscal
Misconduct

CU Boulder CoI Fun Facts

- Since 2011, there has always been at least 1 COIC investigation underway.
- None of the investigations mirror one another.
- COI investigations typically unfold into elaborate processes involving many departments.
- Most investigations are not obvious to the Boulder campus community.

What Prompts a Col Inquiry?

- Individual reporting/"whistleblowing"
- Media requests/media story
- Any dept. at CU (e.g. academic dept., Controller's Office, Internal Audit, OCG, PSC, etc.)
- Another CU Campus (e.g. related to collaborative research project.)
- Federal sponsors/Congress

Congressional Inquiry

[April 21st Upcoming Event: On Witch Burning and Other Incendiary Topics by Roger Pielke Jr.](#)

[Leave a reply](#)

The Politics of Controlling Science



Dr. Pielke Jr. describes his experience testifying before congress and what happened when a politician didn't like what he had to say.

April 21st
Noon
Ekeley W166

"Mr. [Raul] Grijalva, the ranking Democrat on the House Committee on Natural Resources, launched an investigation last month into the internal and external funding of seven professors who have disputed the climate change movement's contention that global warming is resulting in extreme weather events.

The Grijalva letters ask five questions, the first on university policies on financial disclosure and the other four on the funding of specific professors by name." - Washington Times, 3/18/2015

Outcomes from Col Inquiries

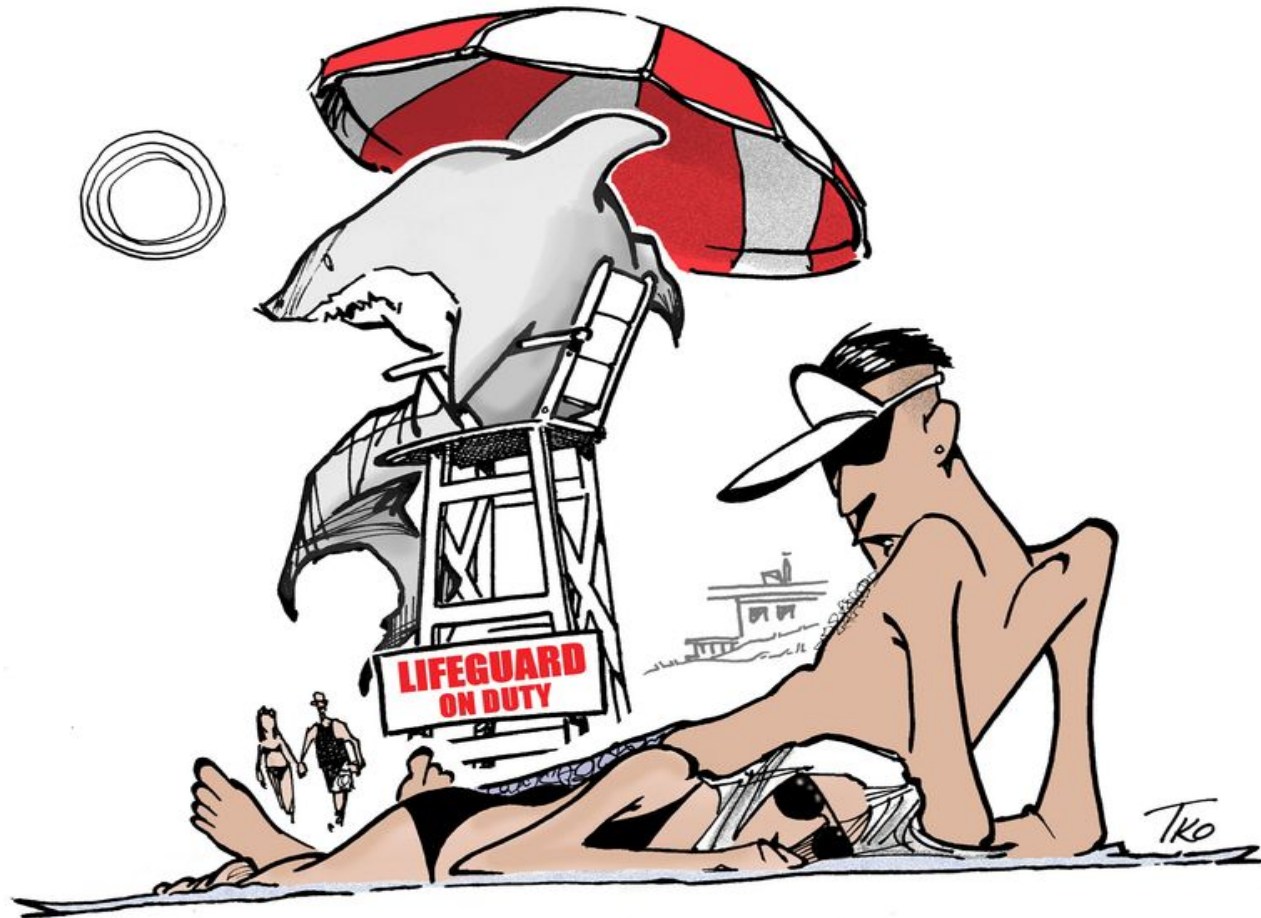
- Reviewed, No Conflict/ No Management Necessary
- Reviewed, Management Required- Memorandum of Understanding (a list of strategies are put into effect e.g. disclosure of an outside relations in publications/presentations, etc.)
- Severing of ties with the University – serious implications to students, staff, dept., etc., as well as to the researcher
- Legal consequences

4 Key Words Relevant to COI

- Avoidance
- Transparency
- Management
- Documentation



www.colorado.edu/innovate/coi



*“So, I’m the only one who sees a
conflict of interest here?”*