

University of Colorado Boulder

Research & Innovation Office

Office of Research Integrity

Academic and Researcher Conflicts of Interest and Commitment

Policy and Standards

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Academic and Researcher Conflicts of Interest and Commitment Policy and Standards

I. Purpose

The University of Colorado Boulder (“university”) encourages members of the university community to engage in scholarship, research, and innovation. These pursuits can result in affiliations with entities outside the university, such as commercial ties and consulting activities related to industry. Such activities have the potential to lead to conflicts of interest and/or commitment, which may have adverse effects for conflicted employees and the university community. Therefore, as more fully described in this document, the university has adopted policies and procedures that require training, disclosure, review, and management of academic and researcher conflicts of interest and commitment:

A. Policies Regarding Conflicts of Interest Disclosure and Management

- [APS 5012](#) Conflicts of Interest and Commitment in Research and Teaching
- [APS 4013](#) Disclosure of Interests (for Officers)
- [Regent Policy 8.B](#) Professional Employee Conduct – University Staff

B. Policies Regarding Outside Consulting

- [Regent Policy 8.B](#) Professional Employee Conduct – University Staff
- [Regent Policy 5.C.4](#) Other Terms and Conditions of Faculty Appointments
- [APS 1044](#) Faculty Consulting and External Professional Activities
- [Consulting Approval Form](#) (this form permits tenured and tenure-track faculty to seek approval from their dean to use up to one-sixth of their time to engage in external professional activities under the One-Sixth Rule at the university)
- Venture Partners (formerly, the Technology Transfer Office) [Standard Addendum for Consulting and Third Party Employment](#)

C. Other Policies and Required Documentation regarding Roles, Responsibilities, Expectations, and Standards

- [APS 4012](#) Fiscal Misconduct Reporting
- [APS 4016](#) Fiscal Code of Ethics
- [Regent Policy 8.A.3](#) Conflicts of Interest
- [Academic Affairs Policy on Professional Rights and Duties of Faculty Members and Roles and Responsibilities of Department Chairs](#) (June 8, 2021)
- [Disclosure and Reporting Requirements Related to Foreign Support of Research](#) (January 31, 2019)

- [Use of Self-Authored Instructional Material Approval Form](#) (this form requires Disclosers to certify department approval has been obtained for self-authored instructional material that is required in classes taught at the university)

D. Primary Applicable Federal Regulations

- [Public Health Service \(PHS\)](#) Policies and Regulations (42 CFR Part 50 Subpart F)
- [National Science Foundation \(NSF\)](#) Grant Policy Manual (Section 510)
- [National Science Foundation \(NSF\)](#) Proposal and Award Policies and Procedures Guide (Chapter IX (A))
- [Department of Energy \(DOE\) Interim Conflict of Interest Policy Requirements for Financial Assistance](#)
- [National Security Presidential Memorandum-33 Implementation Guidance](#)
- [CHIPS and Science Act](#) (H.R.4346 Sections 10631-10632)

II. Background

A. What is a Conflict of Interest?

According to University Administrative Policy 5012, **Conflicts of Interest** exist *when an employee's financial or personal considerations may compromise, or have the appearance of compromising, an employee's personal judgment in exercising any university responsibility in instructions, research, administration, management, and other professional activities*. Scientific integrity in the purpose, design, conduct, and reporting of research and ethical behavior toward students and human subjects are of paramount concern.

To determine if a Conflict of Interest exists, the university has developed a Disclosure and Management process designed to ascertain whether a Discloser has a significant external financial or personal interest that appears to be related to the Discloser's university activities and responsibilities ("Institutional Responsibilities"). If so, the university then obtains commitments from the Discloser and the Discloser's Supervising Authority to ensure that the Significant Interest cannot compromise (or appear to compromise) the Discloser's judgment in exercising any of the Discloser's university responsibilities and could not directly and significantly affect the purpose, design, conduct, or reporting of research.

If the Conflict of Interest and Commitment Director ("COIC Director") determines that the Discloser's Significant Interest could compromise (or appear to compromise) the Discloser's judgment in exercising any of the Discloser's university responsibilities or could directly and significantly affect the purpose, design, conduct, or reporting of sponsored research, then the COIC Director will inform the Discloser and the Discloser's Supervising Authority that the Significant Interest constitutes a Conflict of Interest. After the COIC Director determines that a

Conflict of Interest exists, the Conflict must either be removed or the Discloser must enter into a Conflict Management Plan.

B. What is a Conflict of Commitment?

According to University Administrative Policy 5012, **Conflict of Commitment** relates to *an individual university employee's distribution of effort between employment obligations to the university and outside professional activities that are generally encouraged*. A Conflict of Commitment arises when time dedicated to professional service, consultations, or research conducted outside the university or other outside activities (e.g., outside teaching or business) interfere with the employee's paramount obligations to students, colleagues, and the primary missions of the university. Conflicts of Commitment primarily involve questions of time and effort but are often tied to financial remuneration or other obligations/inducements, and in such cases may also constitute Conflicts of Interest.

Tenured and Tenure-Track Faculty. The Board of Regents recognizes that full-time tenured and tenure-track faculty members are expected to dedicate their professional time and effort to the university. However, as described in [Regent Policy 5.C.4\(D\)](#), "outside consultation, research, clinical, and other work can serve to keep faculty in contact with real problems in their profession and expand their expertise and thus, to the extent authorized by regent laws and policies, are desirable and legitimate functions." Accordingly, subject to certain conditions (including a commitment to limit outside work to no more than one-sixth of time), the university may allow full-time tenured and tenure-track faculty (on both 9-month and 12-month appointments) to obtain approval for outside consultation, research, clinical, and other external professional activities that are related to their professional expertise in their university position. See [Regent Policy 5.C.4\(D\)](#), [APS 1044](#), and the [Consulting Approval Form](#).

Other University Staff. All University employees (including but not limited to research faculty) other than tenured or tenure-track faculty are not permitted to use university time for personal benefit nor for the benefit of external entities, unless approved by the employee's Supervising Authority. Supervising Authorities may not authorize such service unless such service advances the interest of the university and does not unduly conflict with the staff member's university responsibilities. Moreover, any compensation received for consulting and service on external boards occurring during the staff member's normal working hours must be remitted to the university unless the employee is working on authorized vacation or unpaid leave. See [Regent Policy 8.B](#).

C. Obligations to Report Activities

The policies and processes outlined in this Academic and Researcher Conflicts of Interest and Commitment Policy and Standards document ("COIC Policy") discuss the oversight activities

conducted by the Office of Conflicts of Interest and Commitment (“COIC Office”), under the direction of the Vice Chancellor of Research, with respect to Conflicts of Interest and Commitment for academic and research personnel. However, the COIC Policy does not preclude any obligations of university employees to report such activities and situations to other departments using appropriate disclosure mechanisms, as each situation warrants. In particular:

1. Requests by tenured and tenure-track faculty and employees with faculty titles to engage in external professional activities must be approved by their dean, in accordance with procedures adopted by Faculty Affairs. See [Consulting Approval Form](#).
2. Requests by other university staff to engage in outside work and service must be approved by their Supervising Authority, pursuant to the processes and forms adopted by university Human Resources and/or the relevant department or unit.
3. Any university employee or student who knows of or suspects fiscal misconduct is required to report such misconduct as set forth in [APS 4012](#).
4. The Procurement Service Center requires a disclosure form to be completed by a conflicted employee’s Supervising Authority for all situations when a Conflict of Interest related to the purchase of goods or services is known or suspected. See [PSC Conflict of Interest Evaluation](#).
5. Venture Partners (formerly the Technology Transfer Office) should be contacted when new technology discovery/development occurs as part of, or overlaps with, the employee’s university activities. Additionally, a [Standard Addendum for Consulting and Third Party Employment](#) must be included and executed as part of any agreement relating to a university employee’s consulting activities or role in a third party business to ensure that any consulting/employment agreement does not conflict with the University Intellectual Property Policy. See [IP Management](#).

The Director of the Office of Conflicts of Interest and Commitment Office (“COIC Director”) can function as a resource to employees with inquiries about such types of reporting.

III. Process for Review of Disclosures

This section focuses on the procedures to be followed to identify and, if applicable, Manage Academic and Researcher Conflicts of Interest and/or Commitment.

A. Step 1 – Disclosure by Academic and Research Personnel (Discloser)

All faculty and any other employee, student, consultant, collaborator, or any other person acting as an agent of, or affiliated by contract or agreement with, the university who has responsibility for the purpose, design, conduct, and/or reporting of Research or the delivery, development, or assessment of educational activities or materials (hereinafter referred to as a “Discloser”)¹ must disclose all Significant Interests that reasonably appear to be related to the Discloser’s Institutional Responsibilities. At the university, this Disclosure of Significant Interests (hereinafter referred to as a “Disclosure”) occurs via the standardized electronic process described below.

Disclosures must be submitted through the web-based Disclosure of External Professional Activities (“DEPA”) [Form](#) at least annually and updated within thirty (30) days of a Change in Status of a previously disclosed Significant Interest or within thirty (30) days of discovering or acquiring a new Significant Interest. A copy of the current DEPA Form is attached as **Exhibits A**. January 15th to March 31st of each year is the *primary* reporting period for Disclosure reporting at the university. Disclosers must include any information not previously disclosed in any other Disclosure period as well as updated information regarding any previous Disclosures.

New covered employees have thirty (30) days from the start of their employment to complete their initial Disclosure. Note that Disclosers planning to engage in sponsored research must complete the required Disclosures no later than the time of application for the funding. Investigators added to a sponsored research project after it has begun are required to disclose prior to participating in that project. PIs are responsible for ensuring that all Research Personnel on their sponsored research project have completed the required Disclosure. If a Disclosure is made during the course of an ongoing research project (including Disclosures by Research Personnel who are new to participating in the research project, or Disclosures of new/previously unreviewed Significant Interests by existing Research Personnel), review, analysis, and management (if applicable) of any Disclosures will generally be completed within sixty (60) days of the Disclosure.

B. Step 2 – Initial Review and Analysis of Significant Interests by the COIC Office

After a Discloser submits a DEPA Form, the COIC Office will review the Disclosure to determine if a Conflict of Interest exists. Disclosure of a Significant Interest(s) that reasonably appears to be related to the Discloser’s Institutional Responsibilities may prompt implementation of a Conflict of Interest and Commitment Management Plan (“Management Plan”). The COIC Director will review the Disclosures to determine if any disclosed Significant Interests relate to sponsored or other research. A Significant Interest relates to research when the Significant Interest could be

¹ The full list of Academic and Research Personnel for whom this Disclosure policy applies is reflected in Section XVI. Definitions.

affected by the research or is an Entity whose financial interests could be affected by the research.

Based on this information, the COIC Director determines whether the Significant Interest could compromise (or appear to compromise) the Discloser's judgment in exercising any of the Discloser's university responsibilities, or if the Significant Interest could directly and significantly affect the purpose, design, conduct, or reporting of sponsored or other research. A Significant Interest may directly affect the purpose, design, conduct, or reporting of research in situations, including but not limited to, when the research results would be plainly relevant to the development, manufacturing, or improvement of products or services of an external Entity. A Significant Interest may significantly affect the purpose, design, conduct, or reporting of research in situations, including but not limited to, when the research results would materially impact the external Entity's sales or earnings. If further investigation or information is needed for the COIC Office to make this determination, the COIC Office will obtain additional information from the Discloser (and any other relevant parties²). The Discloser will respond to inquiries from the COIC Office within a reasonable amount of time.

If the COIC Director reasonably determines that the Significant Interest could neither compromise the Discloser's judgment in exercising the Discloser's university responsibilities nor directly and significantly affect the purpose, design, conduct, or reporting of sponsored research, then no Conflicts of Interest exist. If no Conflict exists, the Discloser may be required to execute a Management Plan reflecting a commitment by the Discloser to prevent the Significant Interest from ripening into a Conflict of Interest. The Discloser's Supervising Authority must approve this Management Plan and the commitments by the Discloser. The COIC Office will provide approval notification to the Discloser and update the Discloser's status in its records accordingly. Management Plans developed to prevent Significant Interests from ripening into Conflicts are generally not forwarded to a federal sponsor.

If the COIC Director reasonably determines that the Significant Interest could either compromise the Discloser's judgment in exercising the Discloser's university responsibilities or directly and significantly affect the purpose, design, conduct, or reporting of sponsored research, then a Conflict of Interest exists. If a Conflict exists, the COIC Office will develop a Management Plan to Manage the Conflict of Interest, as discussed in Step 3.

² The COIC Office may, and routinely does, contact additional administrative offices to facilitate the Director's evaluation (including, but not limited to, the Office of Contracts and Grants, Venture Partners, Campus Controller's Office, Office of Export Controls, University Counsel, the Conflicts of Interest and Commitment Committee ("COIC Committee"), the Discloser's Supervising Authority, etc.) as the COIC Office deems necessary.

C. Step 3 – Removal or Management of Conflicts of Interest

If the COIC Director determines that a Conflict of Interest exists, the Conflict must either be removed or Managed. If the Conflict will be Managed, the Management Plan must include additional commitments from both the Discloser and the Discloser's Supervising Authority to ensure that the Conflict is sufficiently Managed. Execution of a Management Plan occurs by obtaining (electronic) signatures from the Discloser, the Supervising Authority, and the responsible dean.³ While the COIC Director is responsible for drafting and collecting information relevant to the Management Plan, final authority for authorizing and approving the Management Plan rests with the applicable Supervising Authority.

The Management Plan must be developed and approved prior to any expenditure of funds on any applicable research projects. Once the required signatures are obtained for a Discloser's Management Plan, the Discloser's Conflict(s) of Interest will be considered to be Managed and in compliance. Until that time, proposal submissions, funding awards distribution, and other types of campus approvals/processes that are dependent upon an approved compliance status can only be conferred/administered at the COIC Director's discretion considering any applicable regulatory stipulations and university policies and procedures.

When management strategies are believed to be insufficient to appropriately Manage the Conflict, the following options may apply:

1. Elimination of the cause of the Conflict; or
2. Elimination of the Discloser from the affected Research, partially or wholly

IV. Areas of University Responsibilities Included in Management Plan

If the COIC Director determines that a Management Plan is required, either to prevent a Significant Interest from ripening into a Conflict or to Manage a Conflict, the Management Plan will address the areas of university responsibilities implicated, including:

1. Objectivity and scientific integrity, including disclosure of a Discloser's Conflict in publications and presentations;
2. Objective treatment of students and/or subordinates;
3. Objective treatment of, and scientific integrity with respect to, human subjects;

³ If a Discloser holds the position of department chair or institute director, the Management Plan should be submitted to the appropriate dean for approval. If the Discloser holds the position of dean, the Management Plan should be submitted to the Provost for approval.

4. Decisions regarding the development, disclosure, and use of university Intellectual Property;
5. Decisions regarding the decision to purchase products or services;
6. Decisions regarding the use of the Discloser's time as well as other resources of the university; and
7. Decisions regarding the appropriate rate to charge an outside Entity for services performed by university employees.

The current Management Plan template is attached as **Exhibit B**. For consistency, the Management Plan template is generally not altered except for Section A, which provides a description of the situation. Section B Nos. 1-7 generally are uniform for all Disclosers. However, certain extenuating circumstances may warrant minor changes to the standard Management Plan language. Such changes may be made at the COIC Director's discretion and are subject to approval by the applicable Supervising Authority. Additional areas or issues may be incorporated into the Management Plan at the COIC Director's discretion given the specific facts and circumstances of the matter.

A Management Plan remains in effect until the COIC Director determines a modification is required due to a change in circumstances. The plan may be terminated if the COIC Director determines that the underlying Conflict no longer exists. This termination will be made in writing and signed by the COIC Director, Discloser, Supervising Authority, and responsible dean.

V. Reconsideration of COIC Director's Determination

If the Discloser does not agree with the COIC Director's Conflict of Interest determination and/or the Conflict Management Plan, the Discloser may submit in writing to the COIC Director within a reasonable amount of time following the COIC Director's determination the Discloser's concerns for further consideration.⁴ Discussions regarding the Discloser's concerns may occur with the COIC Office or in consultation with members of the Conflicts of Interest and Commitment Committee, the Supervising Authority, the responsible dean, or other experts/administrators on campus, at the COIC Director's discretion.

If an agreement regarding the Discloser's concerns is not reached after following the above processes and exhausting all reasonable avenues of discussion, the COIC Director, in consultation with relevant other units as the COIC Director deems necessary, will make a recommendation to the Provost for a final determination.

⁴ The COIC Director's Significant Interest determination and the commitments or other measures required or recommended by the COIC Director to prevent a Significant Interest from ripening into a Conflict of Interest also may be raised to the COIC Director for reconsideration.

VI. Monitoring

All Conflicts of Interest that are expected to continue and be Managed beyond one (1) year from the date the applicable Management Plan is executed are subject to monitoring by the Supervising Authority.

Additionally, Disclosers are required to submit to the COIC Office at least annually a Monitoring Report on the status of the Significant Interest or Conflict, with limited exceptions made at the COIC Director's discretion. Disclosers should use the COIC Office's Monitoring Report Form (**Exhibit C**) This form should be completed and returned to the COIC Office in conjunction with a Discloser's annual DEPA Form submission, or when otherwise requested by the COIC Office. Disclosers must also provide a copy of the Monitoring Report to the Supervising Authority.

VII. Annual Review of Active Management Plans

The COIC Office will conduct an annual review of at least a 10% random sample of active Management Plans for the purpose of monitoring. The objective is to document compliance with the disclosure provisions of Management Plans and to educate about the importance of the obligation to disclose relevant conflicts. The focus is on conflict disclosure because it is one of the foremost practices for safeguarding research integrity and it can be readily assessed. The COIC Director will determine whether appropriate disclosures were made and, in their absence inform the Discloser and the Supervising Authority of that determination. The Discloser is subject to the provisions in Section XIV for failing to disclose the Conflict. At a minimum, the COIC Office will require the Discloser to take compliance action as necessary such as notifying journals of the failure to disclose the Conflict. In addition, the Discloser's Management Plan will be selected for review the subsequent year.

The COIC Office will conduct the annual review according to the following procedure:

1. Select at least 10% of the current Management Plans at random for review.
2. Notify Disclosers whose Management Plans have been selected for review via e-mail.
3. Check public sources to identify the publications and/or presentations attributed to Discloser and related to their conflict in the preceding twelve (12) months.
4. Verify disclosure of the conflict addressed in the Management Plan by requesting of Discloser (a) a copy of the disclosure presentation slide, and/or a copy of the publication with disclosure, or a sample thereof, and (b) copies of conflict notifications to subordinates and students.
5. Notify the Discloser's Supervising Authority if a response is not received within a reasonable period.
6. Report monitoring results to the Assistant Vice Chancellor for Research Integrity and Compliance, the Discloser's Supervising Authority, and the Discloser.

VIII. Financial Conflicts of Interest (FCOI) Reports for DOE and PHS Researchers

DOE-Funded Research – FCOI Reports. Prior to the expenditure of any funds under a DOE-funded research project, the COIC Office will provide to DOE an FCOI Report within sixty (60) days following Disclosure by a Discloser of a Significant Interest found by the COIC Office to constitute a Conflict of Interest which the COIC Office determined is unmanaged. Each FCOI Report will include information similar to that included at **Exhibit D** and consistent with the DOE Interim Conflict of Interest Policy. To the extent required by DOE Funding Opportunity Announcement or terms and conditions of an award, prior to the expenditure of any funds under the relevant DOE-funded research project, the COIC Office will provide to DOE a Financial Conflicts of Interest Report (“FCOI Report”) within sixty (60) days following Disclosure by a Discloser of a Significant Interest found by the COIC Office to constitute a Conflict of Interest which the COIC Office determined is managed via a Management Plan. The COIC Office will follow the requirements of the DOE Interim Conflict of Interest Policy for reporting of any significant financial interest that the COIC Office identifies as conflicting subsequent to the initial FCOI report during an ongoing DOE-funded project.

DOE-Funded Research – Annual FCOI Reports. For any Conflict of Interest previously reported, the COIC Office will provide to DOE an annual FCOI Report that addresses the status of the Conflict of Interest and any changes to the Management Plan for the duration of the DOE-funded research project. Additionally, the COIC Office may make routine disclosures of Discloser Significant Interests as required by DOE.

PHS-Funded Research – FCOI Reports. Prior to the expenditure of any funds under a PHS-funded research project, the COIC Office will provide to the PHS Awarding Component a Financial Conflicts of Interest Report (“FCOI Report”) within sixty (60) days following Disclosure by a Discloser of a Significant Interest found by the COIC Office to constitute a Conflict of Interest. Each FCOI Report will include the information outlined in 42 CFR 50.605(b)(3). The template FCOI Report is reflected at **Exhibit D**.

PHS-Funded Research – Annual FCOI Reports. For any Conflict of Interest previously reported, the COIC Office will provide to the PHS Awarding Component an annual FCOI Report that addresses the status of the Conflict of Interest and any changes to the Management Plan for the duration of the PHS-funded research project.

IX. Retrospective Reviews for DOE and PHS-Funded Researchers

If a Conflict of Interest is not identified or Managed in a timely manner, the COIC Office will, within one-hundred and twenty (120) days of the determination of noncompliance, complete a Retrospective Review of the Discloser’s activities and the DOE or PHS-funded research project to determine whether the noncompliance biased the purpose, design, conduct, or reporting of the

DOE or PHS-funded Research or any portion thereof conducted during the period of noncompliance.

If it is determined that a Conflict of Interest was not identified or Managed in a timely manner, and the COIC Office must engage in a Retrospective Review, the COIC Director will coordinate a Review to determine if any noncompliance occurred, including: if the Discloser failed to disclose a Significant Interest that is determined by the COIC Office to constitute a Conflict of Interest; if the university failed to review or Manage a Conflict of Interest; or if a Discloser failed to comply with a Conflict of Interest Management Plan.⁵ The Conflicts of Interest and Commitment Committee or individual members of the Committee (including the Committee Chair) may assist the COIC Director in this Review. In addition, other applicable campus units, including, but not limited to, University Counsel, the Office of Contracts and Grants, Venture Partners, Campus Controller's Office, and the Office of Export Controls may provide relevant information and input during this Review. Further, if the COIC Office determines that the Discloser engaged in potential misconduct by failing to disclose a Significant Interest and/or by failing to comply with a Conflict of Interest Management Plan, the matter may be referred to the university's Campus Misconduct Advisory Group or other campus units as prescribed by university policies.

At the conclusion of the Review, the COIC Director will compile a report of findings and conclusions. The Retrospective Review report will include the following information:

1. Project/Award number;
2. Project title;
3. PD/PI or contact PD/PI if a multiple PD/PI model is used;
4. Name of the Investigator with the Conflict of Interest;
5. Name of the Entity with which the Investigator has a Conflict of Interest;
6. Reason(s) for the Retrospective Review;
7. Detailed methodology used for the Retrospective Review (e.g., methodology of the review process, composition of the review panel, documents reviewed, etc.);
8. Findings of the review; and
9. Conclusions of the review.

Following the conclusion of the Retrospective Review, if appropriate, the COIC Office will update any previously submitted FCOI Report, notifying either the DOE or PHS Awarding Component, as applicable, of the actions that will be taken to Manage the Conflict of Interest going forward.

⁵ If a Discloser failed to disclose a Significant Interest or if the university failed to review a Disclosure, in addition to engaging in a Retrospective Review, the COIC Director will, within sixty (60) days of the discovery of the previously undisclosed or unreviewed Significant Interest, review the Significant Interest to determine whether a Conflict of Interest exists, and implement a Management Plan if applicable.

If bias in the DOE or PHS-funded research is found, the university will notify either the DOE or PHS Awarding Component, as applicable, promptly and submit a mitigation report to the DOE or PHS Awarding Component that includes all reporting elements outlined in either the DOE Interim Conflict of Interest Policy or 42 CFR 50.605(a)(3)(iii), as applicable, and states at a minimum: the information contained in the Retrospective Review report; a description of the impact of the bias on the research project; and the university's plan of action or actions taken to eliminate or mitigate the effect of the bias. Thereafter, the COIC Office will submit FCOI Reports annually to either the DOE or PHS Awarding Component.

Additionally, if a PHS-funded research project of clinical research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment has been designed, conducted, or reported by Research Personnel with Conflict of Interest that was not properly Managed or reported by the university, the Research Personnel must disclose the Conflict of Interest in each public presentation of the results of the research, and request an addendum to previously published presentations.

X. Training, Education, and Notification

Annual Notification. Prior to the start of the primary Disclosure period in January of each year, the COIC Office will distribute an administrative e-memo notifying Disclosers of the upcoming Disclosure period, citing relevant links to educational materials available via the COIC website (including the COIC Policy and the primary applicable federal regulations), information on how to access the DEPA Form, applicable deadlines, Discloser responsibilities and expectations for Disclosures, as well as resources and contacts for any questions. In addition to this initial e-memo in January, the COIC Office will circulate a second e-memo toward the end of the annual Disclosure period reminding those who have not yet completed their Disclosures to do so. Further, the COIC Office will circulate an e-memo at the beginning of the fall semester reminding new hires to complete their Disclosures, as well as reminding those who had previously completed their Disclosures to update their DEPA Form as applicable in the event of a Change in Status.

Training Procedures. The following training procedures and requirements apply to Disclosers:

1. **Training for DOE and PHS-funded Research Personnel:** The DOE Interim Conflict of Interest Policy and PHS regulations (42 CFR 50.604), all DOE and PHS-funded Research Personnel (including NIH-funded Research Personnel) are required to complete the Conflicts of Interest Training for DOE and NIH/PHS Researchers module⁶ every four (4)

⁶ The Conflicts of Interest Training for DOE and NIH/PHS Researchers module is embedded in the Disclosure reporting process. Once a Discloser self-identifies as being DOE and PHS/NIH-funded, the system will provide the

years. DOE and PHS-funded Research Personnel may not engage in Research related to any DOE or PHS-funded grant until this training requirement is complete.

Additionally, DOE and PHS-funded Research Personnel must complete the Conflicts of Interest Training for DOE and NIH/PHS Researchers module immediately in the following circumstances:

- a. The COIC Office notifies the DOE or PHS-funded Research Personnel that the COIC Policy has been revised and the revisions affects the Disclosure requirements of the DOE and PHS-funded Research Personnel;
 - b. A DOE or PHS-funded Research Personnel is new to the university; or
 - c. The COIC Office finds that a DOE or PHS-funded Research Personnel is not in compliance with the COIC Policy or a Management Plan applicable to that researcher.
2. **Training for All Disclosers:** All Disclosers, regardless of funding status, must complete the Conflicts of Interest Disclosure Training module⁷ at least once per year.
 3. The COIC Office may provide presentations or trainings to departments, colleges, or other units upon request.

XI. Subrecipients

Whenever the university carries out research through a subrecipient for a project, each subrecipient is first reviewed for a potential Conflict of Interest prior to engaging in activities. As part of this review, the subrecipient must complete and certify to the “Conflict of Interest” section of the [Office of Contracts and Grants’ Subrecipient Commitment Form](#).

If the project is DOE or PHS-funded, the following procedures apply (note: see the Office of Contracts and Grants’ *Certification of Institutional Policy on Financial Conflicts of Interest* included in the subrecipient contract applicable for all DOE and PHS prime awards):

Discloser with a link to the Conflicts of Interest Training for DOE and NIH/PHS Researchers. The Discloser cannot submit their Disclosure form without completing this training requirement.

⁷ The Conflicts of Interest Disclosure Training module is embedded in the Disclosure reporting process. Specifically, Disclosers – regardless of their university position or funding status – are prompted to watch the Conflicts of Interest Disclosure Training module, and once this requirement is completed, Disclosers can then access the DEPA Form.

1. The applicable subrecipient must identify whether University of Colorado's COIC Policy or the Financial Conflicts of Interest policy of the subrecipient will apply to the subrecipient's Research Personnel.
2. If the subrecipient's Financial Conflicts of Interest policy applies, the subrecipient contract will specify that the subrecipient will report all identified Financial Conflicts of Interest to the university prior to the expenditure of funds and within thirty (30) days of execution of the Subrecipient Commitment Form. Additionally, the subrecipient must certify as part of the subrecipient contract that its policy complies with either the DOE Interim Conflict of Interest Policy or 42 CFR Part 50 Subpart F, whichever is applicable. If the subrecipient cannot provide such certification, the subrecipient contract must state that the subrecipient Research Personnel are subject to the COIC Policy for disclosing Significant Interests that are directly related to the subrecipient's work for the university.
3. If the subrecipient's researchers must comply with the COIC Policy, the subrecipient contract will specify that the subrecipient will submit all Disclosures of Significant Interests to the COIC Office prior to the expenditure of funds and within ten (10) days of execution of the Subrecipient Commitment Form.
4. Any Financial Conflicts of Interest of subrecipient researchers should be appropriately Managed or removed consistent with either the DOE Interim Conflict of Interest Policy or 42 CFR Part 50 Subpart F and, if applicable, the COIC Policy.
5. The COIC Office will provide any applicable FCOI Reports to either the DOE or PHS Awarding Component, as applicable, for any subrecipient Research Personnel prior to the expenditure of funds and within sixty (60) days of any subsequently identified Financial Conflicts of Interest.

The Office of Contracts and Grants, in conjunction with the COIC Office, will be responsible for ensuring any applicable subrecipient contracts comply with these procedures.

XII. Foreign Talent Recruitment Programs

The University is committed to supporting open scientific research, the intellectual exchange of ideas, and the international academic research collaborations and engagement that facilitate them. However, the University is also committed to ensuring research security and requires Disclosers to fully disclose information to identify potential conflicts of interest and conflicts of commitment. To that end, the University is obligated to monitor and regulate participation in certain Foreign Talent Recruitment Programs (FTRP).

Disclosers must disclose any and all participation in any FTRP and are prohibited from participating in any Malign Foreign Talent Recruitment Programs (MFTRP). Participation includes, but is not limited to:

1. affiliation with or membership in an FTRP or MFTRP, including a contractual or other binding agreement between an individual and a MFTRP;
2. an individual reporting participation in an FTRP or MFTRP in a research proposal, curriculum vitae, or resume; or
3. an individual's identification in a publication listing the individual and an FTRP or MFTRP.

Disclosers are required to seek guidance from the Office of Research Integrity prior to agreeing to participate in any program or activity or to accepting an appointment to any position sponsored by a foreign country or entity regardless of whether they believe it to be a MFTRP. All requests for guidance and disclosures will be reviewed by the Office of Research Integrity, which will determine whether the participation or appointment is permissible. When it is impermissible, the Discloser is required to immediately decline or cease participation, as applicable. If the Discloser does not agree with the determination of impermissibility, the Discloser may submit in writing to the Vice Chancellor for Research and Innovation their concerns for further consideration.

XIII. Conflicts of Interest and Commitment Personnel

A. Conflicts of Interest and Commitment Director

Under the supervision of the Assistant Vice Chancellor for Research Integrity and Compliance and with guidance from the Conflicts of Interest and Commitment Committee and various applicable campus administrative units (e.g., the Office of Contracts and Grants, Venture Partners, Campus Controller's Office, University Counsel, etc.), the Director is the designated campus official responsible for soliciting and reviewing Disclosures of Significant Interests from each Discloser. The COIC Director, in conjunction with other Conflict of Interest and Commitment personnel and relevant campus units as described in this COIC Policy, is responsible for determining (1) if disclosed Significant Interests relate to any sponsored or other research, if applicable, and (2) if Conflicts of Interest exist.

In addition, the Director may have additional responsibilities, including, but not limited to:

1. Maintain records of Disclosures, reviews, and Management Plans.
2. Coordinate procedures with the Office of Contracts and Grants to meet Conflict of Interest requirements for external funding; with Venture Partners to ensure commercial

applications of university Intellectual Property meet Conflict of Interest requirements; and with the Institutional Review Board to meet Conflict of Interest requirements in human subjects research.

3. Inform faculty of Conflict of Interest and Commitment policies and procedures and the importance of compliance, offer training sessions and resources to faculty and departmental personnel on the COIC Policy and procedures upon request, and develop a Management Plan template that can assist Research Personnel in knowing what to expect when they have a Conflict of Interest and/or Commitment.
4. Assist with enforcement and compliance with Conflicts of Interest and Commitment policies and procedures, report concerns to the Assistant Vice Chancellor for Research Integrity and Compliance, and bring policy concerns to the Conflicts of Interest and Commitment Committee (in addition to other applicable and appropriate campus personnel).

B. Conflicts of Interest and Commitment Committee

The Conflicts of Interest and Commitment Committee (“COIC Committee”) will consist of at least eight (8) faculty members but may consist of additional members selected by the COIC Director with approval from Assistant Vice Chancellor for Research Integrity and Compliance. The COIC Committee will elect one (1) of the faculty members to serve as the Chair of the COIC Committee (“COIC Committee Chair”). The COIC Director, the Associate Vice Chancellor for Research Integrity and Compliance, University Counsel, Venture Partners, Fiscal Compliance, and the Office of Contracts and Grants will serve as non-voting advisors to the COIC Committee. The COIC Committee will meet when requested by the COIC Director to discuss policy issues and to conduct business, as needed. Additionally, the COIC Office Director will work with the COIC Committee Chair directly on particular matters.

Key duties of the COIC Committee include, but are not limited to:

1. Upon request by the COIC Director, discussion of Discloser issues regarding the review, analysis, and/or development of Management Plans concerning particular Disclosures and potential or actual Conflicts;
2. Upon request, the provision of advisory input to Supervising Authorities (e.g., Chairs/Directors, Deans, etc.) on matters of alleged Conflict of Interest and/or Commitment violations; and
3. Upon request by the COIC Director, providing input on changes to this Policy and Standards document.

A member of the COIC Committee shall be recused from discussion and voting on a particular matter if:

1. The COIC Committee member has a compelling personal interest in the matter (such as research/academic collaboration with the faculty member under consideration); and/or
2. The COIC Committee member has a financial or personal interest in the matter under consideration.

XIV. Records

Record Retention. All records and information maintained by the COIC Office will be retained in compliance with APS 5012 and the University of Colorado Boulder [Records Retention Schedule](#).⁸ The COIC Office will endeavor to ensure retention of records consistent with the DOE Interim Conflict of Interest Policy, to the extent the retention requirements are not concurrently met under the Records Retention Schedule.

Requests for Records. When requests for records or information maintained by the COIC Office are made, the following procedures apply:

1. All requests for records or information maintained by the COIC Office pursuant to the Colorado Open Records Act, Colorado Revised Statutes 24-72-201, *et seq.*, shall be processed in accordance with the Colorado Open Records Act and [APS 2022](#).
2. In addition to requesting records via the Colorado Open Records Act, requests for records and information concerning Disclosures of a Significant Interest by a DOE or a PHS-funded Research Personnel which (1) was, in the case of PHS-funded research, disclosed by Senior/Key Personnel as defined by 42 CFR Part 50 Subpart F or, in the case of DOE-funded research, is still held by the Senior/Key Personnel as defined by the DOE Interim Conflict of Interest Policy; (2) was determined by the COIC Office to relate to DOE or PHS-funded research, as applicable; and (3) was determined by the COIC Office to constitute a Financial Conflict of Interest, may be made via email to the COIC Office (coi@colorado.edu). The COIC Office will provide a written response to such requests within five (5) calendar days. The COIC Office's response may include information outlined in 42 CFR 50.605(a)(5)(ii) or the DOE Interim Conflict of Interest Policy, as applicable, and note that any information provided is current as of the date of the correspondence and

⁸ As of the date of this COIC Policy, the current Records Retention Schedule states that Conflicts of Interest documents maintained by the Office of Research Integrity shall be retained for "10 years after employee's separation from the University."

is subject to updates on at least an annual basis and within sixty (60) days of the COIC Office's identification of a new Financial Conflict of Interest. New or updated information should be requested subsequently by the requestor. Information and records maintained by the COIC Office subject to these requests will be retained in accordance with the university Records Retention Schedule described above and consistent with the DOE Interim Conflict of Interest Policy.

XV. Policy Violations & Compliance Enforcement

Violations of the Policy include, but are not limited to:

1. Failure to disclose Conflicts of Interest and/or Commitment;
2. False or inadequate Disclosure of Conflicts of Interest and/or Commitment;
3. Failure to respond to inquiries from the COIC Office;
4. Failure to adhere to a prescribed Management Plan; and
5. Failure to adhere to training or reporting requirements.

If the COIC Office determines that an alleged Conflict of Interest or Commitment violation(s) has occurred, the COIC Office will refer the matter to the Supervising Authority for investigation under applicable campus supervisory and/or conduct processes and for potential sanctions. The COIC Office will assist with the matter as requested. In addition, the matter may be referred to other applicable campus units, including, but not limited to the Office of Contracts and Grants, Campus Controller's Office, the Campus Misconduct Advisory Group, and the Office of Export Controls as necessary to protect the university as well as sponsors.

Additionally, if the alleged violation, including failure of a Discloser to comply with this COIC Policy or a Management Plan, appears to have biased the purpose, design, conduct, or reporting of sponsored research, the university will comply with any notification and reporting requirements regarding such bias to the applicable sponsor. Specifically, for situations involving PHS-funded research, the university will promptly notify the PHS Awarding Component of the corrective action taken or to be taken.

XVI. Amendments to this Document

The COIC Office may undertake revisions to this Policy and Standards document on an as-needed basis (i.e., in response to changes in university policy, federal regulations, etc.). When substantive changes to the COIC Policy occur, the COIC Office will distribute information regarding the changes and provide access to a revised copy of the COIC Policy within thirty (30) days of the changes.

XVII. Definitions

- **Academic Personnel**

A person who is responsible for teaching or the creation or delivery of educational activities or materials, including tenured and tenure-track Faculty, Instructors, Lecturers, Teaching Professors (all levels), and Adjunct Faculty.

- **Change in Status**

Any event or action affecting a previously disclosed Significant Interest or the discovery or acquisition of a new Significant Interest. Once a Change in Status occurs, a Discloser is required to edit and resubmit a revised Disclosure of External Professional Activities ("DEPA") Form reflecting their most current status within thirty (30) days of the event or action.

Examples of Changes in Status include, but are not limited to:

- A new consulting activity, affiliation with an external Entity, and/or foreign affiliation or research collaboration;
- Discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new Significant Interest; and
- Receipt of a new award.

- **Compensation**

Anything of economic value, however designated, that is paid, loaned, granted, given, donated, or transferred to any person or Entity for or in consideration of personal services, materials, property, or the like.

- **Conflict of Interest**

As defined in APS 5012: "A conflict of interest refers to a situation in which financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, an employee's professional judgment in exercising any university duty or responsibility in administration, management, instruction, research, or other professional activities. This can include interests that bias the nature or direction of scholarly research or influence decisions with respect to teaching and students, appointments and promotions, use of university resources, interactions with human subjects or other matters of interest to the university."

Conflicts of Interest also refers to situations where a Significant Interest could directly and significantly affect the purpose, design, conduct, or reporting of sponsored research or educational activities.

- **Conflict of Commitment**

As defined in APS 5012: “A conflict of commitment refers to a situation in which outside relationships or activities interfere with, or have the appearance of interfering with, an employee’s commitment to their university duties or responsibilities.”

- **Consulting**

Any service that is 1) related to an individual’s professional expertise in their university position, 2) provided to an external Entity, 3) for remuneration or other Compensation 4) including but not limited to advising; conducting research or analysis; writing reports; delivering presentations or training; contributing to or managing projects; designing, developing or producing products or services; providing clinical services.

- **Disclosure of External Professional Activities (DEPA) Form**

The form used by CU Boulder employees, students, and other persons of interests (“POIs”) to report information regarding significant financial and personal interests outside of the university that might present Conflicts of Interest and/or Commitment.

- **Disclosure of Significant Interests (Disclosure)**

An Academic or Research Personnel’s Disclosure of Significant Interest(s) to the university.

- **Discloser**

A person who is required to submit a Disclosure of Significant Interests. Discloser refers to all Academic Personnel and Research Personnel and any other employee or student, consultant, collaborator, or any other person acting as an agent of, or affiliated by contract or agreement with, the university who has responsibility for the purpose, design, conduct, and/or reporting of research (note: see definitions of “Academic Personnel” and “Research Personnel” in this section).

- **DOE**

The United States Department of Energy.

- **Employee**

Any person who is employed by the university, whether full- or part-time, and includes but is not limited to, staff, faculty, post-doctoral appointees, residents, and students.

- **Entity**

An individual, organization, or institution.

- **Equity Interests**

Stocks, stock options, and/or other ownership interests (or entitlements to the same) in non-publicly traded (privately held) and publicly traded companies.

- **Family**

For the purposes of this policy, any family member with whom the Discloser has a close relationship that could cloud the Discloser's judgement. Family members include, but are not limited to, spouse, parents (Discloser's or spouse's), child, sibling, son/daughter-in-law, step relatives, domestic partner, and/or relatives of domestic partner in any relationship stated above.

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

A Significant Financial Interest that could directly and significantly affect the design, conduct, or reporting of DOE or PHS-funded research.

- **Financial Conflict of Interest (FCOI) Report**

The university's report of a Financial Conflict of Interest to the DOE or a PHS Awarding Component.

- **Financial Interest**

A domestic or foreign external interest held by Academic Personnel or Research Personnel or any member of the Academic Personnel or Research Personnel's Family in or from an Entity other than the university. Examples include, but are not limited to, anything of value (whether or not the value is readily ascertainable), Remuneration, Equity Interest, Intellectual Property rights (and royalties from such rights), and obligations to any external entities, organizations, or institutions.

- **Foreign Talent Recruitment Program**

An effort organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through

illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to relocate physically to the foreign state for the above purpose. Some programs allow for or encourage continued employment at United States research facilities or receipt of Federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to United States entities. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.

- **Health and Human Services (HHS)**

The United States Department of Health and Human Services, and any components of the Department to which the authority involved may be delegated.

- **Income**

The amount of money or its equivalent received during a period of time in exchange for labor or service, from the sale of goods or property, or as profit from financial investments (e.g., salary, consulting fees, honoraria, royalties, and dividends).

- **Institution**

Any domestic or foreign, public, or private, Entity or organization.

- **Institutional Responsibilities**

A Discloser's professional responsibilities on behalf of the university which may include but are not limited to activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards or Data and Safety Monitoring Boards.

- **Intellectual Property**

Any ideas, inventions, technology, creative expression, and embodiments thereof, in which a proprietary interest may be claimed, including, but not limited to, patents, copyrights, trademarks, know-how, biological materials, and other forms of intellectual property legally recognized now or in the future.

- **Investigator/Principal Investigator/Principal Director**

Traditionally limited to the Principal Investigator and Co-Principal Investigators; some federal regulations include this to mean any **Research Personnel** or other **Key Personnel**, regardless of title or position at a university, responsible for the purpose, design, conduct, and/or reporting of research, proposed research, or educational activities.

A Project Director or Principal Investigator of a PHS-funded research project; the PD/PI is included in the definitions of Senior/Key Personnel and Investigator.

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 funded by the PHS, or proposed for such funding, which may include, for example, collaborators or consultants.

The Principal Investigator (PI) and any other person, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE.

- **Malign Foreign Talent Recruitment Program** [from *H.R.4346 – CHIPS and Science Act (2022)*]
 - (A) 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 the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue, in exchange for the individual—
 - (i) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a Federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;
 - (ii) being required to recruit trainees or researchers to enroll in such program, position, or activity;
 - (iii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or

with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a Federal research and development award;

(iv) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;

(v) through funding or effort related to the foreign talent recruitment program, 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 with a Federal research and development award;

(vi) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;

(vii) being required to omit acknowledgment 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;

(viii) being required to not disclose to the Federal research agency or employing institution the participation of such individual in such program, position, or activity; or

(ix) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award; and

(B) A program that is sponsored by:

(i) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;

(ii) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115–232); or

(iii) a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; 1 Public Law 115–232).

- **Manage**

Taking action to mitigate a Conflict of Interest, including a Financial Conflict of Interest, to ensure, to the extent possible, that the purpose, design, conduct, and reporting of Research will be free from bias.

- **Management Plan**

A document developed by the COIC Office and approved by the applicable Supervising Authority to (1) obtain information and commitments regarding Significant Interests and prevent such Significant Interests from developing into Conflicts of Interest and, (2) Manage Conflict(s) of Interests for a particular Discloser.

- **Payments for Services**

May include, but is not limited to, consulting fees, honoraria, gifts, entitlements, and/or other types of “in-kind” compensation.

- **Public Health Services (PHS)**

PHS agencies including the National Institutes of Health (NIH). See an expanded list of agencies at: <http://www.hhs.gov/about/orgchart/>.

The Public Health Service of the United States Department of Health and Human Services, and any components of the PHS to which the authority involved may be deleted.

- **PHS Awarding Component**

The organizational unit of the PHS that funds the research that is subject to 42 CFR Part 50 Subpart F.

- **Person of Interest (POI)**

To access the Disclosure reporting system, individuals who are not university employees must be established in the payroll system as POIs. POI status may also be necessary to access the conflict of interest/commitment educational training modules.

- **Potential Conflict of Interest**

A potential conflict of interest exists when an impartial observer reasonably believes that an actual or apparent past, present, or currently planned Significant Interest could constitute a Conflict of Interest.

- **Remuneration**

Receipt of monetary value including Compensation, salary and any Payment for Services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); and Equity Interest including any stock, stock option, or other ownership interest, as

determined through reference to public prices or other reasonable measures of fair market value.

- **Research**

A systematic investigation, study, or experiment designed to develop or contribute to generalizable knowledge relating broadly to public health, including behavioral and social-sciences research. The term encompasses basic and applied research (e.g., a published article, book, or book chapter) and product development (e.g., a diagnostic test or drug). The term includes any such activity for which research funding is available from a PHS Awarding Component through a grant or cooperative agreement, whether authorized under the PHS Act or other statutory authority, such as a research grant, career development award, center grant, individual fellowship award, infrastructure award, institutional training grant, program project, or research resources award.

- **Research Personnel**

An individual who is involved in the Research process regardless of title or position. See [Who is Required to Submit a DEPA](#). This includes tenured and tenure track faculty (all levels), research professors (all levels), teaching professors (all levels), adjunct faculty, visiting faculty, museum associates, librarians, and any other research employees (professional research associates/research associates); as well as students (graduate and undergraduate) with responsibility for the design, conduct, and/or reporting of Research. POIs may be considered Research Personnel.

Note: adjunct faculty, teaching assistants, and professional exempts who are not Research Personnel are not required to submit annual Conflicts of Interests and Commitment Disclosures. Non-university employees such as collaborators, consultants, subcontractors, and volunteers may be required to submit a Disclosure or allowed to certify Disclosure from another institution, depending upon funding agency requirements.

Research Committee Members (e.g., Institutional Review Board, Institutional Animal Care and Use Committee, and/or other research review committees).

Staff who negotiate or execute research agreements on behalf of CU Boulder Area/Program Administrators, Staff of the Office of Contracts and Grants, and staff of Venture Partners.

Staff of the Office of Research Integrity.

- **Senior/Key Personnel**

The PD/PI and any other person identified as Senior/Key Personnel by the institution in the grant application, progress report, or any other report submitted to the PHS by the university.

Key Personnel includes any individual involved in research and who is supported in salary, supplies, space, or other resources by grant funding.

- **Significant Interest**

A Financial Interest or other personal interest received from or held in an Entity outside of the university that reasonably appears to be related to the Discloser's Institutional Responsibilities and meets the following thresholds:

- With regard to any U.S. **publicly traded entity**, value of any **Remuneration received** from the entity in the twelve (12) months preceding the Disclosure and the **value of any Equity Interest** in the entity as of the date of Disclosure, **when aggregated, exceeding \$5,000**.
- With regard to any U.S. **non-publicly traded entity**, value of any **Remuneration received** from the entity in the twelve (12) months preceding the Disclosure exceeding **\$5,000, OR any Equity Interest**.
- **For value received from foreign entities:** value of any financial or personal interest in any amount.
- **For value from Intellectual Property rights and interests:** value of any financial or personal interest in any amount.
- **For value received for travel reimbursed or sponsored by to a domestic (U.S.) destination:** value of any reimbursed or sponsored travel when aggregated per Entity in the twelve (12) months preceding Disclosure exceeds \$2500 (*except* travel that is reimbursed or sponsored by the University of Colorado; a U.S. federal, state, or local government agency; another U.S. institution of higher education; a U.S. academic teaching hospital, medical center, or research institute that is affiliated with a U.S. institution of higher education).
- **For value received for reimbursed or sponsored travel to a foreign destination:** value in any amount.

- A research collaboration with a U.S. Entity other than a U.S. institution of higher education from which any monetary or non-monetary value (including free or subsidized space, laboratories, equipment, or materials; support services; visiting researchers or personnel) is received, or a research collaboration with a foreign Entity for any purpose.
- A decision-making role or position of influence, paid or unpaid, in any public or private for-profit Entity.

The term “Significant Interest” **does NOT include:**


- Salary, royalties, or other remuneration paid by the university to the Discloser if the Discloser is currently employed or otherwise appointed by the university, including intellectual property rights assigned to the university and agreements to share in royalties related to such rights.
- Income from investment vehicles, such as mutual funds and retirement accounts, as long as the Discloser does not directly control the investment decisions made in these vehicles.
- Income from seminars, lectures, or teaching engagements sponsored by a U.S. federal, state, or local government agency; a U.S. institution of higher education as defined at 20 U.S.C. 1001(a); a U.S. academic teaching hospital, medical center, or a research institute that is affiliated with a U.S. institution of higher education.
- Income from service on advisory committees or review panels for a U.S. federal, state, or local government agency; a U.S. institution of higher education as defined at 20 U.S.C. 1001(a); a U.S. academic teaching hospital, medical center, or a research institute that is affiliated with a U.S. institution of higher education.
- Travel that is reimbursed or sponsored by the university; a U.S. federal, state, or local government agency; another U.S. institution of higher education; a U.S. academic teaching hospital, medical center, or research institute that is affiliated with a U.S. institution of higher education.

- **Supervising Authority**

Supervising Authority includes any immediate supervisor of the Discloser (e.g., department chair, institute director, or unit head), including faculty Supervising Administrators (as defined by the [Professional Rights and Duties Faculty Affairs Policy](#)).

EXHIBITS

A. Disclosure of External Professional Activities (“DEPA”) Form


University of Colorado Boulder
Conflicts of Interest & Commitment
RESEARCH AND INNOVATION OFFICE

Close Print Form History

Updated By:

PURPOSE	
INVESTIGATOR INFORMATION	
FEDERAL REPORTING	
OBLIGATIONS	
PHS/NIH SIGNIFICANT	
FINANCIAL INTERESTS	
NSF SIGNIFICANT FINANCIAL	
INTERESTS	
OTHER FINANCIAL AND	
PERSONAL INTEREST	
SELF-AUTHORED MATERIALS	
CERTIFY AND SUBMIT DEPA	
ALL PAGES	

PURPOSE

Statement of Authority and Purpose

The University of Colorado Administrative Policy Statement [5012](#) prohibits employees from compromising or appearing to compromise their teaching, research, outreach, or other university activities ("Institutional Responsibilities") for financial or personal benefit. Accordingly:

1. Individuals involved in design, conduct, or reporting of research ("[Investigators](#)") must disclose external financial and personal interests to the university (including [Significant Financial Interests](#) ("SFI")) and make commitments regarding those interests to ensure that the interests could not directly and significantly affect their institutional responsibilities; and
2. If the [Conflicts of Interest & Commitment Office](#) determines that, even after making such commitments, a discloser's interest(s) COULD directly and significantly affect their institutional responsibilities or compromise their professional judgment or actions (such interests have ripened into a Conflict of Interest ("COI")), further action will be required to manage or remove the conflict.

The Conflicts of Interest & Commitment Office has authority to:

1. Obtain conflict of interest and commitment disclosures (referred to as DEPA Forms) from individuals involved in the design, conduct, or reporting of research at or for the University of Colorado Boulder ("CU Boulder");
2. Evaluate the interests of these disclosers; in particular, those interests that reasonably appear to be related to the discloser's institutional responsibilities;
3. Inform disclosers of their obligations to CU Boulder, to the CU Boulder community, and to federal sponsor(s), if any;
4. Require a commitment to meet such obligations; and thereafter,
5. Require action be taken by the discloser and the discloser's chair or director to manage or remove those Significant Interests ("SI") that COULD directly and significantly affect the discloser's institutional responsibilities.

NOTE TO DISCLOSER: Your responses in the DEPA form will be automatically saved as they are entered. You may leave and re-open the form as needed and your last updates will be saved.

At the University of Colorado Boulder, individuals with disabilities are entitled to access, support, and when appropriate, reasonable accommodations. If you need assistance completing this form please email the Conflict of Interest and Commitment Office at coi@colorado.edu.

INVESTIGATOR INFORMATION

* Discloser Name:

1. Investigator Confirmation

* Are you responsible for the design, conduct or reporting of [research](#) and/or involved in the delivery, development, or assessment of NSF-funded educational activities?

☒ Yes ☐ No

2. Investigator Status - Relationship to University of Colorado Boulder (CU Boulder)

* Are you an employee of CU Boulder?

☒ Yes ☐ No

* Are you also a CU Boulder graduate or undergraduate student?

☐ Yes ☐ No

* Are you a full-time employee of CU Boulder?

☐ Yes ☐ No

FEDERAL REPORTING OBLIGATIONS

The questions in this section are intended to identify which federal sponsors, if any, fund your research at or for CU Boulder

* Does any agency or office of the U.S. Federal Government fund research you are designing, conducting or reporting at or for CU Boulder?

☒ Yes ☐ No

Identify which, if any, of the following offices and agencies of the U.S. Federal Government fund research that you are designing, conducting, or reporting at or for CU Boulder (check all that apply – if you answered Yes to the question above at least one of the offices or agencies below must be selected).

☒ Any office or agency of the Public Health Service (PHS) within the Department of Health and Human Services, including but not limited to: any of the National Institutes of Health (NIH), Center for Disease Control (CDC), and Food and Drug Administration (FDA)

NOTE TO DISCLOSER: Please check here to confirm your understanding that, prior to the release of a grant or contract award, you must complete the training module entitled CU: Conflict of Interest for NIH, and refresh at least every four (4) years.

Click to watch [NIH Training](#)

* Training completed: ☐

* Date of last training:

13-Nov-2020 

[Transcript for the Conflicts of Interest Training for NIH/PHS Researchers.](#)

☐ National Science Foundation (NSF)

☐ National Aeronautics and Space Administration (NASA)

☐ Any office or agency of the Department of Defense (DOD), including but not limited to: the Departments of the Air Force, Army, and Navy, the Office of Naval Research (ONR), the Defense Advanced Research Projects Agency (DARPA), and the Defense Threat Reduction Agency (DTRA)

☐ Any office, laboratory, or agency of the Department of Energy (DOE), including but not limited to: the Advanced Research Projects Agency – Energy (ARPA-E)

☐ Other

PHS/NIH SIGNIFICANT FINANCIAL INTERESTS**Publicly-Traded Entity (PTE)**

- * Have you (including your spouse and dependent children) received **remuneration** (e.g., anything of value, including but not limited to, salary, consulting fees, honoraria, or other payments for services or authorship) from a **Publicly-Traded Entity (PTE)** - **domestic or foreign** - that reasonably appears to be related to your institutional responsibilities at CU Boulder in the past twelve (12) months?
☒ Yes ☐ No
- * Do you (including your spouse and dependent children) hold an **equity interest** (e.g., stocks, stock options, or other ownership interests) in a PTE that reasonably appears to be related to your institutional responsibilities at CU Boulder as of the date of this disclosure?
☐ Yes ☐ No
- * Does the combination of **remuneration** received from, plus the value of **equity interest** held in, a PTE exceed **\$5,000**?
☒ Yes ☐ No

Your answer "Yes" to the preceding questions indicates that you have a Significant Financial Interest (SFI). Please enter in the name of the Entity and click the Add Entity button below and complete each field in the corresponding table for every PTE in which:

1. The combination of **remuneration** received from, plus the value of **equity interest** held in, a PTE exceed **\$5,000**; and
2. Your interest reasonably appears to be related to your institutional responsibilities at CU Boulder.

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

	<input type="text" value="Start typing to locate entries"/>
* Country of PTE:	
* Type of remuneration received:	<input type="checkbox"/> Consulting Fees <input type="checkbox"/> Honoraria <input type="checkbox"/> Payments for services or authorship <input type="checkbox"/> Salary <input type="checkbox"/> Stocks <input type="checkbox"/> Stock Options <input type="checkbox"/> Other
* Value of remuneration received in the past 12 months by you, your spouse, and dependent children:	<input type="text"/>
* Amount of equity interest held by you, your spouse, and dependent children:	<input type="text"/>
* Professional services provided in exchange for remuneration:	<input type="text"/>
* Does the PTE do business with the university?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown
* Days/month working for PTE on campus:	<input type="text"/>
* Days/month working for PTE off campus:	<input type="text"/>

Non-Publicly Traded Entity (NPTE)

- Have you (including your spouse and dependent children) received **\$5,000** or more in **remuneration** (e.g., anything of value, including but not limited to, salary, consulting fees, honoraria, or other payments for services or authorship) from a **Non-Publicly Traded Entity (NPTE) - domestic or foreign** - that reasonably appears to be related to your institutional responsibilities at CU Boulder in the past twelve (12) months?

☒ Yes ☐ No

- Do you (including your spouse and dependent children) hold **any equity interest** (e.g., stocks, stock options, or other ownership interests) in a NPTE that reasonably appears to be related to your institutional responsibilities at CU Boulder as of the date of this disclosure?

☐ Yes ☐ No

Your answer "Yes" to the preceding questions indicates that you have a **Significant Financial Interest (SFI)**. Please enter in the name of the Entity and click the Add Entity button below and complete each field in the corresponding table for every NPTE in which:

- You (including your spouse and dependent children) received **\$5,000** or more in **remuneration** (e.g., anything of value, including but not limited to, salary, consulting fees, honoraria, or other payments for services or authorship) in the past twelve (12) months; or
- You (including your spouse and dependent children) hold **any equity interest** (e.g., stocks, stock options, or other ownership interests) as of the date of this disclosure; and
- Either of the interests described in (1) or (2) above reasonably appears to be related to your institutional responsibilities at CU Boulder.

*** Entity Information:**

Start typing to locate entries

+ Add Entity

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

Start typing to locate entries	
* Country of NPTE:	
* Type of remuneration received:	<input type="checkbox"/> Consulting Fees <input type="checkbox"/> Honoraria <input type="checkbox"/> Payments for services or authorship <input type="checkbox"/> Salary <input type="checkbox"/> Stocks <input type="checkbox"/> Stock Options <input type="checkbox"/> Other
* Value of remuneration received in the past 12 months by you, your spouse and dependent children	<input type="text"/>
* Amount of equity interest held by you, your spouse and dependent children:	<input type="text"/>
* Professional services provided in exchange for remuneration:	<input type="text"/>
* Does NPTE do business with the university?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown
* Days / month working for NPTE on campus:	<input type="text"/>
* Days / month working for NPTE off campus:	<input type="text"/>

Academic & Researcher COIC Policy & Standards

Intellectual Property

- * Have you received income in the past twelve (12) months, or do you expect to receive income during this disclosure period, from intellectual property rights or interests (e.g., patents, copyrights) that reasonably appears to be related to your institutional responsibilities at CU Boulder?

☒ Yes ☐ No

Your answer "Yes" to the preceding question indicates that you have a Significant Financial Interest (SFI). Please enter in the name of the Entity and click the Add button below and complete each field in the corresponding table for all intellectual property in which:

1. You have received or expect to receive income; and
2. Your interest is related to, or reasonably appears to be related to, your institutional responsibilities at CU Boulder.

* IP Information:

Start typing to locate entries

+ Add Entity

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

▼ Start typing to locate entries	🗑️
* Description of intellectual property for which you have received or expect to receive income:	
* Country of IP organization:	✎
* License arrangement with payer:	
* Value of income received in the past twelve (12) months by you, your spouse, and dependent children:	▼
* Value of income expected to be received during this disclosure period by you, your spouse, and dependent children:	▼

Travel

- * Are you the recipient of reimbursed or sponsored travel that reasonably appears to be related to your institutional responsibilities at CU Boulder (note: this excludes travel reimbursed or sponsored by CU Boulder, a U.S. federal, state, or local government agency, a U.S. institution of higher education as defined at 20 U.S.C. 1001(a), a U.S. academic teaching hospital, a medical center, or a U.S. research institute that is affiliated with a U.S. institution of higher education)?

☒ Yes ☐ No

Your answer "Yes" to the preceding question indicates that you have a Significant Financial Interest (SFI). Please enter in the name of the Entity and click the Add button below and complete each field in the corresponding table for all travel:

1. Reimbursed or paid for by anyone *other than* CU Boulder, U.S. federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education; and
2. In which your interest is related to, or reasonably appears to be related to, your institutional responsibilities at CU Boulder.

* Travel Information:

Start typing to locate entries

+ Add Entity

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

▼ Start typing to locate entries	🗑️
* Sponsor's country:	✎
* Identify point of departure (city, state, country):	
* Identify point of arrival (city, state, country):	
* Purpose of the trip:	
* Market value or cost of trip:	▼
* Duration (days of travel):	

NSF SIGNIFICANT FINANCIAL INTERESTS**Monetary Value**

- * In the past twelve (12) months, have you (including your spouse and dependent children) received anything of **monetary value**, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria) and/or **intellectual property rights** (e.g., patents, copyrights, and royalties from such rights) that, when aggregated, equal **\$10,000** or more that **reasonably appears to be related to** your institutional responsibilities at CU Boulder (whether **domestic or foreign**)?
☒ Yes ☐ No
- * Do you (including your spouse and dependent children) hold an **equity interest** (e.g., stocks, stock options, or other ownership interests) that reasonably appears to be related to your institutional responsibilities at CU Boulder (1) representing more than a **5%** ownership interest in the entity and (2) valued at more than **\$10,000** as of the date of this disclosure?
☐ Yes ☐ No

Your answer "Yes" to the preceding questions indicates that you may have a **Significant Financial Interest** ("SFI"). Please enter in the name of the Entity and click the Add Entity button below and complete each field in the corresponding table for those interests in which:

1. You (including your spouse and dependent children) received **\$10,000** or more in **remuneration** (e.g., anything of value, including but not limited to, salary, consulting fees, honoraria, or other payments for services or authorship) in the past twelve (12) months; and/or
2. You (including your spouse and dependent children) hold an **equity interest** that (1) represents more than a **5%** ownership interest in the entity, and (2) is valued at more than **\$10,000** as of the date of this disclosure; and
3. The interest(s) are related to, or reasonably appears to be related to, your institutional responsibilities at CU Boulder

NOTE TO DISCLOSER: For any entity applicable to this NSF table that has been previously disclosed in the PHS/NIH PTE and/or NPTE tables, *if applicable*, you do NOT need to reenter the information. Please only enter entity information that has not been previously disclosed in other sections of this form.

Entity Information:

Start typing to locate entries

+ Add Entity

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

Start typing to locate entries		
* Country of Entity:		
* Type of remuneration received:	<input type="checkbox"/> Consulting Fees <input type="checkbox"/> Honoraria <input type="checkbox"/> Payments for services or authorship <input type="checkbox"/> Salary <input type="checkbox"/> Stocks <input type="checkbox"/> Stock Options <input type="checkbox"/> Other	
* Value of remuneration received in the past 12 months by you, your spouse and dependent children:	<input type="text"/>	
* Amount of equity interests held by you, your spouse and dependent children:	<input type="text"/>	
* % ownership interest in the Entity:	<input type="text"/>	
* Professional services provided in exchange for remuneration:	<input type="text"/>	
* Does Entity do business with the university?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown	
* Days / month working for Entity on campus:	<input type="text"/>	
* Days / month working for Entity off campus:	<input type="text"/>	

OTHER FINANCIAL AND PERSONAL INTEREST

- * Do you have any **domestic or foreign** external interests, including, but not limited to, **ownership interests in, value received from** (including any salary; consulting fees; honorary titles; free or subsidized use of space, equipment, or support services; intellectual property rights or royalties; or other payments), and/or **obligations to** (including appointments or transfer of intellectual property) **any external entities, organizations, or institutions** that are related, or **reasonably appears to be related to**, for any reason, to your institutional responsibilities at CU Boulder?
☒ Yes ☐ No

Your answer "Yes" to the preceding question indicates that you may have a Significant Interest ("SI"). Please enter in the name of the Entity and click the Add Entity button below and complete each field in the corresponding table for those SI(s).

NOTE TO DISCLOSER: For any entity, organization, or institution applicable to this table that has been previously disclosed in the PHS/NIH PTE, PHS/NIH NPTE, and/or NSF tables, *if applicable*, you do NOT need to reenter the information. Please only enter entity information that has not been previously disclosed in other sections of this form.

Entity, Organization, and Institution Information:

Start typing to locate entries

+ Add Entity

NOTE TO DISCLOSER: If you CANNOT find your Entity, please type "Entity not found". A separate write-in option will appear.

▼ Start typing to locate entries	
* Country of Entity:	
* Is the Entity a public or non-profit Entity:	▼
* % ownership interest in the Entity:	
* Do you, your spouse, or dependent children serve on the board of directors or hold a leadership position in the Entity:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe your ownership interest in this entity, organization, or institution (if applicable):	
Describe the value you receive from this entity, organization, or institution (if applicable):	
Describe your obligation to this entity, organization, or institution (if applicable):	
* Professional services provided to the Entity, whether or not in exchange for remuneration:	
* Does Entity do business with the university?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown
* Days / months working for Entity on campus:	
* Days / months working for Entity off campus:	

SELF-AUTHORED MATERIALS

- * Do you assign or expect to assign during this reporting year books or materials for any classes that you teach that bring you royalties or income?
☒ Yes ☐ No

* Please complete the following information for every course for which such books/materials will be assigned:

+ Add

▼ Type in Course Name here	
* Approved by department:	<input type="checkbox"/>
* Number of students:	
* Materials description:	

CERTIFY AND SUBMIT DEPA

I certify that I have completed this form to the best of my ability and that my answers are accurate and complete. I recognize that I am obligated to submit an updated DEPA Form within 30 days of a change in the status of my disclosure.

Certify and Submit

Conflicts of Interest and Commitment Office

PHONE: 303-492-3024
 EMAIL: coi@colorado.edu

[CU COI Website](#)

[CU eRA](#) | [FAQs](#) | [Consulting Activities](#) | [External Entities](#) |

B. Management Plan (Template)



University of Colorado **Boulder**

Office of Conflicts of Interest & Commitment, Office of Research Integrity
coi@colorado.edu | (303) 492-3024

Conflicts of Interest & Commitment MANAGEMENT PLAN

DISCLOSER:

- A. Conflict of Interest Disclosure.** Employees are required to annually disclose and then, pursuant to this Management Plan, remove or manage any conflicts of interest resulting from compensated or uncompensated business ownership interests, domestic and foreign affiliations, external activities, and/or engagements that, by their nature, affect or appear to affect one's professional commitment to the university (each, a "Conflict of Interest" or "Conflict").

Thank you for submitting your 2020 Disclosure of External Professional Activities (hereinafter, "DEPA").

Your 2020 DEPA included a disclosure of the following conflict(s) of concern:

DESCRIPTION OF INTEREST IN OR AFFILIATION WITH ANOTHER ENTITY – INCLUDING ANY ENTITY IN WHICH DISCLOSER (OR IMMEDIATE FAMILY MEMBER) HAS AN OWNERSHIP INTEREST, DOMESTIC/FOREIGN AFFILIATION, OR OTHER EXTERNAL INTEREST/ENGAGEMENT.

The Entity you identified in your disclosure, **NAME OF ENTITY**, will hereinafter be referred to as "Entity."

- B. Conflict of Interest Management.** Instead of removing the preceding Conflict(s) of Interest, you and the university have elected to manage the Conflict(s) via this Management Plan. This Management Plan describes measures you must take to mitigate the negative appearance or impact of the Conflict(s) on the university.

This Management Plan must be followed by you during the current disclosure period and all subsequent disclosure periods. It remains in effect until modified or terminated in writing by the Director of the Conflicts of Interest & Commitment Office.

Your Conflict reasonably appears to impact one or more of the university interests identified in B.1 – B.7 below. For each section, please check the applicable box. If you are unable to check either (a) or (b) for a specific interest, please check the "N/A" option and explain why.

1. Your Conflict may impact (or could in the future appear to impact) your objectivity and scientific integrity. For this reason, you are required to commit to one of the following with respect to future publications (check one of the following):
 - a. **I do not and will not for the term of this Plan submit to journals or present publicly**

- any research sponsored by and/or in any way related to the Conflict; or
 - b. I agree to disclose my Conflict to all journals where research sponsored by and/or in any way related to the Conflict is submitted, and in all public presentations of such research; or
 - c. N/A because:
- 2. Your Conflict reasonably appears to impact (or could in the future appear to impact) your objective treatment of students and/or subordinates. For this reason, you are required to commit to one of the following with respect to any and all university student/subordinate relationships (check one of the following):
 - a. I do not and will not for the term of this Plan involve students or subordinates on projects that may impact or be related to such an Entity; or
 - b. I agree to:
 - i. Disclose my Conflict to all students and subordinates who work on projects that may impact or are in any way related to an Entity disclosed above, and to students' dissertation, thesis, or honors thesis committee members; and
 - ii. Inform students and subordinates of CU Boulder's procedures regarding [Restricted, Proprietary, and Classified Research](#) as defined by the university; and
 - iii. Consult my department chair/institute director and arrange for him/her to develop protections for students, which should include, at a minimum, appointment of an alternate non-conflicted faculty member to serve: (1) as non-technical co-advisor of students' dissertation, thesis, or honors thesis committees, and (2) to review and issue final grades of those students that are in any way affiliated with an Entity as employee or researcher (for ongoing paid or unpaid services); or
 - c. N/A because:
- 3. Your Conflict reasonably appears to impact (or could in the future appear to impact) your objective treatment of, and your scientific integrity with respect to, human subjects. For this reason, you are required to commit to one of the following with respect to any and all human subjects research (check one of the following):
 - a. I do not and will not for the term of this Plan engage in human subjects research that relates to research sponsored by and/or in any way related to the Conflict; or
 - b. I agree to disclose my Conflict to all potential human subjects asked to participate in my research that relates to research sponsored by and/or in any way related to the Conflict and to any Institutional Review Board (IRB) tasked with reviewing my research; or
 - c. N/A because:
- 4. Your Conflict reasonably appears to impact (or could in the future appear to impact) your decisions regarding the development, disclosure, and use of university intellectual property. For this reason, you are required to commit to one of the following with respect to any and all intellectual property development and use (check one of the following):
 - a. I agree to:
 - i. Promptly disclose to Venture Partners (formerly the Technology Transfer Office) all research discoveries, inventions, and other intellectual property pursuant to the University of Colorado's [Administrative Policy Statement 1013 Intellectual Property Policy on Discoveries and Patents for Their Protection and Commercialization](#);
 - ii. Execute the standard consulting addendum, [Standard Addendum for](#)

[Consulting and Third-Party Employment](#), required by Venture Partners prior to agreeing to perform any consulting work and any other third party employment outside the university; and

- iii. Abstain from representing the university, and from using my university position in a way that could be detrimental to the university, during negotiations between the university and the Entity; and
 - iv. Obtain written agreement from Venture Partners prior to using, or permitting the use of, university intellectual property for any purpose other than the benefit of the university and related funding sponsors (if applicable)
5. Your Conflict reasonably appears to impact (or could in the future appear to impact) your decisions regarding the decision to purchase products or services, including purchases via contract through the Procurement Service Center (PSC) or the Office of Contracts & Grants (OCG). For this reason, you are required to commit to one of the following with respect to purchasing decisions for and on behalf of the university (check one of the following):
- a. **I do not and will not for the term of this Plan procure, nor make decisions regarding the procurement of, products or services for or by the university that relate to the Entity; or**
 - b. **I agree to:**
 - i. **Complete the PSC's [Conflicts of Interest Evaluation form](#) prior to making any purchase or requesting *any* purchase that may involve an actual, potential, and/or perceived conflict (i.e., that may privately benefit me, my immediate family, or the Entity); provide the completed form, along with information regarding the Conflict to my department chair and/or institute director; and use university procurement and purchasing services, processes, and pricing only for the benefit of the university; and**
 - ii. **Not to purchase using university or sponsor funds any goods, supplies, applications, equipment, and/or services for activities conducted by or on behalf of the Entity; and**
 - iii. **Disclose as required to OCG and to my sponsor(s) at the time of proposal submission, contract negotiation, award acceptance, award continuation, and subaward issuance: (a) my relationship with Entity (including any applicable contract terms between me and the Entity), my Conflict(s), and any other current and pending sources of income (or other non-monetary value); and (b) the existence of this Management Plan; or**
 - c. **N/A because:**
6. Your Conflict reasonably appears to impact (or could in the future appear to impact) your decisions regarding the use of your time as well as other resources of the university, including, but not limited to, software, other intellectual property, funds, employee services, equipment, parts, instruments, contracts/opportunities, and facilities ("University Resources"). For this reason, you are required to commit to one of the following with respect to decisions for and on behalf of the university (check one of the following):
- a. **I do not and will not for the term of this Plan use University Resources to privately benefit me or an Entity with whom I have a Conflict; or**
 - b. **I agree to:**
 - i. **Refrain from compromising my time commitment and the time commitment of other university faculty, staff, and students; and**
 - ii. **Obtain, per the one-sixth rule, [approval](#) from my department regarding my time commitment in accordance with the University of Colorado's**

[Administrative Policy Statement 1044 Faculty Consulting and External Professional Activities](#); and

- iii. **Refrain from using university facilities/space to privately benefit me or an Entity with whom I have a Conflict, unless I have first disclosed the Conflict and obtained written approval from my Chair or Director and a written lease agreement from university [Real Estate Services](#) (RES); and**
 - iv. **Refrain from diverting contracts/opportunities or using other university resources to privately benefit me or an Entity unless I have first disclosed the Conflict and obtained approval from my Chair or Director and a written agreement from an authorized and disinterested university official; and**
 - v. **Refrain from making decisions concerning university resources on behalf of the university when those decisions privately benefit me or any Entity.**
- c. **N/A because:**
7. Your Conflict reasonably appears to impact (or could in the future appear to impact) your decisions regarding the appropriate rate to charge Entity for services performed by university employees. For this reason, you are required to commit to one of the following with respect to university employees performing services for Entity (check one of the following):
- a. **I do not and will not for the term of this Plan enter into contracts between the university and Entity, which could privately benefit me or an Entity with whom I have a Conflict; or**
 - b. **I agree to have OCG represent the university when negotiating service contract rates with Entity. (Note: If OCG is not the representative, please contact the Conflicts of Interest & Commitment Office.); or**
 - c. **N/A because:**
- C. **Monitoring:** This management plan is subject to monitoring by the Supervising Authority and the COIC Office. Annually at the time you submit your Disclosure of External Professional Activities (DEPA), you must submit a monitoring report via email to the Supervising Authority identified in this management plan and the COIC Office at coi@colorado.edu. The monitoring report template is available here under Monitoring Report form: <https://www.colorado.edu/researchinnovation/coi/policies-procedures>. You must attest in your monitoring report to compliance with this management plan and inform your Supervising Authority and the COIC Office of any changes in status that relate to the plan. In addition, the COIC Office may at its discretion conduct a review of your management plan to verify your compliance with the commitments made herein.

Signatures:

I fully disclosed in my 2022 DEPA all current conflicts and conflicts that I anticipate in 2022. I understand and agree to abide by the obligations outlined in this Management Plan. I also understand and agree to submit an updated DEPA within 30 days of a change in the status of my disclosure.

Discloser: **NAME**
DEPARTMENT

Date

MANAGEMENT PLAN APPROVED BY DEPARTMENT CHAIR/INSTITUTE DIRECTOR AND DEAN:

By signing this certification statement, you certify that you have reviewed **DISCLOSER'S** described Conflict(s) and this Management Plan and, after consultation with the Discloser, believe that the Management Plan adequately removes or mitigates the described conflicts. In addition, you have determined that Discloser can and will comply with the Management Plan and thereby: (1) maintain the scientific integrity of the Discloser's university work; (2) promote the objective evaluation and fair treatment of students, human subjects, and employees; and (3) use sponsor resources and resources of the university, including, but not limited to, software, other intellectual property, funds, employee services, equipment, parts, instruments, and facilities ("University Resources") solely for their proper purpose(s).

NAME, Chair/Director

Date

NAME, Dean
COLLEGE

Date

C. Monitoring Report (Template)



Conflicts of Interest & Commitment

Office of Research Integrity, Research & Innovation Office

University of Colorado Boulder

colorado.edu/researchinnovation/coi

Conflict of Interest Monitoring Report for Year:

Discloser:

Department:

NOTE: For the remainder of this document the following terms will refer to items identified and defined in the discloser's Management Plan: (a) external Entity(ies) and (b) conflict(s) of interest.

1. Has the conflict of interest been disclosed to all journals and in public presentations where your related university research is being featured? ☐ N/A ☐ NO ☐ YES
[If no, why not?]

[INSERT]

2. What mechanism(s) have you utilized to notify students, postdoctoral associates, or other subordinates of the conflict(s) of interest? ☐ N/A

[INSERT]

If applicable, have students been informed that they may discuss related concerns with the department chair, chair of the graduate committee, and/or dean of the graduate school? ☐ NO ☐ YES

3. Please describe purchasing activities relevant to your COI MOU:

- a. Have there been any purchases from your external Entity(ies)? ☐ NO ☐ YES
- b. Do you have a current Procurement Service Center (PSC) Conflict of Interest Form(s) on file? (<https://www.cu.edu/psc/forms/conflict-interest-evaluation-coi>)
☐ N/A ☐ NO ☐ YES

If so, who at CU makes those decisions and who authorized the purchases?

[INSERT]

4. Does your current DEPA report accurately name all other University-affiliated colleagues, subordinates, and students who have a relationship with the external Entity(ies)?
YES ☐
NO ☐ (If not, please update the DEPA report for the COIC Office's review.)

5. Have you been involved in any financial decisions on behalf of the external Entity(ies) as a result of your work at CU Boulder? ☐ NO ☐ YES

If yes, what kinds of decisions and was anyone else involved?

[INSERT]

6. Have conclusions of your CU Boulder research projects been financially advantageous to the external Entity(ies)? ☐ NO ☐ YES

Have conclusions been financially detrimental to the external Entity(ies)? ☐ NO ☐ YES

If yes to either question, please explain?

[INSERT]

7. Regarding intellectual property and technology transfer:

- a. Has intellectual property been disclosed to the office that has oversight for matters involving technology transfer? ☐ N/A ☐ NO ☐ YES
- b. Has there been a change in licensing status? ☐ N/A ☐ NO ☐ YES

For (a) and (b) please explain, as applicable:

[INSERT]

8. Has there been a significant change in the discloser's:

- a. title/status/relationship with the external Entity(ies) ☐ NO ☐ YES
- b. business or research responsibilities at the external Entity(ies) ☐ NO ☐ YES
- c. status/title/appointment percentage at CU ☐ NO ☐ YES
- d. research responsibilities at CU relevant to the COI MOU ☐ NO ☐ YES

Please explain any affirmative answers.

[INSERT]

I certify that the information I have provided is accurate and complete to the best of my knowledge. I acknowledge that the Department Chair/ Director will receive a copy of this information. (Intermediary supervisors will also receive a copy, as applicable, e.g., students, some RAs, etc.).

Signature:

Date: [Click here to enter a date.](#)

D. NIH FCOI Report Summary (Template)

Office of Conflicts of Interest & Commitment, Office of Research Integrity
coi@colorado.edu | (303) 492-3024

Conflicts of Interest & Commitment
Financial Conflicts of Interest (FCOI) Report Summary

Grantee Institution (Prime Site)	
Subawardee Institution	[If applicable]
PHS Grant No.	
PHS Grant Title	
Principal Investigator at UCB	
Principal Investigator at Subawardee Institution	[If applicable]
Name of the Investigator with an FCOI	
Name of the Entity with which the Investigator has an FCOI	
Nature and value of the FCOI	
Role and principal duties of the conflicted Investigator	DISCLOSER is the Principal Investigator of this NIH award at UCB; the PI is responsible for the design, conduct, and reporting of the research.

Description of how the financial interest relates to the research and the basis for the determination that the financial interest conflicts with the research	
Conditions of the Management Plan and rationale for how the Management Plan is designed to safeguard objectivity in the research project	
Management Plan elements	Conflict mitigation
1. Future publications	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's objectivity and scientific integrity. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Disclose the Conflict to all journals where research sponsored by and/or in any way related to the Conflict is submitted, and in all public presentations of such research.</i>
2. University student/subordinate relationships	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's objective treatment of students and/or subordinates. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Disclose the Conflict to all students and subordinates who work on projects that may impact or are in any way related to the Entity, and to students' dissertation, thesis, or honors thesis committee members; and</i> • <i>Inform students and subordinates of UCB's procedures regarding Restricted, Proprietary, and Classified Research as defined by the University; and</i> • <i>Consult the department chair/institute director and arrange for him/her to develop protections for students, which should include, at a minimum, appointment of an alternate non-conflicted faculty member to serve: (1) as co-advisor of students' dissertation, thesis, or honors thesis committees, and (2) to review and issue final grades of those students that are in any way affiliated with the Entity as employee or researcher (for ongoing paid or unpaid services).</i>

3. Human subjects research	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's objective treatment of, and scientific integrity with respect to, human subjects. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Disclose the Conflict to all potential human subjects asked to participate in research that relates to research sponsored by and/or in any way related to the Conflict and to any Institutional Review Board (IRB) tasked with reviewing the Investigator's research.</i>
4. Intellectual property development and use	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's decisions regarding the development, disclosure, and use of University intellectual property. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Promptly disclose to Venture Partners (formerly the Technology Transfer Office) all research discoveries, inventions, and other intellectual property pursuant to the University of Colorado's Administrative Policy Statement 1013 Intellectual Property Policy on Discoveries and Patents for Their Protection and Commercialization;</i> • <i>Execute the standard consulting addendum, Standard Addendum for Consulting and Third-Party Employment, required by Venture Partners prior to agreeing to perform any consulting work and any other third-party employment outside the University; and</i> • <i>Abstain from representing the University, and from using a University position in a way that could be detrimental to the University, during negotiations between the University and the Entity; and</i> • <i>Obtain written agreement from Venture Partners prior to using, or permitting the use of, University intellectual property for any purpose other than the benefit of the University and related funding sponsors.</i>
5. Purchasing decisions for and on behalf of the University	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's decisions regarding the decision to purchase products or services, including purchases via contract through the Procurement Service Center (PSC) or the Office of Contracts &</p>

	<p>Grants (OCG). Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Complete the PSC's Conflicts of Interest Evaluation form prior to making any purchase or requesting any purchase that may involve an actual, potential, and/or perceived conflict (i.e., that may privately benefit the Investigator, their immediate family, or the Entity); provide the completed form, along with information regarding the Conflict to the department chair and/or institute director; and use University procurement and purchasing services, processes, and pricing only for the benefit of the University; and</i> • <i>Not to purchase using University or sponsor funds any goods, supplies, applications, equipment, and/or services for activities conducted by or on behalf of the Entity; and</i> • <i>Disclose as required to OCG and to sponsor(s) at the time of proposal submission, contract negotiation, award acceptance, award continuation, and subaward issuance: (a) the Investigator's relationship with the Entity (including any applicable contract terms between the Investigator and the Entity), Conflict(s), and any other current and pending sources of income (or other non-monetary value); and (b) the existence of this Management Plan.</i>
6. Decisions regarding the use of time as well as other resources of the University	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's use of their time as well as other resources of the University, including, but not limited to, software, other intellectual property, funds, employee services, equipment, parts, instruments, and facilities. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Refrain from compromising their time commitment and the time commitment of other University faculty, staff, and students; and</i> • <i>Obtain, per the one-sixth rule, approval from the department regarding time commitment in accordance with the University of Colorado's Administrative Policy Statement 1044 Faculty Consulting and External Professional Activities; and</i>

	<ul style="list-style-type: none"> • <i>Refrain from using University facilities/space to privately benefit the Investigator or the Entity with whom they have a Conflict, unless having first disclosed the Conflict, and obtained written approval from an authorized and disinterested University official and a written lease agreement from University Real Estate Services (RES); and</i> • <i>Refrain from using other University resources to privately benefit the Investigator or the Entity unless having first disclosed the Conflict and obtained a written agreement from an authorized and disinterested University official; and</i> • <i>Refrain from making decisions concerning University resources on behalf of the University when those decisions privately benefit the Investigator or the Entity.</i>
7. Decisions regarding University employees performing services for Entity	<p>The Conflict may impact (or could in the future appear to impact) the Investigator's decisions regarding the appropriate rate to charge the Entity for services performed by University employees. Thus, the Investigator agrees to the following (if applicable):</p> <ul style="list-style-type: none"> • <i>Have OCG represent the University when negotiating service contract rates with the Entity.</i>
Notification to direct supervisor/chair	<p>The department chair/institute director and college/institute dean have signed Management Plan, thereby agreeing to the following:</p> <ul style="list-style-type: none"> • <i>By signing this certification statement, you certify that you have reviewed DISCLOSER'S described Conflict(s) and this Management Plan and, after consultation with the Discloser, believe that the Management Plan adequately removes or mitigates the described conflicts. In addition, you have determined that Discloser can and will comply with the Management Plan and thereby: (1) maintain the scientific integrity of the Discloser's university work; (2) promote the objective evaluation and fair treatment of students, human subjects, and employees; and (3) use sponsor resources and resources of the university, including, but not limited to, software, other intellectual property, funds, employee services, equipment, parts, instruments, and facilities ("University Resources") solely for their proper purpose(s).</i>

Annual review and update	The Investigator is required to submit an annual conflicts of interest and commitment disclosure, updating information regarding the Entity (if applicable). This offers an opportunity to review the existing FCOI and/or any changes to, and confirm that the Management Plan is still appropriate, as required by PHS regulations.
Confirmation of the Investigator's agreement to the Management Plan	<p>The Investigator has reviewed and signed the Management Plan, thereby attesting to the following:</p> <ul style="list-style-type: none"> • <i>I fully disclosed in my 2022 Disclosure of External Professional Activities (DEPA) form all current conflicts and conflicts that I anticipate in 2022. I understand and agree to abide by the obligations outlined in this Management Plan. I also understand and agree to submit an updated 2022 DEPA within 30 days of a change in the status of my disclosure.</i>
How the Management Plan will be monitored at UCB to ensure Investigator compliance	<p>The department chair/institute director and college/institute dean have signed Management Plan, thereby agreeing to the following:</p> <ul style="list-style-type: none"> • <i>By signing this certification statement, you certify that you have reviewed DISCLOSER'S described Conflict(s) and this Management Plan and, after consultation with the Discloser, believe that the Management Plan adequately removes or mitigates the described conflicts. In addition, you have determined that Discloser can and will comply with the Management Plan and thereby: (1) maintain the scientific integrity of the Discloser's university work; (2) promote the objective evaluation and fair treatment of students, human subjects, and employees; and (3) use sponsor resources and resources of the university, including, but not limited to, software, other intellectual property, funds, employee services, equipment, parts, instruments, and facilities ("University Resources") solely for their proper purpose(s).</i> <p>Further, the Investigator is required to submit an annual conflicts of interest and commitment disclosure, updating information regarding the Entity (if applicable), as well as to submit an updated 2022 DEPA within 30 days of a change in the status of the Investigator's disclosure.</p>

Contact information	<p>UCB's Office of Conflicts of Interest & Commitment can be contacted should any questions arise regarding the information contained within this FCOI Report Summary, the Investigator's Management Plan, and/or the conduct of the corresponding research:</p> <ul style="list-style-type: none"> • coi@colorado.edu • (303) 492-3024
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