GONZAGA UNIVERSITY
FINANCIAL CONFLICT OF INTEREST POLICY
RELATED TO SPONSORED PROJECTS

The highest standards of conduct and honesty are expected of all employees of Gonzaga University. It is the obligation of all personnel to avoid involvement in activities which conflict or might appear to conflict, with institutional responsibilities. The financial conflict of interest guidelines contained in this document are intended to help employees avoid involvement in actual or apparent conflicts of interest, and to protect both the employee and the University from potential legal liability, damage to its reputation and financial loss. All potential Conflicts of Interest require disclosure, evaluation and either management or elimination under this Policy.

While it is useful to provide basic guidelines to assist employees in assessing potential conflict situations, no list can be so exhaustive as to provide direction for all the variable circumstances which may arise. The personal good judgment of employees is indispensable.

I. GENERAL POLICY
No research or sponsored program occurring at Gonzaga University shall be adversely affected by the financial interests related to the research or sponsored program of University personnel carrying out those activities. Prior to participating in a research or sponsored program, University personnel having a potential financial conflict of interest shall disclose the details to the University.

This policy sets forth procedures and guidelines that are to be followed in resolving actual and potential employee financial conflicts of interest and commitment pertaining to sponsored projects. This policy applies to all sponsored projects funded by (A) commercial sponsors; (B) those federal and private agencies having specific conflict of interest requirements; and (C) Purchase Orders and subcontracts issued by Gonzaga University under its sponsored projects irrespective of the source of funds.

II. SCOPE
This policy applies to all Gonzaga personnel.

III. DEFINITION
A financial conflict of interest is considered to exist if an employee’s actions or activities on behalf of the University result in preferential treatment or an improper gain or advantage to the employee, the individual’s family or business associates, or conversely, has a detrimental effect on the University’s interests. It can include an instance in which an employee fails to exercise due care, skill, and judgment on behalf of the University in the performance of the individual’s duties because of a conflict of interest.

IV. BACKGROUND
The University and its employees often benefit from participation in both public and private outside activities. While the University recognizes that employees may have legitimate outside interests, it is important to ensure that their outside obligations, financial interests, and activities do not conflict or interfere with their commitment to the University. This obligation pertains to both full-time and part-time employees.

In those circumstances in which the University is engaged in or intends to engage in a sponsored project with a commercial organization, or has subcontracted or intends to subcontract to an external organization under one of the University’s sponsored projects, a financial conflict of interest may occur when an employee’s affiliation with the external organization meets any one of the following criteria:

Approved by AVP 06-13-13
a. The employee is an officer, director, partner, trustee, employee, advisory board member, or agent of an external organization or corporation either funding a sponsored project or providing goods and services under a sponsored project on which the employee is participating in any capacity.

b. The employee is the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization or corporation.

c. The employee has dealings with such organization or corporation from which he or she derives income of more than $5,000 per year, exclusive of dividends and interest.

d. The employee's immediate family (spouse, parents, parents-in-law, siblings, children, or other relatives living at the same address as the faculty member) meet any of the criteria stated in (a)-(c) above.

V. Procedure
Each employee participating in a sponsored project covered by this policy must disclose any external affiliations that may constitute a financial conflict of interest stated in paragraphs (a)-(d) above. A disclosure form must be completed prior to the University's acceptance of the sponsored project. The disclosure form is to be sent to the Sponsored Research and Programs Office via the employee's department supervisor, chair or dean. Disclosures will be reviewed by a Financial Conflict Review Committee convened by the Director of Sponsored Research and Programs when needed. The Committee shall consist of at least two of the following individuals: the Academic Vice President or designee, the chair of the Patent Committee, the Vice President for Finance or designee, the President of the Faculty Senate, the Director of Sponsored Research and Programs, and the Corporation Counsel (as ex officio member).

Confidentiality: All disclosures will be kept confidential and disclosed only on a need-to-know basis as required to perform the review and evaluation required by this Policy.

In reviewing the disclosures, the Financial Conflict Review Committee will be guided by the following practices and apply them as may be appropriate:
a. Assure adherence to relevant University policies.

b. Consider the nature and extent of the financial interest in the relationship of employee and the external organization.

c. Give special consideration to the terms and conditions of sponsored project agreements that may mitigate or complicate the given situation.

d. Consult with and obtain additional information from the employee that the Financial Conflict Review Committee determines may be helpful in resolving actual or potential conflicts.

e. Act in a timely manner so as not to delay unduly the conduct of the sponsored project.

f. Conclude that the University may take one of the following actions:
  1. Accept the sponsored project award.
  2. Not accept the sponsored project award.
  3. Accept the sponsored project subject to suitable modification in either the sponsored project award document or the external organization affiliation(s) of the employee or employee’s family.

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If the employee is dissatisfied with the Financial Conflict Review Committee's conclusion, the employee may appeal to the Academic Vice President who will consult with the employee and Financial Conflict Review Committee and others as the Academic Vice President deems necessary and appropriate to the particular circumstance. The decision of the Academic Vice President shall be final.

VI. Violations
Violations of this policy, such as willful concealment of financial interests, may result in sanctions being imposed upon the violating individual. The Financial Conflict Review Committee will review allegations of violations and will make recommendations regarding the imposition of sanctions to the Academic Vice President. The decision of the Academic Vice President with regard to the imposition of sanctions shall be final.

The Sponsored Research and Programs Office shall maintain the records pertaining to each disclosure. Access to such records will be limited to the faculty member, the Financial Conflict Review Committee, the Academic Vice President, and others who have a legal right to review the records.

Certain sponsors, particularly federal agencies, may have requirements that differ from this policy with regard to the timing and frequency of faculty disclosures and other conflict of interest considerations as well. In the case of such discrepancies, those requirements that are the more restrictive will apply.

References and Resources:

Gonzaga University Faculty Handbook, Policies & Procedures 404.00 Conflict of Interest
Gonzaga University Faculty Handbook, Appendix 400A, Conflict of Interest Policy Pertaining to Sponsored Projects