

SUBJECT:	CSUSB Conflict of Interest (COI) Policy for Sponsored Projects	REFERENCE #
DEPARTMENT:	Office of Academic Research	Page 1 of 4
		EFFECTIVE: 9/30/2020
APPROVED BY:	Interim Associate Provost for Research Dr. Cynthia Crawford	REVISED 04/03/2024 (Replaces revision dates 01/10/2024)

I. Introduction and Purpose

The California State University, San Bernardino (CSUSB) recognizes that several conflict-of-interest policies issued by internal and external bodies currently govern specific units on campus or specific categories of employees. The university also recognizes that the diversity of situations in which faculty and staff conduct research and instruction, and the diversity of potential financial arrangements may make it difficult to establish what does or does not constitute a conflict of interest.

The purpose of this document is to assist investigators, students and research staff in determining whether and to what extent outside financial relationships and interests may conflict with their primary research and academic activities or other institutional responsibilities. Investigators involved in a sponsored research project shall disclose all significant financial interests related to the research as required by federal, state and other applicable organizations. This policy applies to awards funded by contracts or grants from funding agencies identified in Section IV, including pass-through awards from the identified federal sponsors.

It is noted that financial conflicts of interest do not prohibit research or funding as long as they are appropriately disclosed and managed.

This document describes the general principles that should be observed in all cases and to specify additional procedures and policies for meeting the requirements of particular federal funding agencies and non-governmental sponsors.

II. General Policy

It is the general policy of California State University, San Bernardino that:

- A. The quality or objectivity of academic work should not be compromised by, or appear to be compromised by, financial interests the project personnel have in the conclusions or recommendations derived from the project.
- B. The decisions about the use of University resources in an academic project should not be guided, or appear to be guided, by considerations of private gain.
- C. There should be explicit procedures and structures for defining, disclosing, and resolving such conflicts. Such procedures and structures should have the flexibility to accommodate a wide variety of particular situations.

- D. This policy and the procedures described herein conform to State of California (CA Government Code 87300) and federal government laws and regulations related to Conflicts of Interests.

III. Definitions

“CSUSB” means the California State University, San Bernardino.

“UEC” means the University Enterprises Corporation at CSUSB.

“Investigator” means the Project Director (PD), Principal Investigator (PI) and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of funded research or educational program (or proposed for research or educational program funding), which may include, for example, collaborators or consultants, and any other individuals (including personnel from other institutions) who are involved in accomplishing project objectives. “Investigator” may also include students, graduate and undergraduate, and other personnel who may be listed as authors on project results, even if they are not paid from the project.

“Significant Financial Interest” means anything of monetary value, including, but not limited to income, equity interest, positions, or intellectual property interest held by the Investigator, Investigator’s Spouse or Dependent Children as described in Sections V and VI of this document.

“Outside Entity” is an organization that is not affiliated with California State University, San Bernardino, the University Enterprises Corporation at CSUSB, or the California State University System.

“Related Financial Interest” means the work to be performed under the sponsored project and results therefrom would reasonably appear to affect the financial interest of the Investigator or the financial interest of an outside Entity in which the Investigator has an interest.

“Business” means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes.

“ORSP” means the CSUSB’s Office of Research Sponsored Programs (Pre-Award)

“SPA” means CSUSB’s Sponsored Programs Administration (Post-Award)

IV. Applicable Regulations

A. Proposals to or Projects Funded Governmental Agencies

For PHS-sponsored projects, including pass-through subawards from other entities, California State University, San Bernardino adopts the policies set forth in the regulations of the US Department of Health and Human Services, (or as amended) at the

time a proposal is submitted, when an award is made or when continued funding is received. Regulations as of this revision can be found at <https://grants.nih.gov/grants/policy/coi/index.htm>

For NSF-sponsored projects, including pass-through subaward from other entities, California State University, San Bernardino adopts the conflict of interest policies set forth in the NSF’s Proposal and Award Policies and Procedures Guide (PAPPG), as amended. Regulations as of this revision can be found at <https://new.nsf.gov/policies/pappg>

For USDA-NIFA sponsored projects, including pass-through subaward from other entities, California State University, San Bernadino adopts the conflict of interest policies set forth in USDA-NIFA Research Award Terms and Conditions at <https://www.nifa.usda.gov/grants/regulations-and-guidelines/terms-conditions>

For NASA-sponsored projects, including pass-through subaward from other entities, California State University, San Bernardino adopt the conflict of interest policies set forth in NASA’s Grant Information Circular (GIC) 23-07, as amended. Regulations for this revision can be found at <https://www.federalregister.gov/documents/2023/08/31/2023-18802/conflict-of-interest-policy-for-recipients-of-nasa-financial-assistance-awards>

For DOE-sponsored projects, including pass-through subaward from other entities, California State University, San Bernardino adopts of the conflict of interest policies set for in the DOE’s Financial Assistance Letter 2022-02 which can be found at <https://www.energy.gov/management/financial-assistance-letter-no-fal-2022-02>

B. Conflicts of Interest for Projects Funded by Nongovernmental Entities

In accordance with the Fair Political Practices Commission (FFPC) requirements and consistent with California State University policy, any CSUSB employee who has the “principal responsibility for a research project if the project is to be funded or supported, in whole or in part, by a contract or grant (or other funds earmarked by the donor for a specific research project or for a specific researcher) from a nongovernmental entity” has to complete a 700-U form. This requirement will not apply to non-governmental entities whose support does not trigger a requirement for a researcher to file a 700-U form. A list of these “Exempt Organizations” can be found at:

<https://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/conflict-of-interest/list-of-non-governmental-entities-exempt-from-disclosure-requirement.html>

The Disclosure Requirements by Funding Source is available at:
<https://www.csusb.edu/academic-research/policies-guidance-and-forms/csusb-uec-financial-conflict-interest-policy>

V. Procedures

A. Conflict of Interest Disclosure

1. Prior to submitting a proposal to NIH/PHS, NSF, USDA, DOE or NASA ORSP will collect the CSUSB Disclosure of Financial of Interest Form (“FCOI” form) from each investigator. Once awarded, during the period of an award, non-competing continuations, renewals, supplemental funding, or when new personnel are added SPA will collect the FCOI form from the Investigator, maintain and secure all FCOI forms, and will serve as the Office of Record.
2. Prior to accepting a new award from a non-governmental entity that is not identified as exempt from the requirement, an Investigator must complete Form 700-U; ORSP will collect the initial 700-U form from the Principal Investigator. SPA will collect the 700-U form every renewal of the award or as new reportable financial interests are obtained (“interim” disclosures). All 700-U forms will be transmitted to the Human Resources Department which will serve as the office of record for all 700-U Training

B. Training

PHS and agencies which adopt PHS regulations: Each Investigator engaged in research related to or funded by any PHS agency or an agency which adopts PHS regulations must complete the Conflict of Interest training prior to engaging in research and at least every four years thereafter. At CSUSB, the COI training will be completed through [CITI](#). CSUSB Principal Investigators engaged in projects funded by non-governmental, non- exempt entities must complete the CSU Ethics and Conflict of Interest Training within ninety (90) days of receiving the grant. At CSUSB, this training is completed through CSUSB’s Human Resources. Subsequent training is required at least once each consecutive period of two calendar years.

C. Positive Disclosure

If a FCOI or 700-U is completed and Investigator submits a positive disclosure, the FCOI or 700-U form shall be submitted to the Associate Provost for Research and Dean of Graduate Studies who will coordinate with the University’s Conflict of Interest Committee (“COI Committee”) for review. The COI Committee is designated to review financial disclosures and may request an Investigator for additional information, including completion of a COI addendum. The COI Committee will determine whether a conflict of interest exists and will make the determination on the process to manage, reduce or eliminate such conflict of interest.

D. Enforcement

SPA shall report and refer instances of failure to disclose conflict(s) of interest and potential violation(s) of the resolution plan to CSUSB’s Human Resources Department. Disciplinary measures may be imposed following campus and system wide policies, procedures, and union contracts current at the time. Funding sources and other appropriate parties will be notified as required by state and federal laws

and regulations and sponsored projects award documents.

The CSUSB Human Resources Department is responsible for maintaining a complete listing of employees required to complete, notifying employees of training requirements, maintaining/monitoring training records, progress, completion, and issue/escalate reminders to ensure compliance.

VI. Sponsored Programs Conflict of Interest Committee

- A. A University Conflict of Interest Committee is comprised of:
 - 1. The Associate Provost for Research
 - 2. A representative from the Human Resources Department.
 - 3. Either a faculty member or an administrator (MPP).
- B. The Office of Academic Research shall provide staff support to the Conflict of Interest Committee.

