KCOI Review: Unit Heads and Deans Roles and Responsibilities

Conflict of Interest Information

Conflicts of interest occur when outside professional activities or other significant commitments, whether outside or within the University, interfere with an Employee's (faculty or staff) ability to meet their primary job responsibilities to the University. Because University employees are also State employees, the Maryland State Ethics Law governing conflict of interest also applies.

A university employee **may not**:

- Participate in an official action, decision, or matter where the employee or close relatives have a related outside financial interest, unless an approved COI Management Plan is in place.
- Hold secondary employment or financial interest that would impair their impartiality or independence of judgment, unless an approved COI Management Plan is in place.
- Engage in activities that lead to misuse of University students or employees for the benefit of outside entities.
- Solicit personal gifts for themselves or others, from individuals or entities doing (or seeking to do) business with the University.

University policy defines conflict of interest (COI) as involving potential financial gain or personal benefit to an employee or related individuals. The term COI encompasses more than just financial gain. *The term refers to any activity that involves an activity whose consequences are not immediately transparent to members of the community*. University policy states that officers, faculty, staff, and other employees acting on behalf of the institution have an obligation to disclose actual or potential ethical, legal, financial, or other conflicts of interest or commitment.

Please be aware that if your faculty have a perceived or actual conflict of interest regarding their research, they must submit a COI Disclosure. For example, if a faculty member has a small business that has received an award (MIPS, SBIR, etc.), and they wish to create a subaward back to their lab at UMD. This a conflict of interest. The goal of the COI Disclosure review process is to ensure the conflict is managed appropriately in order for the research activities to proceed while maintaining the integrity of the data generated and protecting any students or staff who might be involved.

The COI Office is available to answer questions and to provide guidance on this process. Please discuss the perceived or actual conflict with the faculty member and encourage them to contact coi@umd.edu with questions.

KCOI Review: Unit Heads and Deans Roles and Responsibilities

Roles and Definitions

Reporter = discloser

Faculty Members are reporters who are responsible for submitting honest and [complete disclosures](#) of relevant information related to potential COI.

Reviewer = unit head, chair, dean

Reviewers are responsible for completing a thoughtful triage of the disclosure, using situational awareness. Reviewers acknowledge that they have read the disclosure, commented, and that *all* pertinent information, to the best of their knowledge, is disclosed.

COI Committee = Appointed members of UMD community responsible for performing an advanced triage of COI disclosures. Members assist in the development of COI management plans; review plans; ensure compliance with policies, and make recommendations to the President.

President = Review committee recommendations and approve (or not) proposed COI management plans.

Based upon an Employee's written disclosure to the Unit Head of an intended outside professional activity or other possible conflicts of interest, the Unit Head typically will determine whether there are any concerns about possible conflicts of interest. If neither the Unit Head nor the Employee identify potential, real or apparent conflicts of interest, the Employee may not need to take further action. If the existence of a potential, real, or apparent conflict of interest is uncertain, Employees and Unit Heads may consult informally with appropriate administrators (e.g., the Conflicts of Interest (COI) Administrator, the Chair of the COI Committee, and/or the Office of General Counsel). Whenever there is reason to believe an activity, relationship, or other situation may involve potential, real, or apparent conflicts of interest, the University must take appropriate action to resolve such conflicts, in accordance with the procedures below.

Unit heads are responsible for conducting the initial review of the disclosure forms submitted by Employees within their unit. As part of that initial review, a Unit Head should review the proposed conflict management plan, which should include any mechanisms that the Unit Head deemed appropriate for managing, reducing, or eliminating potential, real, or apparent conflicts of interest. The Unit Head shall sign and forward the disclosure form and proposed management plan to the appropriate dean for review and signature and then to the Conflict of Interest Administrator (COI Administrator). The COI Administrator is appointed by the Vice President for Research.

KCOI Review: Unit Heads and Deans Roles and Responsibilities

Reviewer Responsibilities

The COI Committee expects you will:

- Read the disclosure carefully, viewing all notations, checkboxes, and entity information (if provided).
- Add comments to the disclosure:
  - To indicate your acknowledgement/acceptance of the disclosure information (especially commenting on the entity information). Examples of possible comments:
    - This is an important collegial activity consistent with our participation in…
    - This is a manageable amount of time to perform this activity.
    - This is an important professional activity that adds to the prestige of our university.
    - I do not concur with the information provided, see comments.
- When/if additional information is required to complete your review:
  - **IMPORTANT**: Do not click review complete until you are satisfied that ***all of your questions/concerns*** have been addressed.
  - Add comments to sections requiring additional information.
  - Contact the COI office (COI@umd.edu) and indicate the disclosure should be returned to the reporter with comments turned on for required revisions/updates.
    - The disclosure will be routed back to the Reviewers once updates are made, and you can finalize your review.
- If no additional information is required for your review, add a comment to this question: *Is there the potential that the interests reported above will be determined to constitute a real or perceived conflict of interest by the institution?* (at bottom of disclosure)
  - Your comment here should indicate whether you concur or not with the answer the Reporter provided. Examples of comments:
    - I concur that all pertinent information, to the best of my knowledge, is disclosed, and that no COI exists.
    - There is a potential COI that must be addressed.
    - The reporter must provide a management plan for review.
    - I do not concur with the provided information because…...

Important reminder: If a reporter (discloser) has multiple appointments, the Unit Head of the primary/tenure appointment will coordinate the review of the disclosure with the other units before providing final approval.

- The COI administration's recommended course of action is to print (to pdf) the disclosure and to send it to other units for review. Upon completion, the reviewer (the Unit Head of the primary/tenure appointment) should add a comment in the disclosure to state, e.g., Other units have reviewed the disclosure, and the combined recommendation is to approve.

Click "print" to see a preview of the full disclosure without having to click through multiple screens. Comments are NOT included in the print function.

KCOI Review: Unit Heads and Deans Roles and Responsibilities

<u>IMPORTANT NOTE TO REVIEWERS</u>: The KCOI disclosure is routed and reviewed by the Unit Head and/or Dean prior to the review by the COI Administration. If the COI Administration reviews and determines modifications/updates are required, the reporter (discloser) will be requested to update their disclosure. Once updated, all substantial modifications that warrant the Unit Head/Dean's knowledge will be **re-routed** for additional review (e.g., missing information entered that alters the disclosure, added time/effort on entity, new entity information, gift information, etc).

In addition to the above, for ARLIS or other units with PT, hourly, as needed employees:

- Please add a comment here **(Which institution are you a member of?)** as to the reporter's commitment to the University. FT, PT, Hourly, as needed - if so, state which, indicate % effort, and role (e.g., at ARLIS).