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RESEARCH POLICY

Inventor Conflict of Interest Policy, Management of

PURPOSE:

To ensure that the mission of the University is not compromised and that research integrity and objectivity is held to the highest standards, an employee's outside activities with regard to University research and transfer of the University's technology must be disclosed, reviewed and managed with appropriate oversight.

APPLIES TO:

University employees who create new technologies in the scope of their work for the University.

CAMPUS:

Lawrence

POLICY STATEMENT:

The University of Kansas encourages the development of new technologies that advance scientific knowledge and contribute to the public good. Researchers are encouraged to participate in technology transfer activities including forming new start-up companies based on newly discovered technologies. Additionally, the University encourages and supports the transfer of University-developed technology to commercial entities. Technology transfer is an important outcome of the University's research and educational efforts. To ensure that the mission of the University is not compromised and that research integrity and objectivity is held to the highest standards, an employee's outside activities with regard to University research and transfer of the University's technology must be disclosed, reviewed and managed with appropriate oversight. To that end the University adopts the following policy:

- I. As early as practicable, a Principal Investigator (PI) without conflict of interest will be recruited for research on technologies in which the PI and/or the university hold a financial stake. The university will enter into an agreement to allow the PI with a conflict of interest to continue such research if that PI can reasonably demonstrate the impracticability of recruiting a qualified, alternative PI without a conflict of interest and a management plan acceptable to the University is developed and implemented.
- II. When feasible, clinical trials involving human subjects and utilizing university discoveries also will be conducted at other universities to minimize bias.

- III. If research under the inventor's direction does not potentially benefit the company, then he/she is free to hold a seat on that company's Board of Directors. Research is considered to be under the inventor's direction if he/she is principal investigator, or if he/she is department chairman or dean of the individuals conducting the research.
- IV. The Conflict of Interest Committee will determine which measures may be appropriate to ensure data integrity and protection of human subjects. Such measures may include the requirement of oversight by a Data and Safety Monitoring Board and/or periodic audits of the research by a disinterested party. Questions regarding data safety will be referred to the Lawrence Campus Human Subjects Committee until such time that a separate Data Safety Monitoring Board is necessary.
- V. The University recognizes that, at times, the inventor will be the only individual who is qualified to conduct research on the new technology. In those cases, the following practices will be employed to manage the potential conflict of interest
 - A. Ordinarily the inventor* will not sit on the company's Board of Directors. From time to time, however, the inventor may sit on the company's Board of Directors with the review and approval of the Provost. In making this decision, the Provost shall take into consideration factors such as the protection of human subjects and protection of research integrity.
 - B. If the inventor wishes to continue serving as PI for such a research program and the inventor has a direct management role in an entity Sponsor funding such research program, a plan shall be developed with the overseeing Conflict of Interest Committee and approved by the Vice Chancellor for Research for the inventor to transition out of the management role as soon as practicable. This plan shall include measures described in paragraph 4 above, including a Data Safety Monitoring Board and/or periodic audits. For purposes of this policy, a Sponsor is an entity external to the University of Kansas that provides support (financial, in-kind, etc.) for a research project.
 - C. The inventor may retain equity interests in the start-up company.
 - D. The inventor may participate on the company's Scientific Advisory Board. Inventors shall recuse themselves from decisions by the Scientific Advisory Board that involve their research.
- VI. Within the University's academic departments, inventors may not make salary, promotion or tenure decisions for individuals who participate in research relating to a University of Kansas licensed technology where the inventor has a financial interest. In such cases, inventors may make salary, promotion or tenure recommendations only after disclosing the potential conflict of interest to the person(s) responsible for making the salary, promotion or tenure decision.
- VII. Participation in the management of any company must comply with the Regent's policy on Conflict of Time Commitment.
- VIII. When a licensee or a sublicensee uses University generated data to support product development by a company that has licensed University technology and/or in which the University has an equity interest, the Conflict of Interest Committee shall examine the relationship between the company and the licensee or sublicensee (research sponsor). The Committee will make a determination about whether a conflict of interest exists and, if it does, will ensure that an appropriate management plan is in place.
- IX. The University of Kansas Center for Research and the University of Kansas Research Institute shall disclose the creation of new technology companies to the Conflict of Interest Committees on University campuses so that planning for technology development and management of potential conflict of interest can be contemporaneous.

*Requirements of the inventor also apply to "immediate family" as defined by Kansas Board of Regents Policy on Conflict of Interest as well as designees of the inventor.

EXCLUSIONS OR SPECIAL CIRCUMSTANCES:

Conflict of interest management plans are developed individually, with respect to the needs of each conflict situation. Management plans are reviewed and recommended for approval by the Conflict of Interest Committee to the Vice Chancellor for Research and the Provost.

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APPROVED BY:

Provost and Executive Vice Chancellor

APPROVED ON:

Friday, November 12, 2004

EFFECTIVE ON:

Friday, November 12, 2004

REVIEW CYCLE:

Annual (As Needed)

BACKGROUND:

This Lawrence campus policy supplements the [Kansas Board of Regents Policy on Conflict of Time Commitment, Conflict of Interest, Consulting, and Other Employment](#).

RELATED POLICIES:

- [Kansas Board of Regents Policy on Conflict of Time Commitment, Conflict of Interest, Consulting, and Other Employment](#)
- [Inventor Conflicts of Interest Policy, Management of](#)
- [Institutional Conflicts of Interest Policy](#)
- [Technology Transfer Revenue Distribution Policy](#)
- [Employment of Students in Faculty-Owned Business Policy](#)
- [Conflict of Interest Committee Description »](#)
- [Board of Regents Intellectual Property policy »](#)
- [Policies concerning Conflicts of Interest »](#)

RELATED PROCEDURES:

- [KU COI Reporting System Guide: Guide for Annual Certification Users »](#)
- [Conflict of Interest reporting information »](#)

RELATED FORMS:

- [Invention Disclosure Form »](#)
- [Start-up Company Checklist »](#)
- [Faculty/Unclassified Academic Staff Consulting Request »](#)

RELATED OTHER:

- [Kansas State Ethics Statutes](#) » may also apply.

KEYWORDS:

technology transfer, inventor, conflict of interest, start-up company, equity, Scientific Advisory Board

REVIEW, APPROVAL & CHANGE HISTORY:

10/28/2004: Policy was recommended by the Faculty Council

11/12/2004: Approved by the Provost

07/02/2014: Technical edits to the Policy Library version - updated references to 'Vice Chancellor for Research' to reflect new title; added outline formatting to **Policy Statement**; updated formatting for **Contact**, updated **Approved by** with title of approving official; selected 'Lawrence' for required **Campus** field; updated formatting and fixed broken links for all **Related** fields; reformatted **Review, Approval & Change** field to put entries in chronological order and use standard Policy Library date format.

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Personnel: *Faculty/Academic Staff* Categories: *Conflicts of Interest*

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Research Category: *Research*

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