



CONFLICT OF INTEREST PROGRAM

General Overview

LEARNING OBJECTIVES:



Define Key Concepts: Understand what constitutes a conflict of interest, conflict of commitment and outside activity; and the various types that can arise in professional settings.



Understand Institutional Policies: Familiarize yourself with the organization's policies regarding conflicts of interest and commitment, including reporting procedures.



Recognize Personal and Professional Situations: Learn to recognize situations where conflicts may occur, including personal relationships, financial interests, and external commitments.



Identify Mitigation Strategies: Learn effective strategies for disclosing and managing conflicts of interest to ensure transparency and ethical conduct.

INTRODUCTION

AGENDA:



Introduction



Outside Activities Policy



Conflict of Commitment Policy



Conflict of Interest Policy



Disclosure & Management



Resources

WHAT?



INTRODUCTION

The Conflict of Interest Program includes the following policies:

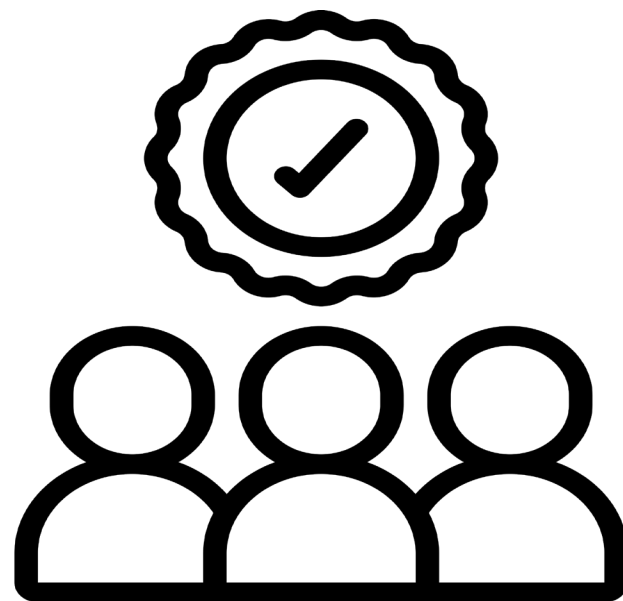
- Conflict of Interest Policy
- Conflict of Commitment Policy
- Outside Activities Policy



These Policies can be accessed at:

- University of Notre Dame's Policy Website (<https://policy.nd.edu/>)
- Conflict of Interest Program Website (<https://conflictpolicy.nd.edu/>)

WHO?



CONFLICT OF INTEREST POLICY

Any of the following who are in a position to influence or commit University resources:

- Full-Time and Part-Time Faculty
- Visiting Faculty
- Students (undergraduates, graduate students, postdoctoral fellows)
- Full-Time and Part-Time Staff
- Postdoctoral Scholars

CONFLICT OF COMMITMENT POLICY

- All Regular Faculty
- All Visiting Faculty

OUTSIDE ACTIVITIES POLICY

- All Faculty
- All Exempt Staff

WHY?

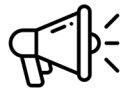


The Conflict of Interest Program helps the University and its employee:



PROMOTE AN ETHICAL CULTURE

Ensures that all University members—faculty, staff, and students—conduct their activities with honesty and fairness, avoiding situations where personal interests could improperly influence their professional judgment or actions.



FOSTER TRANSPARENCY

Creates a transparent disclosure environment, which helps maintain trust within the University community and with external stakeholders.



MAINTAIN ACADEMIC INTEGRITY

Prevents conflicts where outside activities might affect objectivity in the design, conduct or reporting of research at the University, thus preserving the integrity of academic and professional standards.

The Conflict of Interest Program helps the University and its employee *avoid*:



DAMAGE TO REPUTATION

Not disclosing conflicts can damage your reputation and that of the University, by creating perceptions of dishonesty or unethical behavior, which can have long-term consequences for personal and professional relationships as well as public image.



LEGAL AND REGULATORY RISKS

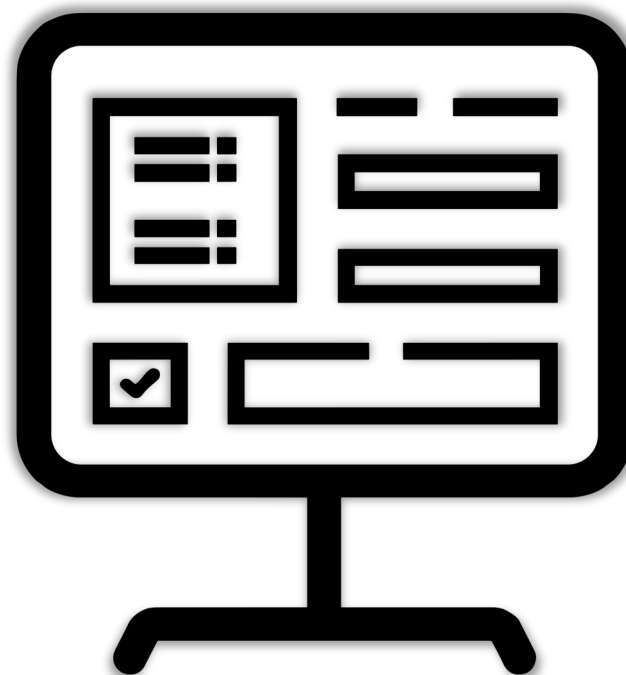
Not disclosing conflicts can lead to legal repercussions, as regulatory bodies may impose fines, sanctions, or other penalties for non-compliance with disclosure requirements.



LOSS OF TRUST

Not disclosing conflicts can create a culture of mistrust and opacity within an organization, affecting morale and teamwork, and make it harder to foster a transparent and ethical work environment.

HOW?



CONFLICTS OF INTEREST

- Disclosure will be completed within the Novelution software.
- Links to complete the disclosure will be emailed annually.
- Disclosure software is available anytime on the Conflict of Interest website:
<https://conflictpolicy.nd.edu>

CONFLICT OF COMMITMENT

- Faculty should continue their current process to obtain prior approval from appropriate source.

OUTSIDE ACTIVITIES

- Entry of outside activities will be completed within the Novelution software.
- Prior approval is not required for the 2024 disclosure cycle.

Outside Activities Policy

OUTSIDE ACTIVITIES POLICY



OBJECTIVE:

To ensure employees avoid conflicts between their personal interests and their University duties.



SCOPE:

The policy applies to all faculty and all exempt staff.



COMMITMENT:

Employees must prioritize their University responsibilities, focusing on their roles during scheduled work hours.



REQUIREMENT:

Employees can engage in various external activities, but must disclose these activities annually and whenever there are changes.

OUTSIDE ACTIVITY

Definition:

According to the policy, an *outside activity* involves an activity performed for or on behalf of an outside entity that:



Is similar in nature, practice, title or use of professional skills to the employee's role at the University, *OR*



Regularly requires an employee's time and attention during their expected work hours.

Simply put ...

**It is anything that
you do that is not
for Notre Dame.**

OUTSIDE ACTIVITIES POLICY

The *Outside Activity Policy* provides examples of activities that should be disclosed to ensure potential conflicts of interest or commitment are managed effectively:



Board



Officer



Business



Outside Research



Consulting



Teaching



Employment



Volunteer

BOARD



Definition:

Serving on a board or advisory group refers to participating in a formal capacity with an external organization, such as a company or nonprofit.



Examples:

- *Board of Directors*: Helping govern or make high-level decisions for the organization.
- *Advisory Council*: Providing strategic advice or expertise to guide the organization's direction.
- *Scientific Advisory Board*: Offering scientific or technical guidance on research, development, or projects.

BUSINESS



Definition:

Participating in a business enterprise refers to being actively involved in any business venture in a role that includes ownership, partnership, or management responsibilities.



Examples:

- *Owner*: Holding partial or full ownership of a business.
- *Partner*: Being a business partner in a venture.
- *Supervisor/Manager*: Overseeing or managing operations or staff in a business setting.

CONSULTING



Definition:

Acting as a consultant involves providing professional advice or services to an external organization or individual, usually for a fee or other form of compensation.



Examples:

- Advising a company on business strategy.
- Providing expert analysis on a research project.
- Consulting for a nonprofit on program development.

EMPLOYMENT



Definition:

Employment or service to outside entities refers to working with or providing services to an outside entity where you receive compensation. This compensation can include money, services, goods, or other forms of value.



Examples:

- Holding a secondary job with an external organization or company.
- Working remotely with an external organization or company while maintaining employment at Notre Dame.

OFFICER



Definition:

Serving as an officer, director, trustee, or public representative involves holding a formal position or role in an outside entity.



Examples:

- *Corporate Management / Officer:* Being in a high-level executive role (CEO, COO, CTO).
- *Trustee:* Acting as a trustee, with responsibility for managing and safeguarding the organization's assets and ensuring its mission is fulfilled.

OUTSIDE RESEARCH



Definition:

Conducting external research involves engaging in research activities outside the scope of your regular duties with the University.



Examples:

- Research conducted for a private company or independent project that is unrelated to your University research.
- Collaborating on research projects with external institutions or entities not funded or supported by Notre Dame.
- Undertaking research as part of a personal interest or consulting engagement that falls outside your University duties.

TEACHING



Definition:

Assuming responsibility for a course or representing oneself as a faculty member involves taking on teaching or academic responsibilities at another institution or presenting yourself as an educator affiliated with another school or university.



Examples:

- Teaching a course as an adjunct professor at a community college while employed at Notre Dame.
- Serving on a faculty committee at another university.
- Giving lectures or seminars at an institution where you hold a faculty position.

VOLUNTEER



Definition:

Performing volunteer work involves engaging in unpaid activities or services for outside entities, where the time commitment may impact your ability to meet your responsibilities at the University.



Examples:

- Volunteering extensively for a nonprofit organization, which takes time away from your University work.
- Acting as a volunteer coordinator for a community event, leading to scheduling conflicts with your University duties.

OUTSIDE ACTIVITIES POLICY

ACTIVITIES THAT DO NOT REQUIRE DISCLOSURE

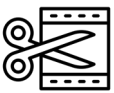
Service to a Profession:



Preparing and Publishing Scholarly Communications: Writing and publishing books, articles, or other creative works related to your field of expertise.



Professional Events: Attending or presenting at conferences, workshops, colloquia, symposia, or seminars organized by professional or academic institutions.



Editing and Editorial Boards: Editing scholarly or professional publications or serving on editorial boards for these publications.



Peer Review: Reviewing manuscripts or grant proposals for academic or professional journals and funding agencies.



Site Visits: Conducting visits related to accreditation, audits, sponsored project reviews, or similar activities.

OUTSIDE ACTIVITIES POLICY

ACTIVITIES THAT DO NOT REQUIRE DISCLOSURE

Non-Professional Activities:



Unpaid Coaching and Mentorship: Providing professional mentorship or coaching on a voluntary basis.



Volunteer Work: Engaging in volunteer activities outside normal business hours that *do not* impact your work responsibilities at the University.



Hobbies and Recreational Activities: Participating in personal hobbies or recreational activities.



Religious Activities: Involvement in religious or spiritual activities.

OUTSIDE ACTIVITIES POLICY

As part of the *Outside Activities Policy*, the University has set forth a new expectation for *exempt staff* to identify potential conflicts of commitment by disclosing time spent performing these activities.

Exempt staff will be asked the following questions:

- Did this Outside Activity occur during your expected work day?
- Did you use vacation time?
- **Note:** While there is no prior approval for such activities for the 2024 disclosure cycle, Supervisors and Unit / Division Heads will receive this report.

Conflict of Commitment Policy

CONFLICT OF COMMITMENT POLICY



OBJECTIVE:

To ensure faculty maintain their primary commitment to the University while balancing external professional responsibilities.



SCOPE:

The policy applies to all regular and visiting faculty.



COMMITMENT:

Faculty must prioritize their University responsibilities, to ensure that their outside commitments do not compromise the quality of their teaching, research, or service to the university.



REQUIREMENT:

- Group 1 and Group 2 activities do not require prior approval.
- Faculty must request prior approval for Group 3 and Group 4 activities before engaging.

CONFLICT OF COMMITMENT

Definition:

According to the policy, a *conflict of commitment*:



Involves conflicts of time and effort, *and*



Has the potential to conflict with University responsibilities.

Simply put ...

**It is anything that can
affect the time available
for you to complete your
Notre Dame responsibilities.**

CONFLICT OF COMMITMENT POLICY

Conflict of Commitment Groups:

REQUIREMENT	GROUP ONE	GROUP TWO	GROUP THREE	GROUP FOUR
Requires prior approval before engaging in activity?	No	No	Yes	Yes
<i>From whom?</i>	<i>N/A</i>	<i>N/A</i>	<i>Department Head <u>and</u> Dean</i>	<i>Provost</i>
Requires disclosure in faculty member's annual report?	No	Yes	Yes	Yes

CONFLICT OF COMMITMENT POLICY

GROUP ONE



Does not require prior approval.



Does not require disclosure in faculty member's annual report.



Examples:

- Teaching in a faculty member's home department
- Serving on departmental, college, or University committees
- Attending professional meetings
- Writing books or articles
- Creating works of art and architecture
- Refereeing manuscripts in one's area of expertise

CONFLICT OF COMMITMENT POLICY

GROUP TWO



Does not require prior approval.



Must be reported in the faculty member's annual report.



Examples:

- Teaching at the University outside of a faculty member's home department
- Consulting and any other potentially compromising external activities for *fewer than one workday per month* (on average)
- Holding office in a scholarly or professional organization when doing so *does not involve a commitment of more than one workday per month* (on average)
- Serving on the editorial board of a learned journal

CONFLICT OF COMMITMENT POLICY

GROUP THREE



Requires prior approval from the faculty member's Department Chair and Dean before engaging in these activities.



Examples:

- Consulting, teaching outside of the University, holding office in a scholarly or professional organization, editing a learned journal, and any other potentially compromising professional activities for *more than one workday per month, but for less than seven workdays per month* (on average).
- Additional activities as described in a department's CAP documents that the CAP documents deem to require disclosure.

CONFLICT OF COMMITMENT POLICY

GROUP FOUR



Requires prior approval from the Provost before engaging in these activities.



Approvals must be reviewed annually to ensure the faculty member has been able to fulfill their University obligations.



Examples:

- Consulting, holding office in a scholarly or professional organization, or editing a learned journal, and any other potentially compromising professional activities for *seven or more workdays per month* (on average).
- Working full-time outside of the University during any semester in which the faculty member is under contract to work for Notre Dame.

Conflict of Interest Policy

CONFLICT OF INTEREST POLICY



OBJECTIVE:

Ensure that all Members act with integrity and impartiality by identifying, disclosing, and managing situations where personal interests may conflict with professional responsibilities.



SCOPE:

The policy applies to faculty, staff and students who are in a position to influence or commit University resources.



COMMITMENT:

Employees should prioritize their duties to the university by actively identifying, disclosing, and managing any situations where personal interests may compromise professional integrity.



REQUIREMENT:

- Disclosure is required for all Members defined in the scope above.
- If an activity is categorized as a Category B or Category C conflict of interest, a Management Plan is required in order to engage in the activity.

CONFLICT OF INTEREST

Definition:

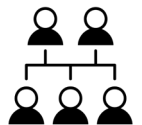
According to the policy, a *conflict of interest*:



Involves conflicts of time and effort, *and*



Has the potential to conflict with University responsibilities.



Applies to University members and their family and close relation.

Simply put ...

**It is anything that can
affect your judgement in
carrying out your Notre
Dame responsibilities.**

CONFLICT OF INTEREST POLICY

The *Conflict of Interest Policy* defines *family* as any of the following:

- Spouse
- Parent
- In-Law
- Grandparent
- Child (including adopted and stepchildren)
- Great-Grandparent
- Sibling (by whole, half-blood or adoption)
- Spouses of all these relations

CONFLICT OF INTEREST POLICY

The *Conflict of Interest Policy* defines a **close relation** as a colleague or other individual with whom you have a relationship that is similar to a family relationship in terms of **loyalty** or **importance**. Examples include:

- A very close personal friend
- A colleague from Notre Dame or an outside institution

with whom there is a close professional relationship.

CONFLICT OF INTEREST POLICY

All faculty, staff and students who are in a position to influence or commit University resources must submit a *Conflict of Interest* disclosure:

- Annually
- Within 15 calendar days of:
 - A change in status of an existing conflict or
 - The identification of a new actual, perceived or potential conflict
- Within 30 calendar days of employment start date

CATEGORY A CONFLICTS

Not Significant and Generally Permissible Activities



Activities suggest no actual, potential or perceived conflict of interest.



Situation may continue without oversight (i.e., Management Plan).

CONFLICT OF INTEREST POLICY

CATEGORY A CONFLICTS

Examples:

A faculty member accepts royalties for the publication of his scholarly work.

A staff member serves on the board of a local community organization.

A staff member owns stock in a company that does business with the University. The staff member does not have any influence over University decisions regarding that company.

A faculty member accepts an honorarium for giving a lecture outside the University.

CATEGORY B CONFLICTS

Potential or Perceived Conflicts of Interest



Activities represent a potential or perceived conflict of interest.



Would be allowed to go forward after disclosure with an approved Management Plan.

CATEGORY B CONFLICTS

Examples:

A faculty member is conducting sponsored research on a product developed by a company for which the faculty member is a consultant.

Management Plan → The faculty member discloses her relationship with the company to the sponsor of the research and in any published research results for that product.

A faculty member directs a student into a research area from which the faculty member may receive financial gain.

Management Plan → The faculty member informs the student about the possible financial gain. Another faculty colleague makes an objective judgment about whether this research is in the student's scholarly best interest.

CONFLICT OF INTEREST POLICY

A faculty member would like to use laboratory space for consulting purposes.

Management Plan → Under appropriate circumstances, the faculty member may be allowed to enter into a contract with the University to pay for her non-University use of the laboratory.

A staff member would like to rent property to the University.

Management Plan → The decision by the University to rent the staff member's property is made by another non-subordinate member of the University.

A staff member serves as a director of an organization that does business with the University.

Management Plan → The staff member agrees to not take part in any University decisions that involve this organization.

CATEGORY C CONFLICTS

Actual Conflicts of Interest



Activities represent an actual conflict of interest.



May be permitted to go forward after disclosure only with an appropriate Management Plan to:

- ✕ Eliminate the conflict,
- 🔒 Safeguard against prejudice toward University activities, and
- 👓 Provide continuing oversight.

CONFLICT OF INTEREST POLICY

CATEGORY C CONFLICTS

Examples:

A staff member is to take part in the evaluation and selection of a supplier from a number of bidders. One of the bidding companies is operated by the staff member's family member.

Management Plan → The staff member does not take part in that or any other supplier evaluation/selection that involves her family's company.

A staff member has a financial stake in a company that does business with the University. The staff member has the opportunity to make a decision for the University that will impact that business.

Management Plan → The staff member is excluded from participating in this or any other decision on behalf of the University with regard to that business.

CONFLICT OF INTEREST POLICY

A staff member would like to hire his spouse as a consultant to the University.

Management Plan → The staff member does not make the hiring decision, but instead refers the hiring decision to a supervisor.

A staff member is in the position to authorize University-paid travel for a family member.

Management Plan → The staff member does not make the authorization decision, but instead refers the authorization to his supervisor.

A corporation asks a faculty member to sign a contract that would forbid publication of the faculty member's research findings.

Management Plan → The staff member agrees to not take part in any University decisions that involve this organization.

CONFLICT OF INTEREST POLICY

A staff member is selecting candidates for admission to the University and a family member applies for admission.

Management Plan → The staff member does not take part in the evaluation/selection process relating to that family member.

A faculty member is the primary editor / author of a textbook. The tagline on their University email (@nd.edu) promotes the sale of their textbook.

Management Plan → The staff member must remove the tagline from their University email and all other references in communications to students.

DISCLOSURE & MANAGEMENT

DISCLOSURE & MANAGEMENT

Disclosure:

The University is partnering with Novelution to provide a new online disclosure system.

Employees will be briefly asked about:

- Research activities
- Equity interests
- Travel
- Use of University resources
- Outside activities
- Intellectual property interests
- Business conflicts

A step-by-step training on the use of the disclosure system is available through eNDeavor at your convenience.

Slides for this training, as well as job aids are available at: <https://conflictpolicy.nd.edu/training>.

DISCLOSURE & MANAGEMENT

Review:

Upon completion, the disclosure is automatically routed to a Designated Reviewer to ensure any conflicts of interest are categorized correctly.

EMPLOYEE	DESIGNATED REVIEWER
Faculty	Dean or designee
Academic Department Chair	Dean or designee
Dean	Provost or designee
Staff	Unit / Division Head or designee
Staff Department Head, Associate Provost, Vice President, Associate Vice President, Athletic Director	Supervising Member of the Officers Group or designee
Provost or Executive Vice President	President or designee
President	Board of Trustees
Students Engaged in Sponsored Research	Dean or designee

Management:

If the conflict of interest is determined to need mitigation and oversight, the Designated Reviewer will work with the employee to develop a Management Plan .

- Management Plan templates are available at: <https://conflictpolicy.nd.edu/management-plans/>.
- An Oversight Manager will be identified to oversee the Management Plan.
- After development, the Management Plan will be uploaded into the disclosure system for approval by the Designated Reviewer, Oversight Manager, Central Compliance and University Conflicts Committee (if needed).
- Management Plans must be reviewed by both the employee and the Oversight Manager on an annual basis, at minimum.

DISCLOSURE & MANAGEMENT

Management:

Management Plans have been updated to be uniform across the University as well as easier to complete. There is a template for:

Research COI:

 **Research Conflict of Interest Management Plan**

Employee:	College / School / Department / Office:
Outside Entity Name:	Relationship to Outside Entity:
Designated Reviewer:	Oversight Manager:

I. Purpose

The purpose of this Conflict of Interest (COI) Management Plan is to address and mitigate any conflicts of interest that may arise in the course of research conducted by faculty, staff, or students at the University of Notre Dame. This Management Plan aims to protect the integrity of research, ensure compliance with institutional policies and applicable regulations, and safeguard public trust in research outcomes.

II. Scope

Management Plans apply to all individuals involved in research at the University of Notre Dame, including faculty, research staff, postdoctoral researchers, and graduate students. It covers both financial and non-financial conflicts of interest that could affect the design, conduct, or reporting of research.

III. General Responsibilities

It is expected that each researcher at the University of Notre Dame agrees to ensure their research is free from bias and conflicts of interest. These responsibilities include:

A. *Full Disclosure of Conflicts* including actual, potential or perceived conflicts of interest that may arise due to personal, financial or professional interests in accordance to University policies.

- Financial relationships (e.g., consulting, stock ownership, service on boards)
- Intellectual property rights (e.g., patents, royalties)
- Personal relationships (e.g., family or close relations involved in the research)
- External commitments (e.g., advisory roles, funding from external entities)

B. *Annual and Ad Hoc Reporting* is required annually and within 15 calendar days of any change in the current conflict or if any new potential conflicts arise.

C. *Compliance with Management Plans* including recusal from specific decisions or roles related to the research, divestiture of financial interests related to the research, and disclosures in publications, presentations, and communications about the research.

D. *Maintaining Objectivity and Integrity* through the understanding that personal and financial interests must not influence scientific process or research outcomes.

E. *Public and Sponsor Disclosures* including disclosing conflicts of interest in all relevant communications with sponsors, collaborators, and the public; and these disclosures are made in manuscripts, grant applications, presentations and other forums.

F. *Training and Education* including Participation in and completion of all required conflict of interest training sessions mandated by the University to ensure awareness of current regulations, guidelines and expectations.

Non-Research COI:

 **Non-Research Conflict of Interest Management Plan**

Employee:	College / School / Department / Office:
Outside Entity Name:	Relationship to Outside Entity:
Designated Reviewer:	Oversight Manager:

I. Purpose

The purpose of this Conflict of Interest (COI) Management Plan is to address and mitigate any conflicts of interest that may arise for faculty and staff at the University of Notre Dame. This Management Plan aims to protect the University's reputation, maintain academic integrity, and ensure compliance with institutional policies and applicable regulations.

II. Scope

Management Plans apply to All University employees (including full-time and part-time faculty and staff, visiting faculty, and postdoctoral scholars) who are in a position to influence or commit University resources are Members. It covers both financial and non-financial conflicts of interest that could affect one's judgement in carrying out their University responsibilities.

III. General Responsibilities

It is expected that each faculty and exempt staff at the University of Notre Dame agrees to ensure that any outside activities are free from bias and conflicts of interest. These responsibilities include:

A. *Full Disclosure of Conflicts* including actual, potential or perceived conflicts of interest that may arise due to personal, financial or professional interests in accordance to University policies.

- Financial relationships (e.g., consulting, stock ownership, service on boards)
- Intellectual property rights (e.g., patents, royalties)
- Personal relationships (e.g., family or close relations involved in the research)
- External commitments (e.g., advisory roles, funding from external entities)

B. *Annual and Ad Hoc Reporting* is required annually and within 15 calendar days of any change in the current conflict or if any new potential conflicts arise.

C. *Compliance with Management Plans* including recusal from specific decisions or roles related to the outside entity and divestiture of financial interests related to the outside entity.

D. *Training and Education* including Participation in and completion of all required conflict of interest training sessions mandated by the University to ensure awareness of current regulations, guidelines and expectations.

RESOURCES

Conflict of Interest Program Website :

- <https://conflictpolicy.nd.edu>
- Resources are available for employees and Designated Reviewers.
- The *Frequently Asked Questions* page is a great place to start if there is a specific question.
- The *Contact Us* page provides contact information if you have any questions, concerns, would like additional training, etc.

General Contacts:

Audit & Advisory Services



Email: conflicts@nd.edu



Phone: (574) 631-6616



Address: 201 Flanner Hall, Notre Dame, IN 46556



Website: <https://auditservices.nd.edu>

General Contacts:

Office of General Counsel



Email: gencoun@nd.edu



Phone: (574) 631-6411



Address: 204 Main Building, Notre Dame, IN 46556



Website: <https://generalcounsel.nd.edu>

Research-Specific Contacts:

Notre Dame Research Compliance



Email: compliance@nd.edu



Phone: (574) 631-7432



Address: 317 Main Building, Notre Dame, IN 46556



Website: <https://research.nd.edu/our-services/compliance/>

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