

**University of Michigan
Institute for Social Research**

**Faculty and Staff Policy for Reporting and Management of
Conflicts of Interest and Conflicts of Commitment
Updated 2/10/2021**

The Institute for Social Research (“ISR” or the “Institute”) recognizes that faculty and staff participate in a variety of activities that, although outside of their primary University of Michigan (“U-M” or the “University”) responsibilities, are of benefit to their academic units, the Institute, the University as a whole, and the wider community. The Institute supports and encourages participation in such activities while also wanting to ensure that faculty and staff involvement does not compromise or interfere with the conduct of Institute responsibilities. The policy and procedures outlined below apply to all faculty and staff of the Institute for Social Research.

This policy provides implementation of [SPG 201.65-1](#) for all ISR and utilizes the following definitions per the SPG:

A potential **conflict of interest** exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of (1) compromising a faculty or staff member’s judgment; (2) biasing the nature or direction of scholarly research; (3) influencing a faculty or staff member’s decision or behavior with respect to teaching and student affairs, appointments and promotions, uses of University resources, interactions with human subjects, or other matters of interest to the University; or (4) resulting in a personal or family member’s gain or advancement at the expense of the University. For purposes of subsection (4), family members include spouse, domestic partners and dependents.

A potential **conflict of commitment** exists when a faculty or staff member’s external relationships or activities have the possibility (either in actuality or in appearance) of interfering or competing with the University’s educational, research, or service missions, or with that individual’s ability or willingness to perform the full range of responsibilities associated with his or her position.

For the purposes of this policy, the term **faculty** includes both full- and part-time ISR faculty, whether classified on the research scientist track, the research professor track, or as faculty associates. This policy applies to all paid ISR faculty, including visiting faculty, research faculty, and paid adjunct faculty. Many ISR faculty members have their primary faculty appointments in schools or colleges. Such faculty members should be aware of and also abide by the COI/COC policies of those units.

Even where obligations to the University are met, a faculty member may not engage in activities that compete with the University or that otherwise diminish or undermine the University’s

mission. It is inappropriate for faculty, without prior approval, to divert to other entities or institutions opportunities for research, education, clinical care, or financial support which otherwise might flow to the University.

For the purposes of this policy, the term **staff** includes both full- and part-time ISR staff, whether permanent or temporary, with an appointment greater than 0%.

An ISR staff member may not engage in activities that compete with the University or that otherwise diminish or undermine the University's mission. It is inappropriate for staff, without prior approval, to divert to other entities or institutions opportunities for research, education, clinical care, or financial support which otherwise might flow to the University.

A. *Identification and Disclosure*

To help identify and review potential conflicts of interest and commitment, U-M has established the M-Inform outside activity reporting system. **All** faculty and staff are required to complete an outside activity report in M-Inform at least annually (at the beginning of each fiscal year) and within 30 days of a change to an existing outside activity, relationship, or interest; or engagement in new reportable outside activities, relationships, or interests. The M-Inform disclosure must be completed and submitted even if the faculty or staff member reports no outside activities, relationships, or interests.

Step-by-step instructions can be found on the [M-Inform: Submit an Outside Interest Disclosure](#) webpage, which is divided into sections, each describing a task that may be associated with disclosing outside interests in M-Inform. The M-Inform system training includes examples and exceptions of reportable outside activities, relationships, and interests (referred to as "outside activity" throughout the document), which can also be found in the [Outside Activity Disclosure Guidance](#) document. Additional examples are listed in Appendix A of this policy.

B. *Review and Management*

Upon disclosure of a potential conflict of interest or commitment, the reviewer (Center Administrator, Center Director and/or ISR Director) will review the extent of the potential conflict to determine whether any administrative action is required. They may ask the faculty or staff member to provide additional information or documentation if necessary.

In some circumstances, evaluation of the potential conflict will require consultation with and processing by central administration offices. For example, centralized processing is necessary in the following circumstances:

- Where the disclosure involves sponsored research or technology transfer, by the Office of the Vice President for Research;
- Where there may be a conflict between two academic units, by the Provost's Office;

- Where legal obligations or potential liability may be involved, by the General Counsel's Office; and
- Where the disclosure involves a purchase of goods or services, by Procurement Services.

In many cases, consultation with central administration offices, even when processing by those offices is not required, may help determine how to respond to a given disclosure.

In response to a disclosure of a potential conflict, the reviewer may, after consulting with the faculty or staff member, determine that no action is necessary. In this case, the reviewer will complete the review in M-Inform without comments. In other cases, the reviewer may decide that it is sufficient to document the disclosure with a comment and/or supporting documentation of his or her determination.

If the reviewer determines that management of the potential conflict is necessary, they will develop a conflict management plan in consultation with the faculty or staff member. That plan may include, but is not limited to:

- Disclosing the potential conflict to appropriate sources inside and/or outside the University;
- Modifying or limiting the faculty or staff member's duties to minimize or eliminate the conflict;
- Reducing the faculty or staff member's appointment to accommodate the outside activity;
- Securing the faculty or staff member's agreement to modify or suspend outside activity, use of University resources, or other activities that create the potential conflict; or
- Prohibiting certain outside activity as inconsistent with the faculty or staff member's obligations to the University.

If a conflict management plan is implemented, a copy will be delivered to the faculty or staff member, a copy kept on file in the Center, a copy kept in the faculty or staff member's personnel file, and a copy sent to the ISR Director's office.

To ensure a consistent approach in the handling of potential COI/COCs, the ISR center administrators will regularly review the center's files about disclosures of potential COI/COCs and any actions taken subsequently. Similarly, the ISR managing director will regularly review how the centers are handling potential COI/COC matters and will share with the ISR Director any issues that emerge.

3. Record-Keeping and Issues of Confidentiality and Privacy

The reviewer will record actions on disclosures made under this policy in M-Inform.

The reviewer will make all reasonable efforts to preserve the privacy and confidentiality of personal information revealed as part of this process.

In some circumstances, the University is required to disclose potential conflicts to people within or outside the University. For example, if a conflict exists within the context of a federally sponsored project, the University may be *required* both to disclose the existence of that conflict to the federal government and to indicate whether it has managed that conflict. Also, the University may be legally required to disclose information in response to requests made under the Michigan Freedom of Information Act (FOIA) or the Public Health Service Financial Conflict of Interest Policy. Should any individual have a legitimate reason to access the confidential records, whether in the context of a federally sponsored project, a FOIA request, or otherwise, the reviewer or the University may authorize access to the file, provide copies, or provide oral or written summaries. Where possible, the individual to whom the reviewer or the University authorizes disclosure will be required to maintain at least the same level of confidentiality as applicable to the original information or documents.

C. *Appeal*

A faculty or staff member may appeal a reviewer's decision in writing to the reviewer within 30 days of the date of the notification of the decision. If the reconsideration determination is not acceptable to the faculty or staff member, they may send a written appeal to the ISR Director who will decide the appeal. Following exhaustion of the unit-specific procedures, the faculty or staff member may dispute any action or decision under this policy in accordance with applicable University procedures (e.g., [SPG 201.08 Grievance Procedure and Dispute Resolution](#) for staff or [Formal Grievance Procedures](#) for faculty, found in the UM Faculty Handbook).

D. *Education and Training*

The University provides training for the disclosure of outside activities, relationships, and interests through the M-Inform disclosure system. Faculty are encouraged to take the web-based [COI/COC training for faculty](#) and the [Responsible Conduct of Research and Scholarship \(RCRS\) course](#), which is part of the Program for Education and Evaluation in Responsible Research and Scholarship (PEERRS) training and includes instruction in conflict of interest.

Staff are encouraged to take the web-based [COI/COC training for staff](#).

E. *Violations*

Any failure to comply with SPG 201.65-1, its procedures, or this implementing policy may lead to disciplinary action, up to and including termination of appointment in accordance with applicable disciplinary procedures. Possible violations that may lead to disciplinary action include, but are not limited to, the following:

- Failure to disclose fully outside activities, relationships, and interest a conflict;
- Failure to comply fully with a required conflict management plan;
- Failure to maintain the confidentiality of conflict documentation and information (see section B.3 Record-Keeping and Issues of Confidentiality and Privacy); and
- Failure to complete any required training or education regarding the policy.

F. *Policy Review and Revision*

The ISR Policy Committee will review this policy and make recommendations to the Director regarding any needed revisions to the policy or any need for increased education. Any revisions in policy or practices will be discussed with the faculty and staff. If any revisions will materially change the policy, the ISR Director will follow the procedures used to adopt the original policy. In particular, the ISR Director will submit any materially revised policy to the Office of the Provost and Executive Vice President for Academic Affairs for further review and approval and then to the President for formal adoption (see SPG 201.65-1 procedures). A current version of the Institute for Social Research's policy should be on file with the Provost's Office at all times.

G. *Governing Policies*

This policy implements SPG 201.65-1, *Conflicts of Interest and Conflicts of Commitment*, incorporates SPG 201.65-1 in its entirety, and includes all elements required under that SPG. Implementation of SPG 201.65-1 within the Institute for Social Research requires compliance with other University policies and procedures, including all Regents' Bylaws and SPGs, as well as with any relevant external rules of professional conduct and applicable law. Relevant policies, procedures, rules, and law include (but are not limited to) the following:

- Regents' Bylaw [2.16](#), regarding gifts to University employees;
- Regents' Bylaw [5.12](#), regarding outside employment of University faculty;
- Regents' Bylaw [5.13](#), regarding governmental elected or appointed service;
- Regents' Bylaw [5.14](#), regarding leaves of absence;
- SPG [201.23](#), regarding appointment of individuals with close personal or external business relationships;
- SPG [201.65](#), regarding employment outside the University;
- SPG [201.85](#), regarding special stipends for work performed for other University units, the payment of honoraria, and the payment of travel expenses;
- SPG [500.01](#), [601.03-3](#), and [601.11](#), in particular to the extent that they address copyright and other appropriate use of University resources, such as the libraries, office space, computers, secretarial and administrative support staff, and supplies;
- Office of Vice President for Research (OVPR) [Policy for the Identification and Management of Conflict of Interest in Research, Sponsored Projects, and Technology Transfer](#);
- Office of the President [Policy for Institutional Conflicts of Interest in Research](#) and

- Michigan Compiled Laws [§ 15.321](#) et seq., regarding contracts of public employees with their employers.

In the event of any inconsistency between this policy and other University or external requirements, those other requirements will prevail. In interpreting this policy all Center Directors and the ISR Director and the ISR Policy Committee should be attentive to preserve the principle of academic freedom of speech and thought. In addition, policy administrators will make every reasonable effort to preserve confidentiality and protect the privacy of all parties in the course of investigating and managing a potential conflict of interest or commitment.

APPENDIX A

Conflict of Interest and Conflict of Commitment Examples

Potential Conflicts of Interest

Examples of potential conflicts of interest include, but are not limited to, the following:

- Using University resources (including facilities, equipment, data, and proprietary information), students, or staff in outside activities that may lead to financial gain for the faculty or staff member (or their family member as defined in the COI section of SPG 201.65-1).
- Giving outside entities access to University resources for purposes that may lead to financial gain.
- Participating in decisions or deliberations where your own personal financial interests are or could be affected.
- Using the name of the University in promoting activities that may lead to financial gain for the faculty or staff member (or their family member).
- Interacting with students in external as well as internal roles (e.g., seeing students as clients or patients, employing students for non-University work).
- Engaging in research in which a faculty or staff member (or their family member) has a financial interest.
- Having a significant interest (financial or administrative) in an outside entity with whom the University either competes or itself has a contractual relationship.
- Developing option or license arrangements with external entities.
- Taking administrative action (e.g., recommending or hiring a vendor, providing preferential access to research results or products) that is beneficial to an outside entity in which the Faculty or ISR staff member (or their family member) has a financial interest.
- Personally hiring or arranging to have hired family members.
- Accepting a gift, irrespective of value, where the external person or organization intends to create a quid pro quo arrangement with that faculty or staff member.
- Accepting a gift of substantial value (including gifts of service) from anyone over whom the faculty or staff member have authority.
- In line with state law and IRS regulations, a faculty or staff member may not accept reimbursement or gifts of \$25 or more from people or institutions that contract with the University where the faculty or staff member participates in decisions concerning that contract.
- Faculty or staff members or companies that they have an ownership in may not provide gifts to the University with the expectation that they will then be given the authority to control the dispersal of these gifts.
- Participating in decisions or deliberations where a family member is or could be affected, financially or otherwise.

Potential Conflicts of Commitment

The existence of a potential conflict of commitment must be evaluated in light of the minimum time and effort requirements applicable to the faculty or staff member in question.

Examples of potential conflicts of commitment include, but are not limited to, the following:

- Participating in outside consulting, speaking engagements, entrepreneurial or charitable work, or other activities that interfere with time commitments to the University.
- Serving on boards or in associations, professional or otherwise, when time commitments or travel interfere with primary University obligations.
- Performing activities for non-University entities for pay.
- Having managerial or principal investigator responsibility for sponsored research activities that could be conducted at the University (within the percentage time of one's appointment) but are submitted and managed elsewhere. (This stipulation is not intended to limit faculty or staff from participating in multi-site research or training programs, or from conducting research that requires access to facilities not available at Michigan.)