Introduction

The Institute for Social Research recognizes that faculty members participate in a variety of activities that, although outside of their primary 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 involvement does not compromise or interfere with the conduct of Institute responsibilities. The policy and procedures outlined below apply to all faculty of the Institute for Social Research, including both full- and part-time faculty, whether classified on the research scientists track, the research professor track, or as faculty associates.

A. Identification of Potential Conflicts of Interest and Commitment

Potential conflicts of interest and commitment are inevitable where faculty are engaged, as they ought to be, with actors and institutions outside the University. Nor are these potential conflicts necessarily problematic. Rather, the University allows and encourages faculty to engage in outside activities and relationships that enhance the University’s mission. It is nevertheless important that faculty disclose any potential conflicts of interest or commitment as soon as they arise so that they can be evaluated and, if necessary, managed or eliminated.

Conflicts of interest are a common issue at the University, whose mission encourages the transfer of knowledge gained through research and scholarship to the private sector – including the commercial marketplace. The Institute acknowledges that faculty should be rewarded for their outside work through consulting fees, royalties, licensing fees, etc. In the course of fulfilling their University-specific responsibilities, however, faculty should not take actions or make decisions motivated by personal financial gain. Potential conflicts of interest arise, therefore, when faculty have external ties or interests that might appear to bias their judgment in performing their University obligations.

Faculty members’ commitments of time and intellectual energy are expected to go to their educational, research, administrative, and scholarship responsibilities at the University in proportion to their percentage time appointment. Potential conflicts of commitment arise when faculty engage in external activities or assume external commitments that might appear to compromise their ability to fulfill the responsibilities of their University position. (See Standard Practice Guide (SPG) 201.65-1.)
1. **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 member (or family or friends).

- Giving outside entities access to University resources for purposes that may lead to financial gain.

- Using the name of the University in promoting activities that may lead to financial gain for the faculty member (or his or her family or friends).

- 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 member (or family or friends) 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 that compete with the University.

- 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 member has a financial interest.

- Personally hiring or arranging to have hired family members or close personal friends.

- Accepting gifts, entertainment, or any other items of value in connection with University roles or responsibilities. (This stipulation does not apply to minor gifts given as tokens or as professional awards.)

2. **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 member in question.

All faculty members, including visiting and clinical faculty, should commit an amount of time and intellectual energy to the Institute commensurate with their appointment percentage. 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.

With these principles in mind, 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.
- Having managerial or principal investigator responsibility for sponsored research activities that could be conducted at ISR (within the percentage time of one’s appointment) but are submitted and managed elsewhere. (This stipulation is not intended to limit faculty from participating in multi-site research or training programs, or from conducting research that requires access to facilities not available at Michigan.)

B. Disclosure, Evaluation, and Management of Potential Conflicts of Interest and Commitment

1. Disclosure of Potential Conflicts

In general, each faculty member must promptly disclose potential conflicts of interest or commitment to their Center Director and the Institute Director, as they arise.

2. Management of Potential Conflicts

Upon disclosure of a potential conflict of interest or commitment, the Center Director and ISR Director will evaluate the extent of the potential conflict to determine whether any administrative action is required. They may ask the faculty 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:

- 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 Purchasing.
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 Director may, after consulting with the faculty member, determine that no action is necessary. In other cases, the Director may decide that it is sufficient to document the disclosure and his or her determination that no further action is required. If the Directors determine that management of the potential conflict is necessary, however, they will develop a conflict management plan in consultation with the faculty 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 member’s duties to minimize or eliminate the conflict;
- Reducing the faculty member’s appointment to accommodate the outside interest or activity;
- Securing the faculty 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 member’s obligations to the University.

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

3. Record-Keeping and Issues of Confidentiality and Privacy

The ISR Director’s office will keep a record of action on disclosures made under this policy, in part to help develop a consistent practice of treating similar cases alike. The Center Director and ISR Director 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 is required both to disclose the existence of that conflict (without providing identifying information) 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). 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 ISR Director may authorize access to the file, provide copies, or provide oral or written summaries. Where possible, the individual to whom the ISR Director authorizes disclosure will be required to maintain at least the same level of confidentiality as applicable to the original information or documents.
C. **Dispute Resolution**

A faculty member may dispute with the Center Director any decision made in response to the disclosure or non-disclosure of a potential conflict of interest or commitment. If the dispute cannot be resolved at the Center level, it may be taken to the ISR Director’s Office. Following exhaustion of these unit-specific procedures, the faculty member may dispute any action or decision under this policy in accordance with applicable University procedures. [http://www.research.umich.edu/policies/um/coi/](http://www.research.umich.edu/policies/um/coi/)

D. **Education and Training**

Faculty are encouraged to take the web based PEERS training on conflicts of interest.

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 a conflict; failure to comply fully with a required conflict management plan; failure to maintain the confidentiality of conflict documentation and information; and failure to complete any required training or education regarding the policy.

F. **Policy Review and Revision**

The ISR Policy Committee will annually review all actions taken under 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 ISR faculty. If the Director determines that any of the changes he or she would like to adopt will materially change the policy, the Director will follow the procedures used to adopt the original policy. In particular, the 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. [Insert SPG procedures URL: [http://www.umich.edu/%hraa/procedures/spg201-65-1.htm](http://www.umich.edu/%hraa/procedures/spg201-65-1.htm)] 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 [http://www.umich.edu/~regents/bylaws/bylaws02.html#16];
- Regents’ Bylaw 5.12, regarding outside employment of University faculty [http://www.umich.edu/~regents/bylaws/bylaws05b.html#3];
- Regents’ Bylaw 5.13, regarding governmental elected or appointed service [http://www.umich.edu/~regents/bylaws/bylaws05b.html#4];
- Regents’ Bylaw 5.14, regarding leaves of absence [http://www.umich.edu/~regents/bylaws/bylaws05b.html#5];
- 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, 601.03-2, 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 on Conflict of Interest in Sponsored Research and Technology Transfer Agreements [http://www.research.umich.edu/policies/um/conflict_ovpr_drda_tmo.html]; 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.