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## **I. DEFINITIONS**

### **1. Conflict of Interest Committee (COIC or ‘Committee’):**

The committee formed at the campus level responsible for reviewing and mitigating complicated disclosures, determining what conditions or restrictions are necessary, reviewing cases of non-compliance, and recommending sanctions as appropriate. The committee is comprised of members identified by each Dean in consultation with the Provost.

### **2. Conflict of Interest/Conflict of Commitment Disclosure (also, ‘Disclosure’):**

An Employee's Conflict of Interest/Conflict of Commitment Disclosure provides documentation to the University of outside interests (e.g. external to the University), including employment or business activities. The disclosure is required to be updated as changes occur and prior to engaging in any overlapping business activities, external teaching, or consulting. Disclosure is made through eCompliance at <https://ecompliance.missouri.edu/login>

### **3. Department of Energy (DOE)**

Is the US Department of Energy

### **4. Employee:**

- a. Any person receiving compensation from the University for services rendered, regardless of whether the person is benefit eligible or non-benefit eligible (e.g., full-time or part-time), or classified under other sections of the CRR as Academic Staff or Administrative, Service and Support Staff,
- b. Any person receiving compensation paid through the University from any funds placed in its hands for distribution; or
- c. Any person that has voluntarily elected to enter into an agreement or an agreement entered into on their behalf with the University to be treated as an “Employee” for purposes of this policy. For purposes of this policy, the receipt of compensation shall not be interpreted to include:
  - a. Receipt of student financial aid, including but not limited to, scholarships, grants, loans, tuition waivers and educational fee reductions, generally available to University students and unrelated to any provision of services by the student to the University; or
  - b. Payments to independent contractors.

### **5. Graduate Research Assistant/Graduate Teaching Assistant (GRA/GTA):**

Graduate assistantship for research or teaching.

### **6. Immediate Family:**

The Employee's spouse or domestic partner and dependent children.

### **7. Outside Interest:**

An outside interest is defined as:

- A. An employment, consulting, or other professional activity or service, paid or unpaid, for a third party that is not part of the Employee's University Responsibilities, and such activity or service for the third party nonetheless relates to work within the scope of the Employee's University Responsibilities. This includes, without limitation, any activity

or service that involves the use of the Employee's expertise, the practice of his or her profession, or any activity or service that contributes to the Employee's professional competence or development; or

- B. Engagement in income generating activities, that are **not** part of or related to the Employee's University Responsibilities, when such engagement constitutes, individually or collectively, more than 10 hours per week (average) during the term of the Employee's contract or generates a total of \$5000/year.
- C. A direct or indirect financial interest in an entity that proposes to do business or is doing business with the University; or
- D. A direct or indirect financial interest in an entity that proposes to acquire or has acquired rights to University owned intellectual property; or
- E. Whenever an Employee's duties include research or investigation, a direct or indirect financial interest in an entity conducting research or business that is relevant to the scope of the Employee's University Responsibilities; or
- F. Any other activity that could be construed as relating to or overlapping or competing with the core missions of the University.

### **8. Public Health Services (PHS)**

The Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority involved may be delegated, including the National Institutes of Health (NIH).

### **9. Responsibilities**

Employee's obligations for which such Employee was hired and conducted at or undertaken on behalf of the University, which may include, but is not limited to, activities such as research, research consultation, teaching, outreach/extension, professional practice, institutional committee memberships and service on University-based panels.

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## II. OVERVIEW

The Conflict-of-Interest Committee (COIC) has been charged by the Chancellor pursuant to CCR [330.015](#), [420.030](#), and [410.020](#) with the responsibility for management of all conflicts of interest on the University of Missouri-Columbia campus. The University of Missouri System is committed to fostering an academic environment in which the University's teaching, research, service, and economic development missions are furthered. Participation in outside professional or commercial activities make important direct and indirect contributions to the strength and vitality of the University. As a steward of public funds and public trust, the University is committed to identifying activities that present the potential for conflicts and managing them to assure that they do not threaten the integrity of the University's students, staff, and faculty.

The COIC works to assist faculty and staff to appropriately structure their various interests to avoid, mitigate or manage those conflicts. No two situations are the same, therefore, the Committee works diligently to understand each scenario to find custom solutions that best meet the needs of the parties involved.

The Conflict-of-Interest Disclosure/Conflict of Commitment Form also captures information used by Supervisors and Administrators in the course of fulfilling their obligations, i.e., Supervisors managing Conflicts of Commitment, the Administrative Review for FCOI as outlined in the [University of Missouri Financial Conflict Of Interest \(FCOI\) Policy](#), etc.

## DISCLOSURE

All exempt employees are required to disclose at the time of hire. Adjuncts, GRAs, and GTAs are required to update their disclosure as changes occur, and prior to engaging in new activities. **All other faculty and exempt personnel are required to disclose outside interests annually and as new interests arise, or changes occur.** All other Employees regardless of title, position, or involvement in research activities shall disclose Outside Interest as such interests arise (e.g. transactional reporting) ([CRR 330.015](#), [360.020](#)).

**Any employee determined to be an investigator with PHS/NSF/DOE funding must also disclose according to the [University of Missouri FCOI policy](#).**

## III. WHAT IS REQUIRED TO BE DISCLOSED

### A. Outside Interests:

1. Any employment, consulting, or other professional activity or service, either paid or unpaid, which is not part of but relates to the Employee's University Responsibilities. This includes any activity or service that involves the use of the Employee's expertise, the practice of his or her profession, or any activity or service that contributes to the Employee's professional competence or development.
2. For exempt employees, engagement in income generating activities, that are **not** part of or related to the Employee's University Responsibilities, when such engagement constitutes, individually or collectively, more than 10 hours per week (average) during the term of the Employee's contract or generates a total of \$5000/year.

3. A direct or indirect financial interest in an entity that proposes to do business or is doing business with the University.
4. A direct or indirect financial interest in an entity that proposes to acquire or has acquired rights to University owned intellectual property.
5. If an Employee's duties include research or investigation, a direct or indirect financial interest in an entity conducting research or business that is relevant to the scope of the Employee's University responsibilities.
6. Any other activity that could be construed as relating to or overlapping or competing with the core missions of the University.

**B. Public Health Services (PHS) and National Science Foundation (NSF) Investigators Disclosure Requirement:**

See the [Financial Conflict of Interest FCOI Policies](#) for disclosure, review and reporting requirements related to PHS and NSF Investigators.

#### **IV. HOW TO DISCLOSE**

All disclosures, personal and as a PHS/NSF investigator, are required to be submitted through eCompliance at <https://ecompliance.missouri.edu/login> through the COI module.

#### **V. COLLECTION AND REVIEW OF DISCLOSURE FORMS**

COIC members are charged, and empowered with the following responsibilities (1) to review potential conflict of interest disclosures submitted by employees; (2) to investigate questions of potential conflicts of interest and request additional information and/or disclosure; (3) to recommend and approve responses to disclosures and, if necessary, develop, distribute and enforce management strategies on behalf of the Chancellor; and (4) to assist in the development and implementation of communication strategies to ensure that all employees are properly advised of their responsibilities regarding conflict of interest. The Committee has delegated some responsibilities to the COI Office.

The COI Office educates faculty and staff to facilitate compliance with the Collected Rules and Regulations of the University of Missouri, and any other federal, state, or local rules or regulations relating to conflict of interest. Employees are required to update as changes occur or as new interests arise. The COI Office will request annual Conflict of Interest/Conflict of Commitment disclosures from Employees with assistance from the Deans and contacts in each Unit. Following the receipt of a Disclosure, the COI Office will:

- Review the disclosure
- Follow up with the Employee if questions remain or the information appears inaccurate or incomplete.
- Determine the management strategies (if any) needed to mitigate the conflict. Management strategies may contain conditions that actively manage the outside interest. Notifications will be added to the disclosure to provide directed information

to the Employee regarding policies or guidance. The COI Office may request input from others or request review by COIC.

- Any disclosure presenting a higher risk to the institution (e.g., faculty start-up business) or requires additional guidance will be forwarded to the COIC for necessary management.

The Office will record the determinations and set any overlapping activities for supervisor/chair/dean/director review. The COI Office will draft letters associated with each disclosure or entity reviewed. A list of disclosures and the associated management strategies will be sent to COIC. COIC may request to review any disclosure or may require changes to the management strategies.

### **COIC Meetings and Review:**

Oversight Management Plans, Project Management Plans, complex cases, and cases of violations are under the purview of the Committee. The Committee is provided the cases for review each month. The COI Office will assure a valid quorum is present prior to and during the COIC meetings. If the quorum fails at any time during a convened meeting the meeting is terminated from further action until a valid quorum can be restored.

The Committee may request input from others as needed. The minutes of each convened meeting will include the necessary documentation to enable reconstruction of the discussion and vote. Discussion and voting will be documented without identifiers. Any identifiable information related to discussion and voting will remain within the committee and will not be shared outside of the meeting. COIC, ad hoc members, and visitors will be asked to sign a statement of confidentiality.

### **1. *Analysis and Management of Disclosed Interests:***

All outside interests are managed on a case-by-case basis. Each situation comes with its own unique set of circumstances. Management strategies will be equally diverse. The information below is intended to provide guidance on the management strategies and may not be all inclusive.

A. **NO INTERESTS TO DISCLOSE**: Employees with no outside interests to disclose receive an automated email stating that no outside interests were reported at this time.

B. **MOOT**: The activity is part of the Employees MU position and does not need to be reported. The Employee is advised that the activity can be removed from their disclosure.

C. **NO APPARENT CONFLICT**: The outside interest is not related to the Employee's responsibilities, is determined not to be a conflict of interest, nor represent a potential conflict of commitment, and the Employee does not need any additional guidance. The Employee may remove the activity from their disclosure. If changes occur, the Employee may need to report the activity in the future.

D. **OUTSIDE INTEREST MANAGED BY DISCLOSURE**: The outside interest may be related to the Employee's responsibilities, but the relationship presents a minimal conflict of interest, does not represent a potential conflict of commitment, and does not meet the criteria of requiring any conditions or notifications for management. No additional management is needed beyond disclosure itself.

**E. OUTSIDE INTEREST MANAGED BY NOTIFICATIONS:** The outside interest may or may not be related to the Employee’s responsibilities. Guidance is provided to the Employee to make the Employee aware of policies and/or best practices.

<b>Notification/ Guidance</b>	<b>When the Notification may apply:</b>	<b>Information provided:</b>
<b>Corporate Compliance</b>	<ul style="list-style-type: none"> <li>This applies to Employees of MU Healthcare System including the School of Medicine, School of Nursing and School of Health Professions where specific MU Health rules may apply.</li> </ul>	The resolution letter provides the Employee with the link to the <a href="#">Healthcare specific policies</a> .
<b>Disclaimer</b>	<ul style="list-style-type: none"> <li>When the Employee is consulting or providing expert testimony in their own capacity and not on behalf of the University.</li> </ul>	The resolution letter informs the Employee that when consulting or providing expert witness testimony they must indicate their work for the entity is not part of their university role.
<b>Disclosure</b>	<ul style="list-style-type: none"> <li>Employee has a relationship, typically consulting, research or ownership, which may require disclosure in publications, presentations and/or reports.</li> </ul>	The resolution letter informs Employee of the requirement to disclose outside relationship in any publications, presentation, or reports.
<b>External Malpractice Insurance</b>	<ul style="list-style-type: none"> <li>When a medical professional is performing moonlighting or other similar activities in their own capacity and not within their MU role.</li> </ul>	The resolution letter informs the Employee that their University malpractice insurance coverage is limited to only duties performed in their MU role. When they engage in external moonlighting, or similar activities, they must supply their own malpractice insurance to cover external activities.
<b>IT Security</b>	<ul style="list-style-type: none"> <li>Entity is outside of the U.S and the Employee will be traveling/teaching at the entity (<b>note: review is only for MU Employee as it relates to their MU position</b>)</li> </ul>	The Employee is provided a <a href="#">link</a> to best practices as it relates to IT Security.
<b>International Activities:</b>	<ul style="list-style-type: none"> <li>Employee discloses a relationship with an International Entity and may have federal funding.</li> </ul>	The Employee is made aware of their responsibility to report the activities to their federal funders, please see <a href="#">the webpage on International Activities</a> .

<b>No Referrals</b>	<ul style="list-style-type: none"> <li>Employee's/Employee's family members have a business that sells goods or services</li> </ul>	The Employee is made aware that they cannot promote the outside activity in their university role.
<b>Political Office (CRR 330.050)</b>	<ul style="list-style-type: none"> <li>Before any Employee officially announces as a candidate for or accepts any public office, they must inform their superior officer of such intention and such officer must make the fact known to the President of the University through appropriate channels.</li> </ul>	The Employee is made aware of the notification requirements of the <a href="#">Collected Rule 330.050 for Political Offices</a> .
<b>Recusal</b>	<ul style="list-style-type: none"> <li>Employee has a relationship with an entity that may contract with the University; or</li> <li>Employee serves as an expert witness or consults for a legal firm</li> </ul>	Resolution letter informs Employee they must recuse themselves from any decisions with respect to the university and the entity.
<b>Textbook Royalties</b>	<ul style="list-style-type: none"> <li>Employee earns royalties on the sale of educational textbooks/goods (CRR 330.015.D.5)</li> </ul>	Resolution letter informs Employee of the requirement to donate their royalties from the sale of materials assigned to students in their courses
<b>Treasurer's Office</b>	<ul style="list-style-type: none"> <li>Employee is serving on a board for a bank or other financial institution that may conduct business engagements with the University.</li> </ul>	The Treasurer's Office and the Vice Chancellor for Finance are notified of the relationship to ensure transparency.
<b>Use of University email and letter head:</b>	<ul style="list-style-type: none"> <li>When an Employee has equity in an outside entity, they need to be aware that no University endorsement or acknowledgement of any kind may be used in the promotion or conduct of Company without the appropriate approvals in advance. This includes, but is not limited to, the use of MU email, letterhead or other resources bearing MU markings.</li> </ul>	The Employee is made aware that they cannot use the University logo, stationary or other markings to promote the outside entity per <a href="#">CRR 170.060</a>



F. **OUTSIDE INTEREST MANAGED BY CONDITIONS:** The outside interest is related to the Employee's responsibilities and the relationship may present an increased risk which requires mitigation. One or more conditions may be applied to manage the outside activity. Below are some examples of applicable conditions, when each condition may be applied, and how the condition assists to manage the outside activity:

<b>Conditions</b>	<b>When the condition may apply:</b>	<b>Management:</b>
<p><b>Supervisor Approval (SA)</b></p>	<ul style="list-style-type: none"> <li>• Employee responsibilities, professional service, or expertise with the entity overlaps with their expertise, profession, or role at MU</li> <li>• Consulting</li> <li>• Teaching outside of MU</li> <li>• Serves as director, officer, or board member with an organization, related but not required by MU responsibilities</li> <li>• Potential conflict of commitment to MU role</li> <li>• Receives a royalty revenue stream (<i>related to area of expertise</i>) from outside of MU</li> <li>• Activity is such that supervisor should be aware (entity may support research in faculty member's lab, may involve students/Employees, etc.)</li> <li>• Receives a textbook royalty for a book used within courses taught by the Employee</li> <li>• Serving as or running for an elected public office (330.050)</li> </ul>	<p>Each disclosure resolved with supervisor approval is sent to the Employee's Chair/Supervisor followed by the Dean/Director for review to ensure:</p> <ol style="list-style-type: none"> <li>a. To the best of their knowledge, the interests are disclosed accurately and fully,</li> <li>b. The interests do not conflict with the interests of the Unit,</li> <li>c. The interests do not create an unmanageable conflict of commitment; and</li> <li>d. The interests do not result improper use of university resources.</li> </ol> <p>The Chair/Directors should follow up with the Employee if questions remain or the information on the form appears inaccurate or incomplete.</p> <p>The Supervisor may require stipulations or withhold approval on the activity. The Supervisor should follow up with the COI Office if they have any additional concerns not addressed by the initial review of the disclosure or if they are <u>withholding approval</u> on the outside activity.</p>

		Any stipulations or denial of activities are conveyed by the COI Office to the Employee in the final letter.
<b>Advancement</b>	<ul style="list-style-type: none"> <li>Employee may receive a gift to either their department or lab.</li> </ul>	Advancement compliance is notified of the relationship making a determination of whether any gifts are appropriate given the relationship. The Employee is provided with the <a href="#">policy on gifts</a> and instructions to notify advancement records management.
<b>Campus Facilities</b>	<ul style="list-style-type: none"> <li>The Employee has equity in company that may contract for construction or other maintenance services for MU.</li> </ul>	Campus Facilities is made aware of the relationship and is responsible for the appropriate considerations when negotiating contracts. The resolution letter informs the Employee to notify the appropriate contracting office of the relationship when requesting a contract with the entity. The Employee is responsible for working with the Contracting Office to ensure the conflict is managed.
<b>Contracting Office Approval (COA)</b>	<p><i>Finance Administration arranges contracts for speakers, management consulting, financial audits, use of MU space and equipment, performance agreements, etc.</i></p> <p>This condition applies when the Employee:</p> <ul style="list-style-type: none"> <li>Uses MU materials or space for outside work</li> <li>Has equity interest (self or immediate family) in a business that contracts or plans to contract with MU</li> <li>Consults for agency that a MU sponsored organization (e.g., charter school) hires on contract</li> <li>Transactional reporting for sale of goods or services</li> </ul>	Finance Administration is notified and considers the relationship when the Employee requests a contract. Finance Administration will inform the Employee if there are any specific conditions. The resolution letter informs the Employee to notify the appropriate contracting office of the relationship when requesting a contract with the entity. The Employee is responsible for working with the Office to ensure the conflict is managed.
<b>Export Controls</b>	<ul style="list-style-type: none"> <li>Entity is outside of the U.S. and export controls may apply (<b>note: the</b></li> </ul>	Export Controls is notified of the relationship to ensure the

	<b>review is only for MU Employee as it relates to their MU position)</b>	entity is not associated with the banned entities list. The Employee is provided with any feedback from the Office of Export Controls.
<b>Health Care Regulatory (HC Regulatory)</b>	<ul style="list-style-type: none"> <li>This applies to physicians, dentists, podiatrists, optometrists, or chiropractors (or immediate family member of such a person) when the Employee has a financial interest in an outside entity and the employee’s patient treatment decisions or referral practices may benefit the outside entity.</li> </ul>	General Counsel is notified of the relationship. The COI Office works with General Counsel to ensure any concerns any risk to the institution is mitigated. The Employee will be provided with any stipulations to mitigate the risk.
<b>IRB</b>	<ul style="list-style-type: none"> <li>Employee has a relationship (consulting, employment, ownership, etc.) with external company that may sponsor or provide product to conduct human subjects research projects</li> </ul>	The IRB Office is notified of the outside interest and may require conditions to manage any human subject protocols. The IRB will relay any protocol specific requirements to the Employee. For more information click <a href="#">here</a> . The resolution letter informs Employee to notify the IRB when conducting any research sponsored by or involving the outside entity. The Employee is responsible for working with IRB to ensure the conflict is managed.
<b>Pharmacy &amp; Therapeutics (P&amp;T)</b>	<ul style="list-style-type: none"> <li>Employee is a MU healthcare provider with an outside interest as a speaker, consultant, or serves as director, officer, or board member with a pharmaceutical company which supplies pharmaceuticals to MU.</li> </ul>	P&T is made aware of the relationship and is responsible for the appropriate considerations when negotiating contracts. The resolution letter informs the Employee to notify P&T of the relationship when requesting a contract with the entity. The Employee is responsible for working with the P&T to ensure the conflict is managed.
<b>Real Estate Office</b>	<ul style="list-style-type: none"> <li>Employee owns commercial property that maybe leased or purchased by MU</li> </ul>	The Real Estate Office is made aware of the relationship and is responsible for the appropriate considerations when negotiating a contract. The resolution letter informs the Employee to notify the

		Real Estate Office of the relationship when requesting a contract with the entity. The Employee is responsible for working with the Office to ensure the conflict is managed.
<b>Sourcing and Supply Chain (SSC)</b>	<p><i>SSC arranges contracts for goods readily available in the marketplace and for services such as custodial, printing, design, pest control, advertising, software development, etc.</i></p> <p>This condition applies when the Employee:</p> <ul style="list-style-type: none"> <li>• Consults for company that provides deliverables to MU</li> <li>• Serves as director, officer, or board member with company that supplies deliverables to MU</li> <li>• Has interest in any local commerce (excl. personal residential properties) that has potential to benefit Employee in some way</li> </ul>	Sourcing and Supply Chain is made aware of the relationship and is responsible for the appropriate considerations when negotiating contracts. The resolution letter informs the Employee to notify the Sourcing & Supply Chain of the relationship when requesting a contract with the entity. The Employee is responsible for working with the Office to ensure the conflict is managed.
<b>Student or employee awareness</b>	<p><i>The COI Office is required to be notified in advance to work with all parties to implement an agreement.</i></p> <ul style="list-style-type: none"> <li>• Employees/students engaged in an outside activity in which the person they report to at MU has an interest in that outside entity.</li> <li>• Student/Employee working on subcontract from entity that faculty member has equity.</li> </ul>	Graduate studies, the chair, dean or other appropriate party is made aware of the involvement of students/Employees. A meeting is arranged and an awareness agreement implemented. The non-conflicted representative will meet with the student/Employee until the relationship is complete. Employees are notified the terms of the awareness agreement.
<b>Technology Advancement Office (TAO)</b>	<ul style="list-style-type: none"> <li>• Employee has intellectual property (patents, copyrights, licenses) which they plan to transfer outside of the University; transfer use of materials has to be codified in written agreement with TAO</li> <li>• Employee may develop IP with outside entity</li> <li>• Employee has students creating intellectual property which they plan to use (e.g., through capstone class projects)</li> </ul>	TAO is made aware of the outside relationship and is responsible for providing education to the Employee regarding intellectual property rights and agreements. TAO works closely with COI ensuring transparency and compliance with institutional policies. The Employee is notified to contact TAO with any

	<ul style="list-style-type: none"> <li>Employee hires students whose intellectual property will be used in some way</li> </ul>	<p>questions or concerns regarding intellectual property. TAO will refer proposed agreements involving COI to the COIC.</p>
<b>Vet Med Supply</b>	<ul style="list-style-type: none"> <li>Employee is in the College of Veterinary Medicine with an outside interest as a speaker, consultant or serves as director, officer, or board member with a pharmaceutical company or other company that produces products for animals such as a pet food manufacture.</li> </ul>	<p>The Vet Med Pharmacy Committee and Central Supply are made aware of the relationship and are responsible for the appropriate considerations for contracts or changes to supplies. The resolution letter informs the Employee to notify the pharmacy committee or Central Supply of the relationship if a product is requested.</p>

**G. MANAGEMENT WITH CONDITIONS AND NOTIFICATIONS:** Some activities may require management with conditions and nonfictions to mitigate the risk to the institution. All applicable management strategies will be applied.

**H. OTHER MANAGEMENT STRATEGIES:** Not all outside activities can be managed with the conditions or notifications listed above and therefore management may require other strategies, or a combination of the conditions listed and other additional strategies, to address the outside activity. Some, but not all examples, of potential strategies are:

- a. Time/Income Caps
- b. Review by an independent party
- c. Divestiture of a financial interest
- d. Oversight Management Plan

**I. UNMANAGEABLE:** It is also possible that an outside interest will present an unmanageable conflict of interest or conflict of commitment. The full COI Committee has the option to deny approval of the outside interest when appropriate. If the outside activity is deemed unmanageable, the Employee and Chair will be informed. The supervisor/chair/dean/director cannot overturn the decision by COIC. Employees may appeal the decision through the appeals process (see section X)

**2. Notification of Determinations to the Employee:**

Employees will receive a final letter containing any management strategies needed to mitigate the conflict.

**Disclosures with Supervisor Approval:**

After a final disposition has been reached and supervisor's approval obtained, a letter will be sent by the COI Office to the Employee containing:

- Any stipulations required by the supervisor
- Any conditions that are needed to mitigate the conflict
- Guidance/notifications to the Employee on how they are to manage the activity

**Supervisor Approval Withheld:**

If the supervisor/chair or dean/director withholds approval, the COI Office will send the 'supervisor denial' letter to the Employee copying the supervisor. The Employee will need to work with the supervisor and update the disclosure as required. The COI Committee cannot overturn the decision by the supervisor/chair/dean/director, but the Employee may appeal through the appeals process (see section X)

Ideally, all Employees will receive a response from the COI Office within 30 days of the submission of the report by the Employee.

**VI. OVERSIGHT MANAGEMENT PLANS (OMP)**

An Oversight Management Plan (OMP) is implemented when an Employee's outside interest with an entity (usually a private business) engages with the university. The Oversight Management Plan reflects the policies of the university and is designed to mitigate risk and manage the relationship between the outside entity and the University. Examples include but are not limited to:

1. The faculty member is a founder/owner/equity holder or has a fiduciary role in a private business or entity that has plans or proposes to acquire rights to University owned intellectual property.
2. The faculty member is a founder/owner/equity holder or has a fiduciary role in a private business or entity that is contracting to the University to conduct research.

The COI Office will arrange a meeting with all University Employees who have any ownership/equity or serve in a fiduciary role with the Entity, the associated supervisor(s)/chair (s), and a representative from OSPA, TAO, and the COI Office to gather information on the proposed activities by the Employees. Other individuals be me invited if deemed necessary. The information will be recorded in the OMP template. The information will be provided to COIC.

The COIC will determine:

- a. If any of the proposed activity needs additional management strategies
- b. The frequency of the review of the activities of the Entity as they relate to the University

The Employee's Chair or Director is responsible for overseeing the relationship and ensuring the terms in the OMP are followed, including but not limited to, the conflict of commitment, use of university resources, and ensuring the Employee is following the management plan. The plan will be reviewed and updated annually, or more frequently, as initiated by COIC or the Chair/Supervisor. The Dean will ensure all management plans within their division/college are being appropriately managed.

**VII. Managing Research Projects:**

A Project Management Plan (PMP) is implemented to mitigate risks associated with research projects in certain circumstances. A PMP may or may not be associated with an Oversight Management Plan. Examples include but are not limited to:

1. A FCOI is identified (see [MU FCOI policy](#))
2. One of more of the individuals working on the University project is as an owner/equity holder of a *private* business or entity that is sponsoring the research.
3. When one or more of the individuals working on the University project is the spouse or dependent child who is the owner/equity holder of a private business or entity that is sponsoring the research.
4. The contract is an SBIR/STTR and one or more of the individuals working on the University project having ownership/equity holder or holds a board position in the Entity sponsoring the research.

The Chair/Supervisor is responsible for overseeing the PMP. The Supervisor may involve others as needed to ensure appropriate oversight. The project specific oversight team will develop and submit a plan for review and approval by the COI Committee. The plan will detail the following:

- The reason for the plan
- The roles for the individuals on the oversight team,
- The roles of project personnel
- What items will be reviewed (data collection and analysis, financial oversight, ensuring disclosure in publications and presentations, etc.)
- Key requirements for fiscal review

The COI Committee will determine if any changes are needed or approve the PMP as written. The oversight team is required to conduct a scientific review quarterly and a fiscal review every 30 days, providing the report to the COI Committee annually unless otherwise specified by the committee. Any issues identified by the team will be referred to the appropriate office for resolution. If not resolved in a timely manner, the COIC Committee will be notified.

Any PMP implemented under an OMP will be evaluated at the OMP meeting.

## **VIII. CONFLICTS IN THE REVIEW/OVERSIGHT PROCESS**

To avoid real or perceived conflicts of interest by committee members, individual COIC members will disclose any relationships or conflicts they may have related to the case under review and recuse him/herself from the review.

## **IX. NONCOMPLIANCE**

When an Employee fails to disclose an Outside Interest per the applicable Collected Rules or University policies, the COI Director and Employee's departmental chair/supervisor or dean/director are notified. The Director shall contact the Employee and request that a formal disclosure of the potential conflict be made. This request shall be copied to the Employee's departmental chair/supervisor or dean/director. The Director shall also request that the Employee provide specific reasons and justification for the failure to disclose. The information will then be provided to the COI Committee for review.

COIC has authority to determine if a violation of the Collected Rules or a Management Plan has

occurred, and if an action plan is necessary to correct and mitigate the conflict or if the violation warrants a letter to the Chancellor with a recommendation of sanctions. An action plan may include, but are not limited to the following:

- a) Requiring retrospective disclosures be made.
- b) Increased monitoring or oversight
- c) Requiring addition training
- d) Freezing of research funds or accounts
- e) Letter of warning from the committee

If the COI Committee determines a recommendation of sanctions of an Employee for failure to cooperate with, or upon finding a violation of COI policy ([CRR 330.015.A.3](#)), a letter will be sent to the Chancellor. The Chancellor may apply sanctions as he/she feels is appropriate. Possible sanctions include, but are not limited to, the following:

- a) Letter of warning or admonishment.
- b) Suspension or termination of research compliance committee approvals.
- c) Suspension or termination of the privilege to submit sponsored activity proposals.
- d) Suspension or termination of sponsored research activity spending authority.
- e) Demotion or removal from assigned administrative roles.
- f) Referral to campus Committee on Tenure or other appropriate committee for discipline or dismissal for cause of faculty.
- g) Suspension or termination of employment (pursuant and subject to [CRR 310.060](#), Procedures in Case of Dismissal for Cause, for those faculty covered by that rule).

## **X. APPEAL/RECONSIDERATION PROCESS**

### **Appeal of determination made by the Supervisor**

If the supervisor/chair/dean/director withhold approval or approve an activity with conditions, and an Employee believes the determined course of action is inappropriate, the Employee may ask for the decision to be reconsidered by the supervisor/chair/dean/director. Should attempts to resolve appeals in such fashion fail, procedures set forth [in University of Missouri Collected Rules and Regulations 370.010](#) or [380.010](#), as applicable, may be followed.

### **Appeal of determination by COIC**

If an Employee does not agree with the determination by the COI Committee, the Employee may ask for the decision to be reconsidered by the full COIC by submitting a request to the Director of the COI Office. Should attempts to resolve appeals in such fashion fail, procedures set forth in [University of Missouri Collected Rules and Regulations 370.010](#) or [380.010](#), as applicable, may be followed.



## **Appeals of Sanctions by the Chancellor**

Appeals of sanctions issued by the Chancellor shall be governed by the procedures set forth in Section [370.010.C.3.b.](#) through [370.010.D.](#)