

## I. Introduction

This document specifies the terms and conditions for the Report of Non-University Activities (RNUA) Management Plan (MP). These terms and conditions are binding the academic staff member named on the RNUA-MP and administrative reviewers of the RNUA-MP. These terms and conditions are subject to change. Academic staff with an RNUA-MP on file must adhere to the most up-to-date version of the Terms and Conditions of the RNUA-MP.

## II. Conflict Management

### A. Managing Conflicts of Commitment

- i. Conflicts of commitment must be disclosed on the academic staff member's Report of Non-University Activities (RNUA) form. Academic staff must disclose his/her activities with the Company named in the MP annually or until the activities with the Company have ceased. The RNUA form is available on the COI website, [www.research.uic.edu/conflict](http://www.research.uic.edu/conflict).
- ii. In the case the activities with the company have ceased, academic staff members named in the MP must report all retrospective activities for the subsequent RNUA reporting period.

### B. Managing the Academic Staff Member's Role in Company-related Research

- i. Unless otherwise agreed to by the University, all sponsored research agreements with the Company will be negotiated by appropriate University personnel. The conflicted academic staff member(s) or other conflicted persons may not be involved in these negotiations.
- ii. The academic staff member will disclose all conflicts of interest on all protocol/proposal applications (e.g., Institutional Review Board (IRB) applications, Proposal Approval Forms/ PAF, etc.) as required, and complete a protocol-specific Statement of Explanation and Management (SEAM) for all transactional disclosures.
- iii. *Impartial Review:* The department or college may seek to permit the conflicted academic staff member to be an investigator on a contract agreement to UIC from the Company or on research related to the Company's products or services provided the research includes impartial review mechanism as part of the protocol specific management plan.
  - a. The impartial review management mechanism will be documented using the COI Statement of Explanation and Management (SEAM) form.
  - b. Academic staff must follow the guidelines on impartial review.
  - c. The original report for the impartial review must be kept on file with the department and a copy must be submitted to OVCR.

### C. Managing Conflicts when Other University Employees or Students are Involved

- i. Before any University students or employees (as named in Appendix C) become involved in research related to the Company or other Company activities, the academic staff member will notify each student or employee in writing of:
  - a. the academic staff member's relationship with the Company;
  - b. the University of Illinois *Policy on Conflicts of Commitment and Interest*;
  - c. and the conflict management mechanisms in the RNUA-MP to protect them.

Letters must be submitted to the COI Office prior to the execution of the RNUA-MP. After the RNUA-MP has been executed, if any new students or university employees become involved in Company activities, the academic staff member must update Appendix C and submit copies of letters to the COI office.

- ii. For each student involved in sponsored research or other Company activities, the department will ensure that the student has a Student Advisory Committee (SAC) or alternative protective mechanism. The name of the SAC Chair will be recorded in Appendix C.
- iii. Prior to any other academic staff member's involvement in any external activities with the Company, the academic staff member with the RNUA-MP will inform University academic staff (as named in Appendix C) who must complete an annual RNUA form, if necessary, he/she must disclose the activities with the company on the RNUA form and obtain administrative review and approval for the activities being proposed.

### D. Managing Conflicts Involving the Use of Animal or Human Subjects

- i. *Animal studies*: For policies and guidelines related to animal studies, the academic staff member will consult with the Office of Animal Care and Institutional Biosafety (OACIB).
- ii. *Human Subject studies*: If human subjects are used in research conducted at or engaging the University, the academic staff member must disclose all potential conflicts of interest to the Institutional Review Board (IRB), provide all information requested by the IRB, and comply with all conflict management mechanisms required by the IRB.

The UIC Human Subjects Protections Program policy on investigator conflict of interest is available on the OPRS website under Policies (section 4).

<http://tiger.uic.edu/depts/ovcr/research/protocolreview/irb/policies/index.shtml#sec4>

Typical management mechanisms include:

- a) Disclosure of significant financial conflicts of interest on the protocol application (initial review, continuing review, or amendment).
- b) Disclosure of significant financial conflicts of interest requires that the Principal Investigator complete a Statement of Explanation and Management (SEAM) form.
- c) All significant financial conflicts of interest must be disclosed to subjects on the study's informed consent documents. Templates of model language for disclosing financial conflict of interest to potential research participants are available to fit a variety of situations. Templates are available on the COI website, [www.research.uic.edu/conflict](http://www.research.uic.edu/conflict).

**E. Managing Conflicts Concerning Use of University Resources Including Intellectual Property**

- i. Unless otherwise agreed to by the University, all intellectual property created as a result of any research, including company sponsored research, will be owned by the University.
- ii. Unless otherwise agreed to by the University, all intellectual property created using University resources, or as a result of the academic staff member's University employment, will be owned by the University.
- iii. In a timely manner, the academic staff member must file disclosures of all intellectual property created or otherwise made by the academic staff member using University resources or as a result of his/her University employment, and to include the names of all contributors, with the Office of Technology Management (OTM).
- iv. No University employee, intellectual property or resources (labs, equipment, reagents, computers, data, etc.) will be utilized for the benefit of the Company without prior written agreement from the University.
- v. Under Illinois law, no University property or services may be used for a private purpose, unless for commercially reasonable compensation.
- vi. Any agreements with respect to intellectual property between the University and the Company shall comply in all respects with the University Intellectual Property Policy and be approved by the Director of the OTM.
- vii. The Company will not have access to non-publicly available information unless agreed to by the University. Relevant agreements include, but are not limited to, sponsored research agreements or external data use agreements.

**F. Managing Publication Rights Pertaining to Company Sponsored Research**

- i. Unless otherwise agreed to by the University, the Company may have no more than 90 days to review manuscripts or presentation materials.
- ii. The academic staff member must disclose his/her relationship with the Company in all presentations and publications, as required by the journal or venue, when Company-related research is included in the publication or presentation.

**G. Managing Conflicts Involving Purchasing**

- i. The Office of Business and Financial Services (OBFS) regulations prohibit contracts with University officers or employees who have sole or principal ownership in a business, unless approved by the President of the University or delegate. The academic staff member will comply with such regulations and disclose potential conflicts to OBFS as required.
- ii. The OBFS regulations prohibit contracts with immediate family members (spouse or children) of University officers or employees, unless approved by the President of the University or delegate. The academic staff member will comply with such regulations and disclose potential conflicts to OBFS as required.

### III. Institutional Obligations to Report COI

#### A. Federal Reporting Requirements

- i. The National Institutes for Health (NIH)/Public Health Services (PHS) requires notification of all significant financial conflicts of interest. When the academic staff member receives a notification of award of any NIH/PHS funds for any project which may present a potential conflict of interest, the academic staff member will notify the UIC Conflict of Interest Office immediately. In most cases, a Statement of Explanation and Management (SEAM) form will be developed to manage the conflict. When the conflict is deemed managed, reduced or eliminated, the COI office will report the conflict to the proper funding agency.

#### Glossary:

**Academic staff member:** refers to the academic staff member named on the Management Plan.

**Company:** refers to the company named on the Management Plan.

**Company-sponsored research:** interpret references to “Company-sponsored research” broadly and consider any sort of formalized activity, even if not officially “sponsored research.” This includes subcontracts to Company from University, subcontracts to University from Company, or any other relationships involving the transfer of funds, goods, or services.

**Conflict of Commitment:** A "conflict of commitment" exists when the external activities of an academic staff member are so substantial or demanding of the staff member's time and attention as to interfere with the individual's responsibilities to the unit to which the individual is assigned, to students, or to the University.

**Conflict of Interest (COI):** A "conflict of interest" arises when an academic staff member is in a position to influence either directly or indirectly University business, research, or other decisions in ways that could lead to gain for the academic staff member, the staff member's family, or others to the detriment of the University's integrity and its missions of teaching, research, and public service.

**Conflict Review Committee (CRC):** advisory committee to the Vice Chancellor for Research.

**Earnings:** include total payments or revenue, whether for speaking, consulting, advising, salary, royalties, etc.

**Equity:** reflects percent ownership (stock, membership interest or other forms of equity interest in the Company [e.g., options, warrants or other rights convertible or exercisable for stock or other forms of securities]), regardless of dollar value.

**Family:** includes the academic staff member's spouse and children.

**Intellectual Property:** is broadly defined to include inventions, discoveries, know-how, show-how, processes, unique materials, copyrightable works, original data and other creative or artistic works which

have value. Intellectual property includes that which is protectable by statute or legislation, such as patents, registered or unregistered copyrights, registered or unregistered trademarks, service marks, trade secrets, mask works, and plant variety protection certificates. It also includes the physical embodiments of intellectual effort, for example, models, machines, devices, designs, apparatus, instrumentation, circuits, computer programs and visualizations, biological materials, chemicals, other compositions of matter, plants, and records of research and experimental results. University General Rules, Article III, Section 2 (a). <http://www.uillinois.edu/trustees/rules.cfm#art3>

**Investigator:** any person who is responsible for the design, conduct, or reporting of research.

**Investments:** includes but is not limited to loans to the Company that have not been repaid.

**Management Plan (MP):** form submitted as an attachment to the Report of Non-University Activities (RNUA) form for the purpose of managing conflicts when academic staff have external interest with a company that licenses University intellectual property.

**Policy on Conflicts of Commitment and Interest:** <http://research.illinois.edu/coi/index.asp>

**Report of Non-University Activities (RNUA):** annual reporting/approval process for academic staff, as defined by the University of Illinois Policy of Conflicts of Commitment and Interest, to disclose and request prior approval to engage in non-University activities, as required by the COIC Policy.

**Statement of Explanation and Management (SEAM):** a form for protocol/study specific management to be submitted when COI disclosures are made on Proposal Approval Forms (PAF) and Institutional Review Board (IRB) applications.

**Unit executive officer:** The "unit executive officer" means the department head/chair, or equivalent officer of other units, in whom primary authority resides. For conflicts involving a unit executive officer, the term refers to the administrator at the next higher level in the normal reporting lines.