Applicability and Definitions

As used in this policy, the term "Research Foundation" or "Foundation" shall mean The Research Foundation of State University of New York.

The terms "officer" and "employee" shall include any person employed by, representing or acting on behalf of the Research Foundation, or who is in a significant decision-making capacity (including Project Director(s) and Co-Project Director(s)) with respect to the professional, technical, or scientific aspects of a program or project conducted or administered through the Foundation.

Policy

No officers or employees of the Research Foundation should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature that is in substantial conflict with the proper discharge of their duties in the best interests of the Research Foundation.

No officers or employees of the Research Foundation should have any financial interest that will, or may be reasonably expected to, bias the design, conduct, or reporting of sponsored programs.

Standards

1. No officers or employees of the Research Foundation shall accept other employment that will impair their independence of judgment in the exercise of their duties and responsibilities.
2. No officers or employees of the Research Foundation shall accept employment or engage in any business or professional activity that will require them to disclose information confidential to the Research Foundation that they have gained by reason of their position or authority.
3. No officers or employees of the Research Foundation shall disclose information confidential to the Research Foundation acquired by them in the course of their duties except as required by law nor shall they use such information to further their personal interests, unless such information has previously been made public.
4. No officers or employees of the Research Foundation shall use or attempt to use their position to secure undue privileges or exemptions for themselves or others.
5. No officers or employees of the Research Foundation shall engage in any transaction as a representative or agent of the Research Foundation with any business entity in which they, their spouse or any dependent, or any business partners have a direct or
indirect financial interest that might conflict with the proper discharge of their duties or responsibilities.

6. No officers or employees of the Research Foundation, or corporation, firm, or association of which they, their spouse or any dependent, or any business partner is a member, shall sell, contract for, or provide goods or services to the Research Foundation in connection with a program or project administered through the Foundation in a manner that is inconsistent with the Foundation's established procurement policy.

7. Officers and employees of the Research Foundation shall not by their conduct give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in performance of their duties, or that they are affected by the kinship, rank, position or influence of any party or person.

8. Officers and employees of the Research Foundation shall abstain from holding personal investments in enterprises that they have reason to believe may be directly involved in decisions to be made by them or that will otherwise create conflict between their duties in the best interests of the Research Foundation and their private interests.

**Disclosure Statement**

The Disclosure Statement that is made a part of this conflict of interest policy as Exhibit A must be completed by principal investigators and co-principal investigators.

Disclosure statements must be filed in accordance with campus policy at the time of application and updated either annually or as new reportable significant financial interests are obtained.

**Real, Apparent, or Potential Conflicts**

All real, apparent, or potential conflicts of interest as defined under the standards must be disclosed for review and determination as to whether a violation of this policy exists.

In the event of a real, apparent, or potential conflict, the campus operations manager, or designee, shall immediately advise the campus president and the Research Foundation Central Office of General Counsel and Secretary of the substance of the disclosure. The campus shall be the office of record for all final determinations. The campus operations manager shall assure that Research Foundation policies and procedures for maintaining records of such determinations are in place. Copies of final determinations shall be forwarded to the campus president.

Where a conflict of interest as defined by Research Foundation policy is discovered, appropriate steps must be taken to manage, reduce, or eliminate such conflict of interest. These steps can include:

1. public disclosure of significant financial interests
2. monitoring of research by independent reviewers
3. modification of research plan
4. disqualification for participation in the portion of the sponsored research that would be affected by significant financial interests
5. divestiture of significant financial interests
6. severance of relationships that create actual or potential conflicts

The reviewer may allow the research to go forward without imposing such conditions or restrictions if the reviewer determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from significant financial interests are outweighed by interests of scientific progress, technology transfer, or the public health and welfare.

In instances where disciplinary action is contemplated as a result of activities disclosed by the reporting requirements, such actions shall be consistent with Research Foundation policy.

Upon receipt or notification of such complaint or inquiry, the campus operations manager or designee shall immediately advise the campus president, the person against whom the complaint is made, and the Office of General Counsel and Secretary of the substance of the complaint or inquiry. The procedures for investigating complaints and inquiries shall be consistent with those set forth in Exhibit B of this policy, Procedures for Investigating Conflict of Interest, attached hereto and made a part hereof.

Any determination by the campus operations manager or designee shall be forwarded to the president of the campus. The campus shall be the office of record for all final determinations. The campus operations manager shall assure that Research Foundation policies and procedures for maintaining such determinations are in place.

**Appeal**
An officer or employee who disagrees with the determination of the campus operations manager may appeal to the president of the Research Foundation, or the president's designee, for reconsideration of such determination. The determination of the president shall be final and binding.

**Violation**
In addition to any penalty contained in any provision of law or federal policy, officers or employees who knowingly and intentionally violate any of these provisions may be suspended from employment with the Research Foundation, or their relationship with the Research Foundation may be terminated.