

## BINGHAMTON UNIVERSITY

### INSTITUTIONAL CONFLICT OF INTEREST COMMITTEE ESTABLISHMENT AND CHARGE

#### **PURPOSE**

The Institutional Conflict of Interest Committee is established to maintain an institutional climate where sponsored projects, research and scholarship, and entrepreneurship and intellectual property management are undertaken in a spirit of openness and integrity. Potential conflicts of interest must be identified promptly and managed or eliminated before any contract, sponsored project, or transaction is executed, any contractual relationship is initiated, any research that may be impacted, or any action is taken that might be influenced or appear to be influenced by the conflict of interest. The charge of this committee supports the [Investigator Conflict of Interest Policy](#) that applies to all awards administered by the Research Foundation for SUNY at Binghamton University and to all Investigators who apply for, receive, plan to participate in or are participating in sponsored programs and/or engage in human subjects research. Binghamton University is an Association for the Accreditation of Human Research Protection Programs (AAHRPP) accredited University, and as such must follow written policies and procedures to identify, manage, and minimize or eliminate financial conflicts of interest of the University and individuals that could influence the conduct of research.

#### **BACKGROUND**

A conflict of interest exists when a significant financial interest may affect or appear to affect the design, conduct, reporting, review, or oversight of research. Financial conflicts of interest are of significant concern when they create the potential for inappropriate influence over research. All forms of potential (whether real or perceived) conflicts of interest require disclosure, evaluation, and management or elimination. Conflicts of interest exist when Covered Individuals (and their immediate family members) hold influence, provide oversight, or are directly responsible for research and have a significant financial interest in, consult for, serve on the board of, or are otherwise expected to act for the benefit of an entity that has a financial interest in the associated research. Covered Individuals also include those who have (or have been delegated) the authority to make decisions on behalf of the University. Covered Individuals, whether employed by New York State, the Research Foundation, or volunteers include, but are not limited to: President, Provost, Vice Presidents, Deans, Associate Vice Presidents, Assistant Vice Presidents, Key Personnel engaged in research, and all members of the University's Institutional Review Board for the Protection of Human Subjects (IRB).

## **DISCLOSURES**

*Covered Individuals* are required to complete, or have on file, a current *Disclosure* at the time of a grant submission, an IRB protocol submission, or annually in the case of those that have authority to make decisions on behalf of the University. Disclosures are to be verified no less than once a year, thereafter. Covered Individuals are required to report within 30 days of discovering or acquiring a new financial interest, as well as when any existing disclosure materially changes.

*Institutional Entities* that hold financial or business interest that may pose Conflicts of Interest will be requested to disclose financial relationships that could compromise the integrity of research in order to protect the interests of the public and the reputation of Binghamton University.

The COI Official will shall make reasonable efforts to identify these types of potential institutional conflicts of interest by requesting the following:

Office of Entrepreneurship and Innovation Partnerships: a) Royalty arrangements: payments, including royalty payments and licensing fees, resulting from technology transfer, licensing, patents, and business activities that, for each arrangement, exceed \$100,000 in the preceding twelve (12) month period; and b) business entities (start-ups) in which the University holds an equity interest pursuant to a license agreement.

Binghamton Foundation: a) A list of business entities that donated gifts of \$100,000 or more in the preceding twelve (12) month period and the University departments; and b) administrative units that were recipients of those gifts.

The COI Official will evaluate the institutional conflicts of interest and consult with the Covered Individuals that are responsible for the oversight of these Institutional Entities to determine all real and/or perceived conflicts that may impact research at the University.

## **COMMITTEE CHARGE**

The **Institutional Conflict of Interest Committee (ICIC)** reports to the Vice President for Research on behalf the President. The ICIC consists of the Associate Vice President for Research Administration/Research Foundation Operations Manager, Vice President for Operations (or designee), Senior Vice Provost and Chief Financial Officer, University Ethics Officer, Assistant Vice President for Sponsored Programs, and COI Official. The COI Official shall serve as administrator for the ICIC and as the liaison to the IRB. The ICIC is responsible for:

- Review of disclosures that present or appear to present significant conflicts of interest held by Covered Individuals and/or Institutional Entities
- Development of Conflict of Interest Management Plans (COIMPs)
- Documenting the committee's findings and the bases for the approval COIMPs, including steps to be taken to manage the conflict or minimize the potential for conflicts of interest

- by reducing or eliminating the interest
- Oversight of projects that are being managed under a COIMP
- Communication to appropriate institutional officials and the IRB (when applicable) of COIMPs

## **CONFLICT OF INTEREST MANAGEMENT PLANS**

COIMPs may include but are not limited to the following:

- disclose the conflict to research subjects in the informed consent form in human subjects research
- disclose the conflict to any journals or other publications for which the results of the research will be submitted
- monitor research by independent reviewers
- divestiture of the significant financial interest
- severance of relationships that create actual or potential conflicts prohibit the conduct of the research

The COI Official will provide applicable COIMPS to the IRB to ensure the mitigations to protect human subjects and ensure research integrity are consistent with the management plan. The execution of a COIMP must be completed prior to the commencement of the project (including enrollment of research subjects).

The COI Official will provide COIMPs to the Assistant Vice President for Sponsored Programs to ensure the management of any related conflicts of interest throughout an award term is accomplished and in congruence with the COIMP.