

## **NSF Conflict of Interest Disclosure Guidelines**

### **Background**

The University of Colorado Colorado Springs (UCCS) is required to have in place processes to identify any relationships involving financial gain that could compromise or appear to compromise its integrity. UCCS is also required to have processes in place to manage, reduce, or eliminate any real or perceived financial conflict of interest (COI). These requirements and processes are described in the [University of Colorado Administrative Policy Statement 5012](#) titled “Conflicts of Interest and Commitment” and the UCCS Human Resources Office, Conflict of Interest and Commitment Procedures.

In addition, the **NSF requires conflict of interest disclosures** from all investigators.

NSF requires that all conflicts of interest for each award be managed, reduced or eliminated prior to the expenditure of the award funds. The Office of Sponsored Programs and Research Integrity (OSPRI) will keep NSF’s Office of the General Counsel (OGC) appropriately informed if they find the university is unable to satisfactorily manage a conflict of interest and if they find that research will proceed without the imposition of conditions or restrictions when a conflict of interest exists.

The UCCS COI Survey questions are in compliance with NSF requirements for disclosure and the UCCS COI policy. Subaward investigators should make their disclosures to the organization that will accept the subaward. If any proposal includes a key person who meets the NSF definition of an investigator, but is not a PI or Co-PI, please contact UCCS OSPRI for additional guidance.

All investigators as defined by NSF who have proposed or received funds from NSF are responsible to disclose to a responsible representative of the organization all significant financial interests of the investigator (including those of the investigator’s spouse and dependent children): (i) that would reasonably appear to be affected by the research or educational activities funded or proposed for funding by NSF; or (ii) in entities whose financial interests would reasonably appear to be affected by such activities.

## **Definitions**

The term “**investigator**” means all individuals who are responsible for the design, conduct or reporting of basic, animal, or clinical research (including, but not limited to, obtaining informed consent, making decisions about eligibility to participate in research, collecting data, entering data, analyzing data, assisting in writing and submission of research manuscripts for publication or presentation).

The term “**significant financial interest**” means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interest (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term does not include:

1. salary, royalties or other remuneration from the applicant institution;
2. any ownership interests in the institution, if the institution is an applicant under the Small Business Innovation Research Program or Small Business Technology Transfer Program;
3. income from seminars, lectures, or teaching engagements sponsored by public or non-profit entities;
4. income from service on advisory committees or review panels for public or nonprofit entities;
5. an equity interest that, when aggregated for the investigator and the investigator’s spouse and dependent children, meets both of the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest in any single entity; or
6. salary, royalties or other payments that, when aggregated for the investigator and the investigator’s spouse and dependent children, are not expected to exceed \$10,000 during the twelve- month period.

### **A. Individuals/Investigators required to submit a Disclosure of Significant Financial Interests**

All individuals/investigators who are responsible for the design, conduct or reporting of research or educational activities funded or proposed for funding by NSF must submit a conflict of interest disclosure to the Human Resource Office.

## **B. Timing of Disclosure**

### **1. Initial filing:**

All individuals that meet the NSF definition of an investigator are required to have a current COI disclosure on file with the Human Resources Office prior to submitting the proposal to the NSF.

Individuals not named in the proposal at the time of submission must have a financial COI disclosure on file with the Human Resources Office prior to beginning work on the grant or contract.

In cases in which an individual is named in a proposal but does not have access to the online COI disclosure form, (e.g. an individual who is in the process of being appointed, consultants, or volunteers) contact the Office of Sponsored Programs and Research Integrity (OSPRI) as soon as possible in order to provide the individual with access to the UCCS COI survey/disclosure form.

COI disclosure requirements apply to subrecipients. Subrecipients will be required to certify they are in compliance with NSF COI regulations or will be required to complete a disclosure through UCCS, prior to proposal submission.

If OSPRI determines a conflict as being unmanageable or if a COI cannot be eliminated, OSPRI may refer the matter to the COI committee or to the appropriate Vice Chancellor and/or the Vice Chancellor for Administration and Finance for resolution.

### **2. Updates:**

Individuals are required to update their COI disclosure as follows:

- a. Within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage or inheritance) any new Significant Financial Interest; and
- b. Annually

## **C. Review of Financial Conflict of Interest Disclosures**

COI disclosures will be reviewed by the Human Resources Office.

## **D. Record Retention**

The Human Resources Office maintains records of all financial conflicts of interest disclosures, conflict management plans, and of all actions taken to resolve real or perceived financial conflicts of interest. OSPRI will keep a copy of COI management plans and any other documents supplied by the Human Resources Office in the OSPRI grant file. Records will be maintained in accordance with record retention schedule.

## **E. Confidentiality**

To the extent permitted by law, all disclosure forms, conflict management plans, and records of actions taken to resolve conflicts of interest will be confidential. However, the University in some instances may be required to disclose COI forms and associated details. If disclosure by the University is required, the individual will be informed.

## **F. Training**

1. All individuals responsible for the design, conduct or reporting of basic, animal, or clinical research (including, but not limited to, obtaining informed consent, making decisions about eligibility to participate in research, collecting data, entering data, analyzing data, assisting in writing and submission of research manuscripts for publication or presentation) are required to complete “Conflicts of Interest” as provided online by Collaborative Institutional Training Initiative (CITI).

<https://www.citiprogram.org/default.asp>

## **G. Reporting Financial Conflicts of Interest to NSF**

Any conflict of interest that is required to be reported to NSF will be reported by OSPRI.

## **H. References**

- Administrative Policy Statement (APS Number 5012)  
(<https://www.cu.edu/ope/aps/5012>)
- UCCS Policy 300-006 - Disclosure and Management of Conflicts of Interest or Commitment (<https://www.uccs.edu/vcaf/policies/uccs/policies>)
- Policies and regulations of the National Science Foundation  
([https://www.nsf.gov/pubs/policydocs/pappg19\\_1/pappg\\_9.jsp#IXA](https://www.nsf.gov/pubs/policydocs/pappg19_1/pappg_9.jsp#IXA))