

Title: Disclosure of External Interests & Commitments Policy	Policy Category: Risk Management & Security
Issuing Authority: President	Responsibility: Office of the Vice President for Research Enterprise Risk Management
Publication Date: 04/11/2023	Next Review Date: 04/11/2026

Printed copies are for reference only. Please refer to the [electronic copy](#) for the latest version.

Policy Statement/Background:

None

Policy:

Stony Brook University is committed to the principles of academic freedom, free inquiry, and the open exchange of knowledge. These principles are the bedrock of scholarship and research. The University supports and encourages individuals to pursue and engage in external activities that promote the University's mission, contribute to professional fields, and enhance professional skills. Consistent with these principles, members of the University community are expected to adhere to the highest ethical standards as they fulfill their University obligations first and foremost, commensurate with their appointment requirements.

All members of the University community have an obligation to avoid conflicts of interest and commitment (defined below) when carrying out their external and University education, research, scholarship, or service responsibilities. All external relationships - both domestic and international - should be transparent and must be disclosed in a manner that is consistent with applicable requirements, including federal and state laws/regulations/agency guidance, as well as Stony Brook's own policies and procedures. Such disclosures must include activities that occur over

summer/winter break months. The following expectations and requirements are in place to help avoid pitfalls:

- **Who Must Disclose:** The following individuals are required to disclose external interests and commitments ("Covered Individuals"):
 - Salaried Faculty
 - Researchers (salaried and non-salaried)
 - Executive/Senior Leadership
 - Other personnel who advise on, negotiate or approve, on behalf of the University, transactions, arrangements or agreements with external parties involving the use of University resources.

- **What to Disclose:** Covered Individuals must disclose all financial, personal and professional interests, activities and relationships that you or an Immediate Family Member have with any non-University entities that create, or could be perceived to create, a conflict of interest or commitment that:
 - Might be reasonably perceived to be related to your institutional responsibilities; or
 - May otherwise present a conflict of interest or conflict of commitment, or the perception of such a conflict, with your duties to the University.

The following is a non-exhaustive list of the types of external interests and commitments of individuals and their immediate family members, whether located in the U.S. or outside of the U.S., that must be disclosed:

- External paid and unpaid positions/obligations at institutions other than Stony Brook, including: current relationships, relationships that occurred during the previous 12 months, and any anticipated future relationships, whether located in the U.S. or outside of the U.S.
- External resources/support provided by entities other than Stony Brook or Research Foundation for SUNY (e.g.: payments or remunerations, provision of or support for laboratory or other facilities, gifts, equity holdings or ownership, and sponsored travel).
- Relationship with an external organization (e.g.: research, consulting, sponsored travel, equity in external company, editorial services, board service, prizes/honoraria, etc.).
- Intellectual property rights and interests.

- **How to Disclose:** Covered Individuals are required to do the following:
 - **Create Profile:** Create a Disclosure Profile through the [myResearch](#) portal.
 - **Maintain Profile:** Maintain their Disclosure Profile by modifying their profile to account for new or anticipated external interests and/or commitments within 30 days of acquiring knowledge of such external interests and/or commitments.
 - **Annual Profile Certification:** Certify to the completeness and accuracy of their profile at least annually, which includes during the annual disclosure period. **Note:** This annual profile certification is separate from the annual NYS Financial Disclosure Statement that is submitted to the NYS Commission on Ethics and Lobbying in Government by filers.

- **When to Disclose:**
 - The annual filing period is May 1 to May 31, and modifications must be made as necessary year-round.

Additional Requirements for Research

In addition to the requirements outlined above, all researchers must adhere to the additional requirements set forth below:

- **Conducting Research:**
 - No new research activity may commence until the Designated Institutional Official (DIO) (discussed below) completes their review of the required Annual Disclosure Certification.
 - Upon review, if it is determined that a management plan is necessary, such plans must be agreed to before research activities may start or continue.

- **Training:** Conflict of interest training must be completed as follows:
 - Prior to engaging in funded research activities and at least every four years.
 - Immediately under these designated circumstances:
 - ✓ University policies change in a manner that affects training requirements.
 - ✓ An individual subject to this subsection is new to the University.
 - ✓ University finds a person who is subject to this section to be noncompliant with this policy or a management plan.

- **Compliance:**

- Failure to disclose conflicts of commitment and interest may result in sanctions or other disciplinary action as covered by University policy and/or the disciplinary procedures pursuant to the applicable collective bargaining agreements, and applicable policies and procedures ([see Standard Operating Procedures for Disclosure of External Interests & Commitments Policy](#)). Certain failures to disclose may also be subject to civil or criminal legal action.

The Vice President for Research will appoint a Designated Institutional Official (DIO) to administer this policy for research activities. The role of the DIO includes:

- Developing/supporting standard operating procedures for this policy (which includes but is not limited to: defining key terms, addressing methods and timing for disclosing interests and commitments, review processes, and appeal processes) and ensuring that the standard operating procedures meet all required specifications in 42 C.F.R. § 50.604-.606;
- Soliciting and reviewing required Annual Disclosure Certifications from each researcher;
- Providing guidelines to identify conflicting interests and commitments;
- Determining whether a conflict exists;
- Developing management plans that specify the actions that have been, and shall be, taken to manage a financial conflict of interest or conflict of commitment and monitoring compliance with such plans; &
- Reporting findings/reviews to federal agencies (as required by federal regulation).

The Vice President for Research will also maintain records of all researcher certifications and the University's review of, and response to, any disclosures, and all actions under the University's policy or retrospective review (in the case of PHS/NIH funds) for at least three years from the date of submission of the final expenditures report or, in the case of PHS/NIH, from other dates specified in 42 C.F.R. § 50.604 (i), 45 C.F.R. § 75.361, 45 C.F.R. § 92.4 (i), and 48 C.F.R. Part 4, Subpart 4.7, for different situations (where applicable).

Definitions:

Conflict of Commitment: a potential conflict of commitment exists when an individual's (and/or their Immediate Family Member(s)) external

relationships or activities have the possibility (either in actuality or in appearance) of interfering or competing with the University's educational, research or service missions, or with that individual's ability or willingness to perform the full range of responsibilities associated with their position.

Conflict of Interest: a conflict of interest exists when a person is or may be in a position to influence activities or decisions in the conduct of externally and applicable internally supported activities in ways that could lead to personal financial gain or give an improper advantage to third parties in their dealings with the University. Conflicts of Interest may also arise when an individual (and/or their Immediate Family Member(s)) have outside obligations of any kind that are in substantial conflict with their University responsibilities or the public interest.

Executive/Senior Leadership: includes, but is not limited to, all: vice presidents, provosts, deans, chiefs, etc.

Immediate Family Member: includes spouse, domestic or civil union partner and dependent children.

Institutional Responsibilities: an individual's professional responsibilities on behalf of the University, including, but not limited to, activities such as research, research consultation, teaching, professional practice, and membership/service on University committees and panels (e.g.: Institutional Review Boards, Data and Safety Monitoring Board, accreditation committees, etc.).

Research Activities: defined as follows:

- Externally supported activities for University programs, projects, activities and services, solicited and unsolicited, including gifts and donations specifically made to support the activities of identified individuals;
- Internally supported activities, where support is granted following formal application to a University program in response to a request for proposals (e.g., Targeted Research Opportunity 'TRO' Grants); &
- Internally supported research activities for the benefit of an external entity (e.g., non-funded research projects where deliverables such as reports/data are provided to an external entity).

Researchers: for the purposes of this policy, researchers are defined as:

- Investigators - University faculty, staff or students who are responsible for the design, conduct, or reporting of research activities (the following are not included: Individuals who do not make independent decisions regarding the design, conduct, or reporting of

the activity in question, and only work on or are engaged in the activity (for example, in most cases research assistants, undergraduates and secretaries will not be considered responsible for the design, conduct, or reporting of activities of a research project));

- Any University faculty who is identified in a budget or who is acting as a consultant or collaborator in any and all research activities;
- University faculty, staff or graduate students who are named as study personnel on any externally funded research studies involving human subjects; &
- All members of the Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), Institutional Biosafety Committee (IBC), Radioactive Drug Research Committee (RDRC), and Stem Cell Committee.

Salaried Faculty: any faculty member receiving compensation from the University, excluding: a) part-time lecturers/adjuncts who are not conducting research; and b) clinical faculty who are not conducting research.

Contact:

Additional information about this policy is available here:

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<https://research.stonybrook.edu/offices>

Relevant Standards, Codes, Rules, Regulations, Statutes and Policies:

- [SUNY Policy 6001: Conflict of Interest](#)
- [Research Foundation for SUNY: Conflict of Interest Policy](#)
- Stony Brook University Conflict Policies:
 - [Policy on Relationships](#)
 - [Business Relationships & Financial Transactions Policy](#)
- [Research Involving Human Subjects Policy](#)
- [Export Control Policy](#)
- [Guests/Visitors Policy](#)
- [Provost's Office Policy on Outside Consulting Work](#)
- [OVPR University Disclosure Requirements Website](#)
- [OVPR Research Compliance Website](#)

- U.S. Department of Health and Human Services, Public Health Service Regulations
 - [Responsibility of Applicants for Promoting Objectivity in Research \(42 CFR Part 50, Subpart F\)](#)
 - [Responsible Prospective Contractors \(45 CFR Part 94\)](#)