

**East Carolina University  
Faculty Manual**

**APPENDIX I  
East Carolina University Policy on  
Conflicts of Interest and Commitment**

**APPENDIX I**  
**EAST CAROLINA UNIVERSITY POLICY ON CONFLICTS OF INTEREST AND COMMITMENT**

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**I. Introduction**

Effective July 1, 1995, all EPA faculty members and other professional staff of East Carolina University are subject to revised policies concerning conflicts of interest and conflicts of commitment affecting University employment and external professional activities. This policy covers full-time faculty and EPA non-faculty employees, part-time faculty and EPA non-faculty employees insofar as their University responsibilities are concerned, and faculty and EPA non-faculty employees who are on leave if the leave is funded at least partially from University sources. The revised ECU policies are based on policies and guidelines adopted by the UNC system Board of Governors and federal agency requirements. Any questions regarding these procedures or the Board of Governors' policies upon which they are based should be directed to the appropriate divisional vice chancellor.

**II. The Concepts at Issue**

The distinction between conflicts of interest and commitment is not always clear. In general, conflict of commitment relates to allocation of time and should become apparent in the annual review process conducted by the administrative superior. Conflict of interest involves matters which might unduly influence employee judgment in the conduct of employee affairs, such that personal financial advantage is or might be unduly gained.

More specifically, conflict of interest occurs when related personal considerations, e.g., employment of a spouse, potentially compromise the faculty or professional staff member's objectivity in fulfilling University duties or responsibilities, including research activities. Conflict of commitment occurs when the pursuit of outside activities involves an expenditure of time that potentially interferes with the faculty or professional staff member's obligations to students, to colleagues, and/or to the missions of the University.

The goal of this policy is to ensure that all potential conflicts of interest or commitment are disclosed so that appropriate administrative interventions may eliminate, avoid, or manage them. These policies, however, are not intended to limit responsible external activities.

### **III. Policies**

#### **A. Conflict of Interest**

It is the policy of the University that faculty and EPA non-faculty shall avoid conflicts of interest that have the potential to affect adversely the University's interests, to compromise objectivity in carrying out University responsibilities, or otherwise to compromise the performance of University responsibilities. Accordingly, outside activities and financial interests must be disclosed on an annual basis. Disclosures must be updated when new external interests develop. Outside activities and financial interests should be arranged to avoid such conflicts. Related policies are also discussed in the ECU Faculty Manual, Part VII, Research Information.

#### **B. Conflict of Commitment**

It is the policy of the University that faculty and EPA non-faculty employees shall devote their primary professional loyalty, time, and energy to their teaching, research, service, and, where applicable, patient care at the University. Accordingly, outside activities and financial interests must be arranged to avoid interference with the primacy of these commitments. Policies and Procedures for those potential conflicts of commitment situations that do not involve conflict of interest are discussed in the ECU Faculty Manual, Part VI, General Personnel Information. The policy on External Professional Activities of Faculty and Other Professional Staff should be used for these potential conflicts of commitment situations.

### **IV. Categories and Examples of Potential Conflicts**

Activities that may involve conflicts of interest or commitment fall into three general categories that differentiate relationships according to potential for adverse impact.

Category I: consists of relationships that, while including some that are conflicts in a technical sense, are allowable because they do not compromise the objectivity of research results or other interests of the University, the sponsor, or the public. These relationships are generally minimal in their personal financial impact, and otherwise do not represent a potential source of bias.

Category II: consists of relationships that may be permissible following disclosure and, where necessary, the initiation of supervisory procedures designed to preclude bias or other inappropriate actions and to ensure the maintenance of academic standards and institutional integrity.

Category III: consists of relationships that presumptively may be inappropriate for a faculty member or EPA non-faculty employee. In such cases, the individual must demonstrate to the University's satisfaction the compatibility of such practices with University policy prior to going forward with the proposed activity.

Provided below are representative, but not all-inclusive, examples of activities in each of these three categories. Please refer to Section IX below for important definitions.

#### **Category I:**

Activities that are routinely allowable and are not required to be disclosed pursuant to this policy.

- a) Receiving royalties for published scholarly works and other writings or for inventions pursuant to the University's Patent and Copyright Policies (Faculty Manual, Part VII, Research Information).
- b) Membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies are permitted under the ECU Policy Statement on External Professional Activities of Faculty and other Professional Staff (Faculty Manual, Part VI, General Personnel Information) so long as they do not conflict or interfere with the timely performance of primary University duties. These activities are permitted even if they are performed for nominal honoraria or reimbursement of expenses, provided that the receipt of nominal

honoraria or reimbursement of expense is not in conflict with any other applicable University, state, or federal policy, rule or regulation. These activities are not required to be disclosed in this Policy's Annual Faculty/Professional Staff Disclosure Form. However, a "Notice of Intent to Engage in External Professional Activity" may be required pursuant to ECU's policy (Faculty Manual, Part VI, General Personnel Information).

- c) Ownership of or equity in a corporation used solely for the individual's consulting activities provided such consulting activities are appropriately reported and approved in accordance with Faculty Manual, Part VI, General Personnel Information, External Professional Activities of Faculty and Other Professional Staff.

#### Category II:

Activities that may be allowable following disclosure and, where necessary, the implementation of monitoring procedures.

##### 1. Research Activities

- a) Participating in University research (basic, applied, and clinical) on a technology developed by that individual or a member of his or her immediate family, unless the activity is specifically disallowed under the guidelines of Category III.
- b) Participating in University research involving a technology owned by or contractually obligated (by license, option or otherwise) to a business in which the individual or immediate family has a consulting relationship.
- c) Receiving through contract or gift University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or immediate family has a consulting relationship.

##### 2. External Activities

- a) Serving on the board of directors or scientific advisory board of a business from which that individual or immediate family receives University-sponsored research support or with which the University has a substantial contractual relationship known to the individual, unless the activity is specifically disallowed under the guidelines of Category III.
- b) Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.

##### 3. Ownership

- a) Possessing a significant financial interest, including a significant consulting relationship, in a business that competes with the services provided by the University as a part of their academic, research, or service mission.
- b) Possessing a significant financial interest, including a significant consulting relationship, in a business field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.
- c) Requiring or recommending one's own textbook or other teaching aids, materials, or equipment to be used in connection with University programs or those of immediate family. Such a requirement or recommendation must be preceded by disclosure and review according to this policy.

##### 4. Other

- a) Acceptance by the University employee or immediate family of other than nominal gratuities or special favors from one whom the individual knows is doing business with or proposing to do business with the University.
- b) Engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined herein.

#### Category III:

Activities that are presumptively not allowable. Many of the examples below may seem to overlap examples in Category II above; however, the addition of 'significant financial interests' in the activities below creates the presumption that these activities are not allowable.

##### 1. Research Activities

- a) Participating in University research involving a technology owned by or contractually obligated (by license, option, or otherwise) to a business in which the individual or immediate family holds significant stock or similar significant ownership interest, or has any other significant financial interest, other than a receipt of University-sponsored research support, or receipt of royalties under University royalty sharing policies.
- b) Receiving, through contract or grant, University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or immediate family holds a significant stock or similar significant ownership interest or has any other significant financial interest.

- c) Assigning students, postdoctoral fellows or other trainees to University projects sponsored by a for-profit or not-for-profit business in which the individual or immediate family has a significant financial interest, including a significant consulting relationship.

## 2. External Activities

- a) Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities.
- b) Making referrals of University business to an external business or professional office in which such individual or immediate family has a significant financial interest, including a significant consulting relationship.
- c) Associating one's name or one's work with an external activity in such a way as to profit monetarily by trading on the reputation or good will of the University or to imply sponsorship or endorsement by the University. An example of a context in which such an association might occur is external professional activity for pay. Mere identification of the University as the employer of the individual and of the individual's position at the University is permitted by this section, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University.

## 3. Public Disclosure

- a) Publishing or formally presenting University sponsored research results, or providing expert commentary on a subject, with out simultaneously disclosing any significant financial interest relating to such results or such subject.
- b) Unauthorized use of privileged information acquired in connection with one's University responsibilities to further one's own personal interests.

## 4. Administrative Responsibilities

- a) Taking administrative action in the course and scope of University responsibilities that is beneficial to a business in which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.
- b) Influencing the negotiation of contracts between the University and an outside organization with which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.

## 5. Committee Participation

- a) Serving on a committee of a governmental agency or private entity during the consideration by such a committee of the regulation or application of a technology that is owned by or contractually obligated to a business in which that individual or immediate family has a significant financial interest, including a significant consulting relationship.

## **V. Submission of Conflict Evaluation Forms (Disclosures).**

Policy: Effective July 1, 1995, each faculty member and all other EPA employees will be required to disclose annually for both him/her selves and their immediate families (see definition in Section IX) the extent of their relevant external activities and relationships and their financial holdings that are related to the employee's university activities. These university activities include but are not limited to sponsored research activities. These external activities, relationships and financial holdings are described above in Section IV under Categories II & III. All potential Category II and III relationships or financial holdings must be reported regardless of the dollar amounts involved. Category I activities and relationships are not required to be disclosed under this policy; however, other university reporting requirements may apply to these activities (see Section IV). Where there is some question whether an activity should be considered a Category I or II activity as described above, the faculty/EPA non-faculty employee should include the activity in the disclosure for consideration by his/her supervisor.

All faculty and other EPA personnel are charged by the University to provide a full good faith disclosure. Failure to provide such a full disclosure may be considered a serious breach of this policy and may be cause for disciplinary action (see Section VIII).

Revisions or updates of the yearly disclosures are required between yearly disclosures whenever there is a significant change in the faculty member's or his immediate family's affairs that may lead to or may be perceived to lead to a conflict with the faculty member's university activities, e.g., the faculty member's spouse begins to receive consultant fees from a company that currently contracts with university for research services from the faculty member's laboratory.

Procedures: To facilitate disclosure and to ensure appropriate uniformity across the University, each individual will complete the "Annual Faculty/Professional Staff Disclosure Form." Each unit administrator will distribute this form

annually to all faculty and professional staff (EPA non faculty) under his or her supervision and assure that completed forms are returned.

The purpose of this form is to identify employees' activities that may lead to actual or potential conflicts of commitment or interest so that appropriate administrative intervention may address the problems. The employee and the administrative superior are to complete and sign the annual disclosure form, which implies that the administrative superior has reviewed the form. No further action will be required if all questions are answered "no".

Further disclosure and review are required if questions elicit any "yes" responses on the Annual Faculty/Professional Staff Disclosure Form or on any mid year revisions or updates of the annual form. The employee must then complete and sign the appropriate additional forms. Suggested provisions or plans for eliminating or managing conflicts should be included in these additional forms where indicated. Examples of some (but not all) possible provisions for conflict management plans are:

1. Public disclosure of the significant financial interests or external activities
2. Monitoring of activities by disinterested university officials to assure that conflicts do not arise.
3. Cessation of the pertinent outside activities
4. Divestiture of the pertinent financial interests
5. Severance of the relationships that create actual or potential conflicts

Since these forms have direct bearing on the employment of individuals with the University, all disclosure forms (the annual form and accompanying forms) and associated documents will be maintained in the administrative office of the employee's unit in his/her personnel folder for a period of at least three years following termination of the pertinent activities.

#### **VI. Review and Approval of Activities and Plans for Eliminating or Managing Conflicts.**

The unit administrator (chair, dean, or the employee's supervisor in the case of a senior administrator) has the initial responsibility to review and approve or disapprove the disclosure forms filed with him or her by the EPA employees within that unit. The review shall follow the provisions of this Policy. The Unit administrator should be familiar with the definition of 'Significant Financial Interest' (See Section IX) to differentiate between Category II and Category III activities and relationships. Category III activities are presumptively considered to be non-allowable.

The unit administrator may refer any question regarding an annual disclosure form to the next higher administrative level for review and decision and must refer to the next higher level for review and approval all annual disclosures (and updates/revisions) which require additional forms (as described in the annual disclosure form) for EPA employees involvement in possible Category II and III activities as described above.

If a potential conflict is determined to exist, written plans for eliminating or managing the conflict will be developed in consultations between the employee and his/her supervisors and presented to the Vice Chancellor of the appropriate division for concurrence. It will then be presented to the ECU Research Ethics Oversight Committee (see below) for final approval. An adverse decision of the Committee to a proposed management plan may be appealed to the Chancellor. The supervisor of the EPA employee will be responsible for assuring the implementation and/or monitoring of the conflict management plan.

Documentation of all decisions on activities and associated conflict management plans will be maintained in the employee's personnel folder.

In order to fulfill the certification requirements of grant and contract funding agencies (e.g., the NIH and NSF), each unit administrator shall also provide annually to the Vice Chancellor for Research and Graduate Studies a list of all faculty members and EPA staff in the administrator's unit who have submitted approved current annual disclosure forms and, where needed, an indication when such approval required development of an acceptable conflict management plan. This list may be amended as needed during the year. The

Vice Chancellor for Research or his designee will use this information to certify to potential funding agencies that this Institution has a conflict of interest policy consistent with NIH and NSF guidelines and that to the best of our knowledge all provisions of the policy have been followed with respect to proposals submitted to the agencies by ECU faculty and staff.

If after initial review by the department head, dean, and vice chancellor, questions remain regarding ethical issues or if disagreement exists between the EPA employee and the administration regarding the permissibility of activities, the

situation may be referred to a faculty/administrative advisory committee for review of conflicts of interest and commitment. This committee, the *Research Ethics Oversight Committee*, will be chaired by the Vice Chancellor for Research & Graduate Studies and will have representatives from the faculty senate as members. When the committee reviews conflict management plans, a representative of university attorney's office shall be present. In addition, when a management plan involves graduate students, a representative from the graduate council will also be present. Other appropriate individuals will be appointed members to the committee by the Vice Chancellor for Research & Graduate Studies. Decisions by this committee will be presented to the Chancellor for his or her concurrence and, if approved, will become the University's final position subject only to appeal in accordance with Section 501C(4) of The Code of the University of North Carolina.

If the activity at issue involves external support (grant, contract or cooperative agreement), the vice chancellor for research shall inform the sponsor whenever the University determines that it is unable to develop a satisfactory conflict management plan for an actual or potential conflict of interest.

Whenever human subjects are involved in an activity presented to the Research Ethics Oversight Committee (including approvals of conflict management plans), the University & Medical Center Institutional Review Board (UMCIRB) will be confidentially notified of the issue and the Committee's actions.

## **VII. Institutional Conflict of Interest**

East Carolina University, from time to time, forms relationships with profit-making entities (including the holding of equity interests) for mutual benefit. However, such relationships may put the University into actual or apparent conflict of interest situations when accepting grants or contracts from the profit making entities for research or other activities. (See exclusion at the end of this section for certain types of relationships.) To assure that these grants and contracts are performed with the highest level of integrity by University employees and to assure that the public maintains its trust in University activities, the following procedures shall be followed:

1. At the beginning of each calendar year, the Director, Office of Technology Transfer shall prepare a disclosure listing all profit-making entities in which the University has a significant financial interest (See Section IX.4). This disclosure shall be updated during the year as new relations develop and old ones terminate. This disclosure and its updates will be submitted to the Vice Chancellor for Research and Graduate Studies who shall distribute the disclosure to the Chancellor, the other Vice Chancellors and Deans, and the Research Ethics Oversight Committee. Copies of the disclosure and updates shall also be distributed to those university administrative offices charged with approving and administering grants and contracts and human subjects research protection (Office of Sponsored Programs, Office of Grants and Contracts Administration and the UMCIRB).
2. Units submitting proposals for external funding to commercial entities may not be aware of possible institutional conflict of interest issues. Thus, the Office of Sponsored Programs shall have the primary responsibility of notifying Vice Chancellor for Research and Graduate Studies and the submitting unit of the University's conflict of interest as part of its regular procedures for the review and approval of such applications. The Vice Chancellor or his designee shall then develop a plan to manage the institutional conflict of interest after consultation with the submitting unit and other relevant university offices. The conflict management plan shall be submitted to the Research Ethics Oversight Committee for review. The Committee may approve the plan (with or without mandatory changes) or disapprove the plan. University acceptance of grants and contracts related to a management plan is contingent upon approval of the management plan by the Committee. A negative decision of the Committee may be appealed to the Chancellor. An institutional conflict management plan may range from a simple disclosure of the University's interest in publications and reports emanating from the grant or contract to complete University divestiture of the financial interest. The institutional conflict of management plan shall be separate from and in addition to any conflict management plans for conflicts of interests of individuals (e.g., the principal investigator) involved in the grant or contract.
3. When considering an institutional conflict of interest management plan, the Research Ethics Oversight Committee shall a) include as voting members, one or more individuals from the general public who have no direct or indirect relationship with the University, i.e., the individuals and their spouses or other dependents must not be current employees or students of the University; and b) recuse from the deliberations of the Committee any ECU member of the Committee who has been involved in the negotiation, approval, or implementation of the relationship that is the basis of the actual or perceived conflict of interest. The general public members of the Committee should be individuals that have sufficient education or experience to understand both the issues before the Committee and the possible impacts of the Committee's decisions on the general public.

4. Arrangements for plan implementation and oversight shall explicitly be part of an institutional conflict management plan. Implementation and oversight will usually be the joint responsibility of the submitting unit and the Office of the Vice Chancellor for Research and Graduate Studies. However, other arrangements shall be made for plan implementation and oversight if, in the judgment of the Research Ethics Oversight Committee, such arrangements are necessary for the effective management of the conflict.

Excluded Relationships: A relationship with a profit making organization for the purposes of this institutional conflict of interest policy shall not include ordinary investments of the university's endowment that are managed by the Board of Trustees of the Endowment Fund or ordinary client-vender relationships where the University contracts for specific goods or services from a profit-making organization.

### **VIII. Enforcement of the Policies**

Faculty and non-faculty EPA staff are under a clear obligation to adhere to the ECU policies and procedures to disclose and to remove or appropriately manage conflicts of interest or commitment. Breaches of the policy/procedures will be viewed as serious ethical violations by the persons involved. Possible breaches of the policy/procedure include, but are not limited to:

1. furnishing false, misleading or incomplete information on the disclosure forms;
2. failure to promptly update disclosure forms before the required annual update when a significant change in a person's financial or fiduciary status places the individual into an immediate potential conflict of interest or commitment situation;
3. failure to comply with the procedures described above (e.g., refusal to respond to inquiries, responding with incomplete or knowingly inaccurate information, or otherwise);
4. failure to remedy conflicts as determined by the Procedures; and
5. failure to comply with a prescribed monitoring plan.

If a possible breach in the policy/procedures occurs, the appropriate dean shall consult with the faculty person and his chair. If no resolution is forthcoming, the dean shall refer the case to the appropriate vice chancellor. The vice chancellor shall consult with the vice chancellor for research and shall initiate an investigation and/or hearing as prescribed in Faculty Manual, Part VII and Appendix D and apply sanctions as determined by university policies. Such sanctions may range from administrative intervention to dismissal from employment, all in accordance with applicable university policies.

### **IX. Definitions**

1. "Business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes. "Business" excludes University-related entities, which is inclusive of the University, and any private medical practice or any other entity controlled by, controlling, or under common control with the University or with which the University has a contractual relationship for the purpose of providing patient care.
2. "Executive Position" refers to any position that includes responsibilities for a material segment of the operation or management of a business, including Board membership .
3. The " Immediate Family" of a faculty or EPA non-faculty employee includes his or her spouse, dependent children and/or other dependent(s) as defined in the Internal Revenue Code.
4. "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 interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights, license agreements, and royalties from such rights). The term does not include:
  - (1) Salary, royalties, or other remuneration from East Carolina University to its faculty or staff;
  - (2) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
  - (3) Income from service on advisory committees or review panels for public or nonprofit entities;
  - (4) An equity interest that when aggregated for the faculty/staff and the faculty/staff's immediate family, 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 five percent ownership interest in any single entity;
  - (5) Salary, royalties or other payments that when aggregated for the faculty/staff and the faculty/staff's immediate family over the next twelve months, are not expected to exceed \$10,000 from any one source.

- (6) Mutual, pension, investment or other funds over which the employee or the University does not exercise direct control.
5. "Participate" means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator or provider of direct patient care. The term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no direct access to the data (e.g., control over its collection or analysis) or, in the case of clinical research, to the trial participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.
6. "Sponsored Programs" means research, public service, training and instructional projects involving funds, materials, or other compensation from outside sources under grants, contracts, or cooperative agreements.
7. "Technology" means any process, method, product, compound, drug, device, or any diagnostic, medical, or surgical procedure developed using University time, facilities, equipment, or funds whether intended for commercial use or not.

**Appendix I. University Policy on Conflict of Interest and Commitment**  
**Example Form A**

Year \_\_\_\_\_

**EAST CAROLINA UNIVERSITY**  
**ANNUAL FACULTY/PROFESSIONAL STAFF DISCLOSURE FORM**  
**OF POTENTIAL CONFLICT OF COMMITMENT OR INTEREST ACTIVITIES OR RELATIONSHIPS**

Completion of the following questions and associated report forms are required of all faculty and other EPA employees for compliance with the University Conflict of Interest & Commitment Policies.

This conflict evaluation form contains information that may have a direct bearing on your employment, and completing and filing this form is a condition of your employment. The form, therefore, will be included in your personnel file. As a part of the personnel file, the form will be considered strictly confidential. The information disclosed in the form is available only to individuals duly charged with the responsibility for review, and the information may be released only in accordance with and as required by North Carolina law or lawful court order.

Name \_\_\_\_\_ Title & Rank \_\_\_\_\_

Dept./Unit \_\_\_\_\_ Campus Address & Tel. \_\_\_\_\_

If the answer to any of Questions 1 to 6 is YES then complete the form: REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY

1. Are you or a member of your immediate family on the Board of Directors or any Advisory Board of an enterprise that sponsors research, outreach, extension, testing, or service projects at the University in which you are a participant or with which the University has a license agreement relating to an invention or software where you are an inventor or author?

YES  NO

2. Are you or a member of your immediate family an employee or serving in an executive position of an enterprise: a) that sponsors research, outreach, extension, testing, or service projects in which you are a participant; b) with which the University has a license agreement relating to an invention or software where you are an inventor or author; or c) engaged in commercial activities related to your University responsibilities?

YES  NO

3. Do you or a member of your immediate family have an ownership/equity interest/expectancy or other significant financial interest in an enterprise: a) that sponsors research, outreach, extension, testing or service projects; b) with which the University has a license agreement relating to an invention or software where you are an inventor or author; or c) engaged in commercial activities related to your University responsibilities?

YES  NO

4. Are you or a member of your immediate family engaged in external professional activities for pay or an employee of, or otherwise receiving compensation or gratuities from, an enterprise that sponsors research, outreach, extension, testing, or service projects in which you are a participant or with which the University has a license agreement relating to an invention or software where you are an inventor or author?

YES  NO

5. Do you supervise, select, or evaluate services provided to the University by an enterprise or do you refer University business to an enterprise in which you or a member of your immediate family have an ownership or other significant financial interest?

YES  NO

6. Do you participate in University clinical research on a technology developed by you or a member of your immediate family?

YES  NO

If the answer to any one of the Questions 7 - 8 is YES, then complete the form: REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES

7. Do you supervise any students or University personnel who work for an enterprise in which you are on the board of directors, an officer, have ownership interest, or are employed by for external professional activities for pay?

YES  NO

8. Do you employ or supervise any students or University personnel in your external professional activities for pay or in an enterprise in which you hold ownership/equity interest/expectancy?

YES  NO

If the answer to Question 9 or 10 is YES, then complete the form : REPORT OF CONFLICTS OF INTEREST RELATED TO TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY

9. Are you or a member of your immediate family the author of a textbook, course pack, lab manual or other material for which you or your immediate family member receives royalties or other compensation from sources other than the University, that is required for any class that you teach?

YES  NO

10. Is there any intellectual property (i.e., patent, trademark, copyright, or trade secret) owned by you which is used or licensed for use by the University?

YES  NO

ACKNOWLEDGMENT

I hereby acknowledge that I have read and understand the Policy on Conflicts of Interest and Commitment and that the aforementioned facts and situations indicate all potential conflicts of interest and commitment with regard to my position at East Carolina University according to the standards and guidelines of the Policy. If I have none, I have so indicated in the spaces provided.

I acknowledge that I have a continuing obligation to file an updated form prior to filing the next annual report if changes arise that I believe either: (a) give rise to a potential conflict of interest, or (b) eliminate a conflict previously described.

Signed this day of \_\_\_\_\_, 20\_\_ \_\_\_\_\_ Signature

ADMINISTRATIVE REVIEW AND APPROVAL

To the best of my knowledge and judgment and according to the standards and guidelines of the Policy:

No actual or potential conflict of interest or commitment exists.

An actual or potential conflict of interest or commitment may exist, but does not appear to be significant.

(Attach explanation.)

An actual or potential conflict of interest or commitment may exist that warrants further review

\_\_\_\_\_  
Dept. Chair/Supervisor                      Date

\_\_\_\_\_  
Dean/Senior Supervisor                      Date                      (If Approval Is Required According to the Policy)

\_\_\_\_\_  
Vice Chancellor                      Date                      (If applicable)

**Appendix I. University Policy on Conflict of Interest and Commitment**  
**Example Form B**

**REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING  
UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY**

Faculty responding affirmatively to one or more of Questions 1-6 on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships form must complete the reporting process by providing the information requested below. If additional space is needed attach separate sheets labeled "REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY Continued" and note the answer number for which additional information is provided. A separate form should be used to report relationships with each enterprise or corporation.

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Employee Name	Department	College/School	Reporting Period
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If reporting for an immediate family member, give his or her name and relationship.

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Enterprise/Corporation Name	Complete Address
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Principal Business of Enterprise/Corporation

1. Do any of your University activities sponsored by this enterprise involve technology developed at the University and which is now owned by or contractually obligated to this enterprise?

YES  NO If YES, respond to item #7.

Complete the following (2-4) if you answered YES to Questions 1,2,3 or 4 on the Annual Faculty Report Form.

2. Type of board, board committee, executive position, or other employed relationship held by you or your immediate family member.

3. Describe the responsibilities of this employed relationship.

4a. Describe the University activities funded by this enterprise/corporation in which you are a participant.

4b. Describe the invention and/or software which is licensed or the enterprise and how it relates to your work for the enterprise and for the University.

4c. Specify the type of funding, gifts, gratuities, consulting fees, royalties or other compensation (direct or deferred) received by you or your immediate family member (other than occasional meals, complementary copies of textbooks, etc.) from the enterprise or corporation during the last 12 months.

Complete the following if you answered YES to Questions 3 or 5 on the Annual Faculty Report Form.

5. If you answered YES to Q3, complete the following and respond to item #7.

a. Describe the nature of your financial interest in the enterprise or corporation.

b. If you have an ownership interest, is it less than \$10,000 per annum of equity, salary, fees or other continuing payments or which represents 5% or less ownership interest for any one enterprise or entity when aggregated for the investigator and his/her immediate family. (See complete definition for significant financial interest, Section VIII., subsection 4.)

c. What is the duration of the sponsored research, outreach extension, testing or service?

6. If you answered YES to Q5, complete the following and respond to item #7.

a. Describe the University Position you hold in which you supervise, select or evaluate services provided to the University by the enterprise or corporation.

b. List the services involved.

c. Does the enterprise or corporation compete with services provided by the University?

YES  NO If YES, describe these services.

7. Provide a discussion of the activities and actions or safeguards you will take to prevent your activities from affecting your objectivity as a University employee or will otherwise protect the University's interest, if you answered yes to Question 3, 5 or 6 on the annual report form.

**SIGNATURES:**

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Reviewed by:

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Dean

**Appendix I. University Policy on Conflict of Interest and Commitment  
Example Form C**

**REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO  
STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES**

Faculty responding affirmatively to one or more of Questions 7-8 on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships form must complete the disclosure process by providing the information requested below. If additional space is needed attach separate sheets labeled "REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES Continued" and note the answer number for which additional information is provided. A separate form should be used to report relationships with each enterprise or corporation.

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Employee Name	Department	College/School	Reporting Period
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If reporting for an immediate family member, give his or her name and relationship.

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Enterprise/Corporation Name	Complete Address
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Principal Business of Enterprise/Corporation

Complete ITEMS 1-3 if you answered YES to Question 7 on the Annual Faculty Report Form.

1. Describe the number and levels of the students involved, your relationship with the enterprise, and how this relationship involved the students.
2. Describe the nature of the relationship of this enterprise with the University.
3. Discuss the actions or safeguards you will take to prevent your relationship with this enterprise from affecting your responsibilities as a University employee for supervising these students.

Complete ITEMS 4-5 if you answered YES to Question 8 on the Annual Faculty Report Form.

4. Describe the numbers of students, their status and the nature and scope of the duties for which they are employed.
5. Discuss the actions or safeguards you will take to prevent your relationship with this enterprise from affecting your responsibilities as a University employee for supervising these students.

**SIGNATURES:**

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

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Employee Signature	Date
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Reviewed by: \_\_\_\_\_ Approved by: \_\_\_\_\_

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Department Head	Date	Dean	Date
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**Appendix I. University Policy on Conflict of Interest and Commitment**  
**Example Form D**

**REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO  
TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY**

Provide the following information and discussion pertaining to Questions 9 or 10 answered with a YES on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships Form. If additional space is needed for listing multiple entities or information, attach separate pages labeled "REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY Continued" and noting the answer number for which additional information is provided.

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Employee Name	Department	College/School	Reporting Period
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If you answer YES to Question 9 on the Annual Faculty Report, provide the information requested by items 1-3. Here textbook refers to any textbook, course pack, lab manual, or other course material required for a class that you teach and is authored by you or a member of your immediate family.

1. Textbook title or nature of specific course material:
2. List the course (number and title) for which this textbook is required:
3. Describe the process used and the basis by which this textbook was chosen for this course instead of other comparable textbooks or materials.

If you answered YES to Question 10 on the Annual Faculty Report, provide the information requested in items 4-6.

4. Describe the intellectual property owned by you that is used by the University.
5. How is this intellectual property selected for use by the University?
6. Do you receive any compensation of any type whatsoever as a result of the use of such intellectual property by the University?
7. Does the University's use of this intellectual property affect or potentially affect your objectivity as a University employee?  
 YES     NO.    Why or why not?

If your answer is YES above, then explain what safeguards exist.

**SIGNATURES:**

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

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Employee Signature:	Date
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Reviewed by:	Approved by:
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Department Chair	Date	Dean	Date
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**Appendix I. University Policy on Conflict of Interest and Commitment  
Example Form E**

**NOTICE OF INTENT TO ENGAGE IN EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY**

Date \_\_\_\_\_

\_\_\_\_\_ (name), a full-time employee, intends to engage in external professional activity for pay under the following conditions:

1. Name and address of contracting organization:
2. Nature of proposed activity:
3. Beginning date and anticipated duration of activity:
4. On average, how many hours per week will be devoted to this activity?
  - a. For 12-month employees, for the anticipated duration of the activity, within the current fiscal year ending June 30:
  - b. For 9-month employees, for each component part of the academic year, as applicable, within the current fiscal year ending June 30 (see Policy section 3.b.):
    - (1) Second summer session (post July 1) \_\_\_\_\_
    - (2) Fall semester \_\_\_\_\_
    - (3) Spring semester \_\_\_\_\_
    - (4) First summer session (pre July 1) \_\_\_\_\_

5. Total number of hours to be devoted to activity:
6. Identify any classes, meetings or other University duties that will be missed because of involvement in the proposed activity (respond separately for each applicable component part of the academic calendar if 9 month employee) and state what arrangements have been made to cover any such duties:

Duties Missed	Arrangements to Cover
_____	_____
_____	_____
_____	_____

7. Use of University resources in connection with proposed activity:
  - a. Will the activity entail the use of any University resources (see discussion at section 2.e. of Policy - UNC General Administration Policy Statement on External Professional Activities of Faculty and Other Professional Staff (1993))?  
( ) Yes ( ) No
  - b. If yes, describe what resources will be used.
8. To your knowledge, does the contracting organization above provide funding which directly supports any of your University duties or activities? ( ) Yes ( ) No
9. To be completed if the contracting organization is a private firm:
  - a. Do you or any member of your immediate family own an equity interest in the contracting organization?  
( ) Yes ( ) No
  - b. Do you hold an office in the contracting organization?  
( ) Yes ( ) No

10. Performance of the above described activity is consistent with the Board of Governors Policy on External Professional Activities.

Signature: \_\_\_\_\_

Department \_\_\_\_\_

Academic Rank or Job Title \_\_\_\_\_

Administrative Title (if any) \_\_\_\_\_

ACTIVITY DURING PAST FISCAL YEAR

Provide the following information for each External Professional Activity for Pay in which you engaged during the last fiscal year preceding the date of filing of this "Notice of Intent".

1. Contracting organization:
2. Beginning and ending date of activity (if complete):
3. Average hours per week devoted to this activity:
4. Total number of hours devoted to this activity:
5. Nature of Professional Activity:
6. Date Notice of Intent was filed:

ADMINISTRATIVE ACTION ON NOTICE OF INTENT

1. Reviewed activity determined to be consistent with University policy.

_____	_____
Date	Department Head
Other action (as required):	
_____	_____
Date	Dean or Other Administrative Officer *

\*Approval by dean or other administrative officer to whom department head reports is required if question 8 or question 9.a. or 9.b. is answered in the affirmative.

2. Reviewed activity determined not to be consistent with University policy.

_____	_____
Date	Department Head
Action on appeal (if any):	
_____	_____
Date	Action taken
	_____
	Dean or Other Administrative Officer
_____	_____
Date	Action taken
	_____
	Chancellor

Any administrative action approving a "Notice of Intent" shall be effective only for the remaining balance of the fiscal year (in the case of 12-month employees) or for the balance of the academic year (for 9-month employees); see UNC General Administrative Policy Statement on External Professional Activities of Faculty and Other Professional Staff (1993) Section 3.b.

**Approved:** Faculty Senate Resolution #95-41  
15 March 1996  
Board of Governors of The University of North Carolina

**Amended:** Faculty Senate Resolution #02-17, April 2002  
July 20, 2002  
Office of the President of The University of North Carolina

