Toward a Comprehensive Conflict of Interest Policy on the Norman Campus

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Norman Campus Council of Deans

Motivation

• The Norman Campus already has a Financial COI policy (section 5.10 of the NC Faculty Handbook)
• However, COI encompasses a much broader set of issues
  – Conflict of Commitment
  – Use of Resources
  – Use of Official Position
  – Relationships with Organizations
• COI is receiving much greater attention at the national level owing to a culture of increased transparency and reporting at the Federal level (e.g., NIH, FFATA)
• The AAHRPP report recommended a more comprehensive COI policy for the Norman Campus (recall new HSC policy approved in March, 2010 by the OU Board of Regents)
Process

- On 12 August, 2010, the OU-wide Compliance Advisory Committee directed the Norman Campus VPR to draft a broader personal COI policy
- On 19 September, 2010, an ad hoc task force was created
  - Morris Foster, Chair (Office of the VPR)
  - Greg Heiser (Provost Office)
  - Kurt Ockhershauser (Legal Counsel)
  - Andrea Deaton (Office of Research Services)
  - Colin FitzSimons (Office of Technology Development)
  - Cameron McCoy (Corporate Engagement Office)
  - Bob Palmer (School of Meteorology)
  - Shiva Raman (School of Industrial Engineering)
  - Emily Meazell (College of Law)
  - Carol Silva (Department of Political Science)
  - Ray Canoy (Department of History)
  - Ning Nan (Management Information Systems)
  - Faustina Layne (Office of Compliance)
  - Nicki Hickmon (Private Sector – Atmospheric Technology Services Co)
- The draft report was delivered on 9 February 2011 and provided to the NC Provost, University VP for Strategic Planning and Economic Development, Compliance Advisory Committee, and NC Faculty Senate Executive Committee.
- Faculty Senate Exec and full Faculty Senate briefed on 4 and 11 April, respectively

Draft Document

- Is presently written as an addition to the existing Norman Campus Financial COI Policy
- Includes the broader COI elements enumerated earlier
- Is in first draft form but has been reviewed by OTD and Legal Counsel
- Is sufficiently complete to share with a limited audience but needs a lot of additional work (e.g., better guidance to faculty about managing conflicts)
Some Questions and Issues

• Should the existing Financial COI policy and the new COI policy be folded together into a single policy, possibly also including the OU-wide Institutional COI Policy?
• Need to ensure consistency with IRB and other relevant policies.
• Key to success will be a parallel implementation plan: the policy alone is otherwise of little value.
• The new policy is an opportunity to address other issues of compliance (e.g., communication among key organizations such as Legal Counsel, ORS, IRB, Export Controls, IACUC)

Input Received to Date

• The COI draft
  – Addresses individuals’ responsibilities but not those of the University – need a balance
  – Is heavily laden with legalease and should be more readable (perhaps in implementation plan)
  – Should be used as a mechanism to place ALL COI policies in a single location (the Faculty Handbook), which is subject to Faculty Senate approval
• What about other COI policies that exist across the University (e.g., members of the Research Council in reviewing proposals from their programs)?
Path Forward

- Compliance Advisory Committee will meet on 27 April 2011
- Existing draft needs significant work and other issues need to be addressed (the ad hoc committee that drafted the policy will continue its work)
  - Merging all Norman Campus COI into a single policy
  - Faculty Senate Exec issues
  - Creation of an implementation plan
  - Other...
- Goal is to seek Regents’ approval of final policy by end of spring, 2012 semester
  - Public comment period in late winter 2011
  - Will continue to update Faculty Senate Exec, Faculty Senate, Deans