

**NEW YORK UNIVERSITY
SUPPLEMENTAL GUIDELINES FOR
DISCLOSURE AND REVIEW OF
CONFLICTS OF INTEREST IN RESEARCH**

Policy

1. Prior to approval of a proposal or acceptance of an award by the University, all Researchers who plan to conduct research at the various units of the University at **Washington Square** must disclose to their deans any Financial Interest which they or members of their Immediate Family have in any commercial entity that will participate in the proposed research.
2. A Researcher with a Financial Interest in any commercial entity that will participate in the research, may not engage in such research, except upon the written approval of his or her dean, after review by the dean or his or her designee(s).
3. During the Research Period, a Researcher may not acquire a Financial Interest (or, if approval has been obtained based upon disclosure of a Financial Interest, an additional Financial Interest) in a commercial entity participating in such research unless the Researcher has disclosed the intent to do so and received approval for such acquisition as provided by these Guidelines. This prohibition also applies to the Researcher's Immediate Family.

Definitions

1. The term **Researcher** includes all faculty members and other research staff, including the Principal Investigator/Project Director and co-Principal Investigator/Project Director, who will assume responsibility for the design, conduct or reporting of the research, or are in a position to control the expenditure of research funds.
2. The term **research** extends to all research and related activities, including research training, demonstrations and evaluations.
3. A commercial entity is **participating in the research** whenever it sponsors such research, or supplies substances, materials or services for such research, or may in any way derive benefits from such research, or engages in licensing discussions with New York University with respect to inventions in which a property right may be claimed by the Researcher.
4. Having a **Financial Interest** means:
 - a. Owning or having an agreement to acquire stocks or stock options or other securities which have a fair market value of \$10,000 or more, or which constitute an ownership interest of greater than 1% in a commercial entity, but does not cover ownership of stocks, stock options or other securities in such entities in a form over

which the Researcher has no control, such as in mutual funds or blind trusts; or

b. Serving as a compensated consultant, manager, or director of a company or entity; or

c. Otherwise having an expectation of financial gain as a result of performing the research, other than compensation paid to the Researcher by New York University or the Researcher's share of proceeds, if any, of royalties or other income received by New York University as a result of commercialization of an invention made by the Researcher.

5. **Immediate Family** means the Researcher's spouse, children, siblings, parents, or equivalent relatives by marriage, or other individuals regularly residing in the Researcher's household.

6. The **Research Period** means the period from the time the Researcher's active and personal involvement in the research begins until: a) the Researcher's active and personal involvement in the research ends; or b) the University's involvement in the research ends, whichever is later.

Procedures

1. A Principal Investigator/Project Director submitting a proposal for review by his or her dean, or receiving an award based on an informal request, will complete and file a Researcher's Disclosure Statement, and will ensure that all Researchers appointed by him or her also complete and file Researcher's Disclosure Statements as required by these Guidelines.

2. If neither the Principal Investigator/Project Director nor a member of his or her Immediate Family has a Financial Interest in a commercial entity that will participate in the research, and there is no other Researcher (or any member of his or her Immediate Family) who has such an Interest, the Researcher's Disclosure Statement(s) should accompany the proposal or award for administrative processing as usual by the dean's office.

3. If the Principal Investigator/Project Director (or a member of his or her Immediate Family) has a Financial Interest in a participating commercial entity, and/or if any other Researcher (or a member of his or her Immediate Family) has such an Interest, the Researcher's Disclosure Statement(s) should be transmitted in confidence directly to the dean or to his or her designee for review. Processing of the proposal or award will be postponed, pending the written approval of the dean or of his or her designee; or, if there is a deadline for submission or acceptance, processing will proceed on condition such approval is forthcoming within 30 days, after which the proposal may be withdrawn or the award returned.

4. Upon receiving a confidential disclosure of the Financial Interest of a Researcher or of a member of his or her Immediate Family, the dean will within 30 days undertake a review of such disclosure, or at his or her option, submit such disclosure to another individual or committee duly appointed by him or her to advise him or her in these matters, and determine in a written notice to the Principal Investigator/Project Director whether the research should proceed. All such determinations, and the basis for them, will be documented by the dean, maintained together with the Researcher's Disclosure Statement(s) in official school records, and reported to sponsors as required by the terms of any sponsored agreement.

5. Disclosure review will take into account, among other considerations, the nature and extent of the conflict of interest, as weighed against the interests of the research, what steps, if any, may serve to eliminate or mitigate it, and whether, and under what conditions, if any, a waiver is appropriate.

6. Failure to comply with the requirements of these Guidelines may lead to sanctions, including reprimand, censure, termination of funding, ineligibility for proposal submission, suspension, and dismissal or expulsion.

June 20, 1994

Revised February 1, 1996

Instructions for Completing Researcher's Disclosure Statement

1. If you have answered **No** to question 1, sign and date this form and submit it with your proposal or award to the Dean's office for processing as usual.

*If you have answered **Yes** to question 1, attach a detailed description of the Financial Interest(s), and submit this form in confidence directly to your Dean or his or her designee for review.

2. If you are the Principal Investigator/Project Director, and you have answered **No** to question 2(a), obtain a Researcher's Disclosure Statement from each Researcher you intend to appoint.

If you are the Principal Investigator/Project Director, and you have answered **Yes to question 2(b), forward any disclosure(s) in confidence directly to your Dean or his or her designee for review.

When a Financial Interest is indicated, further processing of any related proposal or award will await the written approval of the Dean. Should it be necessary to meet a deadline, the proposal or award will be processed as usual on condition that the approval of the Dean is forthcoming within 30 days. If no approval follows, the proposal or award will be subject to withdrawal or return.

June 20, 1994

NEW YORK UNIVERSITY

Researcher's Disclosure Statement

As required by the Supplemental Guidelines for Disclosure and Review of Conflicts of Interest in Research

Researcher's Name _____

Title _____

School _____ Department _____

Project Title

Sponsor _____

1. As defined by the Guidelines, do you or any member of your Immediate Family have a Financial Interest in a commercial entity that will participate in the research?

Yes _____ * No _____

During the research period, as defined by the Guidelines, neither I nor members of my Immediate Family will acquire a Financial Interest, or if a Financial Interest is disclosed above, an additional Financial Interest in a commercial entity participating in the research or research training, unless I have previously disclosed the intent to do so and received approval for such acquisition as provided in the Guidelines.

Signature

Date

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To be completed by Principal Investigator/Project Director only:

2.(a) Have all personnel you intend to appoint as Researchers, as defined by the Guidelines, completed and filed Researcher's Disclosure Statements?

Yes _____ No _____

(b) Has any Researcher you intend to appoint disclosed a Financial Interest in a commercial entity that will participate in the research?

Yes _____ ** No _____

I will ensure that any other Researcher appointed by me during the Research Period completes and files a Researcher's Disclosure Statement within 30 days of his or her appointment as required by the Guidelines.

Principal Investigator/Project Director

Date