



NORTHWESTERN
UNIVERSITY

Responsible University Official: Provost
Responsible Office:
Northwestern University Conflict of Interest
Office (NUCOI)
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Policy on Conflict of Interest and Conflict of Commitment

Policy Statement

Northwestern University (“Northwestern” or “University”) Faculty and Staff have a fundamental obligation to act in the best interests of the University and not let outside activities or outside financial interests interfere with that obligation. Northwestern University expects its Faculty and Staff to advance the University’s mission of education, research and service. As part of this responsibility, the University expects Faculty and Staff to apply their time and effort appropriately and use University resources toward University ends. When the application or use of University time or resources results in inappropriate personal advantage, or is detrimental to the University’s mission, that use of time or resources represents a conflict between one’s interest and that of the University.

Reason for Policy/Purpose

The purposes of this Policy are: to educate Faculty and Staff about situations that generate Conflicts of Interest and Conflicts of Commitment; to provide means for individuals and the University to manage these conflicts; to promote the best interests of students and others whose work depends on Faculty and Staff direction; and to describe situations that are prohibited. All members of the University community are expected to conduct University business with high ethical and legal standards. This Policy establishes a standard of conduct to protect the financial well-being, reputation and legal obligations of the University. Furthermore, this Policy establishes a method to protect the University community from questionable circumstances that might arise and to resolve any apparent or real conflicts.

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Who Approved This Policy

Provost
Executive Vice President
Vice President for Research

Who Needs to Know This Policy

All Faculty and Staff

Website Address for This Policy

Website: <http://www.northwestern.edu/coi/policy/index.html>

Contacts

If you have any questions with regards to the policy or procedures email:
nucoi@northwestern.edu

Definitions

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|---------------------------------|---|
| Conflict of Commitment | A situation where an individual engages in outside activities, either paid or unpaid, that interferes with his or her primary obligation and commitment to the University. |
| Conflict of Interest | A situation in which an individual's financial, professional or other personal considerations may directly or indirectly affect, or have the appearance of affecting, his or her professional judgment in exercising any University duty or responsibility. |
| Faculty | For purposes of this Policy, "Faculty" means any person possessing either a full- or part-time academic appointment in Northwestern University, including faculty-level research appointees, faculty librarians, and contributed service faculty, but normally excluding adjunct faculty ¹ . |
| Financial Interest | A Financial Interest, as described in Section 4.1 of the Policy, is an interest in a business or the receipt or right to receive certain types of remuneration over stated thresholds. |
| Immediate Family Member | The immediate family of a Faculty member or Staff member includes his or her spouse, dependent children, domestic or civil union partner, and others as defined in the Faculty Handbook and Staff Handbook. |
| Outside Professional Activities | An outside activity is any paid or volunteer activity undertaken by a Staff or Faculty member outside the scope of his or her regular University duties. Outside Professional Activities may include consulting, participation in civic or charitable organizations, working as a technical or professional advisor or practitioner, or holding a part-time job with another employer, whether working in one's University occupation or another. |

¹ Adjunct Faculty meeting the definition of Investigator as set forth in the Northwestern University Policy on Conflict of Interest in Research (for example, Adjunct Faculty serving as principal investigator or key personnel on a grant) are subject to the disclosure requirements set forth in the University's Policy on Conflict of Interest in Research.

Staff

For purposes of this Policy, Staff means any regular, non-exempt and exempt staff in research, academic or administrative positions, including postdoctoral fellows, research associates, coaches, non-faculty physicians and non-faculty veterinarians.

Policy/Procedures

1.0 Guiding Principles

It is the policy of Northwestern University that its Faculty and Staff conduct the affairs of the University in accordance with the highest ethical and legal standards. To avoid a conflict between personal or professional interests and University interests, individuals must not be in a position to act on behalf of or make decisions for the University if their personal economic gain or interest may directly or indirectly influence, or have the appearance of influencing, the performance of their Northwestern duties.

Good judgment of Faculty and Staff is essential, and no list of rules can provide direction for all the varied circumstances that may arise. If a situation raising questions of Conflict of Interest or Conflict of Commitment arises, Faculty and Staff are urged to discuss the situation with their school dean, supervisor or the Northwestern University Conflict of Interest Office (NUCOI). Access to information collected in connection with this Policy will be limited to those with a need to know and will be shared in accordance with University policy and federal regulations.

1.1 Conflict of Commitment

Northwestern University Faculty and Staff owe their primary professional allegiance to the University; their primary commitment of time and intellectual energies is to the education, research and other programs supporting the University's mission. A Conflict of Commitment occurs when a Staff or Faculty member's professional loyalty is not to Northwestern because the time devoted to outside activities adversely affects their capacity to meet University responsibilities.

Attempts to balance University responsibilities with outside activities – such as consulting, government service, public service, or pro bono work – can result in conflicts regarding allocation of time and energy. Conflicts of Commitment usually involve issues of time allocation. Whenever an individual's outside consulting activities exceed permitted limits as set forth in the Conflict of Commitment section of the Northwestern University's Faculty or Staff Handbooks, as applicable, a Conflict of Commitment exists. The Northwestern University [Faculty Handbook](#) describes the responsibilities of the Faculty; the [Staff Handbook](#) describes the responsibilities of the Staff. Faculty and Staff are also subject to the University's [Patent and Invention Policy](#).

Faculty and Staff intending to engage in an activity that involves significant effort outside of the University and that may present a Conflict of Commitment must have written approval from the relevant department chair, center director, and dean or department/unit head.

1.2 Conflict of Interest

Considerations of personal gain must not influence the decisions or actions of individuals in discharging their University responsibilities. Such incentives might create a perception of impropriety and, therefore, require that such conflicts be identified, and then managed, reduced or eliminated.

The following activities are examples of situations that may raise questions regarding an apparent or real Conflict of Interest:

- a) Undue personal gain from University funds or resources
- b) Excessive or unauthorized use of University time or resources for professional, charitable or community activities
- c) Exploitation of students for private gain
- d) Compromise of University priorities due to personal financial considerations
- e) Unfair access by an outside party to Northwestern programs, services, information or technology
- f) Selection of an entity as a University vendor by an individual who has a personal or economic interest in that entity; this includes engaging a relative as an independent contractor, subcontractor or consultant

Northwestern will exercise oversight and care in eliminating or managing Conflicts of Interest that do or may arise because of an individual's personal interest in University activities. The University will not accept or enter into agreements, contracts, gifts or purchases that give rise to a Conflict of Interest unless the conflict can be eliminated or appropriately managed through administrative oversight to protect the interests of the individual and the University.

2.0 Appropriate Use of University Resources

University resources are to be used only in the interest of the University. Faculty and Staff may not use University resources, including facilities, personnel, equipment or confidential information, as part of their outside consulting activities or for any other non-University purposes. Inappropriate use of University resources includes, but is not limited to, the following:

- (1) A Faculty member assigning his or her students, Staff or postdoctoral scholars University tasks to advance the Faculty member's own monetary interest rather than to advance the scholarly field or educational needs
- (2) Granting external entities access to Northwestern programs, resources, services, information or technology for purposes outside the University's mission
- (3) Offering inappropriate favors to outside entities in an attempt to unduly influence them in their dealings with the University

- (4) Using for personal gain, or granting others unauthorized access to confidential information acquired through conduct of University business or research activities

3.0 Situations that May Create a Conflict of Interest

3.1 Outside Professional Activities

3.1.1 Staff

An Outside Professional Activity is any paid or volunteer activity undertaken by a Staff member of Northwestern University outside the scope of his or her regular University duties. Outside Professional Activities may include participation in professional, civic or charitable organizations, such as consulting, working as a technical or professional advisor or practitioner, or holding a part-time job with another employer, whether working in one's University occupation or another.

Outside Professional Activities that use University resources or an individual's time on the job, thereby competing with the University or conflicting with the performance of the job, present a Conflict of Interest and are not permitted. Activities that present a potential Conflict of Interest require the written permission of the supervisor or department/unit head. Permission is given if the activity does not compete with University activities, result in undue personal gain, or interfere with the performance of the Staff member's University duties.

3.1.2 Faculty

Appointment as a Faculty member of Northwestern University confers the obligation to pursue teaching, research and/or University service. Fulfillment of these obligations requires a primary commitment of expertise, time and energy. Faculty engagement in Outside Professional Activities is a privilege and not a right and must not detract from a Faculty member's obligation to his or her University duties.

A full-time appointment conveys an obligation for a Faculty member to have a significant physical presence on campus, to be accessible to students and Staff, to carry his or her share of committee responsibilities, to meet any assigned obligations and to be available to interact with Northwestern colleagues, unless the relevant department chair and/or school dean has granted specific prior approval for extended or frequent absences from campus. Activities such as pro bono work, government service in the public interest and any outside employment unrelated to the Faculty member's University responsibilities must be managed so they do not take precedence over a Faculty member's primary commitment to the University.

Significant management roles (those that involve substantial supervision of the work of others and/or day-to-day responsibility for operating decisions) in private business typically are demanding both in terms of time and energy.

Because full-time Faculty are expected to devote their primary energies and professional interests to their University obligations, they may not accept significant managerial responsibilities as part of their Outside Professional Activities. It will be necessary for a Faculty member to obtain the permission of his or her chair and school dean and may require an unpaid leave of absence from his or her University responsibilities in order to take on a significant management role in an outside entity.

Certain Outside Professional Activities, such as submitting or directing a program of research or scholarship at another institution that could be conducted appropriately at Northwestern, can generate conflicts regardless of the time involved. Northwestern Faculty, absent express approval by the relevant chair and school dean, are prohibited from serving as principal investigators on sponsored projects submitted and managed through other academic, federal or commercial institutions. This stipulation does not apply to subcontracts awarded to the University; it is not intended to limit Faculty members' participation in multi-site training or research programs, nor is it intended to apply to circumstances in which the Faculty member's research requires access to facilities not available at Northwestern.

3.2 Faculty Use of Students in Outside Professional Activities

Student involvement in Faculty enterprises may provide the potential for substantial benefits to the education and career development of the student. Such involvements need to be guided to avoid conflicts of interest or interference with the student's primary educational and research duties. Students and Faculty need to sign the [Student-Faculty Agreement](#) before engaging in these activities and provide a copy to the school's dean or his or her designee. This includes both paid and unpaid engagements. The dean's office will maintain a list of students involved and will query these students on a biannual basis for the duration of the work to assure that students are engaged voluntarily in meaningful work that does not interfere with their academic progress. In addition, students working for Faculty enterprises must complete an annual conflict of interest disclosure process as set forth below.

3.3 Faculty Use of Staff in Outside Professional Activities

Faculty and others in a supervisory capacity may not require those they supervise to perform **services** outside those related to their University position. It may be appropriate for Staff to assist Faculty members in their Outside Professional Activities, depending upon the nature and extent of the Staff involvement on an incidental or infrequent basis. However, because such involvement is a potential source of conflict between Faculty members and their Staff, any Staff involvement must be approved by the relevant department chair, center director or dean and discussed with the Staff person.

4.0 Reporting Requirements for Faculty

4.1 Financial Interests

Financial Interests create Conflicts of Interest when they provide, or appear to provide, an incentive to the Faculty member to affect a University decision or other University activity (for example, because of the possibility for personal gain) and when the Faculty member has the opportunity to affect the University decision or other University activity (for example, because he/she is the principal investigator for a research project). If there is both sufficient incentive from the Financial Interest and opportunity to affect the University activity, a Conflict of Interest exists.

For purposes of this Policy, “Financial Interest” is one or more of the interests defined below held by a Faculty member or his or her Immediate Family member if the interest reasonably appears to relate to the Faculty member’s University responsibilities:

- (1) With regard to any publicly traded entity, a Financial Interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated for the Faculty member and members of his or her Immediate Family, exceeds \$10,000 OR is more than five percent (5.0%) of a company’s equity for any single business. For purposes of the definition of Financial Interest, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
- (2) With regard to any non-publicly traded entity, a Financial Interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated for the Faculty member and members of his or her Immediate Family, exceeds \$10,000 OR is more than five percent (5.0 %) of a company’s equity for any single business; or
- (3) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests. Financial Interests do not include intellectual property rights assigned to the University or agreements to share in the royalties related to such rights.

Financial Interests **DO NOT** include the following:

- (1) Salary, royalties, or other remuneration paid by the University to the Faculty member if the Faculty member is currently employed or otherwise appointed by the University;
- (2) Intellectual property rights assigned to the University and agreements to share in royalties related to such rights;
- (3) Income from investment vehicles, such as mutual funds and retirement accounts, as long as the Faculty member does not directly control the investment decisions made in these vehicles;

- (1) Income from seminars, lectures, or teaching engagements sponsored by a federal, state or local government agency, a qualifying institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with a qualifying institution of higher education; or
- (2) Income from service on advisory committees or review panels for a federal, state or local government agency, a qualifying institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with a qualifying institution of higher education.

4.1 Annual Reporting Requirement

On an annual basis, all Faculty members must provide information on the nature and extent of their Outside Professional Activities and Financial Interests. Faculty disclosure/certification reports will be submitted to the appropriate school dean's office and University research center, if applicable. At the discretion of the dean, the reports may also be shared with and reviewed by department chairs and division chiefs.

For University research centers, oversight resides with the Northwestern University Conflict of Interest Oversight Committee (COIOC). Dean's disclosure/certification reports will be submitted to the Provost.

4.2 Disclosure Update Requirement

Faculty members must update their disclosure information in a timely manner as follows:

- (1) Current or prospective situations that may raise questions of Conflict of Commitment or Conflict of Interest as soon as such situations become known to the Faculty member. For these situations, Faculty members must provide all information required on an updated annual disclosure/certification report.
- (2) Changes in financial interests or external activities, including changes that alter the nature or eliminate an actual or potential conflict previously disclosed.

Activities that may be subject to questions of Conflict of Commitment or Conflict of Interest must be approved before the activity is undertaken.

4.3 Annual Disclosure Reports and Disclosure and Certification of Compliance

Faculty members' annual disclosure/certification reports must:

- (1) Certify compliance with Northwestern University's Policy on Faculty Conflict of Commitment and Conflict of Interest;

- (2) Report the number of days or percent of time above designated department or school thresholds spent on Outside Professional Activities;
- (3) Disclose prior year's Outside Professional Activities (including consulting) or other Financial Interests of the Faculty member;
- (4) Disclose any proposals to or awards from any funding agency that could benefit outside entities in which the Faculty member has employment, consulting or other Financial Interests;
- (5) Disclose if the Faculty member has served as principal investigator or manager of outside research or business activities in his or her professional field;
- (6) Disclose any inventions/creations licensed through Northwestern to any outside entity in which the Faculty member or members of his or her Immediate Family have employment, consulting, or other Financial Interests;
- (7) Disclose any inventions/creations developed using University resources to which title has not been assigned to the University; and
- (8) Disclose if the Faculty member has involved his or her students or support Staff in Outside Professional Activities.

If there is doubt about the existence of an actual or apparent Conflict of Commitment or Conflict of Interest, the Faculty member should err on the side of disclosing it for review and approval. Each school of the University may request more, but not less, information than that specified above.

4.4 Responsibilities of the School Dean

Each school dean is responsible for establishing guidelines for accepted standards for Outside Professional Activities, including reporting thresholds; for the timely collection and review of annual disclosure/certification forms, as well as updated disclosure reports; and for approving or rejecting activities in which Faculty members proposed to be engaged. Individual schools may have more, but not less, restrictive internal policies than those set forth by the University in this Policy.

5.0 Reporting Requirements for Staff

5.1 Advance Notice

A Staff member about to engage in an activity that may present a Conflict of Commitment or Conflict of Interest must provide written notification to his or her immediate supervisor or department/unit head. The supervisor or department/unit head considers all factors relevant to the situation and advises the Staff member in writing regarding whether the activity may be undertaken.

5.2 Disclosure

In addition to the advance notice required of a Staff member about to undertake an activity with a possible Conflict of Commitment or Conflict of Interest, each Staff member is to affirm a lack of such conflicts or disclose any Conflict of Commitment or Conflict of Interest or potential Conflict of Interest on an annual basis in response to a questionnaire distributed for that purpose. The immediate supervisor or department/unit head reviews responses to the questionnaire and approves or disapproves relationships or situations where conflict exists. All Staff Conflict of Commitment and Conflict of Interest disclosures are subject to review by the Staff Conflict of Interest Committee.

5.3 Appeal

If a Staff member disagrees with a decision regarding a Conflict of Commitment or Conflict of Interest, he or she may appeal the determination to the Staff Conflict of Interest Committee. All appeals must be made in writing within 15 calendar days of the date of the Staff member's receipt of the determination regarding the Conflict.

6.0 Conflicts in Research

Northwestern strongly encourages its Faculty, students and, where appropriate, Staff, to participate in scholarly activities that may benefit not only the participants, but also the University and the larger public. Researchers are expected to carry out such activities with the highest ethical standards. All individuals engaged in research at Northwestern University must follow the [University's Policy on Conflict of Interest in Research](#). The Policy on Conflict of Interest in Research supports Northwestern's commitment to the basic values of openness, academic and scholarly integrity as well as to its tradition and expectation that Faculty and Staff will at all times conduct themselves with integrity in their scholarly pursuits.

University researchers must be open about their involvement with and obligations to outside parties who could benefit from the work or ideas of students, Staff and colleagues, and inform these individuals of any personal or commercial interest in the research project. Similarly, University researchers should provide students, Staff and colleagues with access to information about the sources of funds that support their research.

External sponsors, whether governmental or private, promulgate conflict of interest regulations of their own for investigators seeking research funding. The purpose of such regulations is to promote objectivity in research and to provide a reasonable expectation that the design, conduct and reporting of sponsored research will be free from bias arising from Financial Interests of participating investigators. As a recipient institution of external funding from governmental and nongovernmental sponsors, the University must comply with these regulations. Similarly, investigators engaged in research on human subjects will be expected to comply with the Conflict of Interest provisions of the University's Institutional Review Board (IRB) whether the research is funded from external sources or not. To the extent that such policies and guidelines are more stringent than this Policy and/or the [Policy on Conflict of Interest in Research](#), the sponsor's or IRB's regulations or guidelines will take precedence.

7.0 Conflicts Related to the Clinical Environment

Conflicts arising in the clinical environment will be addressed in accordance with the provisions of the [Feinberg School of Medicine Disclosure and Professional Integrity Policy](#).

8.0 Northwestern University Conflict of Interest Office

The Northwestern University Conflict of Interest Office (NUCOI) reports to the Office of the Provost. The NUCOI will be responsible for policy development and implementation, training and education. The NUCOI will also interact with and receive periodic updates from the school-based Conflict of Interest committees, as well as the Staff Conflict of Interest Committee and will be responsible for reporting Conflicts of Interest to external sponsors and to the public as set forth in the University's Policy on Conflict of Interest in Research.

9.0 Conflict of Interest Oversight Committee

The Provost has created a Conflict of Interest Oversight Committee (COIOC) comprised of representatives from each of the schools of the University and from central administration. The role of the COIOC includes resolution of potential financial Conflicts of Interest arising through annual or updated disclosures that cross school or Faculty/Staff boundaries or from within University-level research centers, oversight of management plans brought to the Committee's attention by the schools, and other steps needed to ensure consistent application of this Policy throughout the University. The COIOC will also interact with and receive periodic updates from any school-based Conflict of Interest committee, as well as the Staff Conflict of Interest Committee. The COIOC will provide the primary review of appeals filed by Faculty or Staff regarding management plans created by Conflict of Interest committees within individual schools. Finally, the COIOC will oversee and recommend changes, as needed, to the University's Policy on Conflict of Interest and Conflict of Commitment.

10.0 Appeal Process

If a Faculty member disagrees with a management plan issued by their school, he or she may appeal that determination to the COIOC. All appeals must be made in writing within 15 calendar days of the date of receipt of the determination regarding the Conflict. If a Faculty member wished to appeal a Conflict of Interest or Conflict of Commitment under consideration by the COIOC, such an appeal, would be made to the Provost within 15 calendar days of receipt of the COIOC's determination. In the case of a Staff member, appeals are made as set forth above in Section 5.3. However, should a Staff member be determined to be an Investigator as defined in the University's Policy on Conflict of Interest in Research, he or she may make an appeal of a management plan as set forth in this section to the COIOC and then to the Executive Vice President within 15 calendar days of the COIOC's determination.

11.0 Gifts

Favors of any value should be recognized for their potential influence on the objectivity of judgment with respect to the provider and the recipient of the favor. Faculty and Staff shall not solicit a gift or accept a significant gift when such solicitation or acceptance may influence, or have the appearance of influencing, the performance of Northwestern duties. A "significant gift" is defined as any item, service, favor, monies, credits, or discounts not available to others. Faculty and Staff may accept trivial items as a matter of courtesy, but may not solicit them.

Acceptance of social invitations to occasional business meals, entertainment and hospitality will be subject to prudent judgment as to whether the invitation places or appears to place the recipient under any obligation. Questions about the value of a gift or the appropriateness of an invitation should be referred to your department chair, center director, dean or department/unit head.

12.0 Sanctions

Instances of breach of this Policy, including failure to submit or submission of an incomplete, erroneous or misleading annual or ad hoc disclosure/certification report, failure to disclose information as required by this Policy, or failure to comply with prescribed monitoring procedures, will be decided in accordance with applicable disciplinary policies and procedures as stipulated in the Northwestern University [Faculty Handbook](#) or Northwestern University [Staff Handbook](#), as applicable.

Related Information

[Staff Handbook](#)

[Faculty Handbook](#)

[Patent and Invention Policy](#)

[Copyright Policy](#)

[Gift Policy](#)

[Feinberg School of Medicine Disclosure and Professional Integrity Policy](#)

[University's Policy on Conflict of Interest in Research](#)

[Student-Faculty Agreement](#)

History/Revision Dates

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