COI Frequently Asked Questions:

What is a conflict of interest?
A conflict of interest is any situation or relationship (personal, professional, commercial or financial) that may compromise or appear to compromise a covered individual's professional judgment in carrying out their institutional activities because of an external relationship/interest of the employee or the immediate family members. A conflict of interest includes any external relations/interest that may have the possibility (either in actuality or in appearance) of:

(1) compromising an employee's or an advisor's judgment;
(2) biasing the nature or direction of scholarly research;
(3) influencing an employer's or an advisor's decision or behavior with respect to teaching and student affairs, appointments and promotions, uses of University resources, patient care, interactions with human subjects, or other matters of interest to the University; or
(4) resulting in a personal or immediate family member's gain or advancement at the expense of the University.

A conflict of interest may arise because an external relationship/interest may have an appearance of conflict. Our goal is to have all employees and advisors act with honesty, integrity, and in the best interests of the University when performing their duties, and to abide by the highest ethical standards of research, educational, professional, and fiscal conduct.

Does our policy on Conflict of Interest only apply to Tufts employees? Does it also apply to unpaid advisors and mentors?
The policy applies to all schools and divisions and all employees at Tufts University, including, without limitation all faculty members, administrators and staff members. In addition, the sections titled Prohibition Against Using Position or Influence for Personal Gain or Advancement, Mingling of Outside Professional Relationship with University Professional Relationships and Use of University Resources also apply to all others who are University-engaged lecturers, advisors or mentors to Tufts students or advisory board members for Schools and Departments at Tufts, whether or not paid (“Advisors”).

What “immediate family members” are included?
For purposes of this Policy, “Immediate Family Members” include: (i) a spouse or domestic/common law partner of an employee or an Advisor, (ii) an employee or Advisor's
child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, or the spouse of any such person; (iii) a person having a step-relationship described in (ii) above; (iv) a parent-in-law or a brother- or sister-in-law of an employee or an Advisor; or (v) any other relative currently living with an employee or an Advisor or whose assets such employee or an Advisor controls.

What are some examples of an external interest that would need to be disclosed?
External interests, including personal, financial commercial or business interests, that are related to or overlap (or may have the appearance of doing so) with a covered individual’s institutional role(s) and activities at the University must be reported. This includes, without limitation, off campus, non-University commitments, such as company ownership, an additional business, or a board or management position or consulting activities for external entities. In addition, any personal relationships that overlap with a covered individual’s institutional role(s) (and activities) must be reported and this would include, without limitation, supervising an immediate family member who is an employee at the University or doing research in a covered individual’s laboratory or grading a family member who is enrolled in a covered individual’s academic course.

What are the interests that “relate to or overlap” with my institutional activities?
Some examples include:

- Interests that are similar to or takes advantage of your position, activities or expertise at the University
  - You maintain a consulting practice in an area for which you are similarly responsible for developing and/or managing on behalf of the University (e.g., fundraising)
- Outside interests that take advantage of your access to University-owned information or intellectual property, resources or personnel
  - If your outside activities licenses (or should license) or otherwise uses the University’s information or intellectual property, that will be deemed to be a related or overlap with a University activity
- Outside interests that uses the information or intellectual property that you acquired or use in connection with your institutional activities
  - If you are a researcher in the field of virology, your outside activities in connection with a viral vaccine will be deemed to be related to or overlap with your institutional activities

If you are not sure whether an outside interest relates to or overlaps with your institutional activities, please reach out to FCOI@tufts.edu, since a mere appearance of a conflict will need to be disclosed

Where do I report my external interests?
The Annual Questionnaire is a means for covered individuals (employees and advisors) to disclose any external interest that may represent a potential conflict with their institutional duties/activities.

**How often do I need to report my external interests that may pose a conflict?**
All faculty members, researchers, high-level administrators and other employees in key areas will be asked to fill out the Annual Questionnaire annually, starting in 2021. Eventually, all employees will be asked to fill out the Annual Questionnaire. Should you have a potential or actual conflict of interest during the year that needs to be reported, please contact FCOI@tufts.edu to disclose.

**Are all external interests automatically a conflict of interest?**
No, external interests are not automatically considered a conflict of interest. However, if you are not sure if an external interest should be disclosed, please reach out to FCOI@tufts.edu.

**What external interests and/or activities are prohibited?**
The policy does not specifically prohibit any external interests or activities. However, any such interests or activities that may compromise or appear to compromise a covered individual’s professional judgment in carrying out their institutional activities (either in actuality or in appearance) may be limited, managed or prohibited.

**What happens when I disclose an external interest?**
If you have reported disclosures, then your form will be reviewed to determine if a possible conflict of interest exists and whether it can be managed or needs to be eliminated. If it is determined that your conflict requires management, then you will be contacted if further information is required and a management plan will be developed. You will have to agree and sign off on the management plan and your supervisor and your department/division/school also need to sign off on the management plan.

**I just filled out an Annual Questionnaire, but now I have another potential conflict. What do I do?**
If you have a potential or actual conflict of interest during the year that needs to be reported, regardless of when you become aware of it, please contact FCOI@tufts.edu to disclose.

**Who determines if my external interest is a conflict of interest?**
The COI Advisors and the COI Review Committees will review any disclosed external interest to determine if it represents a conflict and whether it needs to be managed, reduced or eliminated. These external interests are reported through the Annual Questionnaire. Disclosures are
reviewed on an individual basis and a management plan, as needed, is developed. Unique situations will be discussed by the applicable COI Review Committee for a determination on the management, reduction, or elimination of a conflict of interest. In situations where additional information is required, the COI Advisors or the applicable COI Review Committee will contact the individual making the disclosure with an information request.

**Who is on the COI Review Committee?**
There are two COI Review Committees: one for the financial/personal/institutional conflicts and the other one for the research conflicts. Both committees consist of administrative and faculty members.

**Who are the COI Advisors?**
The COI Advisors are appointed by the University’s senior officers to assist and advise the COI Review Committees in reviewing, managing and mitigating a conflict of interest. The COI Advisor for the COI Review Committee for Business and Personal Conflicts will be a member of the Office for University Counsel and the COI Advisor for the COI Review Committee for Research Conflicts will be a member of the Office of the Vice Provost for Research.

**Will my disclosures be kept confidential? Who has access to my disclosure?**
The COI Advisors, their assistants and the COI Review Committees will keep the disclosures confidential unless limited disclosures are necessary within the University or with its outside legal, audit or expert advisors to manage the conflict or unless disclosures are required by a court order, a government investigation or by an applicable law. Your disclosed COI and the associated management plan will be disclosed by the COI Advisors and the COI Review Committees to your supervisor and to the senior manager/Dean of your department, division or school. Disclosures that relate to federal or other research funding will need to be disclosed to the extent required under federal law or under the grant agreements.

**How can conflicts of interest be managed?**
In many instances a conflict of interest can be resolved by simple disclosure, in other cases the conflict may be monitored by the COI Review Committee or by the School/Division, a research plan or a work/supervision arrangement might be modified, or, under certain circumstances, severance of a relationship that is creating the actual or potential conflict might be the only option.

**Who will supervise my COI management plan?**
Your immediate supervisor, with the assistance from the School, department and/or division, should be responsible for making sure that your COI management plan is properly
implemented. The supervisor will periodically report on the status of the management action plan as requested by the COI Advisors or COI Review Committee.

**Who may I contact if I suspect a violation of the Tufts COI policy?**
If you suspect a violation of the Tufts COI policy or any otherwise unethical or inappropriate activity, you may file a report (and if desired, anonymously) via Tufts’ EthicsPoint reporting tool at: [https://secure.ethicspoint.com/domain/media/en/gui/7182/index.html](https://secure.ethicspoint.com/domain/media/en/gui/7182/index.html)

Conflict of Commitment and Outside Activities & Interests Frequently Asked Questions:

**Am I allowed to work outside of the university?**
Yes. Please see the Conflict of Commitment Policy [link].

**What is a conflict of commitment?**
A conflict of commitment is an external activity that has the potential to interfere with a covered individual’s time commitment to the University terms of employment. This is an area that is monitored and addressed by an individual’s department chair and/or direct supervisor. Please see the Conflict of Commitment Policy with respect to how much time you may spend on outside activities [link].

**What University resources may be used for outside activities or interests?**
Except as authorized by the Office of University Counsel, employees and Advisors may make only incidental use of University resources for purposes unrelated to the education, research, scholarship, patient care and public service missions of the University. In addition, all non-University activities should be conducted outside of the University. Without limiting the foregoing, the following Tufts’ resources may not be used for non-Tufts related activities or interests without specific University approval:

- facilities (For example: using your labs pace to conduct research for your outside company)
- personnel (For example: asking your administrator to do your personal errands)
- students (For example: asking your student to conduct research for your outside company)
* equipment

* secure internet system (VPN)

* confidential information (including, without limitation, intellectual property)

* Tufts’ email, telephone and address lists of University faculty, staff, students or alums (For example: Using Tufts or school directory to solicit business for your outside company)

* University address (For example: giving as a consulting or business address any University building or department name when participating in non-University commitments)

* University emails, telephone or fax for personal gain (For example: using University emails as business emails for non-Tufts related activities)

* University name/mark/logo (For example: using Tufts logos or stationary for personal or non-University business)

* Your University position or role to promote outside businesses or products

**Can faculty owned businesses conduct activities involving students or staff?**

Members of the University community involved in business ventures as owner, or major investor must be alert to the possibility that a conflict of interest may arise. Students or staff may work for a faculty or employee-owned business, but not on University time or while they are being supervised by such faculty or employee (in lab, office or classroom). Students may work for a faculty owned business but may not be simultaneously enrolled in a course taught by that faculty member or may not be simultaneously working in a faculty member's laboratory. Student/faculty/staff roles and relationships must be clearly defined.

**Research COI Frequently Asked Questions:**

**What is a considered a conflict of interest in research?**

A conflict of interest arises when an individual’s financial, personal or outside interests may compromise or bias or be perceived to compromise or bias their professional judgement and objectivity in conducting or reporting research. Some examples of a relationship that may constitute a research conflict of interest are a financial and/or equity interest in an entity
involved in your professional field, a fiduciary duty that you hold to an external entity, or a personal relationship with a collaborator.

Conflicts of interest are the result of situations which might create the perception of bias, rather than any specific actions by an individual. For this reason, perceived conflicts are considered conflicts of interest whether or not they have materially impacted an investigator's actions. It is important to understand that the determination of a conflict of interest is an acknowledgement of such a situation, not an implication of any wrongdoing or impropriety.

**Am I required to submit the Annual Questionnaire if I am not currently conducting research?**
Yes, all individuals covered by the policy are required to complete the Annual Questionnaire. If you are not currently conducting research or supervising research and have no plans to submit a proposal for funding in the coming year, you may indicate so in the questionnaire. This information provides context for the COI Review Committee’s determination of whether or not a significant financial, personal or outside interest requires management.

**Am I required to submit an Annual Questionnaire if I do not have any financial interests to report?**
Yes, all individuals covered by the policy are required to complete the Annual Questionnaire. Your response to the questionnaire will serve as documentation that you do not have any significant financial interests. As noted below, even if you do not receive any cash funding from a non-U.S. government source, any in-kind contribution from a company or a foreign government (which may include a loaner equipment from a vendor or a visiting researcher who is paid by a foreign government) could be deemed to be a reportable financial interest.

**I do not receive grant funding from an external entity, but receive other support in the form of space, equipment, supplies or personnel, etc. Does this need to be reported?**
Yes, any other support received from an external entity that does not fall into one of the below categories should be disclosed via the Annual Questionnaire.
- United States Federal, State or Local government agency
- United States institution of higher education or United States research institution
- Academic teaching hospital or medical center affiliated with any of the above

**The Federal regulations require financial interest disclosures from public health service (PHS) or other U.S. government funded researchers. I do not receive such funding. Does this mean I do not have to complete the training or submit the disclosure form?**
No. The University policies on Conflict of Interest, including the Policy on Financial and Personal Conflict, the Policy on Institutional Conflict, and the Policy on Research Conflict are based on the federal regulations but apply to all University faculty and staff members. All faculty and staff members must participate in training programs and comply with disclosure requirements.

**Do I need to disclose salary paid to me by the University as an Investigator?**
No. Your salary or other remuneration paid to you by Tufts is not considered a significant financial interest.

**A portion of my Tufts salary is funded by an external entity as part of a collaborative research grant. Is this considered a significant financial interest?**
No. Salary paid by Tufts but derived from a grant from a collaborative institution or company is considered salary and should not be considered a significant financial interest for you to disclose in the Annual Questionnaire.

**Do I need to disclose sponsored travel related to my research grants?**
Yes, you must disclose all sponsored or reimbursed travel related to your institutional responsibilities UNLESS the sponsor is any of the following:
- United States Federal, State or Local government agency
- United States institution of higher education or United States research institution
- Academic teaching hospital or medical center affiliated with any of the above

**Am I required to disclose my relationships with foreign government entities?**
Yes, all professional and financial relationships with foreign entities, private or otherwise, must be disclosed if the relationship is not limited to grant funding processed through the Office of the Vice Provost for Research. A section of the Annual Questionnaire has been developed for the disclosure of these relationships.

**I have an SBIR/STTR award involving a start-up of which I am the founder/owner. Tufts is a sub-recipient on this award. Is this considered a conflict?**
If your laboratory at the University is receiving research funding pursuant to an SBIR/STTR award involving a company in which you have a financial interest, you will not be permitted to simultaneously serve as Principal Investigator for both the company and Tufts. Doing so would entail a conflict of interest as it would put you in a position of overseeing your own work as a subrecipient.

**I am the owner/founder of a start-up company that currently only exists on paper. Do I need to disclose?**
Yes. If you have a financial or equity interest in any company that may reasonably appear to be related to your University responsibilities or your research at the University, this is considered a significant financial interest and must be disclosed.

**My COI management plan requires that I disclose my financial relationship to laboratory members and in research presentations and publications. Why is this?**
Objectivity in the conduct of research is critical to the values of research integrity and academic freedom. The policy asks that any significant financial interests be disclosed to the appropriate audience as a means of providing transparency around any real or perceived conflicts of interest.

**COI Training Frequently Asked Questions**

**Who is required to take the COI training?**
All Investigators receiving federal funds are required to maintain an up to date COI training certificate through CITI, which must be renewed every two years. Instructions to enroll in the CITI Conflict of Interest mini-course can be found at: [https://tufts.app.box.com/s/0flqys1pbp2s2x803337j6w0reuezn1v](https://tufts.app.box.com/s/0flqys1pbp2s2x803337j6w0reuezn1v)

**I cannot determine when I last completed the CITI Conflict of interest training; how can I find out if I am due?**
Please contact FCOI@tufts.edu with any questions regarding CITI training certificates and expiration dates.

**COI Annual Disclosure Frequently Asked Questions**

**How can I determine if I have completed the Annual Questionnaire?**
Please contact FCOI@tufts.edu with any questions regarding your disclosure status.

**I am having technical difficulties completing the Annual Questionnaire through Qualtrics. Who can I contact for support?**
Please contact FCOI@tufts.edu with any questions regarding the Annual Questionnaire in Qualtrics.
Sample Conflict of Interest Questions

I intend to use outside printing services to develop the layout for a new student services brochure to be issued next semester. My wife runs a printing and design shop that can perform this type of work. Can I direct the business to her? The total job cost is below the University’s minimum bid requirements.

No. Whether or not the cost of the job is below the bid threshold, there exists a potential conflict of interest since by providing this job to your wife (or other family member or persons living in your household) you might personally benefit. Also, this situation could affect your unbiased judgment in selecting the most qualified print shop for the project. Therefore, you should not negotiate or approve a contract with the shop and you should report this potential conflict of interest.

I have an outside consulting practice that solicits business from several sponsoring agencies that provide funding awards to Tufts. Do I need to disclose this relationship?

Yes, this relationship must be disclosed in writing in the Annual Questionnaire to determine if any potential conflict exists between your outside business and Tufts. A University employee or faculty member may not perform work, either in a self-owned business or as an employee of an outside business, which (i) uses confidential information that the employee receives in the course of his or her employment, (ii) could be considered a "quid pro quo" for the contracting party to obtain University business or (iii) directly or indirectly places the University at a financial or competitive disadvantage.

I am the department FSP (Frontline Support Provider). Last week, my supervisor asked me if I could come over to his house that weekend and upgrade his personally owned computer with the extra memory he recently purchased. I found it hard to say no to his request since I perform the same function for the University. Is this a conflict of interest on his part?

Yes, this would constitute a conflict of interest. Supervisors may not make such requests. This situation can be compared to one in which a supervisor receives a gift from a vendor. Gifts are forbidden by our policies because they may cause the supervisor to feel beholden to the vendor or give the vendor power to coerce the supervisor. In the case of an employee, receipt of a “gift” of the employee’s time creates the same opportunity for a conflict of interest, where the obligation of loyalty to Tufts becomes secondary to other interests. This is true even if the work is, or appears to be, performed voluntarily; it need not be coerced to be wrong.

A vendor servicing my department treats me to sporting events. Is this appropriate?
No, unless the value of the gift (on an annual aggregate basis) is less than $100. University policy prohibits employees from accepting gifts of any kind from vendors in excess of $100 (on an annual aggregate basis).

A consultant working with the University has offered to let me stay at his vacation home on Cape Cod for the weekend. Should I accept the invitation?
No. Acceptance of this gift (which is likely to have a value in excess of $100) would give the appearance of impropriety and therefore would be inappropriate for you to accept the invitation.

A vendor treats me to a meal occasionally. Is this appropriate?
No, unless the value of the meals (on an annual aggregate basis) is less than $100. This invitation would be interpreted as the vendor trying to influence you. You can accept the invitation and pay for your own meal.

In attending a conference, a vendor offers to pay for a group dinner or some type of hospitality event. Is this acceptable for me to participate?
Yes. This is acceptable given that other prospective clients are attending and that it is part of a conference or meeting event.

A vendor sends me a fruit basket during the holidays each year. What should I do?
If the value of the gift basket is likely to be in excess of $100, either return the gift or, if it is perishable, share it with your staff or donate it to charity. You should politely inform the vendor that such gifts are prohibited by University policy.