

Policy Number	5.1.3
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5.1.3 CONFLICT OF INTEREST PROCEDURES

ENABLING POLICY

5.1 Ethics in Research

PROCEDURES GOVERNING CONFLICTS OF INTEREST INVOLVING RESEARCH

These procedures shall apply to all members of the University, including academic, administrative and support staff and, where appropriate, students (hereinafter collectively referred to as “members”), who are involved in, or wish to become involved in research. They shall constitute part of the formal relationship between the member and the University.

Policies and Procedures involving Conflict of Interest (COI) and Conflict of Commitment (COC) are found in other areas within the University. For items concerning COI and Code of Conduct, readers are referred to Part 4 of the University Board of Governors Bylaws; to Procedure 5.1.2. for conflicts involving the Research Ethics Board; and for Conflict of Interest for Senators, Article 10, number 2 of the University Senate Bylaws. The procedures below refer specifically to conflicts that may arise from Research Activities, especially where outside companies and other groups may be involved.

A. REQUIREMENT TO DISCLOSE

A member shall fully disclose his or her interest, the extent of his or her time commitment, and the nature and scope of his or her activity in relation to any direct or indirect economic interest the member or his or her family may have or acquire in any enterprise to develop the research findings. Disclosure shall include but is not be limited to any beneficial interest in the enterprise, be it a sole proprietorship, joint venture, partnership or corporation or being where the member acts as officer or director of a corporation, consultant, or member of a scientific advisory board. Such disclosure shall be made in writing to the member's Dean and to the Associate VP, Research prior to the commencement of the activity and annually thereafter.

B. CONFLICTS INVOLVING ADMINISTRATORS

1. If the member has any interest which could lead to a conflict of interest and if the member is a University administrator having control over positions and funds, the member shall resign the administrative post unless written permission to continue is obtained from the Vice President Academic + Provost and the Associate VP Research. No member may alone approve payment from University or University administered research funds for any services or materials directly related to the proprietary research or enterprise in which he or she has a direct or indirect economic interest.

2. For the purposes of the present paragraph, a University administrator is defined as a Dean, Director, Manager, Vice President, Chair, Officer or the President.

C. CONFLICTS OF COMMITMENT

If the commitment and activity to be given in relation to the enterprise are likely to interfere with academic duties, the member shall consult the relevant Dean, the Vice President, Academic + Provost, and the Associate VP Research regarding the advisability of taking a leave of absence or converting to a part-time appointment at the University. Discussions to this end may be initiated by any of the interested parties.

D. INTELLECTUAL PROPERTY

When a member wishes to develop an invention or discovery, or to become involved directly in the commercial application of research findings, he or she shall follow the University Intellectual Property Policy and thereafter will maintain a clear distinction between University activities and participation in the promotion and commercial development of that invention or patent.

E. INVOLVEMENT OF EQUIPMENT, STAFF AND STUDENTS

1. When a member uses his or her research for a commercial enterprise on or off campus, University administrators, academic staff and support staff may not be employed in the service of such enterprise during University working hours as established by the relevant faculty or department nor allow interference with their University duties.
2. Use of University equipment by the staff of the commercial enterprise shall be limited to such use as is justified by the specialized nature of the equipment and shall be clearly defined in an agreement with the University approved by the Associate VP Research. The use of equipment originally purchased from grants of external funding agencies will be regulated both by the policies of such agencies and appropriate University regulations.
3. The enterprise in which a member has an economic interest may not employ University students without the prior written approval by the Dean and Associate VP Research. However, such an enterprise may enter into contractual agreements to this effect with the University or be a partner with the University within a program of one of the granting agencies.
4. Members intending to acquire an economic interest in an enterprise shall inform all students who may be affected by their actions at the earliest possible date. Students shall immediately be free to seek the advice of the Dean or Associate VP Research.

F. PROMOTION

1. No attribute of, or reference to, the University or any of its officials, affiliated colleagues, associations or organizations, including the name or insignia shall be used to promote the enterprises of members, except where required by law.

2. Where members acquire an interest in enterprises set up by their colleagues, they do so as private individuals, and may not permit their official University positions to be used for publicity, endorsement or advertising purposes except where required by law.