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I. DEFINITIONS

A. Conflict of Interest Committee (COIC or 'Committee')

The committee formed at the campus level responsible for reviewing and mitigating complicated disclosures, determining what conditions or restrictions are necessary, reviewing cases of non-compliance, and recommending sanctions as appropriate. The committee is comprised of members appointed by the provost in consultation with the appropriate dean.

CRR 3330.015(F) states:

'Each Campus Shall:

- Establish a committee to coordinate the solicitation and review of disclosures of Outside Interests from each Employee, including development of campus specific standards and procedures, determine whether a conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the campus to Manage such conflict of interest, resolve problems revealed, and enforce sanctions as appropriate, including adoption of a Conflict-of-Interest Management Plan.
- Comply with all laws and regulations regarding conflict of interest, including the provision of initial and ongoing financial conflict of interest reports to the Public Health Service (PHS) as required pursuant to 42 C.F.R. Part 50 Subpart F and 45 C.F.R. Part 95.
- Develop and publish corresponding procedures to support implementation of this policy and any other related laws or regulations regarding conflict of interest. Such procedures shall include, at a minimum, requirements for exempt staff and faculty Employees to submit annual reports disclosing all Outside Interests or verifying the absence of any Outside Interests (except to the extent that a campus may adopt alternative procedures for adjunct faculty as provided in Section 330.015.E).'

B. Conflict of Interest

A situation in which a covered individual or the spouse or a child of the covered individual has a significant financial interest or financial relationship, whether with a domestic or foreign entity, that could directly and significantly affect the design, conduct, reporting or funding of a project or other Federal financial assistance award- related activities. Examples of situations that may give rise to a COI include, but are not limited to, holding an executive position, director position, or equity over a certain dollar amount in a company that stands to benefit from Federal financial assistance award-related activities, receiving financial compensation in the form of consulting payments or payment for services from a company that stands to benefit from Federal financial assistance award-related activities, or intellectual property rights or royalties from such rights whose value may be affected by the outcome of Federal financial assistance award-related activities.

C. Conflict of Interest Office (COI Office)

The employees hired by each university who are responsible for the administrative duties of collecting and processing conflict of interest/conflict of commitment disclosures.

D. Conflict of Commitment (COC)

A situation in which an individual accepts or incurs conflicting obligations, whether foreign or domestic, between or among multiple employers or other entities. This may include conflicting commitments of time and effort, including obligations to dedicate time in excess of institutional or DOE policies or commitments. Other types of conflicting obligations, including but not limited to, obligations to improperly share information with, or to withhold information from, an employer or DOE, can also threaten research, technology or economic security and integrity. Examples of situations that may give rise to conflicts of commitment include, but are not limited to, current or pending employment; positions, appointments, or affiliations such as titled academic, professional, or institutional appointments, whether remuneration is received and whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary positions); and participation in or applications to foreign government-sponsored talent recruitment or similar programs.

E. Covered Individual

Any individual, regardless of title or position, who: (1) Contributes in a substantive, meaningful way to the development or execution (e.g., purpose, design, conduct, or reporting) of a project funded by DOE or proposed for funding by DOE; and (2) Is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI), project director (PD), co-principal investigator (Co-PI), co-project director (Co-PD), or project manager; and any individual (including an individual at the master's or baccalaureate level) that contributes in a substantive, meaningful way to the development or execution of a subject project that is listed by the non-Federal entity in the application for Federal financial assistance, approved budget, progress report, or any other report submitted to DOE by the non-Federal entity regarding the subject project.

This list of designated covered individuals may be expanded if specified in the applicable funding opportunity announcement and/or terms and conditions of the Federal financial assistance award, to include individuals on the project team as covered individuals, including up to any person who participates in the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE, including, for example, collaborators, consultants, graduate (master's or Ph.D.) students, and postdoctoral associates.

F. Department of Energy (DOE)

The U.S. Department of Energy, the National Nuclear Security Administration (NNSA), and any components of the DOE to which the authority involved may be delegated.

G. Financial Interest

Financial interest means anything of monetary value, whether or not the value is readily ascertainable.

H. Immediate Family

The employee's spouse or domestic partner and dependent children.

I. Institution/University

The University of Missouri System encompassing four universities; University of Missouri-Columbia, University of Missouri- Kansas City, Missouri University of Science and Technology, and the University of Missouri St. Louis.

J. Other support

All resources made available to a covered individual in support of and/or related to all of their professional research (including basic and fundamental research), development, demonstration, and/or deployment efforts, including resources provided directly to the covered individual rather than through the research organization, and regardless of whether or not they have monetary value (e.g., even if the support received is only in-kind, such as office/laboratory space, equipment, supplies, or employees). This includes resource and/or financial support from all foreign and domestic entities, including but not limited to, gifts provided with terms or conditions, financial support for laboratory personnel, and participation of student and visiting researchers and visiting scholars supported by other sources of funding.

K. Principal investigator (PI)

An individual identified to direct a project by an applicant to or recipient of a DOE Federal financial assistance award.

L. Project

The interdependent activities funded wholly or in part under the DOE Federal financial assistance award. A project has a defined start and end point with objectives described in an application or in an approved scope that, when attained, signify completion and achievement of a specific goal, and creation of a unique product, service, or result. For Federal financial assistance awards that include recipient cost share as part of the approved budget, activities funded with that recipient cost share are included.

M. Significant financial interest (SFI)

1. A financial interest consisting of one or more of the following interests of the covered individual (and those of the covered individual's spouse and dependent children) that reasonably appears to be related to the covered individual's non-Federal entity responsibilities:
   a) With regard to any foreign or domestic publicly traded entity, a significant 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, exceeds $5,000. For purposes of this definition, 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;
   b) With regard to any foreign or domestic non-publicly traded entity, a significant financial interest exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the covered

individual (or the covered individual's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest);

c) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

2. Any reimbursed or sponsored travel (i.e., that which is paid on behalf of the covered individual and not reimbursed to the covered individual so that the exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, but does not include travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

3. The term significant financial interest does *not* include the following types of financial interests: salary royalties, or other remuneration paid by the non-Federal entity to the covered individual if the covered individual is currently employed or otherwise appointed by the non-Federal entity, including intellectual property rights assigned to the non-Federal entity and agreements to share in royalties related to such rights; any ownership interest in the non-Federal entity held by the covered individual, if the non-Federal entity is a commercial or for-profit organization; income from investment vehicles, such as mutual funds and retirement accounts, as long as the covered individual does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

II. OVERVIEW

This policy pertains to all DOE Federal financial assistance awards.

The S&T COI Procedures applies to all employees for Conflict of Interest and Conflict of Commitment. In some situations, employees may be required to report activities/income that are not required to be reported per this policy. The conflict-of-interest/conflict of commitment form that all employees must complete captures information that is required to be disclosed under both this policy and the MU procedures.

All University employees are subject to CRR 330.015, pertaining to conflicts with interests and commitment as it relates to their university appointment. Researchers on Human Subjects and certain University officials are also subject to CRR 410.020 pertaining to Institutional Conflicts in Human Subjects Research. In addition to the rules above, the University will follow sponsor specific mandates.

Organizational Conflicts of Interest are addressed through a separate policy.

III. TRAINING

All Covered Individuals are required to complete conflict of interest/conflict of commitment training prior to engaging in projects funded under the DOE Federal financial assistance award and complete refresher training at least every two years.

Training must be completed within 30 days when any of the following circumstances apply:

1. The University revises its COI/COC policies or procedures in a manner that affects the responsibilities of the covered individual.
2. A Covered individual is new to the university
3. When the covered individual is not in compliance with this policy or applicable management plan.

IV. DISCLOSURE

Each covered individual shall disclose financial interests (and those of the covered individual's spouse and dependent children) that reasonably appear to be related to the covered individual's institutional responsibilities no later than the time of application as required by DOE's Financial Assistance Regulations, 2 CFR part 910.

Each covered individual participating in the research is required to submit an updated disclosure of significant financial interests within **fifteen (15)** days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.

In addition, each covered individual must submit an updated disclosure of SFIs at least annually during the period of the award. Such disclosure shall include any information that was not disclosed initially, or in a subsequent disclosure of SFIs (e.g., any financial conflict of interest identified on a project that was transferred from another Institution) and shall include updated information regarding any previously disclosed SFI (e.g., the updated value of a previously disclosed equity interest).

Covered individuals must disclose potential conflicts of commitments (COC). A conflict of commitment is defined as a situation in which an individual accepts or incurs conflicting obligations, whether foreign or domestic, between or among multiple employers or other entities. This may include conflicting commitments of time and effort, including obligations to dedicate time in excess of institutional or DOE policies or commitments. Other types of conflicting obligations, including but not limited to, obligations to improperly share information with, or to withhold information from, an employer or DOE, can also threaten research, technology or economic security and integrity. Examples of situations that may give rise to conflicts of commitment include, but are not limited to, current or pending employment; positions, appointments, or affiliations such as titled academic, professional, or institutional appointments, whether remuneration is received and whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary positions); and participation in or applications to foreign government-sponsored talent recruitment or similar programs.

A. What Is Required to be Disclosed as a Covered Individual

1. Significant Financial Interests

a. A financial interest consisting of one or more of the following interests of the covered individual (and those of the covered individual's spouse and dependent children) that reasonably appears to be related to the covered individual's non-Federal entity responsibilities:

i. With regard to any foreign or domestic publicly traded entity, a significant 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, exceeds $5,000. For purposes of this definition, 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;

ii. With regard to any foreign or domestic non-publicly traded entity, a significant financial interest exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the covered individual (or the covered individual's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest);

iii. Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

b. Any reimbursed or sponsored travel (i.e., that which is paid on behalf of the covered individual and not reimbursed to the covered individual so that the exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, but does not include travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

c. The term significant financial interest does not include the following types of financial interests: salary royalties, or other remuneration paid by the non-Federal entity to the covered individual if the covered individual is currently employed or otherwise appointed by the non-Federal entity, including intellectual property rights assigned to the non-Federal entity and agreements to share in royalties related to such rights; any ownership interest in the non-Federal entity held by the covered individual, if the non-Federal entity is a commercial or for-profit organization; income from investment vehicles, such as mutual funds and retirement accounts, as long as the covered individual does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements

sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

2. **Sponsor Travel**
   Any reimbursed or sponsored travel (i.e., that which is paid on behalf of the covered individual and not reimbursed to the covered individual so that the exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, but does not include travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education must be disclosed within 15 days.

   The following elements are required to be submitted as part of any Covered Individual Sponsored Travel Report:
   - Purpose of the trip
   - Identity of the sponsor/organizer
   - Destination, and the duration

V. HOW TO DISCLOSE

All disclosures are required to be submitted through the COI/COC module eCompliance at https://mst.ecompliance.umsystem.edu/login.The COI Office will ensure all covered individuals have a current disclosure on file in accordance with this policy.

VI. SUBRECIPIENTS & COOPERATIVE AGREEMENTS

For any DOE Federal Financial Assistance award funded through a subrecipient (e.g., subcontractors or consortium members), the University will:

1. As part of a written agreement with the subrecipient, the terms will establish either the COI and COC policy of the recipient or that of the subrecipient will apply to the subrecipient's covered individuals.
2. If the subrecipient's covered individuals must comply with the subrecipient's COI and COC policy, the subrecipient shall certify as part of the agreement that its policy complies with §910.230 (8)2. If the subrecipient cannot provide such certification, the agreement shall state that subrecipient's covered individuals are subject to the COI and COC policy of the recipient;
3. If the subrecipient's covered individuals must comply with the subrecipient's COI and

COC policy, the agreement shall specify time period(s) for the subrecipient to report all identified financial COI and COC to the recipient. Such time period(s) shall be sufficient to enable the recipient to provide timely COI/COC reports, as necessary, to DOE, as required by this subpart;

4. Alternatively, if the subrecipient's covered individuals must comply with the recipient's COI and COC policy the agreement shall specify time period(s) for the subrecipient to submit all covered individual's disclosures to the recipient.

The time period(s), documented in the agreement, shall be sufficient to enable the University to comply timely with its review, management, and reporting obligations as required by the DOE policy.

VII. COLLECTION AND REVIEW OF COI AND COC DISCLOSURES

The University designated individual(s) will solicit and review COI and COC disclosures from each covered individual who is planning to participate in or is participating in a DOE Federal financial assistance award. Supervisor/chairs are responsible for overseeing and managing conflicts of commitment (see the MU Procedures on COI and COC for more information).

A. Adding New Covered Individuals

The designated official(s) will ensure covered individuals have provided all required disclosures to the University no later than the time an application is submitted to DOE. In the event the University seeks to add covered individual(s) after the time of application, the University will require the covered individual(s) to disclose their COI and COCs prior to participating in a project funded under the DOE Federal financial assistance award.

B. All Covered Individuals

Each covered individual who is participating in the DOE Federal financial assistance award must update their disclosure on an annual basis and as soon as any new, actual, apparent, or potential COI or COC arises or within 15 days. The university designated official(s) will review the conflict of interest and conflict of commitment disclosure.

All covered individuals must also disclose reimbursed or sponsored travel. The disclosure must provide the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. The university's designated official(s) will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a COI or COC with the project funded under the DOE Federal financial assistance award.

C. Certification of Compliance

Each disclosure is electronically signed and dated by submission through the individual's access to eCompliance. All individuals that report through eCompliance are required to certify as required by the DOE's Financial Assistance Regulations, 2 CFR part 910 to the following statement: "I understand that this Disclosure is required to obtain funding from the

U.S. Government. I, (*Name)*, certify to the best of my knowledge and belief that the information contained in this Disclosure Statement is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to U.S. Government's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above."

D. Conditions or Restrictions for Management of COI and COC

If the designated official(s) determine an actual, apparent, or potential COI or COC exists, actions that have been and shall be taken to eliminate or, where appropriate, manage or reduce the conflict.

Examples of conditions or restrictions that a recipient or subrecipient might impose to manage, reduce, or eliminate a conflict include, but are not limited to:

1. Public disclosure of the conflict (e.g., when presenting or publishing the project);
2. For projects involving human subjects, disclosure of the conflict directly to participants;
3. Appointment of an independent monitor or oversight committee capable of taking measures to protect the purpose, design, conduct, and reporting of the project against bias resulting from the conflict;
4. Modification of the project plan;
5. Change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the project;
6. Reduction or elimination of the financial interest (e.g., sale of an equity interest) or commitment; or
7. Severance of relationship(s) that created the conflict.

E. Training

Each covered individual is required to complete COI and COC training prior to engaging in projects funded under a DOE Federal financial assistance award and complete refresher training at least every two years. The university requires covered individuals to complete COI and COC training within 30 days of any of the following circumstances:

1. The non-Federal entity revises its COI and COC policies or procedures in
2. any manner that affects the responsibilities of a covered individual;
3. A covered individual is new to a non-Federal entity; or
4. A non-Federal entity finds that a covered individual is not in compliance with the non-Federal entity's COI and COC policy or applicable management plan.

VIII. REPORTING TO DOE

The University will notify DOE in writing any actual, apparent, or potential COI or COC, including any actual, apparent, or potential COI or COC reported to the recipient by a subrecipient, if such conflict cannot be eliminated or appropriately managed or reduced in accordance with the entity's policy.

The University will disclose to DOE in writing any actual, apparent, or potential COI or COC, including any actual, apparent, or potential COI or COC reported to the recipient by a subrecipient, involving any foreign governments, their instrumentalities, or any other entities owned, funded, or otherwise controlled by a foreign government, as well as any measures the University has taken to **e**liminate or, where appropriate, manage or reduce the COI or COC.

For Conflicts that Require Disclosure to DOE
The university will notify DOE in writing, the conflicts that require disclosure, in the application. If the University seeks to add a covered individual after the time of application, the University will disclose any conflict(s), as required, in writing to DOE prior to the individual participating in the project.

If specified in the applicable funding opportunity announcement and/or terms and conditions of the Federal financial assistance award, a DOE program office may require the University to disclose to DOE in writing all covered individuals' COIs and COCs, including those COIs and COCs determined by the University to be appropriately managed or reduced.

DOE may require the University to provide associated disclosures, supporting documentation to demonstrate how the COI or COC was managed or reduced; and sufficient information to enable DOE to understand the nature and extent of the COI or COC, and to assess whether the actions are sufficient to ensure the integrity of the DOE-supported project and to protect the government's interests.

For any COI or COC previously reported by the University regarding an ongoing project funded under a DOE Federal financial assistance award, the University must provide DOE with an annual COI/COC report that addresses the status of the COI or COC and, if applicable, any changes to the management plan for the duration of the DOE Federal financial assistance award. The annual COI/COC report must specify whether the conflict is still being managed or if it remains unmanaged/unmanageable, or the annual COI/COC report must explain why the conflict no longer exists.

The University must provide annual COI/COC reports to DOE for the duration of the project period (including extensions with or without funds) in the time and manner required by term and condition of the Federal financial assistance award.

In addition to the annual COI/COC report, DOE may require the University to routinely, or upon request, submit all or some covered individual's disclosures. Circumstances when DOE may require the University to submit all or some of such covered individual disclosures include, but are not limited to the following:

1. As part of monitoring the University's compliance with § 910.240,
2. Bankruptcy of the non-Federal entity;
3. Other legal winding down of the non-Federal entity;
4. Acquisition of the non-Federal entity by a foreign entity, where ''acquisition'' includes a foreign entity obtaining a controlling interest in the non-Federal entity; or
5. As otherwise set forth in 2 CFR part 200 and this part.

If the University becomes aware that a covered individual failed to comply with the University's COI and COC policy or a management plan, the non-Federal entity must promptly notify DOE in writing of the failure to comply and of the corrective action taken or to be taken. DOE will evaluate the situation and, as necessary, take appropriate action, which may include referring the matter to the University for further corrective action consistent with University's established COI and COC policies, DOE directing the non-Federal entity to take specific mitigation measures, or termination of the Federal financial assistance award.

IX. NONCOMPLIANCE

Should it come to light that a potential conflict of interest or conflict of commitment concerning a covered individual exists and that covered individual failed to disclose such potential conflict to the appropriate authority, the Director of the COI Office shall be contacted in addition to the employee's departmental chair/supervisor and dean/director. The Director shall contact the covered individual and request that a formal disclosure of the potential conflict be made. This request shall be copied to the covered individual's departmental chair/supervisor and dean/director. The Director shall also request that the employee provide specific reasons and justification for the failure to disclose. The information shall be provided to the COI Committee for review.

If the covered individual fails to comply with the management plan, the information shall be provided to the COIC for review.

The COIC has authority to recommend sanction of an employee for failure to cooperate with or upon finding a violation of COI policy (CRR 330.015.A.3). The Chancellor may apply sanctions as they deem appropriate. Possible sanctions include, but are not limited to, the following:

1. Letter of warning or admonishment.
2. Suspension or termination of research compliance committee approvals.
3. Suspension or termination of the privilege to submit sponsored activity proposals.
4. Suspension or termination of sponsored research activity spending authority.
5. Demotion or removal from assigned administrative roles.
6. Referral to the University Committee on Tenure or other appropriate committee for discipline or dismissal for cause of faculty.
7. Suspension or termination of employment (pursuant and subject to CRR 310.060, Procedures in Case of Dismissal for Cause, for those faculty covered by that rule).

X. APPEALS

If a covered individual believes the determined course of action is inappropriate, the individual may ask for the decision to be reconsidered by the full COIC by submitting a request to the Director for Conflict of Interest. Should attempts to resolve appeals in such fashion fail, procedures set forth in University of Missouri Collected Rules and Regulations 370.010 or 380.010, as applicable, will be followed.

XI. PUBLIC ACCESSIBLITY

The University will make its written policy available within five business days.