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Faculty Handbook
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Preventing Conflicts of Interest in Government-Sponsored Research at SIUE

Review and Approval of Externally Financed Projects

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Policies Policies & Procedures

Research

University Policies and Guidelines Concerning Research - 1M4

Preamble

Southern Illinois University Edwardsville affords as one of its primary functions, programs in applied and basic research. The University, as such, is a community of scholars striving to advance human knowledge in an atmosphere of open inquiry and free expression. All faculty members are expected to participate in research activities. Furthermore, such activity is expected to proceed with regard both for the truth and the well-being of all living creatures who might serve as objects of study or who might benefit from the results of research. Recognition of individual scholars who have demonstrated meritorious work is essential at all University levels. The University recognizes the desirability of supporting research through the provisions of material resources, space, and assigned time.

Policy

1. The responsibility for coordinating the research program of the University is delegated by the Chancellor, through the Provost, to the Dean of Graduate Studies and Research who reports to the Chancellor through the Provost.
2. The Provost shall on an annual basis review resources allocated by the units to research. The Provost in concert with deans, directors, and chairs shall encourage equitable support within the units for research, such support being consonant with the mission and resources of the University. The Provost shall encourage and support units in their attempt to secure external resources for their research programs. The Provost shall advise the Chancellor on general budget requirements for research programs.
3. The provisions of duly executed appointments, grants, contracts, awards, and other mechanisms involving the assignment of University personnel or resources will be honored.
4. Each researcher will abide by relevant Board of Trustees and University policies. The terms, conditions, and legal mandates governing sponsored research will be honored by those participating in such arrangements.
5. The faculty of each unit shall formulate internal policy on research. Unit policies shall be consistent with University and Board policies and with the mission of the University. Unit policies shall delineate types of research activities that qualify for unit support, criteria and procedures for allocating unit resources to research within budget guidelines, and the criteria and procedures for assessing and rewarding research achievements. Unit policies shall be made available to the Provost and to the Dean of Graduate Studies and Research.
6. Each unit shall maintain and annually update records with regard to the research achievements of the personnel in the unit. A standardized form, developed by the Graduate School in consultation with the Graduate Council, shall be used for this purpose. These records shall be accessible to those having legitimate roles in the allocation of resources to research, or to those making recommendations on promotion, tenure, and salary adjustments of faculty.
7. The Graduate School shall annually provide a report, based on data from the units, including information on expenditures for research during the prior year, sources of funds, research achievements, and so forth. Copies of this report shall be available to the University community.
8. On a periodic basis the Graduate School, in conjunction with the Graduate Council, shall review the status of research activity in the various units. When possible, this review should be a part of the program review process. Recommendations from these reviews of research activity shall be forwarded to the affected unit, to the Provost, and to the Chancellor. The Provost shall be responsible, along with the unit supervisor, for implementation of appropriate recommendations.
9. Appropriate guidelines to implement this policy shall be established by the Graduate School in consultation with the Graduate Council.

Approved by Chancellor effective 9/9/83

This policy was issued on April 4, 2000, replacing the February 1, 1996 version.

Document Reference: 1M4

Origin: GC 1-82/83; OP 11/5/90

**Policies
Policies & Procedures
Research
Implementation Guidelines Concerning Research - 1M5**

These guidelines relate to Graduate Council #1-82/83, University Policies and Guidelines Concerning Research and Graduate Council #2-82/83, Policies Governing Externally Sponsored Research at SIUE, which were approved by the Faculty Senate 8/11/83, and by the Chancellor 9/9/83.

1. Research is broadly defined herein as including all creative, scholarly, or empirical work (other than that normally associated with instruction and instructional development) which is designed to extend, clarify, or communicate new knowledge.
2. The University, in concert with the units and consistent with available resources, shall encourage and support the securing of external resources for research programs and shall encourage and support researchers in the dissemination of results from research results.
3. Each unit shall have a comprehensive policy on research activities consistent with University policies on research and with the overall mission of the University. The policy shall be formulated by the department, school, college or appropriate unit and shall define: (1) the quality and kind of research activities that qualify for unit support; (2) the criteria and procedures for allocating unit resources, i.e., research time, travel and equipment monies, space, etc., to research activities; and (3) the criteria and procedures for both assessing and rewarding research.
4. Consistent with the University's total mission and resources, units shall provide researchers with adequate assigned research time. The following will obtain.
 - a. Research time shall be assigned to faculty to help them (1) develop their research skills; (2) initiate promising research projects; and (3) prepare major research proposals for outside funding.
 - b. Faculty with research projects approved by the Research and Projects Advisory Board shall be eligible for assigned research time based on projected research aims in the approved research proposal.
 - c. Recipients of a Research Scholar Award granted by the Graduate School shall be assigned the research time specified in terms of the award.
 - d. Research time shall not be assigned for purposes of instruction, instructional development, administration, service, or any other activities not clearly identifiable as research.
 - e. The amount of research time assigned to a faculty member shall be tied closely to the scope of the project and to the person's research competence relative to the specific project, research promise, and research productivity.
5. The periodic review of the status of research activity in the various units by the Graduate School, in conjunction with the Graduate Council shall focus on: (1) adequacy of resources for research; (2) clarity, comprehensiveness and workability of the unit's research policies; (3) the extent to which the research policies are being followed satisfactorily; and (4) productivity resulting from the research activities.

Approved by Chancellor effective 8/2/95

This policy was issued on April 4, 2000, replacing the February 1, 1996 version.

Document Reference: 1M5

Origin: GR 2-83/84; OP 8/2/95

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Policy on Academic Integrity in Scholarship and Research [Faculty] - 1Q5

INTRODUCTION

Southern Illinois University Edwardsville (SIUE) assumes that a positive climate for the exchange of information among scholars is an important factor in the maintenance of professional standards of competence and responsibility. The encouragement of intellectual honesty at all levels within the academic community is the foundation that fosters such a climate. This document articulates University policy on academic integrity in scholarship and research, and prescribes procedures for impartial investigation and fair mediation of allegations of misconduct.

SIUE is aware that many professional associations have ethical codes or guidelines for the conduct of research: SIUE university personnel are expected to comply with these standards. Violations of these standards are a matter for peer review and censure, and may, in some instances, also become grounds for University disciplinary action.

SIUE recognizes that a variety of informal practices exist within the University for addressing questions and controversies that may arise concerning the conduct of scholarly activities. Any member of the SIUE university community who becomes aware of an apparent instance of breach of professional standards of competence and responsibility relating to research or scholarship has the responsibility to try to resolve this issue, if possible, in consultation with those directly involved. If consultation is inappropriate or unsuccessful, it is incumbent upon the individual to report the circumstances to the unit executive officer such as the head of the department or comparable administrator and the Dean of Graduate Studies and Research.

PHILOSOPHY OF ACADEMIC INTEGRITY

The academic community of SIUE espouses appropriate attitudes and preventive procedures for the avoidance of academic misconduct. These include:

1. Constant concern by individual scholars and appropriate regard for the extent of personal involvement in work for which individuals accept credit or responsibility.
2. Instruction in the practices and standards of professional integrity and quality, including those applicable to specific fields and professions, as a normal component of education and training for research.
3. Careful scrutiny of staff and their previous work for scholarly integrity at times of hiring and advancement. Informed review and qualitative evaluation should be a normal incident of research and scholarship and its recognition.
4. Wide dissemination within the University of its policies regarding scholarly integrity together with information about consequences of their breach.
5. A clear and precise statement by the University of procedures to be followed in case of possible misconduct, including prompt action and appropriate safeguards for both those whose conduct is in question and those who report the questioned conduct. A set of procedures is provided below.

TYPES OF MISCONDUCT

Southern Illinois University Edwardsville is dedicated to learning and research, and hence is committed to truth and accuracy. All members of the University community are expected to observe high standards of academic integrity and intellectual honesty in research and scholarship.

SIUE considers academic misconduct to include:

1. Fabrication or falsification of data, including intentionally misleading or false reporting of credentials or other academically related information;
2. Plagiarism, breach of confidentiality with respect to unpublished material, violation of accepted standards regarding submission and publication of scholarly works, and other misrepresentations of originality;
3. Failure to comply with research regulations or requirements, including, but not limited to, those applying to human subjects, laboratory animals, biohazardous agents, and standards of safety.
4. Any other conduct which seriously conflicts with accepted ethical standards in research and scholarship.

SCOPE

This policy and the associated procedures apply to all individuals at Southern Illinois University Edwardsville engaged in research, including any person paid by, under the control of, or affiliated with the Institution, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators at SIUE.

The policy, and associated procedures, will normally be followed when an institutional official receives an allegation of possible misconduct in research or scholarship. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interests of SIUE. Any change from normal procedures also must ensure fair treatment to the subject of the inquiry or investigation. The Dean of Graduate Studies and Research should approve any significant variation in advance.

INSTITUTIONAL ADMINISTRATIVE ACTIONS

SIUE will take appropriate administrative actions against individuals when an allegation of misconduct has been substantiated.

If the Provost and Vice Chancellor for Academic Affairs determines that the alleged misconduct is substantiated by the findings, he or she will decide on the appropriate actions to be taken, after consultation with the Dean of Graduate Studies and Research. The actions may include, but are not limited to:

- Withdrawal or correction of all pending or published abstracts and papers emanating from the research where scientific misconduct was found.
- Removal of the responsible person from the particular project, letter of reprimand, ineligibility for internal research support for a specified period of time, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment.
- Restitution of funds as appropriate.

PROCEDURES FOR THE INVESTIGATION OF ACADEMIC MISCONDUCT IN SCHOLARSHIP AND RESEARCH

1. Any member of the University community who becomes aware of an apparent instance of breach of professional standards of competence and responsibility relating to research or scholarship has the responsibility to try to resolve the issue, if possible, in consultation with those directly involved. If consultation is inappropriate or unsuccessful, it is incumbent upon the individual to report the circumstances to the unit executive officers (i.e., head of the department or comparable administrator and the school dean) of the unit concerned, or to the Dean of Graduate Studies and Research.
2. The unit executive officers, deans, other administrators involved and the entire academic community, are charged with protecting the academic careers of persons who have in good faith reported possible fraud or misconduct in scholarship or research to the greatest extent possible. Any person who reports academic misconduct is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation.
3. If the person whose conduct is in question is a student, the matter should proceed according to the appropriate provisions of applicable University policies and regulations governing student rights and conduct.
4. If the person whose conduct is in question is not a student, the unit executive officer shall promptly bring the charges to the attention of the Dean of Graduate Studies and Research (henceforth referred to as "dean"). The dean, in consultation with the Provost and Vice Chancellor for Academic Affairs, shall appoint an investigative team consisting of one faculty member or academic professional from the unit in which the person whose conduct is in question holds a primary appointment and one faculty member or academic professional from elsewhere within the university to conduct a preliminary investigation as expeditiously as possible. The dean shall meet with the above review committee upon its appointment to review possible procedures that might be used during the investigation, and further, be available for subsequent consultations on procedures as the inquiry proceeds. At this time, the person whose conduct is in question shall be informed in writing of the appointment of the committee and the nature of the allegations.
5. In accordance with Public Health Service, U.S. Department of Health and Human Services (42 CFR Part 50), the following timetable will be utilized in conducting an investigation into possible misconduct in research.
 - A. After an allegation is received, an investigative team shall have 60 calendar days to determine if a full investigation is warranted.
 - B. If a full investigation is warranted, the investigation must begin within 30 calendar days after the completion of the initial inquiry report.
 - C. A full investigation must be completed within 120 calendar days.
6. After receiving the report from the preliminary investigative team, the dean shall decide, in consultation with the team, whether the matter should be dropped or a full investigation should be instituted. If the decision is made not to pursue the case further, all written records should be sealed and deposited in the Office of the Provost and Vice Chancellor for Academic Affairs. All records must be kept for ten (10) years. Care should be taken that nothing is entered at this point in the personnel file of the person whose conduct had been in question. Both this person and the

one who raised the questions shall be notified in writing of the decision.

7. If there is sufficient evidence of a breach of professional standards of competence and responsibility to warrant further investigation, the person whose conduct is in question and any collaborators in the work concerned shall be informed in writing of the substance of the evidence warranting additional investigation and requested to cooperate with the investigators.
8. A thorough investigation shall be conducted by a committee of three competent scholars, appointed by the dean in consultation with the Provost and Vice Chancellor for Academic Affairs, and consisting of one staff member from the unit in which the person whose conduct is in question holds a primary appointment, one staff member from elsewhere within the University (they may, but need not be, the same persons who conducted the preliminary investigation) and a peer professional from outside the institution. The dean shall meet with the above review committee upon its appointment to review possible procedures that might be used during the investigation, and further, be available for subsequent consultations on procedures as the inquiry proceeds. The person whose conduct is under scrutiny shall be informed in writing of the composition of the committee, and shall be invited to provide the committee with pertinent information.
9. The investigative committee shall, before making its report, provide the person whose conduct is being investigated with the opportunity to meet and discuss the case with them, with or without legal counsel. The committee shall then report to the dean. If the committee concludes that no breach of professional standards of competence and responsibility has occurred, the case shall be considered closed. If so, all written records shall be disposed of as specified in paragraph 4 of the procedures, and those involved in the case notified in writing of the disposition.
10. All stages of the investigation up to this point should be treated as entirely confidential. Disclosure of information to anyone except those who are directly involved in an investigation will be regarded as a breach of professional standards of competence and responsibility.
11. If the committee finds that there has been a breach of professional standards of competence and responsibility, based on substantial evidence, then the dean shall report the findings to the Provost and Vice Chancellor for Academic Affairs for such further action as is warranted under the applicable University policies. At this time the dean will inform such additional individuals as is appropriate in the circumstances. Funding agencies shall be informed in accordance with applicable laws and contractual agreements.
12. Nothing in this policy should be construed or implemented in a manner which conflicts with contractual or statutory obligations of the University governing possible misconduct under funded research for externally funded research projects. In cases involving scientific misconduct in research that are supported through federal funding, the relevant agency's policies and procedures relating to research misconduct will supercede those of the University to the extent permitted by state law.
13. All records involving an investigation under this policy must be maintained for ten (10) years.

Approved by Chancellor effective 8/7/06

This policy was issued on January 8, 2007, replacing the April 4, 2000 version.

Document Reference: 1Q5

Origin: GR 1-87/88; OP 12/13/88; OP 8/2/95; GR 1-05/06

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**Office of the Provost
Faculty Handbook**

BIOSAFETY

Faculty and staff conducting research or educational activities with hazardous biological materials are referred to the Policy on Biosafety in the Policies Affecting All Employees chapter of this Handbook.

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Research Research Policies Conflict of Interest

Select this link to access the Conflict of Interest Disclosure form.

UNIVERSITY POLICY ON CONFLICT OF INTEREST PERTAINING TO SPONSORED PROJECTS

1/13/95

The teaching, research, and service mission of SIUE must be conducted in an objective manner, free from undue influence arising from private or other special interests. The purpose of this policy is to establish guidelines for recognizing, disclosing, and managing conflicts of interest.

This policy sets forth procedures and guidelines that are to be followed in resolving actual and potential conflicts of interest and commitment pertaining to sponsored projects. This policy applies to all sponsored projects.

The University and its employees often benefit from the employee's participation in both public and private outside activities. The University has no interest in setting forth detailed rules that may interfere with the employee's legitimate outside interests.

Employees, in turn, must also ensure that their outside obligations, financial interests, and activities do not conflict or interfere with their commitment to the University. This obligation pertains to both full-time and part-time employees.

1. General Principles:

- A. Employees must arrange their external obligations and private financial interests so as not to impede or conflict with their duties and responsibilities to the University. (See the appendix for a discussion of examples of conflicts of interest and commitment.)
- B. All employees must notify the University of potential conflicts of interests, and employees may not maintain unacceptable conflicts of interests.
- C. No person employed by the University may have interests incompatible with the University.

2. Definitions:

- A. Interests incompatible with the University means any commitment between an employee and external entity which:
 - 1. may restrict or impair the employee's ability to perform his/her activities at the university, or
 - 2. which results in the transfer or compromise of existing or potential University rights in intellectual property, or
 - 3. which utilizes University resources without prior written approval of the University.
- B. Unacceptable conflicts of interest include:
 - 1. diverting to outside entities grant/contract support the University might otherwise expect ;
 - 2. using University and other public resources, including assigned time and facilities, for private gain without proper compensation to or consent from the University;
 - 3. impeding the dissemination of research information; and,
 - 4. using a position of influence or authority to involve other employees or students of the University in non-University activities without the consent and supervision of the University.
- C. A conflict of interest encompasses any situation in which an employee of the University uses or is in a position to use his or her influence or authority within the University to advance his or her own personal or financial interest, or the personal or financial interests of his or her immediate family, or associated entity.
- D. A significant financial interest of an employee means:
 - 1. a 5 percent or more ownership interest in a business, but excluding any interest arising by reason of investment by a mutual fund, pension or other institutional investment fund that the employee does not exercise control, or
 - 2. a receipt of or the right to receive income from a business, whether in the form of a fee, salary, allowance, forbearance, interest in real or personal property, dividend, royalty from licensing, rent, or other form of compensation, or any combination that exceeds \$5,000 in monetary value.

The following are excluded from the definition of significant financial interests:

- 1. honoraria from occasional lectures,
- 2. isolated, non-recurring consulting activities that result in payments which do not exceed \$5,000 from a single source during a calendar year and,
- 3. receipt of University support or royalties for supervised sponsored activities.
- E. An "associated entity" of any employee means any trust, organization or enterprise other than the University over which the employee, alone or together with his or her family, exercises a controlling interest.

- F. "Business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes.
- G. "Executive position" refers to any position which includes responsibilities for a material segment of the operation or management of a Business, to include serving on its Board of Directors.
- H. The "family" of an employee includes his or her spouse, minor children, and other persons living in the same household related to the employee.

3. Financial Disclosure:

All Employees submitting a grant or contract must file a Financial Disclosure form if they or members of their immediate family have a significant financial interest that would reasonably appear to be directly affected by the employee's proposed sponsored project.

Employees submitting a grant or contract who do not have a significant financial interest must certify on the "Proposal Checklist, External Grant/Contract" form that no potential conflict of interest exists.

Individuals who must file a Financial Disclosure form must submit the form along with the "Proposal Checklist, External Grant/Contract" form.

Any conflicts of interest identified in the disclosure process must be resolved before the University can approve the individual's activity with an external entity. In addition, a Financial Disclosure form must be submitted immediately by the individual during the effective dates of the activity, if any change in circumstances may create a conflict of interest or commitment.

4. Procedures:

- A. Employees file the Disclosure form with their department chair or unit head. The chair or unit head is responsible for providing a preliminary evaluation and for recommending appropriate action.
- B. The chair or unit head forwards the Disclosure to the school dean or director. Based upon the chair or unit head's recommendation, the dean or director certifies that no conflict exists, that sufficient controls are in place to manage identified conflicts, or that the activity constitutes an unacceptable conflict. The dean or director is responsible for implementing the necessary action to protect the University.
- C. The dean or director sends copies of all materials to the appropriate Vice Chancellor. The Vice Chancellor must approve the action of the dean or director prior to the individual's commencement of the activity.
- D. Disclosure forms must be filed prior to the individual's engagement in the activity. Disclosure forms must be updated at least annually as long as the individual is engaged in the activity. The individual must file an updated Disclosure form if any change in circumstances may create a conflict of interest or commitment whether real or apparent.
- E. In reviewing Disclosure forms, the dean or director or the Vice Chancellor may seek additional advice or may convene a special committee to review the Disclosure form. The dean, director, or Vice Chancellor may recommend changes in the procedures for managing the conflict or it may recommend that the activity cease.
- F. An actual or potential conflict of interest exists when the dean, director, or Vice Chancellor reasonably determines that the employee's private interests could affect the integrity of the activity or the interests of the University or as otherwise set forth in this Policy.
- G. Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate actual or potential conflicts of interest include, without limitation: a) public disclosure of the private interests; b) independent monitoring of the activity; c) modification of the activity; d) divestiture of the private interest, and/or; e) severance of the relationships creating the conflict.
- H. The Vice Chancellor must notify the Dean of the Graduate School of the action taken. The Dean of the Graduate School will act as the University's certifying official for reporting to federal agencies.
- I. If the employee is dissatisfied with the decision of the review, he or she may appeal to the Chancellor who will consult with the employee and the chair, dean/director, and Vice-Chancellor. The decision of the Chancellor shall be final.

5. Reporting and Record Keeping

The University must maintain records for at least three years after the termination of the activity. The University must notify federal granting agencies if it is unable to satisfactorily manage actual or potential conflicts of interests if the activity involves federal funding. The Graduate School will report all such actions to the appropriate funding agency as required by federal regulations.

6. Sanctions

Charges of violations of this policy shall be carefully examined. Charges shall be processed in the normal reporting channels. Sanctions may range from reprimands to dismissal.

APPENDIX

Definitions and Examples

The University and its faculty often benefit from the faculty's participation in public and private outside activities. This policy has no intention of interfering with faculty members' legitimate outside interests.

Activities that are clearly permissible include:

1. acceptance of royalties for published works and patents, or of honoraria for papers and lectures;
2. payments as a consultant to an outside entity, provided that the time commitment does not exceed University policy and that the arrangement does not alter the faculty member's commitments to the University, and;
3. service on boards and committees of outside entities that does not distract from the faculty member's obligation to the University.

The definitions and examples listed below are intended to aid the University's employees and appropriate review bodies in identifying conflicts of interest. Identifying conflict situations and documenting steps taken to manage these conflicts serves to protect the employee and the institution, as well as assures that the University will remain eligible for Governmental-sponsored research.

While it is difficult to conclusively define distinct types of conflicts of interest, it is useful to divide conflicts into the following categories.

1. *Conflicts of Interest*

A "conflict of interest" encompasses any situation in which an employee of the University uses, or is in a position to use, his or her influence and authority within the University to advance his or her own personal or financial interest, or the personal or financial interests of his or her immediate family.

Examples of these types of conflicts may include, but are not limited to, the following:

- Use for personal gain or unauthorized use of privileged information acquired in connection with the employee's sponsored activities.
- Negotiation or influence upon the negotiation of grants and contracts relating to the employee's sponsored agreement between the University and private organizations with which the employee has consulting or other significant relationships.
- Acceptance of gratuities or special favors from private organizations with which the University does or may conduct business.
- Extension of gratuities or special favors to employees of the sponsoring agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

2. *Conflicts of Commitment*

A "conflict of commitment" encompasses any situation in which outside activities undertaken by the individual are sufficiently demanding of the individual's time and attention as to interfere, or appear to interfere, with his or her obligations to the University. A conflict of commitment may also occur if the individual is concurrently conducting activities sponsored by a federal, state, or local public agency and a private corporation.

Conflicts of commitment may arise between the individual and the University as a result of consulting agreements, grants and contracts with outside agencies, and individual or family involvement in private financial interests. Under Illinois law, all full-time faculty of the University are required to obtain the prior written approval of the Chancellor of the University, or the Chancellor's designee, before undertaking, contracting for, or accepting anything of value in return for research or consulting services from any external person or organization. Further, the law requires retrospective reporting, through the filing of an annual statement by the employee, indicating the amount of actual time spent on such outside research or consulting services. There are two principles that broadly govern conflict of commitment;

1. As an employee of the University, the individual's commitment and obligation to the University must have priority over the commitments to outside interests.
2. University resources may not be used either for personal gain, private, gain, or in support of outside agencies, without proper approval of the University.

Examples of such conflicts may include:

- **Commitment of Time:** Ordinarily, University employees are given the opportunity to pursue outside interests that are consistent with the mission of the University. However, if the time commitment to these activities becomes excessive, the educational mission of the University will suffer.
- **Commitment of Resources:** Individuals who are engaged in non-University activities may not use University resources without prior approval of the University. Such resources include the use of University research labs or instrumentation, use of computer facilities, or the use of classrooms or other facilities. These facilities may

be used in outside activities with the University's permission if the external or private entity agrees to provide suitable compensation to the University.

- **Commitment of Other Individuals:** In general, individuals may not involve graduate or undergraduate students in outside activities unless it can be demonstrated that participation in these activities affords a substantial educational benefit for the student. Cases involving use of students must be closely monitored by the academic unit, and not by the individual researcher.
- **Intellectual Properties:** No University employee may cede or transfer rights to patents, licenses, or copyrights of research results to any external agency. Patents, copyrights, or other proprietary rights must be shared by the University in accordance with arrangements set forth in the research or consulting contract and pursuant to the University's Policy Governing Research Involving Patents and Copyrights.
- **Other Considerations:** The individual as well as outside entities may not use the University's name without prior University approval.

Conflicts of Commitment may also arise if the employee is simultaneously engaged in publicly and privately sponsored activities. In this case, it is the responsibility of the university to insure that public funds designated for the activity are not channeled to private individuals or organizations, and that results from publicly financed activities are appropriately disseminated. Examples of these types of conflict may include, but are not limited to, the following:

- Unnecessarily delaying or withholding from publication results of publicly supported activities, while making the results available exclusively to a private organization.
- Using public funds to conduct activities for private individuals or organizations.
- Redirecting a sponsored project to serve the research or other needs of a private firm without disclosure to the University and to the sponsoring agency.
- Purchase of major equipment, instruments, materials, or other items for the University from the private firm in which the investigator serves, without the disclosure of such interest.
- Consulting or holding grants or contracts with two or more private corporations without informing the other parties of concurrent commitments.

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CONFLICT OF INTEREST POLICY DISCLOSURE

Name: _____ Department/Unit: _____

Title and Rank: _____

Campus Address: _____ Campus Telephone: _____

CONFLICT OF INTEREST POLICY:

The University is committed to ensuring its employees an open and productive environment in which to conduct teaching, research and service. Conflicts of interest, in the most conventional sense, arise because employees may have the opportunity to influence the University's business decisions in ways productive of personal gain. Additionally, an employee's more general commitment to the University requires that the member perform the duties conventionally associated with the member's position.

It is the policy of SIUE that:

- its employees have an obligation to avoid unacceptable ethical, legal, financial or other conflicts of interest and to ensure that their activities and interest do not materially conflict with their obligations to the University or its welfare;
- any employee engaging in an outside activity or possessing a personal interest that could lead to conflict of interest must inform the University of that possibility by consulting with that individual's Dean or Director; and

- relationships between employees and outside entities must not impede the open communication of research results.

IMPLEMENTATION OF THE POLICY:

SIUE is committed to the implementation of the Conflict of Interest Policy by providing for:

1. Disclosure of all relationships that may result in conflicts by persons subject to the policy;
2. Readily available counsel and advice regarding all conflicts; and,
3. Fair and equitable application of the Policy to all employees to whom the Policy applies.

The requested disclosure attempts to balance the University's needs for information with the individual's reasonable expectation of privacy in his or her personal affairs.

1) I have a consulting relationship (Includes situations in which income is transferred to members of your Family. No information is required for honoraria from an occasional lecture or from isolated, non-recurring consulting activities that results in payments which do not exceed \$5,000 from a single source during any calendar year.), Executive Position or a significant (An ownership interest in which you and/or any member of your Family or an Associated Entity owns shares or which represents an ownership interest.)

Financial Interest in (check all applicable):

- a) _____ A Business which markets, produces, or has in pre-market testing a commercial product or product line that my work would either evaluate or further develop.
- b) _____ A Business that does business with the University and which business I am in a position to influence.
- c) _____ A sponsor of my research.
- d) _____ None of the above.

(If you check any of (a)-(c), describe below.)

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2) I do ___/___ do not have any financial or fiduciary interest, relationships, commitments, or activities, including uncompensated activities, that present a potential conflict of interest or commitment that should be evaluated within the context of the University's Conflict of Interest Policy. (If you check "do", please describe below.)

*

*

3) I do ___/___ do not have non-university professional or income-producing activities involving other University students or staff. (If you check "do", please describe below.)

*

*

4) Are there any other related matters of which you wish to make the University aware?

No___ Yes___ (Please explain.)

*

*

I hereby acknowledge that I have read and understand the Conflict of Interest Policy and that the aforementioned facts and situations indicate a potential for conflict of interest with regard to my position at SIUE. If none, this is indicated in the spaces provided.

Signed this _____ day of _____, 19__

Signature_____

TERMS & DEFINITIONS

An *Associated Entity* of a faculty member means any trust, organization or enterprise other than the University over which the faculty member, alone or together with his or her Family, exercises a controlling interest.

Business means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes.

Executive Position refers to any position which includes responsibilities for a material segment of the operation or management of a Business, to include serving on its Board of Directors.

The *Family* of an employee includes his or her spouse, minor children, and other persons living in the same household related to the employee.

A *Financial Interest* is an interest in a Business consisting of: (1) any stock, stock option or similar ownership interest in such Business, but excluding any interest arising solely by reason of investment in such Business by a mutual, pension, or other institutional investment fund over which the faculty or staff member does not exercise control; or (2) receipt of, or the right or expectation to receive, any income from such Business, whether in the form of a fee (e.g., consulting), salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of Technology, rent, capital gain, real or personal property, or any other form of compensation, or any combination thereof.

Receipt of University supervised sponsored activities support or royalties under institutional royalty-sharing policies does not constitute, for the purpose of this policy, a financial interest.

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CONFLICT OF INTEREST - ACTION PLAN

Ref:

Name: _____

Department: _____

Disclosure Statement Dated: _____

Activity (grant/contract: consulting, etc.)

Department/Unit Recommendation:

____ No real or apparent Conflict of Interest or Commitment exists

____ Unacceptable Conflicts of Interest or Commitment exists

____ Conflict of Interest or Commitment exists and I recommend the following controls (attach additional pages if necessary)

Department/Unit Head:

Name: _____

Signature: _____ Date: _____

Dean/Director Approval:

____ I concur with the department/unit recommendation

____ I recommend the following additional controls be implemented:

Dean/Director:

Name: _____

Signature: _____ Date: _____

Vice-President Action:

Name: _____

Signature: _____ Date: _____

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Office of the Provost Faculty Handbook

FACULTY AND STUDENT GUIDE TO RESEARCH WITH HUMAN SUBJECTS, OFFICE OF RESEARCH AND PROJECTS

Southern Illinois University Edwardsville is committed to the furthering of human understanding, and research is regarded as a major avenue leading to the advancement of such knowledge, especially when freedom of inquiry is available to investigators. Such freedom, however, must be earned through the conduct of research in competent, moral, and responsible manner and by investigators who not only hold to scientific values but also have the highest regard for the implications and consequences of their research on society and the individuals therein. At times, it is possible that the scientist's quest for knowledge may endanger the rights and welfare of individuals, and this must be a focus of constant concern and scrutiny. It is the investigator's responsibility to assess research procedures regularly to insure the protection of the individual and, when appropriate, to review them with associates and other responsible members of society.

With due regard for the freedom of inquiry, and with the highest regard for the safeguarding of individual rights and welfare, the following code and procedures are offered to serve as guidelines to be followed in this University for all research. This includes research conducted by faculty, staff, or students, on or off campus, whether funded or not; University personnel on leave without pay who will make no attribution to the University are exempt. To be effective, such guidelines will have to be flexible enough to allow for changes in our value systems and for those modifications which necessarily will be required with experience.

The full set of guidelines may be obtained through the Office of Research and Projects, and on-line at: <http://www.siue.edu/graduate/research/index.shtml>

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**Office of the Provost
Faculty Handbook**

POLICY ON THE CARE AND USE OF LABORATORY ANIMALS, GRADUATE SCHOOL

The Policy on the Care and Use of Laboratory Animals includes animals involved in all research, research training, testing, and instructional/training activities conducted on campus and its auxiliary facilities and/or any activities sponsored by the University. The policy in its entirety is available from the Graduate School, and on-line at:

<http://www.siue.edu/graduate/research/index.shtml>

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Office of the Provost Faculty Handbook

POLICY CONCERNING RESEARCH INVOLVING PATENTS AND COPYRIGHTS, PERSONNEL POLICIES, SIUE, 19-11

Research is an integral part of higher education and is essential to effective teaching at the University level. Southern Illinois University encourages its faculty members to undertake research and assumes the responsibility of promoting a research program. The Bylaws and Statutes of the University designate the Dean of the Graduate School as the agent of the University in the supervision of research.

The University also has a responsibility to itself and to the public in regard to the type of research it sponsors and in obtaining from such research the greatest public benefit. All staff are required by conditions of their employment to abide by the applicable University patents and copyright policy.

Research leads to new ideas; new ideas may lead to patents or copyrights. It follows that in regard to patents and copyrights which result from research projects conducted by staff members with the financial assistance and encouragement of the University, there should be an equitable distribution of credit and responsibility. The policy of Southern Illinois University at Edwardsville concerning research, patentable discoveries and copyrights, and the benefits that may accrue from such patents and copyrights is as follows:

1. Independent Research. Research conducted by a staff member on his or her own time and at his or her own expense shall be termed "independent research."
 2. No claims or restrictions shall be placed by the University on any copyrights, patents, patent rights, or discoveries obtained as the result of independent research.
 3. The individual researcher, however, may voluntarily assign all or part of his or her claim to the results of such research to the University.
3. University Sponsored Research. Research conducted by a staff member with the financial help of the University, either in the form of a grant or in released time assigned to research, or both, shall be termed "University sponsored research" and all patents, copyrights, patent rights, and/or discoveries shall be assigned to the University. "Financial help of the University" exists when the researcher receives support line (student wages, commodities, equipment, contractual services, travel, computer, etc.) monies and/or research assistants that are specifically identified with the research project in question, and/or released time for the research project. Projects specifically commissioned by or initiated by the University will be considered "University sponsored research." If the University decides not to request assignment of ownership rights, the University may release its proprietary interest to the researcher of record.
 2. Incidental support (secretarial help, office commodities, etc.) and overhead charges (off-hour use of University rooms and laboratories, utilities, etc.) will not be construed as "Financial help of the University" insofar as the scope of this policy is concerned. If University aid does not exceed \$7,500 for an individual's project either in actual funds or in salary for assigned time, or in both together, the University will not be considered as having established a right to share in the results.
 3. Staff members shall have the responsibility of reporting to the proper University authorities any invention or development coming from University sponsored research that should be protected by patent or copyright.
 4. The University, or its designated agent, shall assume full responsibility for obtaining a patent or copyright, and for protecting and promoting the property rights inherent in such patents and copyrights, for inventions and developments arising from University sponsored research. Such inventions and developments shall be used to produce the greatest benefit to the University and the public.
 5. Researchers involved in University sponsored research shall share on an equal basis with the University all proceeds from copyrighted and patented results over \$10,000 unless an agreement in writing specifies otherwise. The first \$10,000, less reimbursement of the direct patent and copyright administrative costs, will be paid to the researcher.
 6. When an agreement delineating individual and University rights, claims, and responsibilities is made, it shall be made in writing before application for a patent or copyright resulting from University sponsored research is submitted to the United States Government.
 7. Any controversy or claim arising out of or relating to this statement of policy of any agreement between an individual researcher and the University delineating individual and University rights, claims, and responsibilities, or the breach thereof, shall be settled by arbitration in accordance with the rules, then obtaining of the American Arbitration Association, and judgment upon the award rendered may be entered in the highest court of the forum, state or national, having jurisdiction.
5. Externally Sponsored Research
 2. Research grants/contracts between the University and other agencies shall state clearly the obligations and rights of the University and of the cooperating agency and the procedure to be followed in case patentable discoveries or materials subject to copyright grow out of the research.
 3. Materials produced under grants from various federal agencies frequently require the involvement of and prior approval by such agency of the terms and conditions of copyright/patent agreements in respect to development and dissemination of the product, and the sharing of pertinent royalties or proceeds. Such conditions, where applicable under federal or other externally sponsored grants, may influence ultimate arrangements between the University, the faculty member involved, and any private developer, marketing agency, and other persons sharing in royalties or proceeds. In each case the University shall be free to negotiate with the sponsoring agency, so far as the rights of patent and copyright are concerned.

Office of the Provost Faculty Handbook

POLICY STATEMENT ON PREVENTING CONFLICTS OF INTEREST IN GOVERNMENT-SPONSORED RESEARCH AT SIUE, PERSONNEL POLICIES, SIUE, I 5-8

The increasingly necessary and complex relationship among universities, Government, and industry call for more intensive attention to standards of procedure and conduct in Government-sponsored research. The clarification and application of such standards must be designed to serve the purposes and needs of the projects and the public interest involved in them and to protect the integrity of the cooperating institutions as agencies of higher education.

The Government and institutions of higher education, as the contracting parties, have an obligation to see that adequate standards and procedures are developed and applied; to inform one another in their respective behalfs are informed of and apply the standards and procedures that are so developed.

Consulting relationships between university staff members and industry serve the interests of research and education in the university. Likewise, the transfer of technical knowledge and skill from the university to industry contributes to technological advance. Such relationships are desirable, but certain potential hazards should be recognized.

This policy in its entirety is found in the above referenced University Personnel Manual.

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Policies Policies & Procedures Contractual Matters

University Guidelines Regarding Review and Approval of Externally Financed Projects - 5B2

In soliciting extramural support, prior consideration should be given to maintenance of instructional objectives, and opportunities should be sought that will provide for professional growth of the staff. To assure that sponsored support is compatible with University objectives and to avoid unnecessary duplication of programs, the Office of Research and Projects coordinates all grant and/or contract proposal applications with extramural agencies.

If an application is submitted to an extramural agency without following University policy and guidelines, the University is under no obligation to accept the award, and appropriate disciplinary action will be taken by the institution. A summary of University policy and guidelines regarding review and approval of Externally Financed Projects follows:

I. Submission of Proposals for Extramural Support

When a proposal is judged to be ready for formal internal review and clearance, the final document is presented to the Office of Research and Projects for processing at least five working days before the mailing deadline. The document should have the approval of the Faculty Chairperson or Supervisor and School or College Dean or Director on the Checklist for Approval of Extramural Grant/Contracts Submission before forwarding to the Office of Research and Projects.

The Chancellor of the University is the responsible individual for submission and approval of applications to all extramural agencies. Written clearances must be obtained from the following units before the Chancellor will sign the application:

1. Chairperson or Supervisor
2. School or College Dean or Director
3. Office of Research and Projects
4. Research and Projects Fiscal Management
5. Other reviews as deemed necessary by the Office of Research and Projects
6. Dean of Graduate Studies and Research

II. University Approval and Acceptance of Extramural Support

Only the Chancellor has the final authority to sign grant and contract documents once a grant has been made or a contract negotiated. The Office of Research and Projects is the designated agency in the University to negotiate grants and contracts with extramural agencies. After the grant or contract has been negotiated, but before the Chancellor officially accepts the award, an acceptance checklist must be approved by the following:

1. Principal Investigator
2. Chairperson or Supervisor
3. School or College Dean or Director
4. Office of Research and Projects
5. Research and Projects Fiscal Management
6. Other clearances as deemed necessary by the Office of Research and Projects
7. Dean of Graduate Studies and Research

After the award has been reviewed and approved by the appropriate offices, the Office of Research and Projects will present the agreement to the Chancellor, through the Provost, for his/her acceptance on behalf of the institution.

The Office of Research and Projects will be the responsible agent in the University for the transmittal and notification of awards, and will also be the Office of Record for all extramural grants and/or contracts.

Approved by Provost effective 8/2/95

This policy was issued on April 4, 2000, replacing the February 1, 1996 version.