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## Purpose

The purpose of this procedure is to establish conflict of interest procedures for federal grants and contracts in accordance with the Uniform Guidance.

## Procedure

### A. Definitions

1. “Grants personnel” refers to all employees, regardless of their title or position, who are responsible for the design, conduct or reporting under the terms of a grant or contract, or the subaward to a grant or contract. All grants personnel are required to disclose any “Significant Financial Interests” (SFI) or those of their spouses, partners or dependent children. This disclosure will be accomplished by completing the College’s [Conflict of Interest Disclosure Form](#). Having SFI does not necessarily entail a Financial Conflict of Interest (FCOI). A potential FCOI exists when the Director of Project Budgeting and Accounting and the Associate Vice President of Finance reasonably determine that a SFI could directly or indirectly affect the design, conduct or reporting of federally-funded research, teaching or mentoring.
2. “Significant Financial Interest” (SFI) is anything of monetary value, including but not limited to:
  - a. Remuneration for services exceeding \$5,000 in the twelve (12) months prior to the disclosure;
  - b. Equity interest exceeding \$5,000 in the twelve (12) months prior to disclosure (e.g., stock, stock options other ownership instruments);
  - c. Gains from intellectual property rights (e.g., patents, copyrights, royalties);
  - d. Travel reimbursed by other than a government agency, college or university.
3. SFI does not include:
  - a. Remuneration from Florida State College at Jacksonville (FSCJ);
  - b. Income from investment instruments in which the grants personnel does not control investment decisions;
  - c. Income from speaking or teaching engagements sponsored by any government agency, college or university;
  - d. Income from service on a review panel or advisory committee affiliated with any government agency, college or university.
4. A subrecipient is an entity that receives a subaward from a college grant or contract and is accountable to the College for the use of the funds provided by the subaward.

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B. Timing of disclosures

1. Grants personnel must provide the required SFI disclosures by completing the financial disclosure form immediately prior to the submission of a proposal. Grants personnel must update financial disclosures within thirty (30) days of acquiring or discovering any new SFI. Grants personnel must update their financial disclosure forms on an annual basis within the period of the grant, beginning with the anniversary date of the original disclosure. Individuals/entities that are grant recipients at the effective date of this procedure should complete this form within thirty (30) days and then annually in subsequent years.
2. Completed and signed financial disclosure forms should be returned to the Project Accounting Office. If you have questions or need assistance completing the form, contact the Project Accounting Office.

C. Process of financial disclosure - Grant personnel obligations

1. The grants accountant will review each financial disclosure form and alert the Director of Project Budgeting and Accounting of any potential SFI disclosed by grant personnel that might indicate any actual or perceived financial conflict of interest. If there are not any SFI relevant to the grant or contract, the grants accountant will sign off on the form and file it in the related grant or contract file. The Director of Project Budgeting and Accounting will review any potential conflict of interest and work with grants development staff, grant personnel and the Associate Vice President of Finance to eliminate, manage or reduce the conflict. A FCOI Committee will be formed to review potential conflicts when additional review is warranted. The committee will be charged to develop a plan to allow the research or grant scope to proceed free of conflict. Some of the elements of such a plan may include but are not limited to the following:
  - a. Review and/or monitoring of the design, conduct and reporting of the grant project by independent reviewers;
  - b. Modification of the grant protocol;
  - c. Disqualification of the grant staff member from that part of research or grant project to which the SFI is relevant;
  - d. Divestiture of the SFI by the applicable grant staff member(s);
  - e. Severance of the relationships that create the conflict; and
  - f. Public disclosure of the SFI.
2. Grant personnel must participate and comply with any FCOI management plan, including any retrospective review and/or mitigation plan. For a grant project to proceed, the Vice President of Business Services must approve the plan developed by the Associate Vice President of Finance and Director of Project Budgeting and Accounting. If the FCOI committee and the grant personnel are unable to agree on a plan, the relevant regulatory bodies and funding agencies will be notified.

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3. Should the Vice President of Business Services, Associate Vice President of Finance or Director of Project Budgeting and Accounting determine retrospectively that a FCOI was not identified or managed in a timely manner, a retrospective review of the grant staff member's activities on a grant project will be examined to determine whether the research or activities conducted during the period of non-compliance was biased in its design, conduct or reporting. The Director of Project Budgeting and Accounting or the Associate Vice President of Finance will update any previously submitted report to the funding agency specifying the actions that will be taken to manage the FCOI going forward. If bias by any grant manager or staff member is found, the report will include a mitigation report in accordance with the applicable regulations, including a description of the impact of the bias on the research/grant project and the plan of action to eliminate or mitigate the effect of the bias.
4. Failure to disclose SFI and failure to abide by this procedure may subject the non-compliant staff member to restrictions on future involvement with grants and other disciplinary actions up to and including dismissal in accordance with College procedures.
5. Except to the extent required by law and federal regulation, the information disclosed throughout these processes will be kept confidential. The College, however, is required to report the existence, real or potential conflicts of interest to certain federal agencies. Specifically, the National Institute of Health requires institutions to report the existence of any conflicting interests and to assure that the interest has been managed, reduced or eliminated. The National Science Foundation (NSF) requires that only conflicts that have not been managed, reduced or eliminated prior to the expenditure of funds be reported to NSF.

#### D. Reporting financial conflicts of interest

1. Significant financial interests determined to be FCOI by the Associate Vice President of Finance will be reported to the sponsoring agency within sixty (60) days of their disclosure.
2. The Associate Vice President of Finance in conjunction with the College's Office of the General Counsel will respond to any public requests for information regarding FCOI specifying the grant person's name and the research project involved.
3. The College shall maintain a record of all disclosures and all actions taken to resolve conflicts of interest for at least three (3) years beyond the termination or completion of the grant to which they relate.

#### E. Training

1. All grant personnel should be familiar with and understand this procedure. Questions on what the procedure means or if a situation constitutes a conflict should be addressed to the grants

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accountant or the Director of Project Budgeting and Accounting.

F. Subrecipients

1. FSCJ is responsible for ensuring that all subrecipients are compliant with federal regulations regarding FCOI. The College shall enter written agreements with subrecipients that shall specify that there is no known financial conflict between the entity and the grant project. Individuals working on grant objectives must complete FSCJ's [Conflict of Interest Disclosure Form](#).

REFERENCES: 2 CFR 200, 1001.64, 1001.65

Adopted Date: December 17, 2018