

## CCS Administrative Procedure

### 2.10.06-D Conflict of Interest in Research and Federally Sponsored Programs

#### Implementing Board Policy [2.10.06](#)

Contact: Grants & Sponsored Research Office, 434-5160

#### 1.0 Purpose

Community Colleges of Spokane is committed to ethical and responsible conduct in all grants and sponsored program activities, including research. CCS has the responsibility to ensure that all employees, and any other person who conducts research or grant-funded activities under the auspices of the colleges or district, adheres to ethical standards in managing potential conflicts of interest. In addition, each federal awarding agency may have a specific policy regarding the mitigation of conflicts of interest; therefore, this procedure establishes guidelines for all grants and federally sponsored programs consistent with federal guidance. This procedure will apply to all grants and federally sponsored research programs, as well as, to any sub-recipients of a CCS federal funding award.

#### 2.0 Federal and State Law Requirement

Under the Uniform Guidance, each Federal agency that awards and administers grants and agreements subject to agency guidance is responsible for implementing standards and ensuring that recipients and sub-recipients comply with the agency's implementation of the guidance. [2 CFR 200.112](#) specifies that the Federal awarding agency must establish conflict of interest policies for all Federal awards, and that the non-Federal entity receiving the award (CCS) and any pass-through entities, (either CCS or a sub-recipient of a CCS federal grant) must disclose in writing any conflict of interest in accordance with the Federal awarding agency policy. In addition, the Washington State Legislature as part of the Ethics in Public Service Act, [RCW 42.52](#), stipulates that no state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer or state employee's official duties.

#### 3.0 Limitations and Exceptions

3.1 CCS sub-recipients and contractors of state- or locally-funded grants or allocations are excluded from this procedure as it applies to federally sponsored programs, but all employees must still adhere to the state ethics law and CCS Administrative Procedure [2.10.06–A General Ethics for Employees and Officers](#).

#### 4.0 Definitions

4.1 **Investigator:** The principal investigator (PI), co-PIs, project director (PD), co-PD, grant initiator or any other person regardless of title or position, who is responsible for the design, conduct or reporting of research funded by a federal funding agency or proposed for such funding. This may also include collaborators or consultants.

4.2 **Senior or Key Personnel:** The PI or PD and any other person identified as senior/key personnel by the institution in the grant application, progress report, evaluation plan or any other report submitted to the funder by the institution under the regulation.

4.3 **Financial Conflict of Interest (FCOI):** A significant financial conflict of interest that could directly or significantly affect the design, conduct, or reporting of the federally funded research.

4.3.1 **Significant Financial Interest:** A financial interest consisting of one or more of the following interests of the investigator (and those of the investigator's spouse, domestic partner and dependent children) such as anything of monetary value, including, but not limited to salary or payments for services (e.g. consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership

interests); and intellectual property rights (e.g. patents, copyrights and royalties from such rights)

## 5.0 Roles and Responsibilities of the Institution

- 5.1 CCS has the responsibility and authority to take actions necessary to ensure that investigators have provided all required significant financial interest (SFI) disclosures prior to submitting a proposal to a federal funding agency. If a new reportable SFI develops at any time following the submission of a proposal, but prior to expenditure of funds, the filing of a new disclosure is required. Once funded, CCS will update disclosures annually during the period of the award.
- 5.2 The Grants & Sponsored Research (G&SR) office is the primary point of contact, and is responsible for overseeing matters related to CCS's grants and sponsored research financial conflicts of interest (FCOI) procedure and processes for implementing these guidelines.
- 5.3 CCS will maintain and make available to investigators all administrative procedures associated with FCOI; investigator financial disclosure forms and sub-recipient disclosure forms; and provide access to training and guidelines to assist the investigator in implementing their responsibilities regarding disclosure of SFI.
- 5.4 CCS will designate appropriate institutional official(s) to review disclosure statements from each investigator planning to participate in, or who is currently participating in grant activities and research, and specify the actions that shall be taken to manage, reduce or eliminate a FCOI, if applicable. Examples of conditions of restrictions that may be imposed include, but are not limited to:
  - 5.4.1 Public disclosure of significant financial interests;
  - 5.4.2 Monitoring of research by independent reviewers;
  - 5.4.3 Modification of research plan;
  - 5.4.4 Disqualification from participation in the portion of the federally funded research that would be affected by significant financial interests;
  - 5.4.5 Divestiture of significant financial interests; or
  - 5.4.6 Severance of relationships that create conflicts.
- 5.5 If a SFI is identified and determined to be a FCOI, it must be satisfactorily managed, reduced, or eliminated prior to the expenditure of funds and within 60 days of any subsequently identified FCOI. For Public Health Services funded research specifically (National Institutes of Health), G&SR will make required information available concerning FCOI's held by senior or key personnel to the public either via the college website, or in response to a written request within five business days of the request.
- 5.6 CCS will certify in each application for funding submitted that the institution agrees to make information available upon request relating to any investigator disclosure of financial interest and the institution's review of and response to such disclosure, whether or not the disclosure resulted in the institution's determination of an FCOI; and that the institution will fully comply with the requirements of the regulations that apply to the funding entity.
- 5.7 If the failure of an investigator to comply with an institution's FCOI policy or a FCOI management plan appears to have biased the design, conduct, or reporting of the federally funded research, the institution shall promptly notify the awarding agency of the corrective action to be taken. In addition, the investigator will be subject to disciplinary actions outlined in CCS Administrative Procedure [2.10.06-A General Ethics for Employees and Officers](#).

## 6.0 Roles and Responsibilities of Investigators

- 6.1 Investigators are required to disclose any SFI prior to submission of a grant, so that any potential financial conflict of interest (FCOI) relating to a grant award can be managed through CCS processes. If a new reportable SFI develops at any time following the submission of a proposal but prior to expenditure of funds, investigators are expected to update SFI disclosures. Once funded, the investigators will update the SFI disclosures annually during the period of the award or within 30 days of discovering or acquiring a new SFI.
- 6.2 Investigator's participating in any federally funded research project, are provided access to FCOI training prior to engaging in any federally-sponsored research related to the project and at least every four years thereafter. In the event the institution finds an investigator is not in compliance with CCS's procedure or management plan for mitigating FCOI, the investigator must complete FCOI training regardless of having completed prior training.

## 7.0 Roles and Responsibilities of the Grants & Sponsored Research Office

- 7.1 The G&SR office will maintain records of all investigator disclosures of financial interests and the institution's review of such disclosures (whether or not a disclosure results in the institution's determination of FCOI); and any actions taken under the institution's policy or retrospective review, if applicable, for the required period of time as indicated by the funder and in compliance with CCS Administrative Procedure [1.50.02-B Records Management](#).
- 7.2 For any sub-recipient or pass-through entity, the G&SR office will work with the District Business Office to incorporate as part of a written agreement, terms that establish whether the FCOI policy of the awardee institution or that of the sub-recipient will apply to sub-recipient investigators and include time periods to meet significant financial interest disclosure if applicable, as well as FCOI reporting requirements.
- 7.3 The G&SR office will make FCOI training available for all investigators prior to participating in any research related to federally funded projects or grant activities.

## 8.0 Related Information

- 8.1 Electronic Code of Federal Regulations (eCFR) Title 2: Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards [§200.112 Conflict of Interest](#)
- 8.2 [Grants & Sponsored Research Office](#)
- 8.3 Administrative Procedure [1.50.02-D Processing Grants](#)
- 8.4 Administrative Procedure [1.50.02-E Processing Contracts](#)
- 8.5 [NIH Financial Conflict of Interest Policies](#)
- 8.6 [NSF Conflict of Interest Policy](#)
- 8.7 Washington Ethics in Public Service Law [Chapter 42.52 RCW](#)
- 8.8 Administrative Procedure [1.50.02-B Records Management](#)
- 8.9 Administrative Procedure [2.10.06-A General Ethics for Employees and Officers](#)

8.10 [Disclosure Forms Available on CCS Forms A to Z](#)

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