Information

Individual Conflict of Interest

Effective

June 27, 1983

Number

Not applicable

Applicability

This policy applies to the University Community (administrators, faculty, staff, and students) and affiliated researchers.

Administrative Authority

Board of Trustees

Responsible Unit

Conflict of Interest and Commitment Office
coi@louisville.edu
502-852-7612

History

Revision Date(s):June 27, 1983; January 28, 2013; September 16, 2013; November 17, 2014; July 11, 2017 (reformat only); January 14, 2025

Reviewed Date(s): September 16, 2013; November 17, 2014; July 11, 2017; January 14, 2025

Categories

Reason for Policy:

In pursuit of its mission as a public institution of higher education, the University of Louisville seeks excellence in the quality of its research, in the teaching and education it provides to its students, and in the service it provides to the broader community. Accomplishment of its missions inevitably leads to increasingly close relationships between the University of Louisville members and those with outside interests in the broader community. The benefits that potentially accrue from this proximity are accompanied by real or apparent risks that external interests might compromise University decisions by influencing the judgment of the institution or one of its members.

This policy governs individual conflict of interest and applies to covered individuals at the University of Louisville (Institution). This policy covers academic, business, clinical and research transactions and activities conducted under the auspices of and / or for the benefit of the University of Louisville.

Statement:

This policy governs conflicts of interest and applies to situations involving covered individuals. It is the policy of the University of Louisville to ensure its transactions are conducted with integrity. It is the policy of the University of Louisville to require disclosure of external interests from covered individuals in order to manage, reduce, and/or eliminate identified conflicts of interest. This policy, and its associated policies, outlines the guiding principles and procedures utilized by the University of Louisville to identify and manage conflicts of interest that present a significant risk to actual or perceived objectivity of transactions conducted in the name of the University of Louisville.

The following principles shall assist covered individuals and the Institution in addressing individual conflict of interest:

I. The Institution encourages covered individuals to engage in professional and business interaction with public and private entities. However, such professional activities can create conflicts of interest or the appearance of conflicts of interest that must be addressed.

II. Disclosure of external and professional interests is essential to allow for review by the Institution.

III. The Institution's review process shall assist covered individuals and the Institution in avoiding or controlling risks to the Institution's integrity and reputation, while at the same time protecting and furthering the interests of covered individuals, the Institution, and society in the activities supported by sponsored research, contributions and external relationships.

IV. Covered individuals shall not engage in activities in which there is an unresolved conflict of interest.

The president or delegate shall:

a) Establish an oversight process and administrative policies and procedures to address individual conflicts of interest and to identify situations in which individual conflicts of interest may arise;

b) Implement a plan to manage, reduce, or eliminate individual conflicts of interest; and

c) Ensure that the oversight process, policies, and procedures established for identifying and addressing individual conflicts of interest conform to federal regulations related to conflict of interest and objectivity in research.

Annually, covered individuals must complete an Attestation & Disclosure Form (ADF), regardless of the existence of any potential conflict. Under certain circumstances, they also must file an additional ADF if a change in external and/or professional activities occurs.

Related Information:

Addressing Potential Individual Conflict of Interest Policy and Procedures (available at https://louisville.edu/policies/policies-and-procedures/pageholder/pol-conflict-of-

interest-and-commitment).

Definitions:

Associated Entity. Associated entity shall mean any trust, organization, or enterprise over which the covered individual, alone or together with an immediate family member, holds a controlling interest.

Contribution. A donation of assets to the University or its foundations. Assets may be in the form of cash, securities, tangible personal property, partnership interests, or pledges for acceptable assets that are assigned to the University.

Controlling Interest. Shall mean the covered individual or immediate family member's ownership of an entity is sufficient to grant the covered individual the power to direct the entity's management.

Covered Individual. Shall mean all University employees. It also includes other individuals with responsibility for the design, performance, or reporting of Institution research, regardless of pay or enrollment status. It also includes individuals conducting research at the University of Louisville, or using University of Louisville researchers, or using University of Louisville facilities or resources.

Individual Conflict of Interest. An individual conflict of interest shall mean a situation that compromises a covered individual's professional judgment in carrying out Institution teaching, research, outreach, or public service activities because of an external relationship that directly or indirectly affects an external interest of the covered individual, an immediate family member, or an associated entity.

Institutional Official. Persons holding administrator positions, including those holding these positions in a temporary capacity. This term includes, but is not limited to individuals serving as: Deans, Associate Deans, and Assistant Deans; Institute and Center Directors; General Counsel; University Compliance Officers; Director of Audit Services; Provost, Vice Provosts, Associate Vice Provosts, and Assistant Vice Provosts; President, Executive Vice Presidents, Senior Vice Presidents, Vice Presidents, Associate Vice Presidents, and Assistant Vice Presidents; and chairs of the Institutional Review Board, Institutional Biosafety Committee, Institutional Animal Care and Use Committee, Conflict Review Board and other similar committees that might be created in the future.

Immediate Family Member. Immediate family member shall mean the covered individual's biological, foster or adoptive parent, a stepparent, spouse, qualifying adult, a biological, adoptive or foster child, a step child, a legal ward or a person whom the covered individual has (or had during the person's youth) daily responsibility and financial support, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents, and grandchildren of both the covered individual and spouse and / or qualifying adult.

Qualifying Adult. Shall mean an individual over 18 years of age, and, if a blood relative (or relative by adoption or marriage) must be of the same or younger generation of the covered individual (as used in KRS 391.010), and, must be residing in the covered individual's household and have done so for a period of at least 12 months, and, must be financially interdependent (for example, have joint checking account or joint mortgage) for 12 months or longer, and, must be unmarried.

Responsibilities:

COMPLIANCE WITH THIS POLICY

Covered Individuals are responsible for knowing, understanding, and complying with this policy as it relates to their role, position or employment at the Institution. Covered individuals are responsible for completing an annual attestation that they have received and read this policy and agree to abide by its requirements.