



# Primer on outside activities and financial interest (OAFI) disclosures, conflict of interest (COI), and external engagement in research

# Primer on outside activities and financial interest (OAFI) disclosures, conflict of interest (COI), and external engagement in research

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POWERING THE NEW ENGINEER TO TRANSFORM THE FUTURE

# Compliance on campus

- Led by the UF Compliance and Ethics Program
  - Required per BOG 4.003 State University System Compliance and Ethics Programs
  - Housed within the General Counsel
- Coordinate efforts with 52 “compliance partners,” e.g., colleges, university centers and offices, and support functions such as travel, procurement, etc.
- Compliance environment is complex, often requires more than one administrator to provide oversight, e.g., FERPA (almost everybody) or 2 CFR 200 (EDF&A + ADRF)



# We must comply with 200+ regulatory frameworks





## ... as a public employee

- The Code of Ethics for Public Officers and Employees in Part III of Chapter 112, Florida Statutes
- State University System Board of Governors Regulation 1.006 Conflict of Interest
- UF Regulation 1.011 Disclosure and Regulation of Outside Activities and Financial Interests
- The University of Florida Policy on Conflicts of Commitment and Conflicts of Interest
  - Article 26 and Appendix G in the Collective Bargaining Agreement. See the 2021-24 version, which was nearly completely rewritten
- The University of Florida Intellectual Property Policy
  - Article 22 in the Collective Bargaining Agreement

## ... and as a professional researcher

- UF Research Policy: Disclosure of Financial Interests and Management of Conflicts of Interest Related to Research
  - Code of Federal Regulations (CFR or “Uniform Guidance”)
    - 2 CFR Part 200 Uniform Admin. Requirements, cost principles, and audit requirements for federal awards
    - 21 CFR Part 54 Financial Disclosure by Clinical Investigators
    - 42 CFR Part 50 Subpart F Promoting Objectivity in Research (“PHS” guidelines followed by NIH, CDC, etc.)
    - 45 CFR Part 94 Responsible Prospective Contractors
  - NSF PAPPG Grantee Standards (IX.A)
  - Federal Acquisition Regulation (FAR) Subpart 9.5
- Organizational and Consultant Conflicts of Interest
- FDA Clinical Trials & Financial Disclosures by Investigator
  - Other agencies frequently include requirements in solicitations and award/contract terms, e.g., USDOT require special COI certifications
  - Human subjects research also carry additional requirements (PHS, FDOH), with the IRB determining if COI management is required

# Today's agenda

- Fundamental considerations
- UF Online Interest Organizer (UFOLIO)
  - What not to disclose: inside activities and activities unrelated to your UF expertise
  - What to disclose: outside activities and financial interests (OAFI)
  - Overview of approval process (1<sup>st</sup>, 2<sup>nd</sup>, ancillary)
  - Restricted party screening
  - Research conflict of interest (COI) monitoring
- Requirements imposed by sponsors
  - Proposals, reporting, selection of subrecipients
- Best Practices

## Fundamental considerations

### MUST NOT COMPETE WITH OR DO BUSINESS WITH UF



Activities must be consistent with the Florida Code of Ethics and not compete with University services.

**Special considerations for:**

- Buying from or selling goods or services to UF
- Financial interests in entities competing with UF
- Employment or contracts with UF business partners

### MUST NOT INTERFERE WITH PERFORMANCE OF RESPONSIBILITIES TO UF



Commitment to outside entities must not detract from fulfilling UF duties.

Participation must adhere to other UF policy standards and contract obligations, such as data security, intellectual property, etc.

### MUST AVOID USE OF UF RESOURCES



Using UF resources on a more than incidental basis for private gain presents potential state ethics issues.

Using personal resources reduces confusion as to whether UF is involved, sponsoring, or owns the work. Activities must be conducted on one's own time.



## UF Online Interest Organizer (UFOLIO)

- Online tool to report outside activities and financial interests created in 2019
  - Transparent (all information available for discloser and reviewer to see)
  - Data persistent (modify/renew disclosures over time, no starting over each year)
- Managed by the **UF Conflict of Interest Program**, which reports directly to the Provost and works closely with the General Counsel, UF Research (DSP, RI), UFIT, college leadership, and Human Resources
- In HWC OE, available to faculty, adjuncts, and postdoctoral associates holding a 0.26 FTE or higher appointment and TEAMS staff (generally, director-level staff and above)
  - Not in these groups? Must submit by paper
  - Availability will expand to key personnel on grants with <0.26 FTE (staff or faculty)

# UF Online Interest Organizer (UFOLIO)

- Important updates per the 2021-24 CBA
  - **If you are eligible to use UFOLIO, you must use it** (no more paper submissions)
  - **You must disclose year-round, even for summer activities when you are not on appointment**
  - New disclosure category: **“Innovation Inducement Prizes”**
- Let's now discuss
  - **What not to disclose** (two cases)
  - **What to disclose** (thirteen cases)
- Source = [coi.ufl.edu/resources](https://coi.ufl.edu/resources)

## Do not disclose “Inside Activities”

- **Inside Activities** (a.k.a. wearing your UF Hat) are any activity you do as part of your UF responsibilities
- Such activities should be documented through a
  - Faculty Assignment Report (FAR)
  - Effort Report, or a
  - Travel Authorization Request (TA)
- Inside activity = official UF business, so make sure that you document being reimbursed for travel and lodging in the TA (i.e., being “comped”)

## Examples of “Inside Activities”

- **Speaking, Conferences, & Seminars:** Participating in scientific or educational conferences or other events while representing UF (e.g., serving as educational speaker, conference organizer, etc.)
- **UF Research:** Research activities coordinated through UF contracts or grants, including related travel
- **IFAS Extension:** Providing IFAS Extension services
- **Government Sponsors:** Reviewing proposals for a federal or state government sponsor or a domestic non-profit organization.
- **Writing/Editing:** Writing or editing activities considered part of your UF role by your Chair/Dean
- **Professional Membership:** Membership in an academic or professional society (however, serving on the Board or carrying a fiduciary role requires disclosure)
- **Awards:** Receiving honors, academic awards, or an honorary degree from a non-profit entity
- **Sabbatical:** Sabbatical or leave for professional development (approved through separate process led by the Office of the Provost)
- **Federal Programs:** Serving as a program manager for a federal agency or working on an assignment through the Intergovernment Personnel Act or a related federal program (including DOD summer faculty programs)
- **Fulbright:** Participating in the Fulbright (Scholar) Public Policy Fellowship program
- **Thesis/Dissertation:** Serving as an external member of a thesis or dissertation committee

## Do not disclose activities unrelated to your UF expertise

- **Volunteer or community service activities**, e.g., coaching youth sports programs; volunteering at church; participating in community clubs/service organizations
- **Employment outside of normal UF working hours or while taking vacation leave that is unrelated to your UF knowledge, skills or expertise**, e.g., working part-time for a local company; working as a cashier; selling crafts at a community event).
- **Retirement accounts, stocks, mutual funds, and other financial securities** that do not create a financial interest that must be reported.
- **Managing rental properties or other real estate interests.**
- **Jury Duty**
- **Military Service**




# What to disclose in UFOLIO

- Before FY22, there were twelve categories of disclosure, including “nothing to disclose”
- 2021-24 CBA added a 13<sup>th</sup> category, **Innovation Inducement Prizes** (“Research Prizes”)
- Each outside activity requires a separate disclosure because they are individually evaluated. Occurs infrequently except for
  - **Company involvement.** May need to submit twice for:
    - Ownership, management, or financial interest
    - Leadership role
  - **Faculty authored textbook.** May need to submit twice for:
    - Receiving royalties  $\geq$  \$5000
    - Requiring students to use the book in class
    - If you are using your textbook in class, make sure you read the CBA (other rules apply)

# What to disclose in UFOLIO



[coi.ufl.edu/resources](http://coi.ufl.edu/resources)






| Category  | Disclose   | Examples   | Exceptions (Do NOT Disclose)  |
|---|--|--|---|
| <b>Ownership, Management, or Financial Interests</b><br> | <ul style="list-style-type: none"> <li>You, your spouse, or relative have a management position or greater than 5% ownership interest in an outside entity that does business with UF</li> <li>You, your spouse, or dependent child have a financial interest of \$5,000 or more in a publicly or non-publicly traded entity related to your UF institutional responsibilities</li> <li>Having any equity/ownership interest related to your UF institutional responsibilities in a privately traded entity</li> </ul> | <ul style="list-style-type: none"> <li>Owning a startup company that licenses UF technology related to your expertise</li> <li>Managing a UF horticultural program while holding stock in an agrochemical company</li> <li>Your spouse having a management position in an entity that does any business with UF</li> </ul> | <ul style="list-style-type: none"> <li>Income, equity, or ownership interest from independently managed investment vehicles like mutual funds or retirement accounts</li> </ul> |

You must provide separate disclosures for (a) the company and (b) each consulting engagement.

# What to disclose in UFOLIO



[coi.ufl.edu/resources](http://coi.ufl.edu/resources)

| Category  | Disclose   | Examples   | Exceptions (Do NOT Disclose)   |
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| <b>Ownership, Management, or Financial Interests</b><br> | <ul style="list-style-type: none"> <li>You, your spouse, or relative have a management position or greater than 5% ownership interest in an outside entity that does business with UF</li> <li>You, your spouse, or dependent child have a financial interest of \$5,000 or more in a publicly or non-publicly traded entity related to your UF institutional responsibilities</li> <li>Having any equity/ownership interest related to your UF institutional responsibilities in a privately traded entity</li> </ul> | <ul style="list-style-type: none"> <li>Owning a startup company that licenses UF technology related to your expertise</li> <li>Managing a UF horticultural program while holding stock in an agrochemical company</li> <li>Your spouse having a management position in an entity that does any business with UF</li> </ul> | <ul style="list-style-type: none"> <li>Income, equity, or ownership interest from independently managed investment vehicles like mutual funds or retirement accounts</li> </ul>  |
| <b>Public Office</b><br>                                 | <ul style="list-style-type: none"> <li>You are a candidate for or hold public office</li> </ul>  | <ul style="list-style-type: none"> <li>Running for local, state, or federal government office</li> </ul>   | <ul style="list-style-type: none"> <li>Non-governmental offices, e.g. homeowner's association president</li> </ul>   |
| <b>Outside Teaching</b><br>                              | <ul style="list-style-type: none"> <li>Holding a formal teaching appointment at another educational institution</li> </ul>   | <ul style="list-style-type: none"> <li>Teaching an online course for another educational institution</li> </ul>  | <ul style="list-style-type: none"> <li>Teaching at non-educational institutions, e.g. a yoga studio (unless related to your UF expertise, which should be reported as professional services)</li> </ul>                |
| <b>Outside Research</b><br>                            | <ul style="list-style-type: none"> <li>Performing any research for or receiving research funding from any institution other than UF</li> </ul>   | <ul style="list-style-type: none"> <li>Holding a research appointment at another institution</li> <li>Conducting R&amp;D for a company in your private capacity</li> </ul>   | <ul style="list-style-type: none"> <li>Research conducted at outside entities as part of a UF sponsored project or UF research funds</li> <li>Collaborative UF research performed during official UF travel</li> </ul> |
| <b>Classroom Materials</b><br>                         | <ul style="list-style-type: none"> <li>Requiring your students to purchase classroom materials authored by you/your spouse, and for which you anticipate receiving income or anything of value</li> </ul>  | <ul style="list-style-type: none"> <li>Authoring a book you require your students to purchase and from which you receive copyright income</li> </ul>   | <ul style="list-style-type: none"> <li>Requiring your students to purchase classroom materials authored by you/your spouse, for which you do NOT receive anything of value</li> </ul>                                  |




# What to disclose in UFOLIO



[coi.ufl.edu/resources](http://coi.ufl.edu/resources)

Majority of disclosures



| Category  | Disclose   | Examples   | Exceptions (Do NOT Disclose)   |
|---|--|--|--|
| <b>Intellectual Property (IP) Income</b><br> | <ul style="list-style-type: none"> <li>Receiving from an entity other than UF royalties, licensing fees, copyright income, or other income of \$5,000 or more from IP related to your UF expertise</li> <li>Includes book royalties</li> </ul> | <ul style="list-style-type: none"> <li>Receiving licensing fees in excess of \$5,000 annually from technology you developed at another institution</li> </ul>  | <ul style="list-style-type: none"> <li>Any IP income not related to your UF expertise</li> <li>IP income of less than \$5,000 annually from an outside entity</li> <li>Any IP income from UF</li> </ul>  |
| <b>Legal Consulting/Expert Witness</b><br>   | <ul style="list-style-type: none"> <li>Providing professional consulting services as an expert witness on a legal matter such as a lawsuit or potential lawsuit</li> </ul>   | <ul style="list-style-type: none"> <li>Giving an expert opinion on any legal matter, including pre-suit</li> <li>Appearing in court as an expert witness</li> </ul>  | <ul style="list-style-type: none"> <li>Testifying in a case as a witness (i.e. not an expert witness)</li> </ul>   |
| <b>Professional Services</b><br>            | <ul style="list-style-type: none"> <li>Providing paid or unpaid professional services related to your UF expertise</li> </ul>  | <ul style="list-style-type: none"> <li>Consulting for an outside entity in any capacity, e.g. educational, technical, clinical, etc.</li> <li>Serving on an advisory board for an external entity</li> <li>Reviewing proposals for international agencies</li> </ul> <p>Under review by COI office</p> | <ul style="list-style-type: none"> <li>Volunteering or community service activities e.g. youth sports coaching, church volunteering, etc.</li> <li>Outside employment unrelated to your UF expertise</li> <li>Serving as an external thesis/ dissertation committee member</li> <li>Speaking at academic conferences while representing UF (even if receiving an honorarium)</li> <li>Reviewing grant proposals for US government or US non-profit agencies</li> <li>Any professional activities reasonably considered by your supervisor to be part of your UF job</li> </ul> |

# What to disclose in UFOLIO



[coi.ufl.edu/resources](http://coi.ufl.edu/resources)

**You must provide separate disclosures  
for (a) the company and (b) each  
consulting engagement.**

|  |  |   |   |
|--|--|---|---|
| <p><b>Leadership Roles</b></p>  | <ul style="list-style-type: none"> <li>• Paid or unpaid senior management, administrative, or leadership roles related to your UF expertise where you make executive business or financial decisions for the outside entity</li> </ul> | <ul style="list-style-type: none"> <li>• Senior leadership role such as CEO, COO, or serving on Board of Directors of a professional society</li> <li>• Serving as president of a startup company related to your UF expertise</li> </ul> | <ul style="list-style-type: none"> <li>• Leadership roles unrelated to your UF expertise (for an entity that does NOT do business with UF per Management category listed above).</li> </ul> |
|--|--|---|---|



## New category: Innovation Inducement Prizes

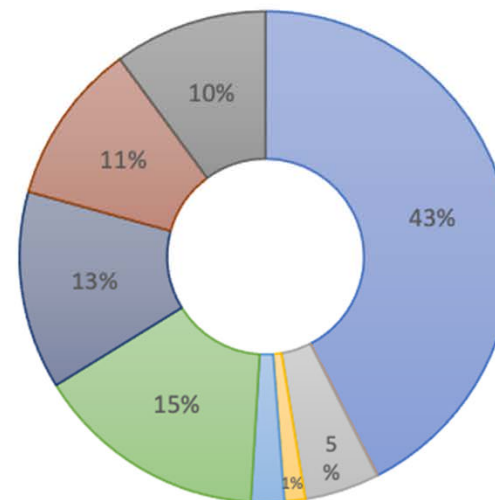
- Applies to prizes > \$5000.
- Three pathways to distribute prize funding
  - **Outside Activity:** If the activity does not make more than Incidental Use of University facilities, equipment, or services including graduate student and research staff time → request through UFOLIO
  - **Inside Activity Option 1.** 40% of the prize paid as lump sum additional pay to the team of faculty who won the prize if the prize is < \$500K. Percentage drops to 25% for prize >= \$500K
  - **Inside Activity Option 2.** 65.6% of the prize transfers to prize winners' personal residual (fund 212) account. The remainder is journaled in the University's F&A holding project for return at the end of the fiscal year as all indirect costs are returned each year (10% additional to the PI/winner, 7.5% to the department, remainder to the college who will pay RCM to the University). Any allocation of prize funds to the Investigator's research residual account must be used for supporting the research mission of the University, i.e., direct research costs including but not limited to: summer salary, equipment purchases, travel, graduate student support, or other general research activities.



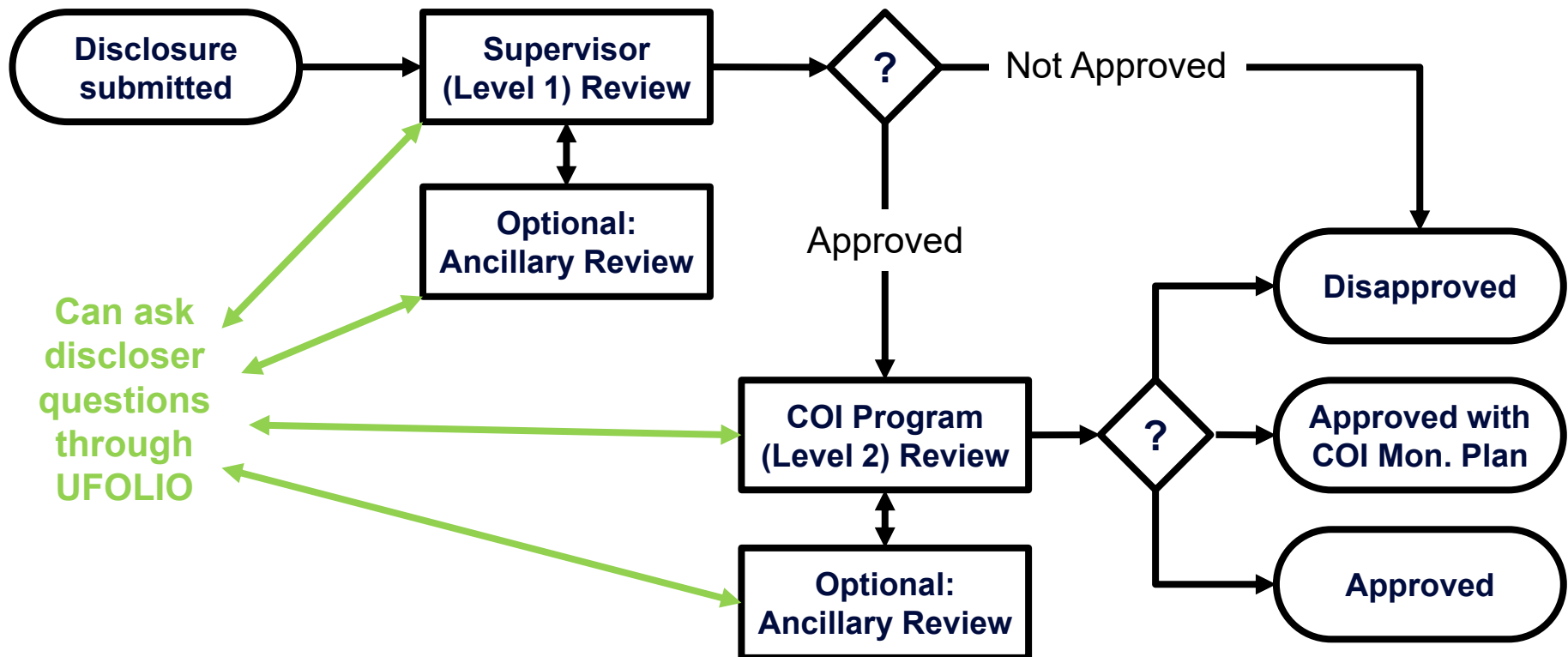
### Type Key

-  Professional Services Related to UF Role
-  Public Office
-  Research Activity
-  External Teaching Appointment
-  Class Materials
-  FL Code of Ethics & other Financial Interests
-  Intellectual Property Income
-  Leadership Role
-  Legal Consulting

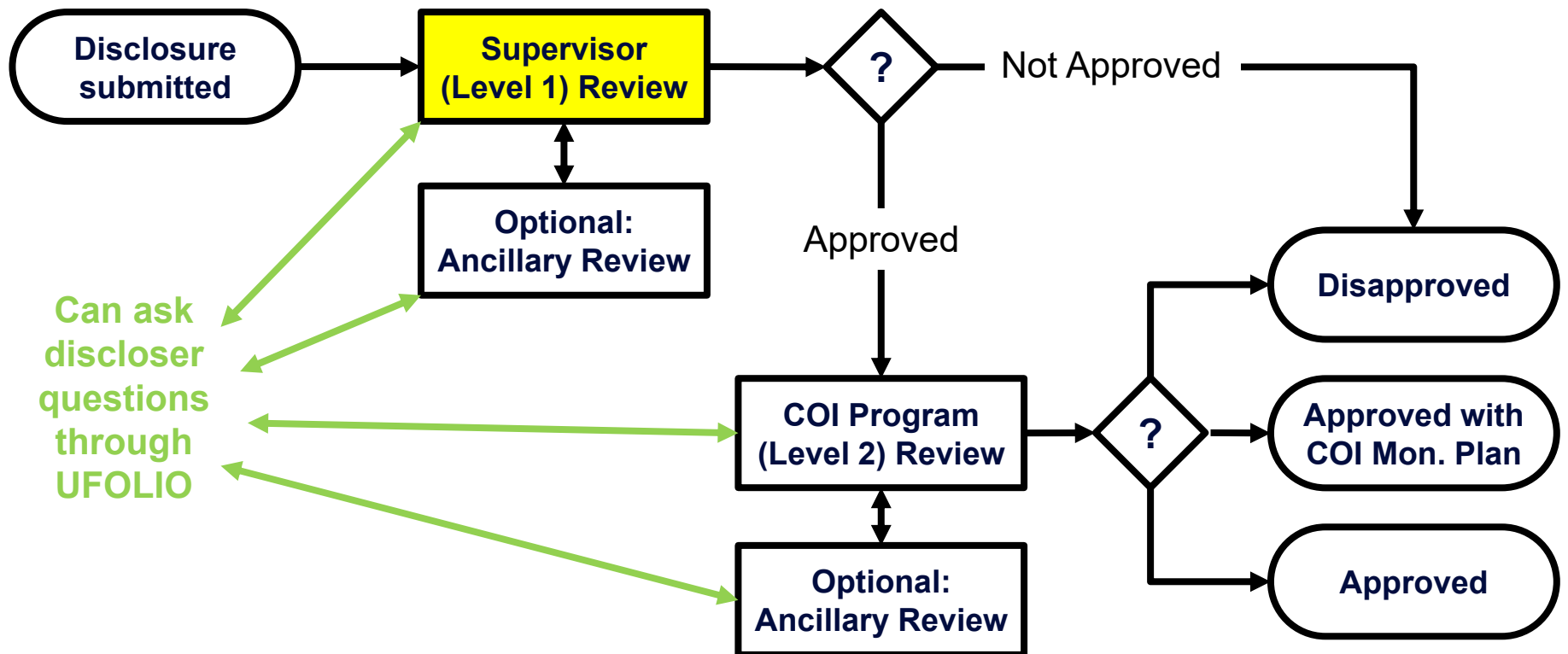
### College of Engineering



## UFOLIO flow chart



## UFOLIO flow chart

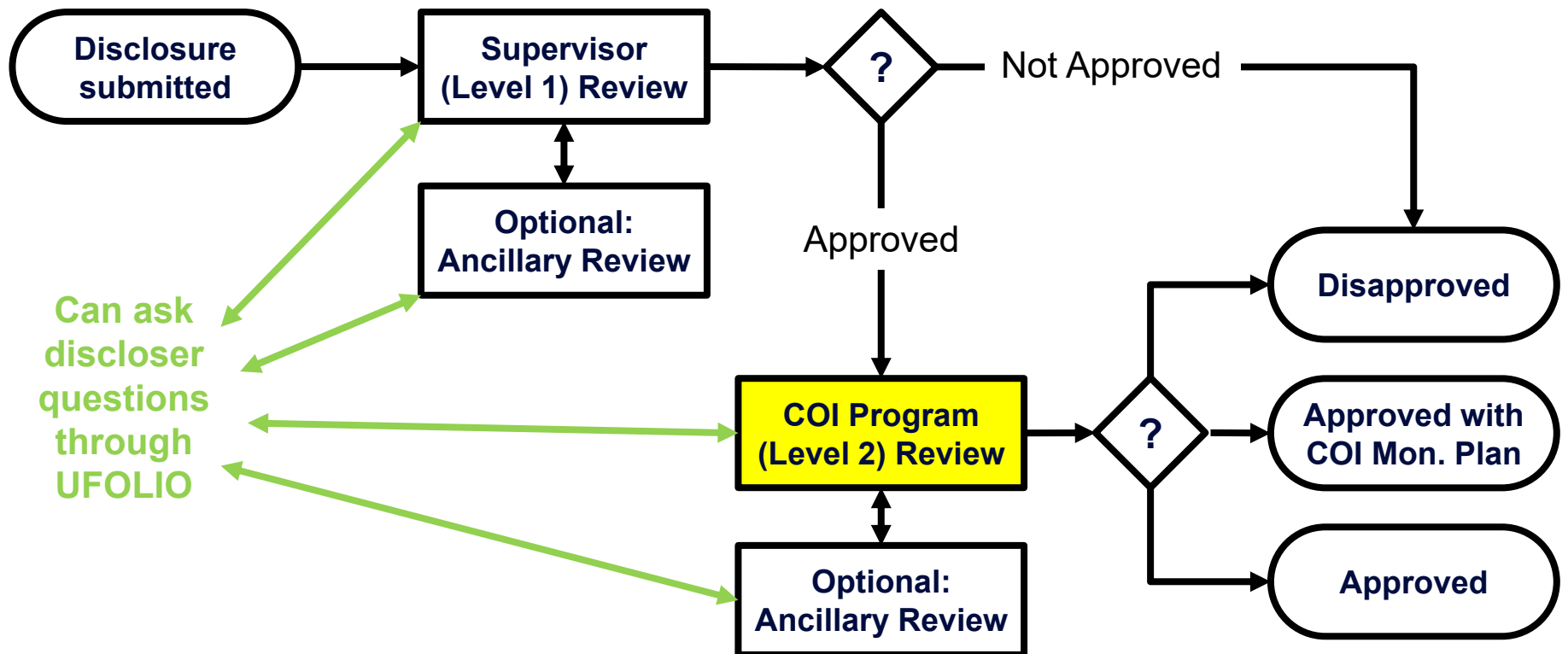


## Level 1 review by your supervisor

- **Completeness:** The disclosure is complete and provides enough information to describe the activity or interest in sufficient detail for Level 1 review to be completed
- **Conflict of Commitment**
  - **Job Performance:** The discloser is fulfilling all UF job responsibilities and reviewer does NOT expect the disclosed activity/interest will negatively impact discloser's job performance.
  - **Time Commitment:** The discloser's total time commitment for all disclosed outside activities/interests appears reasonable given the discloser's FTE
    - The reviewer must justify any total time commitment for full-time employees in excess of 8 hours per week
    - The IP policy still applies irrespective of the FTE level or if the discloser takes unpaid leave. UF continues to pay benefits and the discloser is still considered to be an employee
- **Conflict of Interest**
  - **Influence:** Reviewer does NOT expect the activity/interest would inappropriately influence the discloser in their UF role in any way (e.g., purchasing decisions, research integrity, clinical care, etc.).
  - **Competition with UF:** Reviewer does NOT think the activity or interest will compete with UF programs or services.
  - **Appropriate as Outside Activity:** Reviewer does NOT think the activity or interest would be more appropriate to do within UF as part of the discloser's UF role (e.g., research, online teaching, etc.).



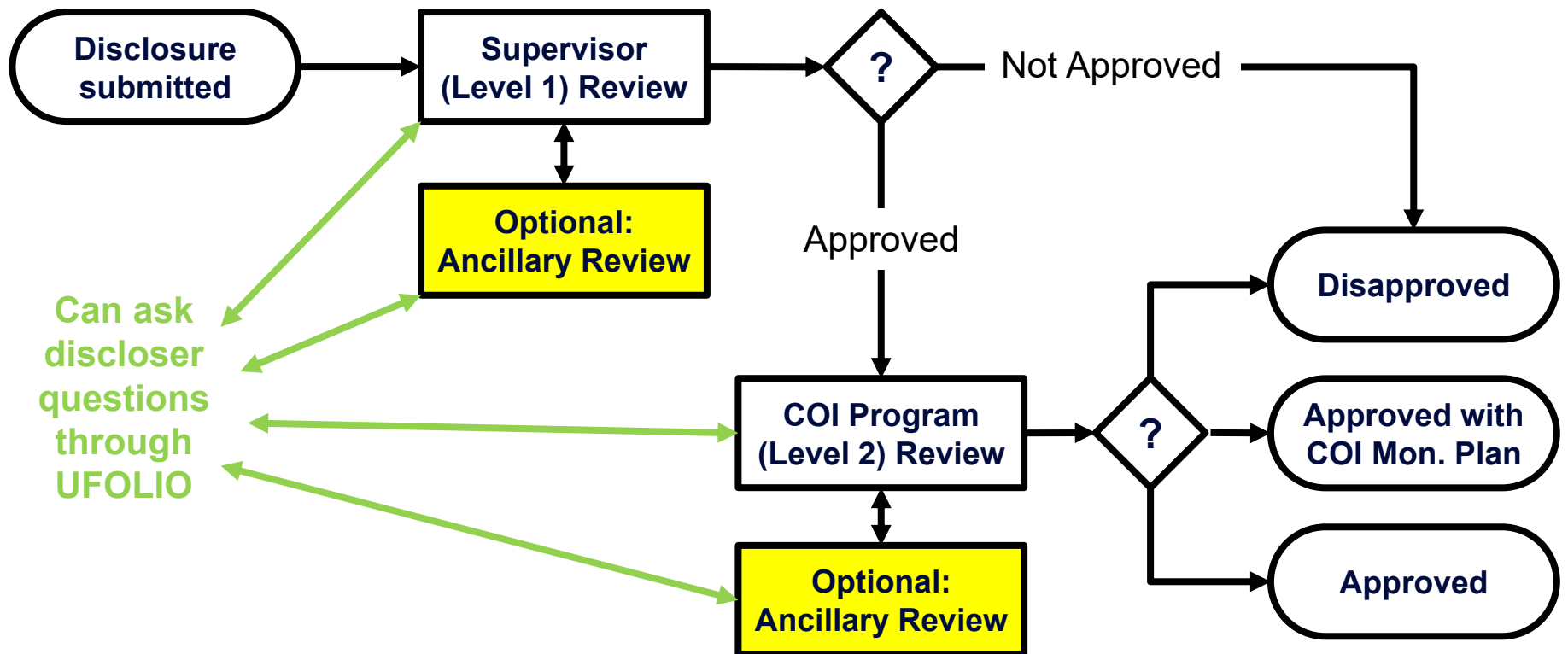
## UFOLIO flow chart



## Level 2 review by the COI office

- Review paths: Disclosure → Supervisor → ...
  - **Paper-based:** ... Human Resources (record keeper for disclosures) → Associate Dean (record keeper for COI monitoring plans) → UF Research, if a COI monitoring plan is required
  - **UFOLIO:** ... the COI Office. Records are kept centrally (and persistently!)
- COI Office Review
  - 3 of 5 personnel are attorneys, all have compliance experience
  - Request ancillary reviews where necessary
  - Final reviewer/approvers
  - Official timekeepers, reminding Level 1 and ancillaries to complete their evaluations within 30 days
- Ping the assigned Level 2 reviewer if you have questions. View the “history” tab in UFOLIO to track progress

## UFOLIO flow chart



## Ancillary reviews

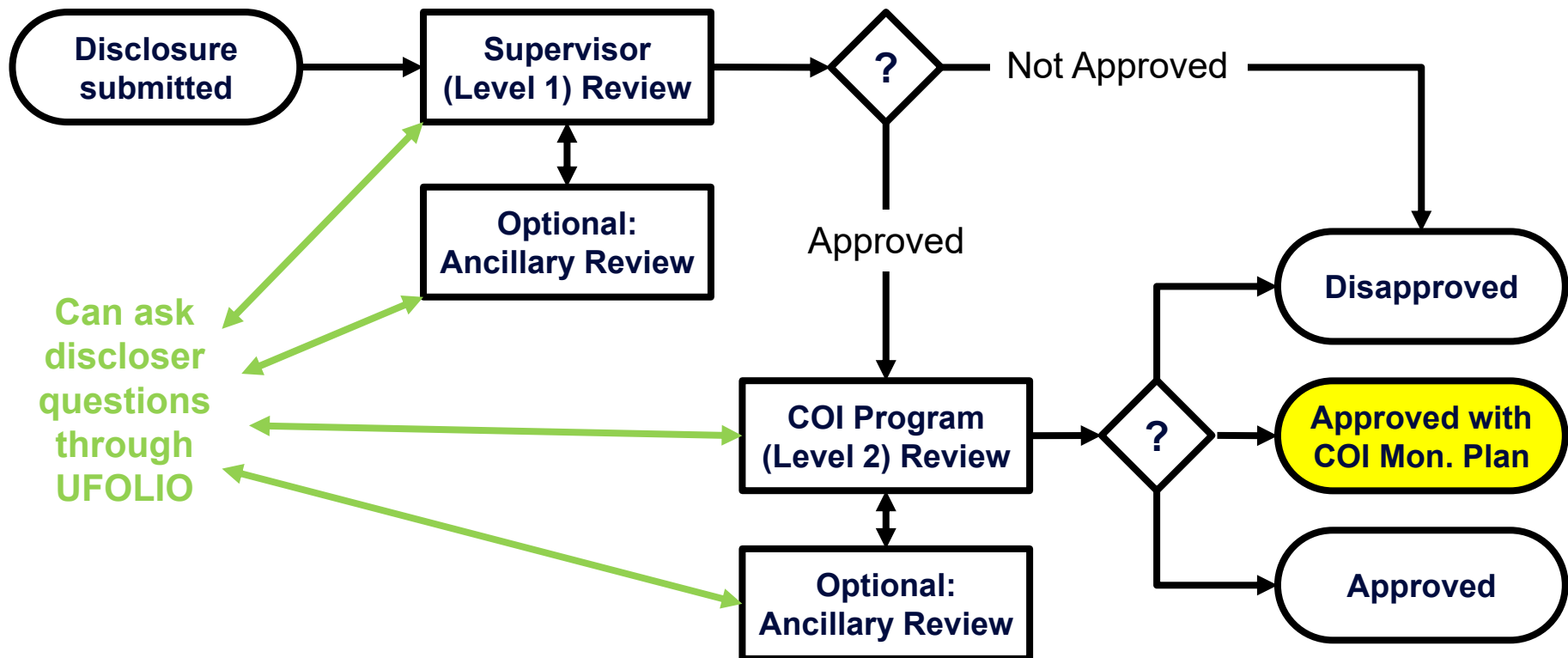
- **Deeper dive into COI questions** listed on previous slide → Associate Dean for Research and Facilities (ADRF)
- **Legal issues, contract reviews, etc.** → General Counsel
- **International / restricted party screening** → Research Integrity Office
- **Intellectual property / licensing** → General Counsel and UF Innovate
- **Research** → ADRF and/or Division of Sponsored Programs
- If your disclosure undergoes ancillary review (very common), respond promptly if you receive an “ancillary clarification request”

## Restricted party screening

- In addition to complying with federal sponsor guidelines for disclosure, UF must adhere to export control laws and regulations
  - The U.S. Department of State, Directorate of Defense Trade Control (DDTC), governs commodities, technical data, and defense services which are “inherently military” in nature through the International Traffic in Arms Regulations (ITAR), 22 C.F.R. Part 120;
  - The U.S. Department of Commerce, Bureau of Industry and Security (BIS), oversees “dual-use” or commercial items through oversight of the Export Administration Regulations (EAR), 15 C.F.R. Part 730; and
  - The U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) administers comprehensive and selective sanctions and embargoes including management and oversight of all engagements and activities involving commodities, services, and technologies to prohibited persons or destinations.
- The mostly commonly used screening tool is the international trade compliance software called Visual Compliance ([www.visualcompliance.com](http://www.visualcompliance.com))
- **These same tools are used to vet prospective** (a) sponsors, (b) campus visitors, (c) travel, and (d) **outside entities disclosed in UFOLIO**



## UFOLIO flow chart



# COI Monitoring Plan

- Research Conflict of Interests (RCOI) is handled by the RCOI program in the Research Integrity Office (in UF Research). Led by Amber Moore, Assistant Director, RCOI ([coi@research.ufl.edu](mailto:coi@research.ufl.edu), 273-3104)
- Generally required for employees who have research or licensing agreements with a company in which they have an equity stake or a leadership role
- UF is required to file an exemption pursuant to Section 112.313(12)(h) in the Florida Statutes because state employees are not allowed to do business with themselves without it
- Review process based on best practices and
  - 42 CFR 50, Subpart F “Promoting Objectivity in Research” (“PHS Regulation”)
  - UF Regulation 1.011 Disclosure and Regulation of Outside Activities and Financial Interests
  - UF Policy on Conflicts of Commitment and Conflicts of Interest
- Full explanation of process: [research.ufl.edu/wp-content/uploads/UFR-Policy-on-COI-Related-to-Research.pdf](https://research.ufl.edu/wp-content/uploads/UFR-Policy-on-COI-Related-to-Research.pdf)

# Modifying or renewing a disclosure

- Reasons to modify/update:
  - Substantive changes to OAFI disclosure occur
  - Approved disclosures nearing expiration date (365 days)
- Data are persistent, click the “renewals” tab to find the link to start the renewal process

The screenshot displays the OAFI disclosure management interface. On the left, a sidebar contains buttons: 'Review Complete' (orange), 'View Disclosure', 'Printer Version', and 'Modify or Renew Disclosure' (yellow with a checkmark icon). The main content area shows disclosure details: ID: DOI00001566, Name: Demo Discloser 2020 - Company, Department: UNIVERSITY OF FLORIDA, and Expiration Date: 8/21/2021. A progress bar indicates the stages: Submitted, Level 1 Review, Level 2 Review, and Review Complete (the final stage, marked with a checkmark). A red arrow points to the 'Review Complete' stage. Below the progress bar, a horizontal menu includes 'Current Disclosure', 'History', 'Comments and Clarifications', 'Documents', 'Reviews', 'Renewals' (circled in red), and 'Disclosure Portfolio'. The 'Renewals' tab is highlighted, indicating the next step in the process.

## What if I forget/fail to disclose?

- Disclose after the fact and tell your supervisor immediately
- It will may be disapproved or discarded (for lack of prior review) and discipline will be fact specific. In some cases it is treated as a teaching moment but if there is a pattern of failing to disclose, or if there are other facts involved, it could trigger the measures referenced in #2 below. They may be required to cease the activity as well. (G. Wimsett, 20 Apr 2021)
- Policy on Conflicts of Commitment and Conflicts of Interest
  - *1. Failure to disclose a Reportable Outside Activity by a respective deadline shall result in a written notification from the University, with copies to the Employee's supervisor, department chair and dean, directing the Employee to complete their disclosure within 10 business days.*
  - *2. Failure to disclose more than 10 business days following the receipt of a delinquency notification shall result in a written reprimand from the University, with copies to the Employee's supervisor, department chair and dean, as applicable, indicating the Employee must complete their disclosure within 10 business days.*
  - *3. If an Employee fails to disclose more than 10 business days following receipt of a written reprimand, the University may take administrative or disciplinary action against the Employee up to and including termination of employment.*

## Florida Statutes 1012.977 (effective 1 July 2020)

(1) Any person employed by a state university or entity engaging in research which was created or authorized pursuant to part II of chapter 1004 consents to the policies of the university or entity, the regulations of the Board of Governors, and the laws of this state. At a minimum, such policies shall require employees engaged in the design, conduct, or reporting of research to disclose and receive a determination that the outside activity or financial interest does not affect the integrity of the state university or entity.

(2)

(a) "Financial interest" includes anything of value other than that provided directly by the university or entity.

(b) "Outside activity" includes anything an employee does for an organization or an individual, other than the university or entity, that is related to the employee's expertise.

(3) An employee who has failed to disclose any outside activity or financial interest as required by subsection (1) shall be suspended without pay pending the outcome of an investigation which shall not exceed 60 days. Upon conclusion of the investigation, the university or entity may terminate the contract of the employee.

## Disclosing to sponsors, e.g., proposals, reports

- Oversight provided by the Division of Sponsored Programs (led by Stephanie Gray) and the Research Integrity Office (led by Cassandra Farley)
- Faculty primarily disclose through UFIRST and project reporting
- Disclosure requirements can vary from UFOLIO because they originate from federal laws, grant policy manuals, etc. (not the FL Code of Ethics, CBA, etc.)
  - Giving a virtual talk to a foreign entity (not on a restricted entity list) and receiving an honorarium does not require a UFOLIO disclosure if the activity is reported in the annual FAR ... but it may need to be provided to the sponsor funding the work covered in the talk
  - Running for public office requires a UFOLIO disclosure but is not reported to sponsors
- NIH and NSF primarily drive policy changes, with other agencies following suit

# What should be disclosed to sponsors?

- **SFI Certification in UFIRST.** The investigator indicates their disclosures are current with UFOLIO
  - Having significant ownership interest in a foreign company related to your UF role/responsibility, as defined by UF
  - Financial interests in a foreign entity that does business with or competes with UF (including seeking research funding)
- **Biographical Sketch: Appointment (NSF) and Positions, Scientific Appointments, and Honors (NIH)**
  - Academic, research, or administrative appointments at a foreign institution, even if the appointment is uncompensated. This includes appointments that are full-time, part-time, honorary, adjunct, visiting, or voluntary
  - Any foreign affiliation that is included in any publication by the UF faculty member
  - Holding a position such as founder, partner, employee, or board member at a company, non-profit, governmental agency, or other foreign entity
- **Current and Pending Form (NSF) or Other Support Page (NIH)**
  - Any agreement with a foreign university for which the UF researcher directs non-UF students, postdocs, or other personnel affiliated with that university
  - Any contractual agreement with a foreign institution, company, or government agency
  - Any non-UF agreement in which foreign funds or other resources are provided to the faculty for activities either at UF or at a foreign institution
  - Any agreement or relationship that assigns intellectual property (IP) rights to the foreign institution
  - Any agreement or relationship with a foreign entity in which the UF researcher or family member receives payments for salary, stipends, or living expenses
  - Receiving travel, living or lodging funds or reimbursements from a foreign entity
  - Receiving an honorarium from a foreign entity
  - Any consulting agreements with a foreign entity

**Remind your RA to request DSP to review**

## Subrecipient selection ... 2 CFR 200.318 (c)

- (1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.** The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.
- **Takeaway:** You can't sub to any entity that you have an OAFI. Money can flow from faculty companies (e.g., SBIR/STTRs) to UF but not the other way around



# Graduate students' OAFI disclosure [1 of 2]

## ■ GAU Collective Bargaining Agreement:

### **Article 15**

#### **OUTSIDE ACTIVITIES AND FINANCIAL CONFLICT OF INTEREST**

15.1 Policy. Outside employment or other activities that the University can show interfere with an employee's obligation to the University or that constitute a conflict of interest is prohibited. No employee who engages in outside employment or other activity shall claim to be an official university representative in connection with an outside employment or other activity. No employee may use university personnel, equipment, or facilities in connection with the outside employment or activity without prior approval of the University. Approval for the use of university facilities, equipment, or services may be conditioned upon reimbursement for the use thereof.

15.2 Report of Outside Activity. Any employee who proposes to engage in any outside activity or who has a financial interest which the employee should reasonably conclude may create a conflict of interest, shall report to the employee's supervisor, in writing, the details of such proposed activity prior to engaging therein. The report shall include, where applicable, the name of the employer or other recipient of services, the funding source, the location where such activity shall be performed, and the nature and extent of the activity.

See college policy on next slide (covers post-docs, too)

Grad students must report OAFI to their supervisors (you)

## Graduate students' OAFI disclosure [2 of 2]

- *Managing conflicts of interest and conflicts of commitment for graduate research assistants and post-doctoral researchers employed by the HWCOE who seek to work or volunteer for an outside entity (AP 2021-07)*

Graduate research assistants and post-doctoral researchers employed by the HWCOE are generally prohibited from working or volunteering with a non-US governmental outside entity to avoid creating any interference with their duties and/or impeding their academic progress. With approval of the employee's supervisor and department chair or school director, they may work for the University and a U.S. government agency or program if the combined appointment does not exceed 0.5 FTE.

Graduate research assistants may take an internship with an outside entity if they are not paid by the University during the internship. They may also work for the outside entity while completing their degree as a self-funded student with approval of the department. In both cases, they can only be advised by a faculty member who does not have a financial or management tie to the outside entity.

Graduate research assistants may work for an outside entity after their electronic thesis or dissertation undergoes final submission (after a successful dissertation defense), however they must discontinue working for the university before their appointment with the outside entity begins.

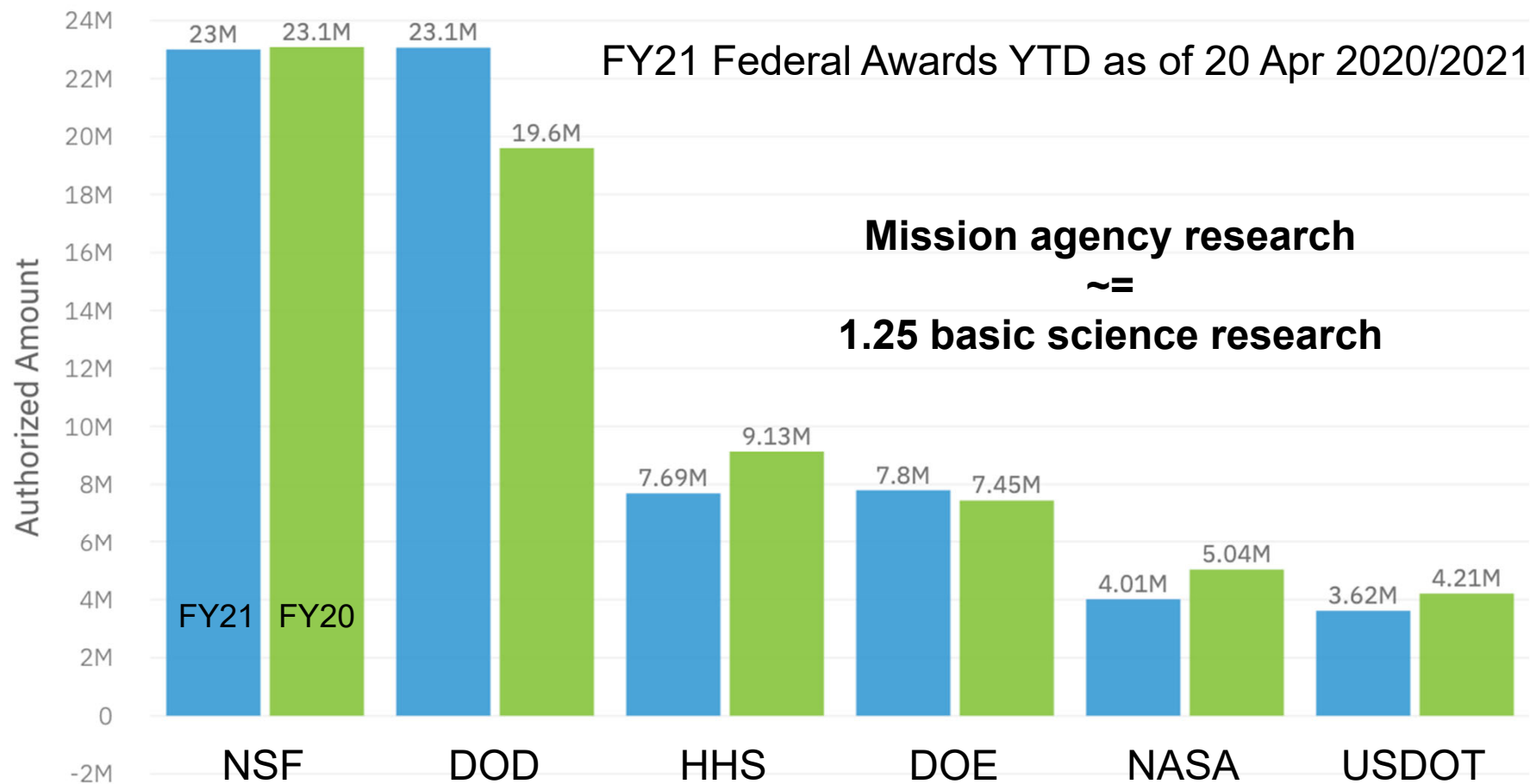
All usual visa restrictions apply.

## Key recommendations

- Continuously assess your outside affiliations
- Closely evaluate who you bring to campus if they are international visitors
- Separate your work and personal life
  - Laptops
  - Email ... #\$\$@& autocomplete!
  - Company accounts (e.g., Amazon)
  - Cloud services (e.g., Dropbox)
- Don't use your UF affiliation to conduct outside work (websites, letterhead, etc.)
- Avoid mixing travel for UF business and personal business
- Don't let active OAFI expire in UFOLIO (should get a notice 30 days prior)
- Stay on top of your training (*especially* if you are a PI on a large award)
  - <https://research.ufl.edu/training.html>
  - Financial Conflict of Interests (FCOI) – UF has established a specific FCOI training course (DSR810), which satisfies this PHS requirements.
  - Responsible Conduct of Research (RCR) – Navigate to the required RCR training for NSF and USDA NIFA grants.

## Parting remarks

- Disclosure ensures that you are taking care of your compliance responsibilities
- Don't put yourself in a situation where you have to be asked "what were you doing ... ?"
- Be mindful that our College is heavily involved in supporting research for mission agencies ...



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- **Don't hesitate to ask for help**

## Key websites

- UFOLIO Resource Page: [coi.ufl.edu/resources](http://coi.ufl.edu/resources)
- Research COI: [research.ufl.edu/research-integrity/research-conflict-of-interest.html](http://research.ufl.edu/research-integrity/research-conflict-of-interest.html)
- International engagements/collaborations: [research.ufl.edu/research-integrity/international-engagement-and-collaborations.html](http://research.ufl.edu/research-integrity/international-engagement-and-collaborations.html)
- International travel: [internationalcenter.ufl.edu](http://internationalcenter.ufl.edu) and [myassets.fa.ufl.edu](http://myassets.fa.ufl.edu)
- IT: [it.ufl.edu/policies](http://it.ufl.edu/policies) and [www.it.eng.ufl.edu](http://www.it.eng.ufl.edu)

