

research  
performed under a federally sponsored grant or cooperative agreement will be free from bias resulting from investigator  
Financial Conflict of Interest.

Montclair State University faculty and other research personnel, or "investigators" may have relationships with entities outside of the University that reasonably appear to be related to their institutional responsibilities. In accordance with the Public Health Service (PHS) Policy 42 CFR Part 50 Subpart F, and b) National Science Foundation (NSF) policy "Notice No. 117," an investigator's actual and potential Significant Financial Interests (SFI) must be disclosed to the University. If the nature of the significant financial interest is such

Effective December 26,

2014, the Federal Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200.112 requires that "all federal agencies must establish conflict of interest policies for Federal awards." In consideration of these requirements, this revised FCO policy is expanded to include Federally Sponsored Projects (FSPs) administered by the University. The flow through funds, and is required since federal requirements are not identical to the financial

## II. Definitions

Entity means any domestic or foreign, public or private, organization (excluding a federal agency) from which an investigator (and investigator's spouse, partner or immediate family) or organization which employs or will employ the investigator (and investigator's spouse, partner or immediate family) receives remuneration or in which any such person(s) has an ownership or equity interest.

Equity interest means any stock, stock option, or otherwise ownership interest as determined through reference to public prices, or other reasonable measures of fair market value.

Federally Sponsored Project means research or any other project funded by an agency or other organization a entity of the government of the United States of America, either directly, or via passthrough from an external organization. (E.g. another university, or other entity.)

Financial Conflict of Interest (FCOI) means a significant financial interest or tangible personal benefit that could directly and significantly impact the design, conduct and reporting of the research or the award of a contract/subcontract.

Financial Interest means anything of monetary value or tangible personal benefit, whether or not the value is readily ascertainable.

Institution means any domestic or foreign, public or private, entity or organization (excluding a Federal agency) that is applying for or that receives PHS and/or NSF research funding.

Institutional Responsibilities means an investigator's professional responsibilities on behalf of the institution, which may include activities such as research, research consultation, teaching, professional practice, institutional committee memberships, procurement of a contract to a third party using the federal funds, and service on panels such as Institutional Review Boards.

Intellectual Property Rights and Interests means receipt of income related to such rights and interests by the investigator and/or the investigator's spouse, partner or immediate family. (e.g., patents, copyrights, trademarks, trade secrets).

Investigator means the project director, principal investigator, or any other person regardless of title or position who is responsible for the design, conduct or reporting of research funded by PHS and/or NSF or proposed for such funding, which may include collaborators or consultants.

National Science Foundation means the National Science Foundation and its associated Directorates, Divisions and Programs.

Public Health Service means the Public Health Service of the U.S. Department of Health and Human Services and any components of the PHS to which the authority involved may be delegated, including the NIH.

Remuneration includes salary, and any payment for services not otherwise identified as salary greater than nominal value (e.g., consulting fees, honoraria, paid authorship).

Research means scholarly or scientific investigation or discovery.

Senior/Key Personnel means the Project Director/Principal Investigator (PD/PI) and any other person identified as senior/key personnel by the Institution in the grant application, progress report, or any other report submitted to the PHS and/or NSF by the Institution under the regulation.





- iv. Change in Significant Financial Interest Status: Should a new, reportable significant financial interest arise for any investigator during the period of grant

### C. Non Compliance

Whenever an investigator does not disclose in a timely manner, a previously existing significant financial interest or the University fails to review a previously existing significant financial interest during an ongoing federally funded project, the Director ORSB shall, within sixty (60) days: review the significant financial interest and reasonably determine if a real or perceived financial conflict of interest exists that is related to the research project and could directly and significantly affect the design, conduct, reporting of the research, or the award of a contract. If an FCOI is identified, the University must implement, on at least an interim basis, a management plan that shall specify the actions that have been, or will be, taken to manage such financial conflict of interest going forward and submit an FCOI report to the federal awarding agency.

In addition to the FCOI report, the University must, within 120 days of its determination of noncompliance, complete a retrospective review of the investigator's research activities and the federally funded research project to determine whether any funded research, or portion thereof, conducted during the time period of the

submission of a federal prior approval request, whichever is applicable.) When a conflicting financial interest ceases to exist during the ongoing project period, the Institution should update the status of the Financial Conflict of Interest at the time of the next annual FCO report submission or deadline.

#### D. Subrecipients

##### Responsibilities for Research Subrecipients

If required under the terms and conditions of a sponsored Research project, the University will require

- A. [OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(2 CFR Part 200\)](#)
  - x [2 CFR 200.112](#)
  - x [2 CFR 200.317](#)
  - x [Office of Executive Councils, Chief Financial Officers Counsel, Counsel on Financial Assistance Report \(COFAR\)](#)
  
- B. U.S. Department of Health and Human Services (Including Public Health Service and National Institutes of Health)
  - x [42 CFR Part 50, Subpart F, Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought](#)
  - x [National Institutes of Health Financial Conflict of Interest Page](#)
  - x [NIH Tutorial on Financial Conflict of Interest](#)
  
- B. National Science Foundation
  - x [NSF "Investigator Financial Disclosure Policy"](#)
  - x [NSF Frequently Asked Questions Concerning the DHHS Objectivity in Research Regulations and the NSF Investigator Financial Disclosure Policy"](#)
  - x [NSF Proposal and Award Policies and Procedures Guide, January 2011, Part II Award & Administration Guide, Chapter IV, A. Conflict of Interest Policies](#)
  - x [NSF Proposal and Award Policies and Procedures Guide, January 2011, Part I Grant Proposal Guide, Chapter II, C.1.e. Proposal Certifications](#)