

Financial Disclosure Policy for All Investigators Conducting Research Funded by Federal Grants

The federal government requires that Tulsa Community College establish and administer a financial disclosure policy for investigators and a plan for training investigators in that policy. TCC's Office of Sponsored Programs will administer the policy and maintain all updates in the *TCC Grants Guide*.

TCC follows the Public Health Service (PHS) regulations outlined in 42 CFR 50, Subpart F "[Promoting Objectivity in Research](#)" for the reporting of outside activity, review of potential conflicts of interest, and management of conflicts of interest, as expressed in the NIH policy below and other similar federal policies.

- [NIH Conflict of Interest resources page](#) - Public Health Service (PHS) regulation, which apply to grants and awards from the National Institutes of Health and other PHS agencies
- [NSF COI Policy](#) - National Science Foundation regulations for grants and awards

TCC's policy also follows January 2021 guidance issued under [National Security Presidential Memorandum-33](#) and the recommended practices reported by both the [Joint Committee on the Research Environment](#) and the [National Science and Technology Council](#) regarding disclosures related to potential conflicts of interest and commitment from participants in the Federally funded R&D enterprise, including Principal Investigators and other senior/key personnel seeking or receiving federal funding.

Disclosure Requirements: In addition to all key personnel involved in NIH/PHS or NSF sponsored research, other personnel required to disclose will be determined by the Office of Sponsored Programs by reviewing proposal and award document language and the definition of Research and Development (R&D) per [2 CFR § 200.1](#). Disclosures will be made in accordance with the procedures and definitions outlined below.

A. Disclosure of Significant Financial Interests. All personnel responsible for the design, conduct or reporting of research under the terms of a federal grant or contract (each, an "investigator") are required to disclose to the College's Compliance Committee (see charter and membership list of the Grant Development and Compliance Committee under the External Affairs Council) all "Significant Financial Interests" of the investigator and/ or the investigator's spouse, partner, and dependent children. Personnel are requested to disclose any applicable interests so that the Compliance Committee can determine if a "significant financial interest" exists.

Significant Financial Interest (SFI).

1. Definition. A "Significant Financial Interest" means one or more of the following interests, if it reasonably appears to be related to the investigator's institutional responsibilities, including all research, teaching and/or service to the College:

- a. With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure *and* the value of any equity interest in the entity as of the date of the disclosure, when aggregated, exceeds \$5,000. Remuneration includes any salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.

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b. With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the investigator (or spouse, partner, or dependent children) owns *any* equity interest, regardless of dollar value.

c. Intellectual property rights and interests (e.g., patents and copyrights) upon receipt of income related to such rights and interests. This does not include any income received from Tulsa Community College for intellectual property rights assigned to Tulsa Community College based on agreements to share in the royalties related to such rights in conformity with the College's intellectual property policy (See [Board Policy BR.04](#) and [FH.05.N](#) in the Faculty Handbook).

d. Any occurrence of reimbursed or sponsored travel related to your institutional responsibilities whose cost (reimbursed or estimated) exceeds \$5,000 must also be disclosed, including instruction, research or service to Tulsa Community College, with the exception of any travel reimbursed or sponsored by a federal, state or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research center affiliated with an institution of higher education. Travel that is reimbursed by Tulsa Community College from a sponsored fund account whose sponsor is an entity that is *not* one of those exempt entities shall be treated as a significant financial interest. The investigator must disclose the purpose of the trip, the identity of the sponsor and/or organizer, the destination and its duration. Additional information, including the estimated cost of travel, may be requested by the Senior Grant Accountant and must be furnished upon request.

2. Exclusions. The term "Significant Financial Interest" does not include: a) salary, royalties, or other remuneration from Tulsa Community College; b) income from investment vehicles such as mutual funds or retirement accounts, as long as the investigator does not directly control the investment decisions made in these vehicles; c) income from seminars, lectures, or teaching engagements sponsored by a federal, state or local government agency, institutions of higher education, academic teaching hospitals, medical centers, or research institutes affiliated with institutions of higher education; d) income from service on advisory committees or review panels for government agencies, institutions of higher education, academic teaching hospitals, medical centers, or research institutes affiliated with institutions of higher education.

B. Additional Mandatory Disclosures:

- a. Organizational affiliations and appointments;
- b. Other support, contractual or otherwise, direct and indirect, including current and pending private and public sources of funding or income, both foreign and domestic;
- c. Current or pending participation in, or applications to, programs sponsored by foreign governments, instrumentalities, or entities, including foreign government sponsored talent recruitment programs; and
- d. Positions and appointments, both domestic and foreign, including affiliations with foreign entities or governments.

C. Timing of Required Disclosures.

All actual and potential conflicts of interest or commitment must be disclosed to the Director of Sponsored Programs at the time a proposal is submitted. Disclosures will be evaluated (see part D);

and, if found to be significant, eliminated or managed as described in part M). In addition, investigators must update those disclosures:

- a. Within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) any new significant financial interest; and
- b. Annually within the period of the award, beginning with the project start date.

D. Review of Financial Disclosures. The following process shall apply to financial disclosures submitted by investigators:

- a. **Determination of Financial Conflicts of Interest.** The Director of Sponsored Programs shall collect all disclosures according to the stated timing and review them for any potential SFIs. TCC's Compliance Committee will review applicable disclosures (an expedited review by the committee members may be conducted via email as needed to address potential FCOIs disclosed outside of the timing of regular reviews). The Compliance Committee will determine whether any disclosed interests are considered SFIs and relate to federally funded research. If so related, the committee members will determine whether a "Financial Conflict of Interest" (as defined below) exists and determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce, or eliminate such conflict of interest. The Compliance Committee may, depending on the scope of the potential conflict, request that additional staff or faculty serve on an *ad hoc* basis to assist in its timely review. For more information about this committee and process, please reference Part M on "Procedures for Evaluating and Managing Financial Conflicts of Interest."
- b. **Definition: Financial Conflict of Interest.** A "Financial Conflict of Interest" exists when the Compliance Committee reasonably determines that a significant financial interest could directly and significantly affect the design, conduct, or reporting of federally funded research or educational activities.

E. Management of Financial Conflicts of Interest. The Compliance Committee will review the research, the financial interests in question, and the areas of conflict, and devise a plan for the management of the financial conflict of interest (a "Management Plan") with a combination of elements it deems most conducive to the continued objective pursuit of research. The management plan may include conditions or restrictions to manage, reduce, or eliminate financial conflicts of interest, which may include (but are not limited to): a) monitoring of research by independent reviewers; b) modification of the research plan; c) disqualification from participation in the portion of the federally funded research that would be affected by significant financial interests; d) divestiture of significant financial interests; e) severance of relationships that create conflicts; or f) public disclosure of financial conflicts of interest. The investigator will be consulted as to the implementation of the management plan; the investigator must agree to the plan before the research can proceed. If the Compliance Committee and the investigator cannot agree upon a management plan, the relevant regulatory bodies and funding agencies will be notified.

F. Reporting of Financial Conflicts of Interest

- a. ***Sponsoring agency.*** Significant financial interests that are determined by the Compliance Committee to be financial conflicts of interest will be reported to the sponsoring agency in accordance with its requirements within 60 days of the original disclosure. If funding for the project comes via a subaward agreement, the applicable FCOI

disclosure and management plan shall be made available to the prime awardee such that they may fulfill their reporting obligations to the sponsoring agency.

b. *Public request.* As required by sponsoring agency regulations, information on the nature of such conflicts of interest will be made available to members of the public by the Director of Sponsored Programs in response to inquiries specifying the investigator name and the research project in question within 5 business days of receipt of such requests.

c. *Indemnity.* Participation by a Tulsa Community College faculty or staff member in a conflict of interest review committee or management plan at the request of the Director of Sponsored Programs shall be considered part of that faculty or staff member's institutional responsibilities.

G. Enforcement. The College shall establish appropriate mechanisms for enforcement of this policy, which shall provide for sanctions where appropriate.¹ Disciplinary proceedings initiated in connection with this policy, including for incomplete or improper disclosures, failure to disclose, or other policy violations, shall be conducted in accordance with the Tulsa Community College *Faculty Handbook* and the *Employee Handbook*. All relevant regulatory bodies and funding agencies will be promptly informed of disciplinary sanctions.

H. Records. The College shall maintain records of all financial disclosures and of all actions taken to resolve financial conflicts of interest for at least five years beyond the termination or completion of the grant to which they relate, or until the resolution of any federal action involving those records, whichever is longer.

I. Training.

1. *Investigators participating in research sponsored by the NSF or NIH/PHS or in federally sponsored R&D projects.* Each investigator (including senior/key personnel) on projects funded by or proposed to the NSF, NIH or other Public Health Service (PHS)-affiliated agencies, as well as any investigators involved in federally sponsored R&D projects, must complete training in the College's conflict of interest policy and its mandatory disclosure procedures prior to engaging in research. Investigators should contact the Director of Sponsored Programs for information on how to access or schedule training.

2. *New or previously unfunded Investigators.* New and/or previously unfunded investigators who notify the Sponsored Programs Office of their intent to submit a proposal to the NSF, NIH or another PHS-affiliated agency, or another federal agency that may be determined to be related to research or R&D, will be required to complete the required training (and make the disclosures described above) prior to submission of their proposal.

3. *Investigators on other sponsored research projects.* For investigators sponsored by or seeking research funding from other federal agencies, as well as any Investigators initiating research sponsored by a private, for-profit entity, the above training activities are strongly recommended and, in some cases, may be required by the College for participation.

4. *Repeat training.* Active investigators, after first completing the initial training and disclosure form, will be required to complete the disclosure process each year and are encouraged to repeat the training each time; however, repeat training is required every four

years or on any occasion when Tulsa Community College revises its financial conflict of interest policies and procedures in any manner that affects the requirements of investigators.

J. Disclosure Statement. Current or potential investigators should first contact the Director of Sponsored Programs, who will provide information on how to complete the mandatory training and disclosure form(s). A Disclosure Statement must be completed by all current investigators and all proposed senior personnel who are submitting research proposals to a federal funder. (Note that the certification page of a PHS/NIH or NSF proposal cannot be signed until applicable forms for all investigators are submitted to the Director of Sponsored Programs). By signing the statement, the applicant/investigator certifies that they have reviewed and will comply with TCC's Financial Disclosure Policy. The applicant/investigator must also: a) certify that they have nothing to disclose or b) indicate that they may have potential financial conflicts of interest and will attach a completed FCOI Disclosure Form for review. In either case, the applicant/investigator also declares that they will notify the Director of Sponsored Programs of any change or discovery requiring modification of their previous disclosure(s).

K. Subrecipients. The College is responsible for ensuring all subrecipients' compliance with the applicable federal regulations regarding financial conflicts of interest. To this end, the College shall enter a written agreement with each subrecipient that shall specify whether this policy, or the applicable policy of the subrecipient's institution, will apply to subrecipient investigators. Said agreement will specify the timing for reporting of financial conflicts of interest by subrecipients to Tulsa Community College to enable the timely review and reporting of such financial conflicts of interest in compliance with funding agency requirements.

L. Mandatory Disclosures of Criminal Violations to Federal Awarding Agencies. It is the responsibility of all employees, including faculty, to comply with the law and to report violations or suspected violations of the law in accordance with the Whistleblower Policy (see Appendix A in *TCC Grants Guide*). As a recipient of federal grants, TCC has an obligation to disclose to federal awarding agencies all violations of federal criminal law involving fraud, bribery, or gratuity violations that could potentially affect one or more federal grants. Any employee with concerns of any kind stemming from possible noncompliance or irregularities may use the Report It! form: <https://www.tulsacc.edu/student-resources/report-concern>.

M. Procedures for Evaluating and Managing Financial Conflicts of Interest

Evaluating

The TCC Director of Sponsored Programs will be the first to review each research disclosure statement and applicable FCOI disclosure form for completeness and to determine if a potential financial conflict of interest has been disclosed. Then, the Compliance Committee will be convened (in person or virtually) on a quarterly basis (to coincide with timing of disclosures) to further review all applicable disclosures. At a minimum, the Committee will consist of the Director of Sponsored Programs, one senior-level Academic Affairs representative, one additional academic administrator, one Student Success representative, and two faculty representatives (not connected to the research project under review). Additional ad hoc committee members that may be asked to review disclosures include TCC's Undergraduate Research Co-Coordinators, Senior Grant Accountant, and General Counsel. The Compliance Committee will determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce, or eliminate such conflict of interest. Depending on the scope of the

potential conflict, the Director of Sponsored Programs may request that additional staff or faculty assist the committee in its timely review.

Managing

When a significant financial interest exists and is deemed to be a Financial Conflict of Interest, the Compliance Committee may choose to reconvene (or have further discussion via email) to review the research, the financial interest in question, and the areas of conflict. The designated officials must devise a written plan for management of the FCOI. This plan will contain a combination of the elements most conducive to the continued objective of the grant/research project.

The PI/Investigator must agree to the plan (in writing) before the research/grant can proceed. If the Compliance Committee and the investigator cannot agree upon a management plan, the relevant regulatory bodies and funding agencies will be notified.