15.01.03.C1 Financial Conflicts of Interest in Sponsored Research

Revised: June 23, 2025
Next Scheduled Review: June 23, 2030
Revision History

Rule Summary

Texas A&M University-Corpus Christi (TAMU-CC) is committed to conducting research and educational activities in a manner consistent with the highest standards of integrity and ethics. This rule is adopted to promote objectivity in research and to ensure that the research and educational activities are conducted in a manner free from bias resulting from a financial conflict of interest (FCOI). This rule implements the requirements of The Texas A&M University System (System) Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*.

Definitions

Definitions of terms used in this rule can be found in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*.

Rule

1. APPOINTMENT OF CONFLICT OF INTEREST OFFICIAL

   The president/chief executive officer (CEO) appoints the executive vice president for Research and Innovation or their designee as the Conflict of Interest official (COI official) for TAMU-CC. The COI official performs the duties established in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research,* relating to the review of financial interest disclosures and the management and reporting of FCOIs.

2. DISCLOSURE AND REVIEW

   2.1. Each investigator must submit financial disclosure statements to the TAMU-CC COI official as required in System Regulation *15.01.03, Financial Conflicts*

of Interest in Sponsored Research.

2.2. In accordance with System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research,* and federal law, the COI official, or designee, will review all financial disclosure statements by investigators. The COI official will determine whether any disclosed Significant Financial Interest (SFI) is related to the investigator's research and whether an FCOI exists. If an FCOI exists, the COI official will develop a management plan specifying the actions that will be taken to manage, reduce, or eliminate the FCOI. All FCOIs identified by the COI official will be satisfactorily managed, reduced, or eliminated prior to the expenditure of any sponsored research funds.

2.3. The COI official may appoint a designee or Conflict of Interest Review Committee (CIRC) to assist in the determination of whether an FCOI exists.

2.4. If the COI official appoints a CIRC, the CIRC must be composed of investigators representing a cross-section of disciplines and at least one research administrator. The COI official and/or CIRC may involve the investigator to assist in determining whether an SFI is related to the investigator's research or research activities. The System Ethics and Compliance Officer, System Chief Research Compliance Officer, and/or the Office of General Counsel may be consulted as appropriate.

2.5. If the COI official determines that an FCOI exists, the COI official or designee will notify the investigator in writing and work with the investigator to develop a management plan specifying the steps to be taken to manage, reduce, or eliminate the FCOI.

2.6. If an investigator disagrees with the COI official's determination that an FCOI exists, the investigator may challenge the COI official's determination to the university president/CEO or designee in writing within 10 business days after receiving the COI official's determination. The challenge must state: (a) Why the investigator disagrees with the determination; (b) How the SFI could not reasonably result in the influence or bias of the planning, conduct, or reporting of research; and (c) Any other additional facts the investigator wishes to have considered. The president/CEO or designee must provide the investigator with a written decision on their challenge within 30 business days. The decision of the president/CEO or designee is final.

3. NO EXPENDITURE OF RESEARCH FUNDS

There may be no expenditure of sponsored research funds by an investigator or TAMU-CC unless the COI official has determined that no FCOI exists or, if an FCOI has been identified, that it is manageable under the terms of a management plan that has been implemented.

4. MONITORING

Each investigator conducting research under a management plan must comply fully and promptly with the plan. The COI official, or designee, is responsible for conducting periodic reviews of financial disclosure statements and management plans to determine individual and institutional compliance. The COI official must report instances of noncompliance as required in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research,* and federal law.

5. TRAINING AND CERTIFICATION

Investigators must complete training as required in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*. In addition, each investigator must annually certify that they are aware of and have read System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research,* and this rule and are aware of their responsibilities regarding disclosure of SFIs and applicable federal regulations.

6. PUBLIC ACCESSIBILITY

6.1. The COI official will ensure that this rule is available through a publicly accessible website.

6.2. Public Health Service (PHS)-Funded Research

If the COI official determines that an FCOI exists that is related to PHS-funded research, the COI official will coordinate with the director of Communications to make the following information available in writing to any requestor within five business days after receipt of a request, so long as the investigator still holds the SFI:

(a) The name of the investigator;

(b) The title and role of the investigator in relation to the affected research;

(c) The name of the entity in which the SFI is held;

(d) A description of the SFI that was determined to be an FCOI; and

(e) The approximate dollar value of the SFI. If the dollar value cannot be determined by reference to publicly available prices or another reasonable method, the university will include a statement to that effect. Dollar values may be provided within ranges (e.g., $0-$4,999; $5,000-$10,000; $10,000-$20,000; $20,000-$50,000; $50,000-$100,000). Amounts over $100,000 may be stated in increments of $50,000.

6.3. Non-PHS Funded Research

For all public information requests related to non-PHS funded research, the COI official will coordinate with the director of Communications to ensure that responses to requests comply with Texas Government Code, Chapter 552.

7. OTHER CONSIDERATIONS

In addition to the issues addressed in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research,* and this rule, there may be other ethical considerations that are separate and distinct from FCOI questions including but not limited to those relating to external employment and conflict of commitment. The primary responsibility of employees of TAMU-CC is the accomplishment of the duties and responsibilities assigned to the employee's position of appointment. External consulting or other outside employment should not interfere with those duties and responsibilities as set forth in system policies and regulations. Additional information regarding external consulting and other outside employment can be found in University Rule *31.05.01.C1, Faculty Consulting, External Professional Employment, and Conflicts of Interest,* and University Procedure *31.05.02.C0.01, External Employment*.

Related Statutes, Policies, or Requirements

42 C.F.R. Part 50, Subpart F
45 C.F.R. §§ 74.53(b), 92.42(b) and Part 94
NSF Proposal & Award Policies & Procedures Guide (PAPPG)
Texas Government Code Ch. 552
System Policy *15.01, Research Agreements*
System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*
System Policy *07.01, Ethics*
System Policy *31.05, External Employment and Expert Witness*
System Regulation *31.05.01, Faculty Consulting and/or External Professional Employment*
System Regulation *31.05.02, External Employment*
University Rule *31.05.01.C1, Faculty Consulting, External Professional Employment, and Conflicts of Interest*
University Procedure *31.05.02.C0.01, External Employment*

Contact Office

Contact for interpretation and clarification: Executive Vice President for Research and

Innovation
361.825.3881