

**University of Wisconsin-La Crosse
Financial Conflict of Interest (FCOI) Committee**

**Operating Guidelines
(Approved by FCOI Committee on [REDACTED])**

I. Purpose of the committee

- A. The University of Wisconsin-La Crosse (UWL) Financial Conflict of Interest (FCOI) Committee is responsible for determining whether a significant financial interest (SFI) disclosed by an investigator engaged in sponsored research represents a FCOI in accordance with the pertinent UWL FCOI policy and funding agency regulations. If a FCOI is identified, the committee will develop and approve a FCOI management plan to manage, reduce, or eliminate the conflict. In the event of an investigator's noncompliance with a UWL FCOI policy, the committee is responsible for conducting a retrospective review of the investigator's involvement in the sponsored research to determine whether a FCOI may have biased the design, conduct, or reporting of the funded research. If bias is discovered, the committee is responsible for prescribing a mitigation plan to eliminate or mitigate the effect of the bias.

II. Statutory authority of the committee

- A. Title 2 of the *Code of Federal Regulations*, Part 200 Subpart B (2 CFR § 200 Subpart B), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, implements standards related to the financial and programmatic management of federal grants, including conflicts of interest and mandatory disclosures, effective December 26, 2014. The regulations require federal agencies to establish conflict of interest policies for federal awards, and for non-federal entities to make related disclosures to the federal awarding agency or pass-through entity in accordance with the applicable federal awarding agency policy.
- B. Title 42 of the *Code of Federal Regulations*, Part 50 Subpart F (45 CFR § 50 Subpart F) and Part 94 (45 CFR 94) implements amendments to the Public Health Service (PHS) Act, effective August 25, 2011. The amendments require institutions engaged in PHS-funded projects to designate institutional official(s) to make determinations and direct plans to reduce, mitigate, and/or eliminate investigators' financial conflicts of interest in relation to sponsored research projects. The UWL FCOI policy directs the FCOI Committee to fulfill this role.
- C. National Science Foundation (NSF) Proposal & Award Policies & Procedures Guide (PAPPG), Chapter IX. Grantee Standards, Section A. Conflict of Interest Policies, implements the standards established for federal awarding agencies and non-federal entities in 2 CFR § 200 Subpart B, extending their applicability to all types of recipients of NSF awards. The policies require organizations engaged in NSF-funded projects to designate institutional official(s) to review financial disclosures, determine whether a conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the organization to manage, reduce, or eliminate such a conflict of interest. The UWL FCOI policy directs the FCOI Committee to fulfill this role.

- D. The Chancellor, as the chief executive officer of the university, is responsible for ensuring that the UWL FCOI Committee operates in accordance with all applicable laws. The Chancellor has designated the Associate Vice Chancellor for Academic Affairs to monitor the operation of the FCOI Committee.

III. Policies and procedures

- A. The policies and procedures for the review of SFIs, the development of FCOI management plans, the conduct of retrospective reviews, and the development of mitigation plans are defined by the UWL FCOI policy. The policies, associated forms, and resources are available electronically on the website of the [UWL Office of Research and Sponsored Programs \(ORSP\)](#).

IV. Membership of the committee

- A. The FCOI Committee shall be comprised of the following members:
- i. Associate Vice Chancellor for Academic Affairs (voting member)
 - ii. Dean or appointed designee of College of Business & Administration (voting member)
 - iii. Dean or appointed designee of College of Arts, Social Sciences, & Humanities (voting member)
 - iv. Dean or appointed designee of College of Science & Health (voting member)
 - v. Human resources representative (as a non-voting member acting in an advisory capacity)
- B. Prior to initial committee service, all voting committee members will have successfully completed the institutional Canvas FCOI training module and assessment within the past four years.
- C. Investigators may be invited to participate in committee meetings to assist in the review process and plan development.
- D. The committee shall elect a chair from among its voting members who will serve as a voting member of the committee. The chair shall be elected [redacted] and will serve [redacted].

V. Meetings

- A. The Associate Vice Chancellor for Academic Affairs is responsible for convening the FCOI Committee in the event they determine that an investigator's disclosed SFI may represent a potential FCOI.
- B. A majority of the full appointed voting membership shall constitute a quorum for the purpose of holding an official meeting. A majority of those voting members present at an official meeting shall be sufficient to issue official verdicts, actions, and judgments. Any substantive actions and/or determinations require the majority support of the committee members present at an official meeting.

- C. All committee meetings will begin in open session in accordance with the State of Wisconsin's Open Meetings Law. Meetings will then move into closed session to discuss personal financial matters.

VI. Conflict of interest procedures

- A. Any member of the committee who has an actual or apparent conflict of interest in the initial or continuing review of an investigator's financial disclosures and/or research project may not participate in the committee's deliberations or voting (except to provide general or specialized information that may be requested by the committee).
- B. It is the responsibility of the individual committee member to identify a conflict of interest and remove themselves voluntarily by informing the FCOI committee chair. The specific nature of the conflict of interest need not be revealed.
- C. If someone believes that there is an actual or apparent conflict of interest in the participation of a FCOI committee member in a particular case, and that person has not removed him/herself from the proceedings, a challenge may be raised either by a member(s) of the committee or by the investigator whose information is under review. A conflict of interest challenge must be raised prior to the committee's action on the project and takes immediate precedence as a point of order during an official meeting. The committee minutes will clearly show whether one or more members were excused from the deliberations due to the conflict of interest.

VII. Institutional review

- A. Determinations of the FCOI Committee may be subject to further review by the Chancellor. If an investigator is dissatisfied with the outcomes of a FCOI determination, prescribed FCOI management plan, retrospective review findings, or prescribed mitigation report, within 30 days, the investigator may make a written appeal to the Chancellor. The Chancellor will consult with the investigator and the FCOI Committee as deemed necessary and appropriate to the particular circumstances. The decision of the Chancellor upon appeal shall be final.

Operating guidelines of the UWL Financial Conflict of Interest (FCOI) Committee adopted .

Associate Vice Chancellor
for Academic Affairs

Provost & Vice Chancellor
for Academic Affairs

Chancellor