



APPROVED  
Order of the Rector of EHU  
№ 01-271  
From 14.11.2013

## EUROPEAN HUMANITIES UNIVERSITY POLICY ON CONFLICT OF COMMITMENT AND INTEREST

**Preface** Conflict of interest is a situation in which a person, being responsible for the discharge of a duty or action, may find that the professional interests being served have a positive effect upon his private interests. Conflicts of interest may be real conflicts (administrative issues related to private interests that a person must immediately resolve) or possible conflicts (a person has private interests, which, while discharging a University duty, **anticipate taking decisions or participation in taking decisions**).

Acceptance of non-university employment, consulting, public service, pro bono work, or the appearance of conflicts with a staff member's primary commitment of time and energy to the University may result in conflicts of commitment.

The reputation of EHU and its reliability in situations of real or possible conflicts of interest and commitment are jeopardized if unresolved.

**Applicability** The policy and procedures regarding conflict of commitment (COC) and conflict of interest (COI) apply to all members of the EHU faculty and staff employed on a full-time or less than a full-time basis, including faculty members serving as University officers (consulting, visiting, and working under service contracts), or members of their immediate families.

**Content** This document defines the University's Conflict of Commitment and Interest. Section headings:

1. INTRODUCTION AND PURPOSE
2. POLICY
3. PROCEDURES FOR EXCEPTIONS
4. GENERAL PRINCIPLES
5. KEY PROVISIONS
6. DISCUSSION AND DETAIL

### 1. INTRODUCTION AND PURPOSE

When University faculty and staff members have significant financial interests in or consulting or employment arrangements with other business concerns, it is important to avoid actual or apparent conflicts of interest between their University obligations and their outside interests.



Every member of faculty and staff is responsible for ensuring implementation of this Policy. The Head of Human Recourses Unit and the University Lawyer are responsible for interpretation and overall coordination of the Policy. Violation of any part of this policy may cause a faculty or staff member to be subject to sanctions, including those described in the regulations of the internal labor policy and Code of Conduct. This policy will be modified as necessary to be in compliance with the requirements of external agencies.

## **2. POLICY**

**Approvals** — Participation in negotiating or giving final approval to financial or other business transactions between the University and other organizations in which the individual or an immediate family member has a Significant Financial Interest or with which the individual or an Immediate Family Member has an employment or consulting arrangement.

All staff should note that originating or approving financial or other business transactions between the University and other organizations with which the staff member has any financial or familial ties (even those not rising to the level of Significant Financial Interest or constituting an Immediate Family Member) may create the appearance of a conflict of interest. It is required that all such situations be disclosed in writing to the cognizant University officer, and that this disclosure should be documented and retained for the duration of the employment relationships with the University.

**Business Relations** — Acceptance of or continuing in employment, an official relationship, or a consulting arrangement with another concern that has or seeks to have a business relationship with the University.

**Cognizant University Officer** – Rector, Provost, Vice Rectors

**Commitment** — Acceptance of employment, consulting, public service, or pro bono work which can result in conflicts or the appearance of conflicts with a staff member's primary commitment of time and energy to the University may be violated.

**Confidential or Privileged Information** — Using for personal gain or other unauthorized purposes, confidential or privileged information acquired in connection with the individual's University supported activities. Confidential or privileged information is non-public information pertaining to the operation of any part of the University including, but not limited to, documents so designated, medical, personnel, or security records of individuals; anticipated material requirements or price actions; knowledge of possible new sites for University-supported operations; knowledge of forthcoming programs or of selections of contractors or subcontractors in advance of official announcements; and knowledge of investment decisions.

**Gratuities and Special Favors** — Acceptance of gratuities, unsolicited gifts exceeding 35€ in value, solicited gifts in any amount or special favors from private or public organizations or individuals with which the University conduct business or gratuities of University stakeholders (students) to faculty or extending gratuities or special favors to employees of any sponsoring government or other agency or entity.



**Immediate Family Member** – Spouse, dependent child, domestic partner, parents or parents of spouse.

**Personal Gain** — Transmitting to outsiders or otherwise using for personal gain University funded or supported property, work products, results, materials, property records or information developed with University funding or other support.

### **3. PROCEDURES FOR EXCEPTIONS**

**Because it may be in the interest of the University to grant exceptions to the rules in Section 2, the following procedure has been established.**

**Disclosure** — Whenever a staff member anticipates a situation in which he or she may be potentially in violation of the policies in Section 2, that staff member must immediately make full disclosure in writing of the details of the situation, through his or her supervisor, to the cognizant University officer and request an exception. Exceptions must be approved in writing in advance. If a staff member finds that he or she has engaged in conduct that violates the policies in Section 2, such situation must be reported immediately to the cognizant University officer.

**Responsibility of University Officers** — Any requests for exception shall be reviewed and all facts thoroughly examined for apparent conflicts. Exceptions may be granted at the sole discretion of the University. If the cognizant University officer determines that the University would best be served by the granting of the requested exception, he/she may do so in writing with justification for the granting and delineating any conditions placed on the approval. Except in rare instances, University officers may not delegate this responsibility and any delegation must be in writing. If the designee grants an exception, the designee must provide the University officer with a memorandum detailing the circumstances of the exception.

Copies of the approval must be retained throughout the period of employment in the employee's personal file.

**Reports** — Cognizant University officers may establish, within their areas of responsibility, mandatory periodic conformance and compliance reporting procedures for all staff.

**Consequences** — Failure to adhere to any aspect of the policy and procedures shall subject the involved employee(s) to disciplinary action.

### **4. GENERAL PRINCIPLES**

#### **Conflict of Commitment**

EHU faculty and staff members owe their primary professional allegiance to the University, and their primary commitment of time and intellectual energies should be to the administration, education, and research of the institution. The specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ across units and departments,



but they should be based on a general understanding between the employee and his or her supervisor.

Even with such understandings in place, however, attempts of faculty and staff to balance University responsibilities with external activities—such as consulting, public service, or pro bono work—can result in conflicts regarding allocation of time and energies. Conflicts of commitment usually involve issues of time allocation. Whenever a full-time faculty or staff member's primary professional loyalty is not to EHU—and there are facts that an employee fulfills his or her obligations only partly—a conflict of commitment exists. If a situation that raises questions of a possible conflict of commitment arises, faculty and staff should discuss the situation with their direct supervisor.

Faculty and staff, employed on a full-time basis at EHU, owe their primary professional allegiance to the University, and their primary commitment of time and intellectual energies should be to those University activities to which they are obliged. Whenever an individual's outside activities interfere with professional obligations to EHU, a conflict of commitment exists. In the case of faculty and staff working at EHU on a part-time basis, this general principle applies to the extent of the EHU appointment. Individuals on less than full-time appointments may engage in consulting relationships and other employment, to the degree that those activities do not interfere with their obligations to EHU.

### **Conflict of Interest**

EHU is an institution of public trust; faculty and staff must respect that status and conduct their affairs in ways that will not compromise the integrity of the University or violate that trust.

A conflict of interest occurs when there is a divergence between an individual's private interests and his or her professional obligations to the University such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal financial gain. A conflict of interest depends on the situation, and not on the character or actions of the individual.

Conflicts of interest are common and practically unavoidable in a modern university. It is appropriate that faculty be rewarded for their participation in scientific and project activities through consulting fees, honoraria, and sharing in royalties resulting from the commercialization of their work. It is wrong, however, for an individual's actions or decisions made in the course of his or her University activities to be determined by considerations of personal financial gain; faculty should be sensitive even to the appearance of that possibility. Such behavior calls into question the professional objectivity and ethics of the individual and it also reflects negatively on the University.

Faculty and staff members should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise. To that end, the purposes of this policy are to educate faculty and staff about situations that generate conflicts of interest, to provide means for faculty and staff to manage conflicts of interest, to promote the



best interests of students and others whose work depends on faculty direction, and to describe situations that are prohibited. Every EHU faculty and staff member has an obligation to become familiar with, and abide by, the provisions of this policy. Conflicts of interest must be disclosed to Cognizant Officer when personal financial relationships or activities with outside entities occur that would reasonably appear to be related to a faculty or staff member's institutional responsibilities for research/scholarship, education/teaching, administration, or clinical care.

Common sense must prevail in the interpretation of these policies. That is, no matter what the circumstances, if an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal financial gain, the relationship should be disclosed to the public during presentations, in publications, teaching, or other public venues.

## **5. KEY PROVISIONS**

Below is a summary of the key provisions of this policy. Faculty and staff should read the document in its entirety to fully understand the spirit of these provisions, the bona fide exceptions, and the requirements for compliance. (See section 6 for discussion and detail for each of the following provisions.)

1. Faculty and staff must maintain a significant physical presence on campus throughout each period they are on active duty.
2. Faculty and other teaching staff must foster the open and timely exchange of results of scholarly activities, informing faculty, students and colleagues about outside obligations and activities that might influence the free exchange of scholarly information.
3. Faculty and staff must not allow other professional activities to detract from their primary allegiance to EHU. For example, an employee on full-time active duty must not have significant outside managerial responsibilities or titles that suggest such responsibilities (e.g., chief operating officer), or act as a PI on sponsored projects that could be conducted at EHU University but instead are submitted and managed through another institution (excluding such agreements as EHU-managed subawards or collaborations).
4. Faculty must foster an atmosphere of academic freedom by promoting the open and timely exchange of results of scholarly activities, and ensuring that their advising of students and their supervision of staff are independent of personal financial interests. Faculty should inform students and colleagues about outside obligations that might influence the free exchange of scholarly information between them and the faculty member.
5. Faculty and staff may not use University resources or personnel, including facilities, staff, students or other trainees, equipment, or confidential information as part of their outside consulting or business activities or for any other purposes that are unrelated to the administrative activities, education, and research of the University.
6. Faculty and staff must disclose on a timely basis the creation or discovery of all potentially patentable inventions created or discovered in the course of their University activities or while using University resources. If intellectual property rights are to be claimed, ownership of such



inventions is assigned to the University regardless of the source of funding. The inventor(s), acting collectively where there is more than one, are free to place their inventions in the public domain if they believe that would be in the best interest of technology transfer and if doing so is not in violation of the terms of any agreements that supported or are related to the work.

7. Faculty and staff must disclose on an ad hoc basis (if not required differently) to their supervisor, or to the principal investigator on their research, when they (or their spouse/domestic partner or dependent children, parents, or spouse's parents) have a financial interest (defined below) in an outside entity that would reasonably appear to be related to their institutional responsibilities. Disclosures of such interests are also required when the individual is involved in a specific transaction, including:

- gifts
- sponsored projects
- technology licensing arrangements
- material transfer and collaboration agreements
- certain procurements (e.g., sole source or from a privately-held company)

8. Financial interests or other outside activities that are disclosed and deemed to be related to one or more of the faculty or staff member's institutional responsibilities will be further reviewed to determine if the financial interest or relationship could have a direct and significant effect on the performance of his or her responsibilities. If such a situation exists, the conflict will need to be eliminated or managed according to a plan provided to the individual by the Cognizant Officer.

If a situation raising questions of conflict of commitment or interest arises, faculty and staff must discuss the situation with their supervisor, or with the person designated to assess conflicts of commitment and interest in their department or unit.

## **6. DISCUSSION AND DETAIL**

### **Presence on Campus**

Appointment as a faculty or staff member of EHU confers the privilege and obligation to pursue administrative activities, teaching, research, and scholarship. In addition, Council members are expected to participate in University governance, in the formulation of policy, and in the determination of the intellectual directions and priorities of the University. Fulfillment of these obligations requires a primary commitment of expertise, time, and energy.

A full-time appointment conveys an obligation for a faculty or staff member to have a significant physical presence on campus (or overseas), to be accessible to students and staff, and to be available to interact with EHU colleagues throughout every period appointed during which he or she is on active duty, unless the direct supervisor has granted specific prior approval for extended absences from campus.



## **Limitations on Outside Professional Activities**

EHU encourages faculty and staff to become involved in the transfer of knowledge from the University to the public and into the commercial marketplace. It is an appropriate role for the University to facilitate the transfer of knowledge gained through academic research to applications that can benefit the general population. Moreover, experience gained by faculty and staff in the course of outside professional activities can enhance their administrative activity, teaching and research, or scholarship within the University. But the process of information and technology transfer can create the potential for conflicts of commitment and/or interest, particularly when there is opportunity for personal financial gain on the part of the faculty and staff. The intent of this provision of the policy is to minimize these conflicts and provide a means of managing them when they arise.

Consulting outside professional activities is a privilege and not a right and must not detract from a faculty or staff member's full-time obligation to his or her University duties. When any outside activity detracts from the conduct of University duties, a conflict of commitment will result. Even activities such as pro bono work, government service in the public interest, and any outside employment unrelated to the faculty or staff member's University responsibilities should be managed so they do not take precedence over an employee's primary commitment to the University.

Outside professional activities can also generate conflicts of commitment regardless of the time involved. EHU faculty and staff members on active duty normally are prohibited from serving as principal investigators on sponsored projects submitted and managed through other institutions. This stipulation is not intended to limit faculty and staff from participating in multi-site training or research programs for which EHU receives a subaward or has a collaborative or other agreement, nor is it intended to apply to circumstances in which the faculty or staff member's research requires access to specialized facilities not available at EHU.

Because full-time faculty and staff members are expected to devote their primary energies and professional interests to their University obligations, they may not accept significant managerial responsibilities or titles that suggest or connote managerial or supervisory responsibilities (e.g., Vice Rector) as part of their outside consulting activities. Normally it will be necessary for faculty or staff member to take a full leave of absence from their University responsibilities in order to take on a significant management role in an outside entity; doing so while on sabbatical is not permitted. Service on boards of directors or advisory boards is allowed.

Faculty and staff members must establish clear boundaries that separate their University and outside obligations, so as to avoid questions about their appropriate use of resources and attributions of products of their work. The EHU name and logo may not be used in consulting activities. Outside activities may not include either of the following:

- A promise or assignment to a third party of intellectual property conceived, or first reduced to practice, in whole or in part, in the course of University responsibilities, or with more than incidental use of University resources, to the third party; or



- The extension of EHU research into the consulting activity, such that a third party receives early or exclusive access to EHU research results.

If a faculty or staff member is listed as an author on any publication resulting from performance of consulting services, a disclosure should be included clearly stating that the contribution to the publication was as a paid consultant, and was not part of his/her EHU duties or responsibilities.

### **Free and Open Exchange of Research Results**

The integrity of the University as a community of scholars requires the free and open exchange of ideas and the results of scholarly activities. Faculty and staff are obligated to maintain an atmosphere free from unwarranted external influences. Faculty, students, and collaborators must be able to pursue topics of interest, have access to available information and facilities, and be able to communicate the results of their work to other scholars and the public. Therefore, faculty and staff must ensure that:

- The results of research or scholarship undertaken at EHU are disseminated in an open and timely basis to the broader scholarly community and public.
- The academic activities of students and postdoctoral scholars are free from the personal commercial interests of the faculty member.
- The work of students, staff, postdoctoral scholars, and collaborators is not exploited in the course of a faculty member's outside obligations. To this end, a faculty member should be open with his or her students, staff, and colleagues about the faculty member's involvements with and obligations to outside third parties who could benefit from their work or ideas. Similarly, students, associates, and staff should have access to information about the sources of funds that support their research.

This policy requires that consulting, technology licensing, or other agreements with third parties—including nondisclosure or confidentiality agreements—must not delay or prohibit publications resulting from EHU research and scholarship.

### **Appropriate Use of University Resources, Including Facilities, Personnel, Equipment, and Information**

Faculty and staff may not use University resources or personnel, including facilities, staff, students or other trainees, equipment, or confidential information, except in a purely incidental way, as part of their outside consulting or business activities or for any other non-University purposes. Inappropriate use of University resources includes the following:

- Assigning tasks to the faculty member's students, staff, or postdoctoral scholars for purposes of potential or real financial gain of the faculty member rather than the advancement of the scholarly field or the students' educational needs.





- Involvement of the faculty member's students or staff in his or her outside consulting or business activities without prior review and approval by the Cognizant University Officer.
- Granting external entities access to EHU resources, personnel or services for purposes outside the University's missions, or offering inappropriate favors to outside entities in an attempt to unduly influence them in their dealings with the University or for personal financial gain.
- Using confidential information acquired through conduct of University business or research activities for personal gain, or granting unauthorized access of others to such information. Confidential information includes, but is not limited to, medical, personnel, or security records of individuals; proprietary knowledge about corporate anticipated material requirements or price actions; and proprietary knowledge of possible new sites for government operations or information about forthcoming programs or selection of contractors or subcontractors in advance of official announcements.
- Providing preferential access to research results, materials, or products generated from University teaching or research and scholarly activities to an outside entity for personal financial gain. (This would not preclude appropriate licensing arrangements for inventions, or consulting on the basis of sponsored project results where there is significant additional work or expertise involved.)

### **Disclosure and Ownership of Intellectual Property**

All potentially patentable inventions, including patentable software, created or discovered by faculty in the course of their University activities, or with more than incidental use of University resources, must be disclosed to the University on a timely basis. If intellectual property rights are to be claimed, ownership of these inventions is assigned to the University regardless of the source of funding. The inventor(s), acting collectively where there is more than one, are free to place their inventions in the public domain if they believe that would be in the best interest of technology transfer and if doing so is not in violation of the terms of any agreements that supported or are related to the work.

Institutional management of the commercialization of technologies developed using University resources guarantees that contractual obligations to sponsors are fulfilled. EHU management of technology also reduces the potential for individual conflicts of interest, since the institutional managers of the assets do not have personal financial interests in the outcomes of licensing processes nor do they participate in making academic or future research decisions.

In this context, "invention" includes tangible research property. The term does not, however, include books, scholarly articles, musical and artistic works, and other forms of educational media, title to which remains with the creator. In accord with academic tradition, except to the extent required by the terms of funding agreements, EHU does not claim ownership to pedagogical, scholarly, or artistic works, regardless of their form of expression. Such works may



represent the personal or scholarly beliefs of the author. The protection of academic freedom of the faculty requires that the University not attempt, nor have the right, to control the content or distribution of such works. An additional consideration is that the University does not accept liability for a faculty member's works that are individual forms of expression.

Ownership of computer software requires special consideration. Some forms of software may be patentable, and thus may be governed by EHU as patentable inventions. Other forms of software are more like books in that they are digital expressions of scholarly, artistic, or educational works, in which case title rests with the creator. Rights to software that is not patentable rest with the individual faculty creator except in the following circumstances: the work is supported by a direct allocation of funds through the University for the pursuit of a specific project, is commissioned by the University, or is otherwise subject to contractual obligations. In addition, EHU resources are to be used solely for University purposes and not for personal gain or personal commercial advantage, nor for any other non-University purposes. Therefore, if the creator of a copyrightable work makes significant use of the services of University non-faculty employees or University resources to create the work, he or she shall disclose the work to the IT Office and assign title to the University. Ordinary use of desktop computers, University libraries, and limited secretarial or administrative resources is not considered to be significant.

Title to software created jointly by students or other faculty shall be jointly owned by the creators. Title to software created jointly by faculty and University staff members shall be jointly owned between the faculty creator and the University. Faculty must be aware, however, that the creation, upgrade, or maintenance of commercializable software, when done as part of a faculty member's University activities, can lead to the same types of conflicts of commitment and interest as patentable inventions. It is the responsibility of the faculty member to avoid such conflicts. One way of doing so is to voluntarily assign copyright and licensing authority to the University.

This policy is not intended to slow or restrict the transfer of technology, so if the University does not proceed in a timely manner (e.g., sixty days) to initiate patenting of a technology and/or licensing it, the ownership may be reassigned to the creator at his or her request if permitted by contractual obligations. In those cases where the sponsor requires the University to take title, the University may recommend to the sponsor that ownership be assigned to the inventor. Further development of the intellectual property is the responsibility of the licensee and must be pursued without use of University resources.

### **Disclosure of Financial Interests in Outside Entities Related to Their Institutional Responsibilities**

Faculty and staff members must disclose personal financial interests (or those of his or her spouse/domestic partner or dependent children, his or her or spouse parents) to the University when the interest reasonably appears to be related to his or her institutional responsibilities.

Disclosure must be made when the faculty or staff member (or his or her spouse/domestic partner or dependent children, his or her or spouse parents) has



- one or more financial interests, including payment for services, income such as consulting fees, paid honoraria, equity, stock/stock options or other ownership interest, royalties from intellectual property not owned by EHU; or salary for spouse/domestic partner; and
- the financial interest reasonably appears to be related to one or more of the faculty or staff member's EHU institutional responsibilities, including research/scholarship, teaching/education, administration or clinical care.

This information will be reviewed to determine whether a "significant financial interest" (SFI) exists. Criteria to be used to help define SFI include:

- any current or pending ownership interests (including shares, partnership stake, or derivative interests such as stock options) in a privately-held entity (e.g., in a "start-up" company).
- any current or pending ownership interests of €5,000 or more (including shares, partnership stake, or derivative interests such as stock options) in a publicly traded entity (except when the ownership interest is managed by a third party such as a mutual fund).
- any income amounting to €5,000 or more per year per company/organization, including, for example, payment for services, consulting fees, honoraria, licensing or royalty income; or any financial interests in a single company/organization (as defined above) that amount to €5,000 or more in aggregate.

The faculty or staff member's financial interest in the company/organization will be considered as reasonably appearing to be related to his or her research or other University responsibilities in circumstances such as when the company/organization

- sponsors research at EHU in which the faculty or staff member is directly involved;
- has interests that could reasonably be considered to have a potential influence on the design, conduct or reporting of the faculty member's research/scholarship;
- has a company interest such that the faculty or staff member's research/scholarship could reasonably be considered to have a possible effect on the company/organization's interests;
- sponsors or makes a product that is under study in any research in which the faculty or staff member is directly or indirectly involved;
- makes gifts to EHU of funds or property (including equipment loans), which will be under the control of, or will directly support the teaching or research activities of the faculty or staff member;
- licenses EHU intellectual property in which the faculty or staff member has a financial interest;



- has a Materials Transfer Agreement (MTA) to provide materials used in the faculty or staff member's research or for materials to be provided by the faculty or staff member;
- is the sole-source provider of materials or services or of procurements from a privately-held entity;
- provides financial support for the faculty or staff member's trainees (including graduate students and postdoctoral fellows);
- has products (excluding textbooks) or devices that are used in the faculty or staff member's teaching;
- produces or markets online learning services or materials in which the faculty or staff member has an interest;
- supports the faculty or staff member's participation as a lecturer/speaker in continuing education activities or on-line education programs; or
- has financial interests that would reasonably appear to be related to the faculty or staff member's administrative duties.

When a “significant financial interest” (SFI) related to the faculty or staff member's institutional responsibilities is identified, the circumstances will be evaluated further, as described below. In addition, faculty and staff are strongly encouraged to disclose to the public any financial interests related to their institutional responsibilities whether or not these interests meet the SFI criteria in order to maximize transparency.

Faculty and staff must be informed about COI according to University requirements.

### **Review of Disclosures of Faculty and Staff Financial Interests in Outside Entities Related to Their Institutional Responsibilities**

When a faculty or staff member makes a disclosure, his direct supervisor or the Cognizant Officer shall review the circumstances to determine whether it represents a significant financial interest (SFI) and reasonably appears to be related to one or more of the faculty or staff member's institutional responsibilities. The circumstances will then be assessed to determine whether the SFI could have a direct and significant effect on the faculty or staff member's performance of these duties. If so, the SFI will be deemed a "financial conflict of interest (FCOI)" as defined by regulations, and management options will be provided to the faculty or staff member depending upon whether the conflict involves research/scholarship, teaching/education, and administration duties.

The faculty or staff member may decide to discontinue the relationship or divest the financial interest that creates the conflict, or decide not to participate in the specific institutional activity that generates the conflict. In some circumstances, the conflict may be managed by requiring one or more of the following:



- Training about conflicts of interest and commitment for involved students and personnel.
- Independent monitoring and oversight of the activity.
- Modification of the EHU activity to remove the conflicted faculty or staff member from participation in all or some portion of the activity.
- Other mitigating strategies.

When the significant financial interest is related to research involving human subjects and is greater than €10,000, the situation will be considered a financial conflict of interest (FCOI). In such cases, the investigator must provide compelling reasons, detailing his or her unique contribution to the study, in order to justify continued involvement. Without compelling reasons to maintain direct involvement or a plan that isolates the investigator from direct interaction with the human subjects, identified research data, the investigator will be required to reduce his or her financial interest below €10,000 or the work may not be done at EHU or by the investigator at another location.

When conflicts of interest are related to gifts, faculty or staff must follow University procedures to document the terms of all such gifts so that the exact nature of the exchange is spelled out. Gifts should not create a venue for privileged access to research results or an opportunity for promoting a company's product or products, or provide the company with preferential treatment.

Conflicts of interest involving technology transfer, material transfer or collaborative agreements require review and approval by the Cognizant University Officer.

### **Certification of Compliance with the Conflict of Commitment and Conflict of Interest Policy**

On the annual employee performance evaluation basis and at any time when a situation that requires disclosure occurs, all faculty and staff members must certify to their supervisors their compliance with EHU policy related to conflict of commitment and conflict of interest. These reports are considered confidential and will be reviewed only by the Cognizant University Officer or a person authorized by him.

Individual departments or units of the University may request additional information as needed to evaluate conflicts of interest in their fields and disciplines.

In addition, faculty and staff members must disclose to their supervisor situations that may raise questions of conflict of commitment or interest, as soon as such situations become known to the faculty or staff member and as required at the time of a particular transaction, such as submission of grants or human subjects research protocols, receipt of gifts, technology licensing, and materials transfer agreements.



## **Responsibilities**

Each Head of Department is responsible for the timely collection and review of annual certifications related to conflicts of commitment and conflicts of interest, as well as of new disclosures that occur during the year, and for the management of conflicts of interest that arise. The Head of department or the Head of Research Division may convene a committee to advise him or her in the evaluation and options for management of conflicts of interest. The committee may include other members of the faculty and/or individuals not otherwise affiliated with EHU who have no vested interests in the outcome of the proposed arrangements. Individual departments may have more, but not less, restrictive internal policies than those set forth by the University. The Heads of departments will file their own annual disclosures and certifications of compliance with the Cognizant University Officer who will assign respective employees to analyze disclosures.

The Head of Research Division and the University Lawyer are responsible for interpreting and overseeing implementation of and compliance with this policy, for reviewing and approving each department's mechanisms for implementing this policy, for consulting with the heads of departments to determine appropriate strategies for managing conflict situations, and for reporting annually to the Committee on the effectiveness of the policy throughout the University. In addition, they shall adjudicate situations in which faculty and staff wish to appeal a decision of a head of department or unit; they shall work with the heads of departments and units to ensure that this policy is implemented with consistency across the University.

## **Appeals**

Should a faculty or staff member wish to appeal a decision made by the direct supervisor, he or she may present the appeal to the Cognizant University Officer, who will consider the case in consultation with the respective employees.

## **Final Statements**

When a faculty or staff member is involved in activities not directly associated with EHU (e.g., independent consulting, other business activities, publications, etc.), use of EHU's name and marks is limited to identification of the individual by his or her affiliation (e.g., Name, Surname, Lecturer, European Humanities University). The title may only be used during the term of the appointment at the University and must always be used in its entirety (except official abbreviation – EHU); it cannot be altered.

University “Internal Rules of Procedure” and the provisions of any agreement between EHU and external sponsors of projects on which the employee works as part of his or her University duties, shall prevail in the event of any conflict with the provisions of this policy.