

# UC Ethics and Compliance Briefing for Researchers Training Transcript

## Slide 1 Ethics and Compliance Briefing for Researchers

Welcome to the University of California Ethics and Compliance Briefing for Researchers. This briefing is intended for all University extramurally funded researchers, such as yourself, including faculty and staff researchers, as well as postdoctoral scholars and University research administrators.

In this training, we'll summarize what is expected of you as a researcher at the University and the various obligations this role entails; we'll review how you can protect both your research and yourself through comprehensive disclosure and ethical behavior; and we'll provide guidance on reporting potential instances of non-compliance, such as failures to disclose.

This training will help you:

Understand your responsibility to disclose conflicts of interest and conflicts of commitment and be familiar with UC's Standards of Ethical Conduct. Gain familiarity with UC's Whistleblower policies as well as how to identify and, if necessary, properly report potential instances of non-compliance.

Longstanding UC policies on Conflict of Interest and UC Academic Personnel policies on Conflict of Commitment are the bedrock for faculty disclosure requirements. While this training is designed to brief you on specific federal funding agency and California State disclosure requirements, we will also provide you with resources for you to access these UC-specific policies that apply to all faculty, regardless of funding source.

To get started, click the Next button.

## **Slide 2 Autoplay Option**

Before we go any further, let's quickly cover some important course features.

In consideration of learners who may be using assistive technologies, slides in this course will, by default, require you to manually start them by clicking a play button or by pressing the Control, Alt and P keys together.

If you'd like slides to automatically play as soon as you navigate to them, you may enable this by clicking the autoplay button, which is available in all slides. If at any point you'd like to return to the default manual play setting, just click the autoplay button again to turn that setting off.

For additional accessibility-related instructions, please click the Accessibility Information button within this slide.

For additional instructions on other topics such as navigation, keyboard shortcuts and course resources, please click the Training Information button.

Or, click the Get Started button or the Next button to skip these instructions and jump directly into the course material.

### **Slide 2.1 Accessibility Information**

This slide can easily be revisited from anywhere in the training by clicking the Accessibility Information button or by using the keyboard shortcut Control+Alt+A; though, please note, on some Macs, the Command key may take the place of the Control key, and the Option key may take the place of the Alt key.

When revisiting this slide, you may use the Return button to jump back to the slide you were previously on.

If you have any difficulty engaging with or completing this training and would like to request reasonable accommodations, start by reaching out to your location's UC Learning Center administrator, whose email address can be found through the UC Learning Center Contacts web page linked here.

In-slide text primarily serves to highlight key points from the slide audio and will not be readable before a slide is played.

Certain screen readers, such as NVDA, may produce two minor errors when engaging with layers within slides.

When opening a layer, the screen reader may automatically announce an element other than the element that received screen reader focus. If you suspect this has occurred, a “read current line” command will accurately convey where focus is.

When playing a slide or closing a layer, screen reader focus may jump to an unexpected spot within the slide’s reading order. If you suspect this has occurred, a “jump to previous heading” command should bring focus back to a known spot within the slide, like the slide title.

If your screen reader is unable to read course content through Firefox, using Chrome, Edge or a different internet browser should resolve the difficulty.

At the end of each slide is a button labeled Back to Top that will only appear visually when it receives focus. Clicking this button will return focus back to the top of the slide’s reading order.

Screen reader users can use a jump to next landmark or region command to reach the Previous and Next buttons faster. Both buttons are in the slide navigation landmark region. All users can use the keyboard shortcuts detailed in the Training Information slide to navigate backward and forward through the training more easily.

The Settings menu, available toward the end of the player controls, between the playback speed button and navigation buttons, contains three accessibility-related toggles.

The first, Zoom to fit, will be toggled off by default. Toggling it on allows you to magnify the training’s contents.

The next, Accessible text, will be toggled on by default. When toggled on, you can use browser extensions and custom style rules to change text properties such as font and font size, as well as line and paragraph spacing. Accessible text must also be toggled on for you to use high contrast modes and certain other assistive technologies.

The final toggle, Keyboard shortcuts, will be toggled on by default. Toggling it off will disable the keyboard shortcuts described in the Training Information slide and elsewhere throughout the training.

## **Slide 2.2 Training Information**

This slide can easily be revisited from anywhere in the training by clicking the Training Information button or by using the keyboard shortcut Control+Alt+I; though, please note, as with all keyboard shortcuts in this training, on some Macs, the Command key may take the place of the Control key, and the Option key may take the place of the Alt key.

Use the Next button, or press Control+Alt+Period to navigate forward to the next slide, and use the Previous button, or press Control+Alt+Comma to navigate backwards to the previous slide. You may also use the Slide Menu to jump directly to any slide.

Use the Pause/Play button in the playback controls, or press Control+Alt+P, to pause or play a slide's audio.

Use the Replay button, or press Control+Alt+R, to replay a slide or pop-up from its beginning.

Use the volume button, or press Control+Alt+M, to mute or unmute course audio.

Use the captions button, or press Control+Alt+C, to toggle captions off or on.

Use the Close button or press Control+Alt+X to close the pop-ups utilized in select slides.

Use the Settings menu to toggle off or on the accessibility-related settings mentioned in the Accessibility Information slide. Or, you can also press Control+Alt+T to toggle the accessible text setting and Control+Alt+Z to toggle the zoom to fit setting.

The Resources menu, available at the end of the course's reading order, as well as the Resources slide, toward the end of the course, collect all the resources linked to throughout the training.

Available here, and in those resource collections, is a link to a PDF containing a transcript of each slide's audio.

All links within the course will open in a new browser window or tab.

Lastly, please note that the appearance, availability and location of course player features described here pertains to the course as it appears when accessed through desktop browsers; experiences may vary when accessing the course through mobile platforms.

### **Slide 3 Ethical Standards**

When we think of research, the scientific method, critical thinking, intricate processes and individual disciplines tend to be top of mind, and ethics should be as well. That's because, without the foundation that ethics provides, research efforts could easily collapse.

For instance, if a researcher acts dishonestly — such as by falsifying results or lying about methodology — their conclusions may not stand up to the scrutiny of peer review, and the results could contribute to public policy or public health decisions being made based on faulty data. Or, if a researcher isn't transparent about sources of funding, they might be accused of bias or much, much worse. And, if a researcher harasses colleagues, in addition to inflicting damage on others and on the research environment, they could easily find themselves without the support of collaborators, their employers or their research community.

As members of the UC community, we must be committed to the highest ethical values and standards if we are to further our shared mission of teaching, research and public service. The principles of integrity, excellence, accountability and respect serve as the foundation of this commitment and are enshrined in the University of California's Statement of Ethical Values.

Researchers have a special responsibility and must conduct themselves in the highest ethical manner. These principles are also echoed throughout the UC's Standards of Ethical Conduct and in particular, within the areas that guide research.

- Researchers are expected to conduct themselves ethically, honestly and with integrity in all dealings
- Researchers are responsible for their actions and decisions, and are accountable to their fellow UC community members and to the University's stakeholders, including funders of sponsored research and the general public
- Researchers must treat their fellow community members, including graduate and undergraduate members of the research team, as well as other faculty, postdoctoral researchers and staff, with respect and dignity
- Researchers are expected to be familiar with and comply with applicable laws and regulations, such as the various compliance areas and disclosure requirements we'll explore later in this course
- Researchers are expected to adhere to the policies regarding UC conflicts of interest and UC conflict of commitment and to seek official guidance, disclose and otherwise manage potential conflicts as necessary to maintain full transparency
- Researchers are expected to conduct their research ethically, with integrity and intellectual honesty at all times and with appropriate regard for human and animal subjects

- Researchers may use University resources only for activities on behalf of the University
- Researchers' financial reportings must be accurate, clear, complete and compliant with all applicable standards
- And researchers, just like all members of the UC community, are encouraged to report known or suspected improper governmental activities, which we'll discuss more in just a few slides

If you are unfamiliar with the University of California Statement of Ethical Values and Standards of Ethical Conduct, or it's been some time since you last reviewed them, we invite you to do so now, before moving on, through either the link here or the link in the Resources menu. At the very least, you should take a moment to download the Statement and Standards document so you can revisit it as necessary, or desired, during your time with UC.

## **Slide 4 UC Whistleblower Policies**

We all want to work in an environment in which we feel valued and where our individual talents are recognized and utilized. Our ethical behavior in the workplace and knowing when to speak up greatly contribute to a positive work environment.

One of the most critical aspects of maintaining an ethical culture within the University of California is ensuring that we have an environment where employees come forward with any concerns or suspected wrongdoing. Employees are often aware when violations occur, yet they may be hesitant to report if they don't feel both encouraged and protected for doing so. The University maintains a series of policies, resources and trainings, such as this one, that encourage employees to raise concerns and feel confident that they can do so without fear of retaliation. There are two key University policies that address the issues around reporting wrongdoing and employee protections for those who report suspected wrongdoing: the Whistleblower Policy and the Whistleblower Protection Policy.

If you have any additional questions, please contact the Office of Ethics, Compliance and Audit Services or our Director of Investigations directly. Each location also has a Locally Designated Official, which you'll often hear abbreviated as LDO; these individuals are responsible for coordinating whistleblower reports. An LDO can speak to you about any concerns you may have.

The Whistleblower Policy encourages employees to come forward if they have concerns about suspected wrongdoing within our organization. The Office of Ethics, Compliance and Audit services also created an FAQ that outlines what to do if an employee you supervise makes a report to you. And, if you are a supervisor, you are expected to listen, treat an employee with respect, document their account and, if you think an improper governmental activity is being alleged, refer them to the location's LDO.

### **Slide 5 Making a Whistleblower Report**

The University has created a series of mechanisms to support a speak-up culture, and report ethical, policy or legal violations. Employees can report misconduct in a variety of ways, including through a systemwide Whistleblower hotline and a web-based reporting platform. Both options are available 24/7 and provide for anonymous reporting as well as translators, so that reports can be made in over 150 languages.

These mechanisms enable the University to identify warning signs for problem areas within the system, to conduct internal investigations on those matters and to take any appropriate remedial actions, including implementation of additional controls to prevent future misconduct.

### **Slide 6 Whistleblower Protection Policy**

The Whistleblower Protection Policy creates a series of protections for individuals reporting misconduct to ensure that people can move forward without fear of being punished for disclosing misconduct.

The purpose of this section of the module is to ensure that employees are aware of how to report misconduct and their responsibilities to report. Employees have a responsibility to be candid and cooperate fully with investigations. Supervisors have a responsibility to elevate appropriate issues, and everyone has a responsibility for a positive work environment.

All employees play an important role in maintaining a speak-up culture. All employees have a responsibility to protect the University's good name by behaving ethically and identifying what is not appropriate conduct. It is important to report concerns of wrongdoing so the University has an opportunity to act and take any appropriate actions to correct a problem or address misconduct. There are a lot of different ways to report misconduct: through your supervisor, campus leadership, human resources or your location's LDO, or through the Whistleblower hotline or website. Do the right thing and promote a speak-up culture within your departments and teams, and with colleagues.

## **Slide 7 Misuse of University Resources**

As stated in the University of California Standards of Ethical Conduct, University resources may be used only for activities on behalf of the University. They may not be used for private gain or personal purpose. The UC Faculty Code of Conduct, APM-015 and PPSM 82 further prohibit unauthorized use of University resources or facilities on a significant scale for personal, commercial, political or religious purposes.

Examples of the misuse of University resources include mismanagement of grants, which could constitute a misuse of University funds, or using a UC laboratory in the performance of a private company's research, which would be a misuse of University spaces and equipment. Other types of resource misuse are perhaps less obvious but by no means less serious.

## **Slide 8 Export Controls**

For reasons of national security and foreign policy, export control laws regulate the distribution of items, information, software and services to foreign nationals and foreign countries.

To ensure compliance in this area, you should contact and consult with your campus Export Control Office if your research involves any of the following:

- Shipping or hand carrying items internationally
- Traveling internationally
- Sponsors that require publication and/or citizenship restrictions
- Purchasing equipment that is, or may be, controlled under export control laws
- Allowing a foreign person to access export controlled items, even if this access occurs within the U.S.
- Collaborating with foreign colleagues in foreign countries
- Work with a foreign military, or...
- Undertaking any activities with persons in a sanctioned country, for example Cuba, Iran or North Korea

## **Slide 9 Export Control: Restricted Parties**

The U.S. government restricts sharing non-public information and exports with restricted parties. A restricted party may be an individual or organization, including a research university or hospital, subject to these restrictions based on human rights violations, weapons proliferation, national security or U.S. foreign policy. Identifying these individuals and organizations is accomplished through restricted party screening. Screening is important because in most cases, such sharing and exports would require authorization from the federal government.

When you contact your Export Control Office for assistance, they will advise you on completing screening, the risks and applicable licensing requirements.

In addition, screening is completed by various functions at your location in coordination with export control, such as accounts payable, sponsored projects and procurement. Exports and collaborations with restricted parties can result in violations.

It's important to know who you are engaging with during the course of your research and international collaborations. There are universities and research institutions that have been known to unfairly take intellectual property or divert academic research to further military technology development. The U.S. government expects researchers to be aware of these issues and practice due diligence, such as restricted party screening, to prevent aiding weapons proliferation.

Under the Fundamental Research Exclusion, or FRE, the results of basic and applied research conducted in the United States that will be shared broadly within the scientific community are excluded from export control laws, but this exclusion only applies to research results; it does not apply to items, technology, software or services.

So, contact your Export Control Office before engaging with international partners.

## **Slide 10 Export Control Examples**

Let's consider some examples of researchers who may, or may not, need to consult with their local Export Control Office, based on the following factors:

First is Ann, from the Lawrence Berkeley National Lab.

Ann works in robotics...

And, for her project, wants to purchase equipment that may be controlled under export control regulations.

Next, we have Niko, from UCLA.

Niko studies artificial intelligence...

And is basing their current research on a study that was previously conducted at the University of Milan.

The results of Niko's research will be published in an academic journal, in Italian...

As well as English.

After that there's Rose, from UC Irvine.

Rose conducts medical research, in partnership with UC Irvine Health...

And has been asked to lead a tour of UC Irvine engineering and medical labs for a contingent of visiting foreign scholars...

Some of whom are members of a restricted entity.

Finally, we have Matt, an electrical engineering researcher at UC Santa Cruz.

His latest project involves industry-provided, proprietary technology.

Prior to receiving the technology, he was asked to sign a non-disclosure agreement.

Additionally, Matt plans to have his student from Chile work with this technology.

So, who do you think needs to consult with their local Export Control Office?

If you guessed Ann, Rose and Matt, you'd be correct.

Ann would need to consult the Export Control Office since she may be purchasing controlled equipment for her project...

Rose would need to consult the Export Control Office before bringing foreign visitors from a restricted entity into areas, such as labs, that may contain controlled items.

Lastly, Matt: Matt's project involves proprietary technology that is not publicly available, so his Chilean student may need authorization to be involved.

Remember, if your work involves any of the following components, you should consult with your local Export Control Office:

- Shipping internationally
- International travel
- Sponsors who want publication and/or citizenship restrictions
- Purchasing equipment that is, or may be, controlled under export control laws
- Allowing foreign individuals access to controlled items, even if this occurs in the U.S.
- Collaborating with foreign colleagues in foreign countries or foreign militaries
- And, undertaking any activities with persons in sanctioned countries or persons from restricted parties

### **Slide 10.1 Audio Description with surrounding video audio**

So, who do you think needs to consult with their local Export Control Office?

Ann, who is purchasing new equipment, some of which may be regulated.

Niko, whose research is based on a foreign study and whose results will be published in a foreign journal slash language.

Rose, who is leading a tour of UC labs, which includes tour group members who are from a restricted entity.

And/or Matt, who works with proprietary tech and wants to include a foreign student on the project.

If you guessed Ann, Rose and Matt, you'd be correct.

## **Slide 11 Disclosure Requirements**

Now that we've explored these other areas of compliance, let's dive into the big remaining topic: disclosure requirements.

First, let's review how UC defines Conflicts of Commitment and Conflicts of Interest. A conflict of commitment occurs when a faculty member's outside activities interfere with the faculty member's professional obligations to the University of California.

A conflict of interest in research may exist if the investigator has a personal financial interest related to the research which could reasonably appear to directly and significantly affect the design, conduct and/or reporting of the research or that is in an entity whose financial interest could be affected by the research. You will see that the state and federal disclosure requirements we will cover all follow these basic COC and COI principles.

We'll start with a refresher on why disclosure is important, give an overview of UC's COC and COI policies, then examine Form 700-U, which relates to disclosure requirements established under the California Political Reform Act and the regulations of the Fair Political Practices Commission, also referred to as the FPPC, and finish by reviewing the disclosure requirements of some of the primary funders of sponsored research: specifically, the Public Health Service, or PHS, conflict of interest disclosure requirements, the National Institutes of Health, or NIH, Other Support and Foreign Components disclosure requirements, and the National Science Foundation, or NSF, disclosure requirements.

The safest, surest way to ensure compliance, and avoid penalty or other harmful outcomes, is to disclose everything appropriate and when unsure, to err on the side of disclosure. That is to say, if you know, or even suspect, that a source of

support or a time commitment fits with any of the categories and associated thresholds we'll discuss, be safe and report it upfront. It is important to note that it is up to UC or the sponsor to determine if something is a conflict of interest or a conflict of commitment. Individuals should not take it upon themselves to make the determination. Doing so could cause you to under-disclose.

Under NSPM-33, participation in a foreign talent recruitment program must be disclosed; importantly, participation in a malign foreign talent recruitment program is prohibited by federal statutes. Explore the resources linked here for additional information on the definitions of these programs.

## **Slide 12 The Importance of Disclosure**

Having income, support, associations or commitments that may, or may just appear, to conflict with your work is, in itself, neither wrong nor completely avoidable; however, evidence shows that it may, at the very least, create an appearance of impropriety that can undermine confidence in the conflicted individual, their organization, their methodology or their results. This is why proper and comprehensive disclosure is so important: so that you can ensure the integrity of your work and reputation in the eyes of the University, its funding sponsors, the scientific community and the general public.

Failure to disclose can result in: heightened scrutiny, jeopardized funding or opportunities, compromised integrity, legal prosecution, fines or grant forfeiture.

To address this need for transparency and the requirements of the various public institutions that provide UC with research funding, the University has established comprehensive and interrelated policies that work together to govern the conduct of researchers, or "Investigators" as they're commonly referred to; to guide their interactions with industry partners and other University-related activities; and to ensure the integrity of their research results.

As a researcher, or investigator, it is your responsibility to understand:

- University policies and federal/state regulations

- Policies issued by sponsors of extramural research
- The various types of interests you'll need to account for, including potential financial conflicts of interest, conflicts of commitment and affiliations, foreign collaborations and foreign components
- The disclosure requirements applicable to each type of interest, and...
- How to manage conflicts by disclosing, eliminating, reducing and/or managing their sources

### **Slide 13 UC Conflict of Commitment Policies**

The University of California requires most faculty to submit an annual Conflict of Commitment, or COC, report, indicating whether or not they have engaged in outside professional activities during the year.

A few clarifications about conflicts of commitment. First, disclosure requirements also apply during summer months, except as provided for in policy, and not just the nine-month academic year. Second, compensation for outside professional activities includes in-kind contributions, such as access to office or lab space, use of equipment or research supplies. Finally, involving students in outside professional activities can raise additional situations and may require evaluation and disclosure. Outside professional activities are separated into three categories: Category I, Category II and Category III. Click the buttons here to explore each.

#### **Slide 13 Category I pop-up**

Category I includes activities that must be reported and must receive prior approval from the University before the faculty member engages in the activity. Faculty and Designated Other Academic Appointees are required to follow federal funding agency laws and policies governing grant disclosures if participating in a federally funded research project. Examples of Category I activities include:

- Teaching, research or administration of a grant at an institution other than the University of California, even if uncompensated
- Directorships of labs, centers or programs at other institutions, even if uncompensated
- Founding a company, or assuming an executive or managerial role outside the University
- Employment outside the University
- Current or pending acceptance of honorary, visiting or other institutional appointment, compensated or uncompensated, at an outside institution of higher education, research institute or medical center affiliated with an outside institution of higher education, non-U.S. government or other entity
- Current or pending participation in a non-U.S. talent recruitment program

### **Slide 13 Category II pop-up**

Category II also includes activities that must be reported. Category II activities are typically shorter-term outside professional activities that are outside the course and scope of University employment. Category II activities have a lesser potential for a conflict of commitment than do Category I activities. Category II activities require disclosure in annual reporting under this policy but do not require prior approval. Category II activities count toward the faculty member's maximum of 39 or 48 days of outside professional activities. See APM-025-8-b and Appendix C for definition of time limits.

Examples of Category II activities include but are not limited to:

- Additional University-compensated teaching, including teaching for UNEX courses and programs, other continuing education programs run by the University and self-supporting UC degree programs
- Consulting or testifying as an expert or professional witness

- Providing outside consulting services or referrals or engaging in professional practice as an individual or through a single-member professional corporation or sole proprietorship
- Serving on a board of directors outside of the University

### **Slide 13 Category III pop-up**

Category III activities are within the course and scope of University employment. As such, they are unlikely to raise conflict of commitment issues. Category III activities do not require disclosure in annual reporting or prior approval under APM-025 and do not count toward the faculty member's maximum of 39 or 48 days of outside professional activities.

Disclosure forms are required even if faculty members have nothing to disclose. It is also important to note that disclosure requirements apply during summer months, not just the 9-month academic year.

Examples of Category III activities include:

- Accepting honoraria for scholarly, intellectual, educational and/or outreach work within the course and scope of employment
- Attending and presenting talks at university or academic colloquia and conferences
- And developing scholarly or creative works

### **Slide 14 UC Conflict of Interest Policies**

Conflict of Interest, or COI, policies require University employees who are conducting research or other related activities to disclose certain financial interests, whether domestic or foreign. Though there are different reporting thresholds that apply depending on the context — for example, the context of whether the research is sponsored by a non-governmental sponsor or a governmental sponsor — financial interests may include anything of monetary

value held by the employee, a spouse or registered domestic partner and dependent children, whether that value can be easily determined or not.

Examples include:

- Income or payments for salaries
- Consulting fees and honorariums
- Holding a position such as founder, partner, employee or board member
- Having ownership interests such as stocks, bonds or stock options
- Travel funds or reimbursements
- Gifts such as food and beverage
- Loans and intellectual property interests

For information about the circumstances under which researchers must report financial interests, as well as the timing for reporting such interests, please visit the Research Policy Analysis and Coordination, systemwide Conflict of Interest page, [linked here](#).

## **Slide 15 California Political Reform Act**

The California Political Reform Act requires certain state and local government officials, including designated University officials, to publicly disclose their personal economic interests, on the Form 700. It also generally requires University employees to recuse or disqualify themselves from participating in University decisions in which they have a personal financial interest.

The strict recusal rule does not apply to certain academic decisions made by UC employees with research and teaching responsibilities, but there are disclosure requirements that apply to Principal Investigators on research projects, as will be described on the slides that explain Form 700-U.

## Slide 16 Form 700-U

The first disclosure process we'll review is the State of California's Form 700-U, also known as the Statement of Economic Interests for Principal Investigators.

All UC employees who have principal responsibility for a research project that receives funding from a non-governmental entity are required to file a Form 700-U.

In that Form 700-U filing, Principal Investigators must disclose whether they have or do not have financial interests in the funding entity and, if they do, what the nature and value of those interests are.

However, support from certain entities is specifically exempted from triggering the Form 700-U disclosure requirement. Learn more about those entities through the webpage linked in this slide.

An individual Form 700-U filing must be made for each sponsor and for each research project. This means that if multiple sponsors support one of your research projects, you must file a separate Form 700-U for each of those sponsors. It also means that if one sponsor supports multiple research projects for which you are responsible, you must file a separate Form 700-U for each of those projects.

In this initial filing, you must report all qualifying investments in, and business positions with, the sponsor as of the date that the award is made, as well as reporting all qualifying income, gifts and travel payments received from the sponsor within the 12 months prior to the date that the award is made.

An "interim" Form 700-U must be filed within 30 days of the sponsor renewing their funding. In an interim Form 700-U filing, you must report all qualifying investments, business positions, income, gifts, and travel payments held or received during the period between the date of the initial Form 700-U filing and the date of the project funding being renewed.

## **Slide 17 Form 700-U Reportable Financial Interests: Business Positions, Investments, Income:**

In order to comply with the Form 700-U requirements, you'll need to understand which financial interests must be reported and which do not, so let's review the thresholds and broad parameters of each category of relevant financial interest. For a more comprehensive detailing of each category, please refer to the official Form 700-U guidelines linked here and in the Resources menu.

First, you would need to disclose if you had a business position with the sponsoring entity, such as director, officer, partner, trustee, consultant, employee or a position of management.

Next, investments. You must disclose all investments held by you, your spouse or registered domestic partner, and your dependent children in the funding entity that have a value of \$2,000 or more. With investments, as with a few other of these categories, you are required to disclose the general value of the interest.

"Income" means any payment, or collection of payments, totaling \$500 or more received by you, your spouse or registered domestic partner from the funding entity during the previous 12 months. Again, you must disclose the general value of the income.

If you or your applicable family members do not hold any of these types of financial interests, you must affirm this in your Form 700-U filing.

## **Slide 18 Form 700-U Reportable Financial Interests: Loans, Gifts and Travel Payments**

Loans received or outstanding are reportable if they total \$500 or more from a single lender. However, some loans may not need to be reported. Check the Form 700-U guidelines for more information on this topic.

Gifts are defined as anything of value that you receive without you having provided something of at least equal value in return. Individual gifts, or a

collection of gifts from the same source, totaling \$50 or more must be reported, even if the gift is received but never put to use, such as if you accepted tickets to a sporting event but did not attend it.

Public employees can only receive a certain amount of gifts from a single reportable source within a calendar year. For the calendar years of 2025 and 2026, that limit is \$630; however, the limit may be increased in the future, so make sure to check the most recent Form 700-U and FPPC guidelines for the current gift limit. Commonly reportable gifts include food, beverages, travel and accommodations — including those provided when you attend a convention, conference, meeting or social event by invitation of the gift giver — as well as tickets or passes, wedding presents and more.

Travel payments include advances and reimbursements for travel and related expenses, including lodging and meals. A travel payment totaling \$50 or more for which you did not provide services equal to or greater than the value of the payment must be disclosed as a gift, and with the disclosure, you must provide a description of the gifted travel payment, the travel location and the date the gift was received. Gifts of travel are included in the gift limit mentioned previously. A UC employee may not receive gifts totaling more than the gift limit from a single source during the calendar year, and both gifts of travel and other kinds of gifts will count toward that limit.

A travel payment may be reportable as income rather than as a gift if you provided services that were equal to or greater in value than the travel payments received. In such a case, the income thresholds would apply, meaning you must disclose any income, including income in the form of travel payments or reimbursements, totaling \$500 or more from a single source. Additionally, you, the filer, would carry the burden of proving the payments were income instead of gifts, and you would need to describe the services you provided in exchange for the payments. You would not, however, be required to disclose the dates for travel payments that are considered income.

Check out the FPPC fact sheet, [linked here](#) and in the Resources menu, for more information on all of these topics.

And once again, if you or your applicable family members do not hold any of these types of financial interests, you must affirm that in your Form 700-U filing.

## **Slide 19 PHS: Conflict of Interest Disclosure**

Next, let's review the Public Health Service, or PHS, conflict of interest disclosure requirements that apply to Investigators Seeking or Receiving research funding or support from NIH or another Public Health Service agency; for example, the CDC, FDA and AHRQ.

Other entities may adopt the PHS requirements as well, and if you receive funding from one of those entities, these disclosure requirements would similarly apply. Included within this slide is a list of entities that have adopted the PHS Conflict of Interest regulations.

Investigators seeking or receiving PHS support are required to disclose Significant Financial Interests related to their institutional responsibilities, including, unless specifically exempted, significant financial interests held by their spouse, or registered domestic partner, and dependent children. Let's unpack that statement a bit.

An investigator, in this case, is not only the PI but includes any individual responsible for the design, conduct or reporting of the results of work performed or to be performed within a sponsored project.

Institutional responsibilities refers to teaching/education, research, outreach, clinical service, and University and public service on behalf of UC which are in the course of your UC appointment and/or employment: that is to say, "institutional responsibilities" essentially means your field. It may not always be obvious which of your financial interests relate to these responsibilities, which is one of the reasons UC recommends erring on the side of disclosure, just to be safe, as failure to file a complete disclosure could be grounds for discipline pursuant to UC policy or even federal law.

Once an investigator submits their disclosure of Significant Financial Interests, it will be reviewed by the Conflict of Interest Office, often with input from the Investigator or Institutional Substantive Review Committee, often abbreviated as ISRC, who will then determine, based on the relationship of the Investigator's Significant Financial Interests to their Institutional Responsibilities, which Interests constitute a financial conflict of interest. If a financial conflict of interest is identified, the Designated Official, or ISRC, will recommend to the Chancellor, or in the case of Lawrence Berkeley National Lab, the Lab Director, or in the case of Agricultural & Natural Resources, the Vice President, or to the Chancellor's authorized designee, subsequent steps to manage or eliminate the conflict. In such cases, the required management plan must be implemented and communicated to PHS before the University's expenditure of the PHS funds awarded for the research project or before the investigator begins work on the project, because ultimately, PHS will determine if the management plan is appropriate and whether the funds will still be awarded in light of the conflict.

## **Slide 20 PHS: Timing and Process of Disclosures**

For new projects, Investigators are required to submit their disclosure of Significant Financial Interests no later than at the time of the application for PHS funding. Additionally, Investigators must disclose newly acquired or discovered Significant Financial Interests within 30 days of the acquisition or discovery. And it's worth re-emphasizing that these disclosures must include all Significant Financial Interests related to the entirety of your institutional responsibilities, not just those interests related to the specific PHS-funded research that prompted the filing.

Investigators are also required to resubmit annually throughout the period of the award a disclosure of all of their Significant Financial Interests, including those that were previously reported and not identified as a financial conflict of interest by the local Designated Official or ISRC.

Furthermore, before joining an ongoing PHS-funded research project, new Investigators must submit their disclosure of Significant Financial Interests.

Each UC location implements its own procedures for how Investigators submit their disclosure of Significant Financial Interests. Consult with your local Research Compliance office in order to learn more about how you should submit your disclosures.

## **Slide 21 PHS: Significant Financial Interests (SFI)**

So, what constitutes a Significant Financial Interest within the PHS guidelines?

Title 42, Chapter I, Part 50 of the Code of Federal Regulations defines a financial interest as anything of monetary value, including but not limited to, salary or other payments for services, equity interests and intellectual property rights. And again, unless specifically stated otherwise, this includes interests held not only by you but also those held by your spouse, or registered domestic partner, and your dependent children. However, salary, royalties and other remuneration paid to you by the University of California are exempt from these disclosure requirements. View the Federal Regulations, [linked here](#) and in the Resources menu, to learn more about other government- and education-related sources of income that are similarly exempt, but keep in mind that foreign-based sources of income, even if government or education related, are never exempt and must always be reported. Note that PHS disclosure requirements do not apply to Phase 1 Small Business Innovation Research, SBIR, and Small Business Technology Transfer, STTR, programs.

Under the regulations, a Significant Financial Interest means one or more of the following interests of the Investigator, and their spouse and dependent children, related to the Investigator's institutional responsibilities:

- With regard to any publicly-traded entity, domestic or foreign, a Significant Financial Interest exists if the combined value of any payments received from the entity in the 12 months preceding the disclosure along with the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. Payments may include salary, consulting fees, honoraria and the like. The value

of equity interest is determined by public prices or other reasonable measures of fair market value.

- With regard to any non-publicly-traded entity, a Significant Financial Interest exists if the value of any compensation, or other payments, received from the entity in the 12 months preceding the disclosure, when aggregated, exceeds \$5,000, or when any equity interest in the entity is held. And again, this includes compensation received from any foreign non-publicly-traded entity.
- A Significant Financial Interest also includes intellectual property rights and interest, such as copyrights or patents that generate income exceeding \$5,000 during the 12 months preceding disclosure; however, royalties received from the University of California Regents are excluded.

Lastly, travel, and do note that the following definition only applies to the Investigator as the recipient; in the case of travel, their family members aren't also included: Sponsored travel or travel reimbursements made to or on behalf of the Investigator by a for-profit or non-profit entity would be considered Significant Financial Interests, except in the case of travel reimbursed or paid for by a U.S. federal, state or local government agency, a U.S. institution of higher education, or a research institute, academic medical center or hospital affiliated with an institution of higher education. Note that your location's COI policy will specify the thresholds and details that apply to travel disclosures.

## **Slide 22 NIH: Other Support Disclosure Part 1**

If research receives NIH funding, or funding from another sponsor that has adopted the NIH requirements, its senior investigators and other key personnel are also required to disclose "Other Support." This broad term — "Other Support" — includes any resources provided to a researcher in support of and/or related to any of their active and pending research endeavors, regardless of whether or not the provided resources have monetary value, regardless of whether the provided resources or research work are based at the institution the researcher identifies

for the grant and regardless of whether the source of the support is foreign or domestic. Examples of forms of support that would need to be disclosed include but are not limited to, financial support for laboratory personnel or use of staff, travel or living expenses, use of lab space and provision of high-value materials that are not freely available, such as biologics, chemicals, model systems, technology, etc. — pretty much anything provided that supports and/or relates to any of a filer's current or planned research work needs to be disclosed.

Senior investigators and key personnel are also required to report all their current projects and research activities that require a time commitment, and they must report the positions and scientific appointments they hold that are relevant to the proposed project, whether those appointments be domestic or foreign, full-time, part-time or voluntary, and whether or not remuneration is received.

The purpose of these requirements is to ensure openness and transparency in research and to allow the sponsoring entity the opportunity to ensure that there are no overlaps in budget or scientific purpose, that the investigator is able to provide sufficient commitment to the proposed project — that is to say, that a conflict of commitment does not, or would not, exist — and that funding awarded to the proposed project is both necessary and not applied to other projects' purposes. And as always, it's strongly recommended that you err on the side of disclosure when deciding whether or not a resource or commitment fits within these reporting parameters.

## **Slide 23 NIH: Other Support Disclosure Part 2**

Other Support disclosures are to be provided whenever NIH requests them, which usually occurs as part of the “Just-in-Time” procedures for grant applications.

Effective May 25, 2021:

The Other Support page separates funded projects from in-kind contributions.

And as of May 25, 2021, NIH requires the following:

The Program Director or PI and other senior/key personnel must certify the accuracy of the information submitted by signing the Other Support form prior to submission.

Submission to NIH of supporting documentation, which includes copies of contracts, grants or any other agreement specific to senior/key personnel foreign appointments and/or employment with a foreign institution for all foreign activities and resources that are reported in Other Support. If the contracts, grants or other agreements are not in English, recipients must provide translated copies.

And UC must immediately notify NIH of undisclosed Other Support. That is, when a recipient organization, UC in our case, discovers that a PI or other Senior/Key personnel on an active NIH grant failed to disclose Other Support information outside of Just-in-Time or the RPPR, as applicable, the recipient must submit updated Other Support to the Grants Management Specialist named in the Notice of Award as soon as it becomes known.

For more information and further clarification on this topic, as well as on the NIH policies for both Other Support and Foreign Components, the topic of the next slide, check out the NIH Frequently Asked Questions page and the Reminders of NIH Policies on Other Support and on Policies related to Financial Conflicts of Interest and Foreign Components page, both of which are linked here and in the Resources menu.

## **Slide 24 NIH: Foreign Components**

Recipients of NIH grants, or of grants from sponsors who have adopted the NIH disclosure requirements, are also required to determine whether any aspect of their funded activities constitute a foreign component — defined as the existence of any significant scientific element or segment of the project that exists outside the United States — and if so, to seek approval from the sponsor prior to including the foreign component in the funded project.

Examples of foreign components include: 1) performance of work by any researcher, including a grant recipient, conducted in a foreign location, whether

or not grant funds are expended for this specific purpose; and/or 2) performance of work in a foreign location by a researcher employed or paid for by a foreign organization, again, whether or not grant funds are expended.

If an activity does not meet the definition of being a foreign component because the activity is being conducted in the United States but it is nonetheless being supported by a non-U.S. entity, that would need to be reported as Other Support. It is your professional responsibility to completely and accurately disclose all external financial interests and support, affiliations, activities and relationships with any foreign entities. Doing so is the only way we can help you navigate the complex disclosure requirements and protect your research from delays or even being unfunded or defunded.

In this age of multinational research, complying with the Foreign Component and Other Support disclosure requirements is especially critical, so again, please check out the linked FAQ and Reminder of NIH Policies pages, or contact your local sponsored projects office, if you need more information on these topics or further assistance in ensuring you are compliant.

## **Slide 25 National Science Foundation (NSF) Disclosure of Significant Financial Interests**

The final set of disclosure requirements we'll review pertain to the National Science Foundation, commonly abbreviated as NSF.

Under the NSF guidelines — linked here and in the Resources menu — investigators are required to disclose all significant financial interests they hold, as well as those held by their spouse or registered domestic partner and dependent children, that would reasonably appear to be affected by proposed or ongoing NSF-funded research or educational activities, or in entities that would reasonably appear to be affected by such activities. This narrower focus is one of the key differences between PHS and NSF requirements: recall that PHS, by comparison, requires disclosure of any significant financial interest related to the entirety of your institutional responsibilities.

Within the NSF guidelines, the term “investigator” refers to any person involved in the proposed project who is responsible for the design, conduct or reporting of research or other educational activities funded, or proposed for funding, by NSF. The term “significant financial interest” refers to anything of monetary value — including but not limited to, salary or other payments for services, such as consulting fees and honoraria; equity interests, like stocks, options and ownership interest in a business; and intellectual property rights, such as patents, copyrights and royalties from such rights, but there are some exceptions to this definition and the categories described within it. Let’s explore those further in the next slide so you better understand what financial interests might not need to be reported. But of course, as always, it’s recommended you err on the side of disclosure to help keep yourself, your research and the UC safe.

Visit the page linked to in this slide to learn further details of what is considered a significant financial interest.

## **Slide 26 NSF: Significant Financial Interest Exceptions**

The term “significant financial interest” generally means anything of monetary value — so under the NSF guidelines, investigators are essentially required to disclose anything of monetary value they, their spouse or registered domestic partner, or their dependent children hold that would reasonably appear to be affected by the proposed or ongoing NSF-funded activities — but there are also some exceptions to this definition and rule.

For one, your UC salary, as well as any royalties or other remuneration received from UC, are not considered significant financial interests.

Neither is any ownership interest in an organization that is an applicant for Phase I support under the Small Business Innovation Research Program, or SBIR, or Small Business Technology Transfer Program, abbreviated as STTR.

Income from seminars, lectures or teaching engagements sponsored by public or non-profit entities is not considered a significant financial interest, nor is income

from service on advisory committees or review panels for public or non-profit entities.

If an equity interest, when aggregated for the investigator, their spouse or dependent children, does not exceed \$10,000 in value, per entity, as determined by public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest, it is not considered a significant financial interest.

And finally, payments received from a single source are not considered a significant financial interest, and do not need to be disclosed, if the total value of all payments received by the investigator, their spouse and dependent children from that source within the prior 12-month period is not expected to exceed \$10,000, again, per entity. Forms of payment include but are not limited to: salary, honoraria, royalties, reimbursements, dividends, loans and more.

Everything else of monetary value related to the research needs to be reported, and keep in mind the common refrain: err on the side of disclosure.

## **Slide 27 NSF: Disclosing Current and Pending (Other) Support**

Current and Pending (Other) Support information must be separately provided through the use of the NSF-approved format via Science Experts Network Curriculum Vitae, or SciENCv, for each individual designated as senior/key personnel on an NSF proposal. Senior/key personnel must prepare, save, certify and submit these documents as part of their proposal via Research.gov or Grants.gov. Current and Pending (Other) Support includes all resources made available to an individual in support of and/or related to all of their research efforts, regardless of whether or not they have monetary value. Current and Pending (Other) Support also includes in-kind contributions, such as office or laboratory space, equipment, supplies, employees, students and so on. Consulting activities must also be disclosed when they involve research; relate to the individual's research portfolio in a way that may impact funding, time commitment or scientific integrity; or include confidentiality clauses that conceal

ties between the individual and the entity. In-kind contributions not intended for use on the project or project being proposed also must be reported.

Current and Pending (Other) Support information must be provided for a project, for ongoing projects and for any proposals currently under consideration from whatever source, irrespective of whether such support is provided through the proposing organization or is provided directly to the individual.

The total award amount for the entire award period covered, including indirect costs, must be provided, as well as the number of person-months, or partial person-months, per year to be devoted to the project by the individual.

Concurrent submission of a proposal to other organizations will not prejudice its review by NSF, if disclosed.

NSF's revised Current and Pending (Other) Support requirements have been updated as of May 20, 2024 under PAPPG 24-1. Read the NSF Current and Pending (Other) FAQs, [linked here](#), for more detailed information on what will be required.

## **Slide 28 NSF: Timing and Process of Disclosures**

Disclosures of Significant Financial Interests and, if applicable, Current and Pending (Other) Support, are required to be submitted with your proposal documentation and re-submitted with your annual progress reports and/or renewal documentation.

All investigators are also required to file an updated disclosure of financial interests if, during the course of an ongoing NSF-funded project, they acquire a new significant financial interest that would reasonably appear to be affected by their NSF-funded activities.

Disclosures of Current and Pending (Other) Support are reviewed by NSF. Disclosures of significant financial interests are reviewed internally, either by the University Reviewing Official or an Independent Substantive Review Committee,

to determine the potential impact to the associated project. If it is determined that a direct and significant impact could occur, the ISRC will recommend how to proceed and what, if any, conditions or restrictions should be put in place to manage or eliminate the conflict. This recommendation will be made to the relevant Chancellor or their designee, or in the case of Lawrence Berkeley National Lab, the Lab Director and in the case of ANR, the Vice President, or to the location's official designee.

Each UC location is empowered to implement its own disclosure process for NSF funding, so check with your local sponsored projects office to learn more about disclosure procedures at your location or if you have any questions about any aspect of the disclosure requirements or processes.

## **Slide 29 Resources**

We've covered a lot in this training, so make sure to download, save, bookmark and re-reference as needed all the links, documents and other materials provided throughout this course, which are shared here as well. There's even an equivalent Course Resources web page, a link to which you'll find here and in the Resources menu, that serves as a repository of all these same links, in case you need to find them again outside the course.

Don't hesitate to reach out to your local Research Compliance office or Office of the President if you would like any further clarification or assistance.

One more note: during the course of this briefing, you may have realized that you've made an honest disclosure mistake in the past and that you'd like to rectify the situation. The best place to start is with your Sponsored Projects Office. They can look at your past disclosures and help determine if an error indeed occurred. If you have a question about past Conflict of Commitment disclosures, your Department can help you determine if you need to amend a report.

## **Slide 30 Attestation of Completion**

You're almost done, but in order for you to fully satisfy this training requirement, you need to attest to having taken this course in full and having engaged with all the required material.

By selecting the Yes button here, you attest that you've fulfilled your ethics and compliance for researchers training requirement.

### **Slide 30 “Yes” choice**

Are you sure you wish to attest to completion of this course?

Click the Yes button here to confirm your attestation of completion, or visit any slides you may have missed and then return back here to attest to completion.

### **Slide 30 “No” choice**

You must engage with all the required material within this briefing and attest to having done so in order to complete the training and satisfy your training requirement. Please go back and visit any material you may have skipped, other than the instructions slides, and then click the Yes button in the Attestation of Completion.

## **Slide 31 End of Training**

You have completed the University of California's Ethics and Compliance Briefing for Researchers. On behalf of the University, we thank you for your contributions to the research and scientific communities and to your commitment to the highest ethical standards in the furtherance of our mission of teaching, research and public service.

If you are employed at Lawrence Berkeley National Laboratory, please note that you will be required to take an additional, short training on similar topics to those

covered in this course, due to the Lab's Department of Energy affiliation and the DoE's unique requirements.

You may exit the training by clicking the Exit button or by closing this browser window.