OPACS TRAINING FOR FACULTY AND SENIOR/KEY PERSONNEL ON NSF AND NIH FUNDED AWARDS AND PROPOSALS

NEW DISCLOSURE PROCEDURES

April 2022
Conflict of Commitment

• Stanford full-time researchers owe their primary professional allegiance to the University, and their primary commitment of time and intellectual energies should be to the education, research and scholarship programs of the institution.

• A Conflict of Commitment usually involves an issue of time allocation that creates a risk of divided loyalty between Stanford and an outside entity. At Stanford, when an individual’s outside professional activities exceed the permitted limits (normally thirteen days per quarter), or when the researcher’s outside professional activities, paid or unpaid, interfere with their professional obligation and commitment to Stanford, a conflict of commitment exists.

• Academic Staff and Other Teaching Staff have slightly modified requirements which can be found in RPH 4.3

• Requirements for student and post-docs can be found in RPH 10.6
Conflict of Interest

• 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.

• Faculty members and Senior/key personnel should conduct their affairs so as to avoid or minimize conflicts of interest and must respond appropriately when conflicts of interest arise.

• More information regarding Conflict of Interest can be found in RPH4.1
Disclosure through OPACS (OPACS.Stanford.edu)

- Annual survey launches April 11, 2022, please complete by May 2, 2022
- VPDOR and school contacts are here to help you do this
- What’s new this time:
  - Expanded population for disclosure
  - Minor wording changes to clarify requirements
  - Question regarding participation in a foreign talent program
  - Ability to upload External Agreements (NIH Investigators)
  - Start dates and end dates for outside activities
Disclosure through OPACS (OPACS.Stanford.edu)

- Disclosure is required:
  - Annually (now)
  - Confer with your PI/Chair/Dean before starting a new outside activity
  - Disclose in OPACS within 30 days of starting a new outside activity, or when acquiring a new financial interest (e.g., certain equity)
  - Update OPACS when something changes for an existing activity
Expanded Population for Annual Disclosure

- Why has the population who need to disclose been expanded?
  - Longstanding federal requirement for Investigators to disclose their outside activities; higher federal scrutiny on Investigator’s outside activities; formalizing disclosure process using Stanford’s system of record (RPH 4.2 - PHS and NSF Requirements Regarding Financial Disclosures and Agency Notifications)

- Who needs to disclose?
  - All faculty and anyone listed as key personnel on NIH or NSF funded awards or proposal for funding (as logged and recorded in the SeRA system, based on information provided in those proposals).
Stanford Definition of Investigator

**Investigator** means the project director (PD) or principal investigator (PI) any Stanford faculty contributing effort to a funded project and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research designated by the PI/PD or Stanford Faculty. These individuals may include, for example, academic or teaching staff.

**Senior/key personnel** means the PD/PI and any other person identified as senior/key personnel by Stanford in the grant application, progress report, or any other report submitted to the funding agency by Stanford under this policy.
Roles & Responsibilities for NSF/NIH Projects

For anyone named as a PI, Co-PI, Co-Investigators, senior/key personnel on an NSF or NIH pending proposals or active awards...

<table>
<thead>
<tr>
<th>NSF</th>
<th>NIH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biosketch - ALL appointments &amp; positions</td>
<td>ALL appointments &amp; positions</td>
</tr>
<tr>
<td>Current &amp; Pending Other Support</td>
<td>ALL research support (direct and in-kind)</td>
</tr>
<tr>
<td>Disclosure of outside interests</td>
<td>In OPACS</td>
</tr>
<tr>
<td>COI Training</td>
<td>Prior to expenditure of funds</td>
</tr>
<tr>
<td>Disclosure of int'l appointments or employment positions at institutions that provide research support</td>
<td>Copies of agreements NOT required to be sent to NSF</td>
</tr>
<tr>
<td></td>
<td>Copies of agreements to Stanford, who will review and forward to NIH</td>
</tr>
</tbody>
</table>
External Agreements (NIH Investigators only)

Effective January 25, 2022, all Stanford University investigators supported by an NIH grant as senior/key personnel must comply with the new NIH Other Support disclosure requirements. This includes providing copies of agreements related to employment or appointments at non-US entities, for example:

- copies of contracts or letters related to an appointment or position with a non-US entity
- copies of grants, contracts, or other sponsored agreements awarded to the non-US entity where you are named as the PI or another role through your appointment at that entity
- copies of agreements that include “in-kind” support related to the appointment, including access to space, facilities, personnel, funding, or other resources available to you in support of your research endeavors (no matter where the research takes place)
- Note that NIH requires that you report all current appointments in the biosketch even if the appointment does not lead to an agreement to be uploaded as part of your Other Support.
- All agreements must be translated into English
Participation in Foreign Talent Programs

• The Annual Disclosure will now ask the following question:

  During 2021, have you participated, in any way, in a foreign talent recruitment program with a non-US institution? Report all participation, regardless of time commitment, payments or other reimbursements. A foreign talent recruitment program includes programs sponsored by a non-US government aimed at attracting people to join and transfer their knowledge and expertise to a foreign entity.

• If yes, you will be instructed to make an OPACS entry for that entity
• For more information, please visit Academic Integrity and Undue Foreign Influence
Faculty and Senior/key personnel must disclose paid and unpaid interests related to Stanford responsibilities

• Why do unpaid interests need to be disclosed?
  • New NIH and NSF requirements stating that all positions, paid and unpaid, must be listed on the Investigator’s **biosketch**.
  • If the appointment or employment is foreign, and the investigator is funded by NIH, the contract must be internally reviewed and potentially sent to the funding agency.
  • There is potential for Conflict of Commitment with the amount of time required for unpaid interests.

• Helpful links
  • ORA Disclosure Resources
  • RMG Disclosure Resources
Stanford Policy References

- Research Policy Handbook 4.1 – Faculty COI/COC
- Research Policy Handbook 4.2 – PHS & NSF requirements
- Research Policy Handbook 4.3 – Consulting and Other Outside Professional Activities
- Research Policy Handbook 4.4 – COI/COC for Academic, Teaching & Research Staff
- Research Policy Handbook 10.6 – COI for Postdoctoral Scholars
Helpful Resources

• FAQ about the certification process
• FAQ about the OPACS tool
• Tips for managing outside financial interests
• Conflict of interest resource page