

CONFLICT OF INTEREST MANAGEMENT PLAN: Faculty Start-Up Company

Investigator Name:

Department:

Investigator Name:

Department:

Summary

Describe the nature of the business, and its relationship to the employee's institutional responsibilities, if applicable. Include anticipated employee's time commitment to Company activities.

If a technology is involved, include a discussion of the intellectual property on which the company or consulting is based, and describe the disclosure of the technology to USA's Office of Commercialization and Industry Collaboration and the licensing arrangements between USA and the company if it is a university-owned technology.

Company Information

Name:

Address:

Brief Overview of Company:

Company Founder(s):

Company Chief Financial Officer:

Company Chief Operating Officer:

Company Chief Scientific Officer:

Preface

Employees of the University of South Alabama (USA) are expected to conduct their teaching, research, and service activities in accordance with University policies and applicable state and federal laws and regulations. For purposes of this Management Plan, the term "Employee" shall have the same meaning as set forth in the University of South Alabama [Conflict of Interest in Research Policy](#).

As a USA Employee, you are expected to avoid situations that may impart bias; that may involve inappropriate use of institutional resources, including other USA Employees or information; or that may involve or have the appearance of self-dealing. As you conduct research in which you have a financial interest – either because of your ownership interest in the funding source or because of your ownership interest in a company having right to commercialize the results of the research – you must be careful to avoid conflicts that may adversely influence your objectivity, integrity, or professional commitment to the University and to avoid those conflicts that may have the appearance of doing so.

Nature of the Potential Conflict(s): (check all that apply)

- Financial/Equity Interest (if checked, list value of financial interest): _____
- Activities of start-up company relate to Investigator’s research at the University
- Relationship (e.g. colleague, family member, etc.)
- Consulting
- Hold Company Position
- Student/Trainee Involvement in Company-Sponsored Research Conducted at USA
- Employing University Staff to Work on Company Activities
- Human Subjects Research
- Use of University Facilities/Resources (describe): _____

- Other (describe): _____

Terms of Management Plan

Plan Details

This Management Plan (the “Plan”) has been developed to assist you, [COMPANY NAME] (herein referred to as Company), and the University in managing or reducing real or potential conflicts of interest that may arise as you engage in entrepreneurial activities while at the same time remaining an Employee of the University. The University of South Alabama Policy on [External Professional Activities](#) requires that the University approve of your outside entrepreneurial activities.

A. In order to manage any real or perceived Conflicts of Interest, you agree:

1. to ensure all publications and presentations include disclosure regarding financial interests with the Company, if the Company supports research reported in the publication/presentation. At minimum, the disclosure shall identify the pertinent technology and include a reference to Investigator’s interest in the company commercializing the technology;

2. to comply with monitoring of research or other activities by independent reviewer(s). A Management Team has been assigned to oversee compliance with the Plan. The team includes:
 - XXX
 - XXX
 - XXX

This review will be conducted by the Office of Research Compliance and Assurance and members of the Management Team.

3. to refrain from engaging in entrepreneurial activities related to your University responsibilities except as allowed under the University's Conflict of Interest Policy and its consulting policies. All University work commitments must be met and the Investigator must discuss and receive permission for plans to use regular working hours to work for an external entity. Evenings and weekends do not need permission. Investigators are permitted to consult on the scientific and technical merit of the technology licensed to the company as long as those consultations do not disclose know-how or intellectual property belonging to the University that are not listed by the licensing agreement.
4. to work directly with your Dean and/or Department Chair to assure that you continue to meet your teaching, research, and service activities as required by University policy;
5. to disclose promptly on the *External Professional Activities form* (via COI Risk Manager online system) any research, administrative, and/or consulting activities you perform for the Company and to clearly articulate how those activities differ from the duties and activities that you perform for the University;
6. to disclose to the Office of Research Compliance and Assurance any and all changes to your entrepreneurial activities and/or business relationships regarding the Company (*i.e., change in equity ownership, positions, compensation, etc.*);
7. to conduct your research and administrative activities so that your colleagues, students, and business associates understand when these activities are being performed in your personal capacity for the Company and when they are not;
8. to refrain from engaging in direct contractual negotiations on behalf of the Company with the University but, instead, to have the University Office of Commercialization and Industry Collaboration, their designee or legal counsel for the Company perform these negotiations. Early stage start-ups may have only one employee; thus, it is recognized that there may be instances where

negotiations between the Employee and USA are unavoidable. In such a case, it is incumbent upon the Employee to inform USA that the Employee is negotiating on behalf of the Company, and not on behalf of the university or university position that he/she holds; and

9. New inventions/improvements to technology developed by Investigators are subject to [USA's Patent and Invention Policy](#) and shall be disclosed to the Office of Commercialization and Industry Collaborations. New inventions, etc. may require modifications to this Plan.

B. When teaching or allowing USA graduate and undergraduate students (collectively "Students") you supervise to participate in the Company's research, you agree:

(Discuss the potential use of USA students of mentees by external entity here)

C. Use of University Research Facilities and/or Resources

(Discuss the potential use of University facilities or equipment by external entity here)

Restrictions

Sharing of University Information and IP. You may not transfer any University research results, know-how, or IP relating to the Technology to Company, except through normal scholarly publication, licensing, or other agreements that are negotiated through USA. Any information being provided to the Company that was or is developed at the University, including conceptual information not yet reduced to practice, must first be disclosed to USA Office of Commercialization and Industry Collaboration and approved for release prior to disclosure to Company, unless already published and available to any third party.

Outside Work Activities. No services that you perform as part of external activities outside consulting work for the Company may duplicate any work you perform while participating in research, and any services you provide as part of your outside consulting must be consistent with your University obligations.

Ongoing Compliance

Investigator is required to obtain prior approval for all external professional activities and remain current in filing a Conflict of Interest disclosure form each year or at the time of a new conflict if acquired or discovered.

The Plan, including any subsequent amendments, will be in effect from the time of acceptance

by the Vice President for Research and Economic Development as indicated by signature of this document. The Plan will be reviewed annually thereafter and updated as necessary.

A. Annual Review

Investigator will prepare a report and meet annually (if requested) with the Management Team to review information related to the investigator’s relationship with the company, its influence on the investigator’s university activities, and compliance with the terms of the Plan. Items that will be available for review will include:

- A summary of activities subject to this Plan, including any recommended necessary amendments to the Plan.
- A list of any publications, presentations or other public disclosures of the subject activities.
- Any changes in the investigator’s relationship with the company.
- If applicable, assessment of impact on students or trainees involved in company activities. List student names and detail what activities each student is involved in, whether the student is compensated and, if applicable, by what source, and the criteria/process that is used to assign students to company vs. University projects.

Acceptance:

I have read the terms and conditions of this Plan as they relate to my Company activities, and confirm that it is accurate. I agree to comply with the Plan described above, as well as any ongoing monitoring. I agree that the Office of Research Compliance and Assurance may share this information with institutional officials and with individuals monitoring the Plan, as required for the implementation of this Plan.

_____ INVESTIGATOR’S SIGNATURE	_____ DATE
_____ INVESTIGATOR’S SIGNATURE	_____ DATE
_____ SUPERVISOR’S SIGNATURE	_____ DATE
_____ VP for Research and Economic Development	_____ DATE