

IEP Directed Studies Conflict of Interest Guidelines

Background

In order to provide “*relevant and timely ecological information for management of the Bay-Delta ecosystem and the water that flows through it,*” as stated in the Interagency Ecological Program’s (IEP) mission statement, the IEP is committed to engaging in trustworthy, transparent, and credible research practices that uphold the integrity of the program’s products and processes. The purpose of these guidelines is to help IEP staff recognize and prevent conflicts of interest, as well as the perception of conflicts, during the review of proposals.

All proposals deserve the opportunity to be reviewed by a panel of experts without financial, professional, or personal bias, and the IEP expects its reviewers to disclose any conflicts of interest they may have with a proposal review in a timely manner. Failing to disclose a conflict of interest compromises the integrity of the IEP’s standards for professionalism and quality scientific research and is viewed as unacceptable. Any potential conflicts of interest, or perceptions of conflicts, should be directed to the IEP Lead Scientist or Program Facilitator.

Interest:

Professional conflict of interest includes a co-author, anyone who assisted in the development of the proposal, or a supervisor/employee relationship. Reviewers from the same agency are acceptable if no other conflicts apply.

Financial conflict of interest includes a resource manager/resource recipient relationship, a PI/Co-PI relationship, anyone who will directly benefit from the proposal being funded, or PIs in direct competition for resources.

Personal conflict of interest includes a significant other, a familial relation, or a close personal relationship.

Disclosure:

Individuals with a conflict of interest, or the perception on a conflict, should provide notice to the IEP Lead Scientist or Program Facilitator prior to beginning the proposal review process. It is not necessary to state the specific nature of the conflict, simply that a conflict exists. The disclosure of conflicts is a continuing obligation, and if a conflict develops during the review process the interested party should disclose this information as quickly as possible and recuse themselves.

Procedure:

Per the Directed Studies Review Process, a minimum of three individuals (SMT members or external reviewers) will be identified in advance to lead the review of a proposal. These individuals must be free of a conflict of interest, or the perception of a conflict. Any other SMT member with a conflict of interest, or the perception of a conflict, will not

participate in any discussion, debate, review, or decision regarding that proposal, and will be expected to leave the room, leave the phone call, or be removed from emails. Upon return, individuals with a professional or financial conflict of interest may answer specific clarifying questions posed by the committee, if requested. Individuals with a personal conflict of interest will not be permitted to address the committee or be present for any discussion of the proposal or competing proposals.

Duration:

Conflict of interest applies only to current interests. It does not apply to past interests that have expired, no longer exist, and cannot reasonably affect current behavior. Nor does it apply to possible interests that may arise in the future but do not currently exist.

Violations:

Conflicts of interest that are not acknowledged in advance may result in any/all decisions or actions being overturned. Any concerns about potential violations should be directed to the IEP Lead Scientist or Project Facilitator immediately, and they retain the authority to recuse anyone from the decision-making process, if necessary.

Conflict of Interest Definitions

CA Joint Rule 44(c):

A person subject to this rule has an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if he or she has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity. He or she does not have an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if any benefit or detriment accrues to him or her as a member of a business, profession, occupation, or group to no greater extent than any other member of the business, profession, occupation, or group.

(2015-2016, p. 179, http://www.leginfo.ca.gov/rules/joint_rules.pdf)

American Fisheries Society:

A conflict, or the perception or appearance of a conflict, between the personal, private interests and official responsibilities of a person in a position of trust.

NOAA:

Any financial or other interest which conflicts with the service of the individual on the review panel because it (1) could significantly impair the individual's objectivity or (2) could create an unfair competitive advantage for any person or organization.

NIH:

Real conflict of interest means a reviewer, or a close relative or professional associate of the reviewer has a financial or other interest in an application or proposal that is known to the reviewer and is likely to bias the reviewer's evaluation of that application or proposal as determined by the government official managing the review (the Scientific Review Administrator, or equivalent), as acknowledged by the reviewer, or as prescribed by this part.

Appearance of a conflict of interest means that a reviewer or close relative or professional associate of the reviewer has a financial or other interest in an application or proposal that is known to the reviewer or the government official managing the review and would cause a reasonable person to question the reviewer's impartiality if he or she were to participate in the review; the government official managing the review (the Scientific Review Administrator or equivalent) will evaluate the appearance of a conflict of interest and determine, in accordance with this subpart, whether or not the interest would likely bias the reviewer's evaluation of the application or proposal.

(2004, p. 275-276, http://grants.nih.gov/grants/policy/fed_reg_peer_rev_20040115.pdf)