



OP 70.10: ORGANIZATIONAL CONFLICT OF INTEREST

Purpose

University employees are often invited to provide advice and technical assistance to federal agencies. Such service is part of the mission of the university and is encouraged. These cases may also give rise to the potential for an Organizational Conflict of Interest (OCI). For example, if a faculty member is on a panel that provides input for a Request for Applications that will be put forth in the future this could result in restrictions in the services the university can perform as a federal awardee or contractor.

Types of OCI

- Unequal access to information: an unfair competitive advantage resulting from obtaining information not generally available to others seeking federal funding.
- Impaired objectivity: assessing performance or evaluating products of someone within your own organization or a direct competitor seeking federal funding.
- Biased ground rules: having provided engineering or technical assistance or written the work requirements for a funding opportunity where someone within your own organization is an applicant.

As a recipient of funding for research activities, Mississippi State University must adhere to requirements set forth in contracts from U.S. governmental agencies including clauses relating to Organizational Conflicts of Interest (OCI). The purpose of these requirements is to ensure that the research serves the national and public interest and is guided solely by the objective results of the scientific method.

This policy is designed to identify and manage OCI in a manner consistent with Federal Acquisition Regulations (FAR) [Subpart 9.5](#) and Defense Federal Acquisition Regulation Supplement (DFARS) [Part 209.571](#).

Policy

It is the policy of Mississippi State University to identify, disclose, and avoid or manage, actual or perceived Organizational Conflicts of Interest related to research activities in accordance with federal regulations. For purposes of this policy, OCIs occur only in relationship to government-sponsored research activities.

Procedure

Identification, Disclosure, and Management

All funding announcements should be reviewed for OCI clauses and, when identified, notification made to the Office of Sponsored Projects Administrator. When applying for funding with OCI provisions, MSU employees must disclose their activities that may give rise to an OCI to the Director of the Office of Research Compliance. Such activities may have been undertaken

as an employee of MSU or independently as a consultant or volunteer. These activities (on behalf of the U.S. government) include but are not limited to:

- Contracts to provide scientific, engineering and technical direction;
- Serving as an advisor and providing analysis, assistance or evaluation services;
- Preparing specifications and work statements for funding opportunities;
- Having access to proprietary, confidential or sensitive data.

In the event a potential OCI is identified and related to proposed or ongoing research at the university, ORC will work with the Office of Sponsored Projects, the government's contracting officer/program manager, the impacted MSU personnel and their departments, and others as necessary to neutralize or mitigate the OCI.

Management of the OCI may include recusal from certain activities, maintaining confidentiality of data, or review of work by an independent third party.

Examples

- A faculty member in Computer Science and Engineering provides DARPA with technical direction for the development of a Broad Agency Announcement (BAA). If anyone from MSU submits a proposal pursuant to that DARPA BAA an organizational conflict of interest exists. This potential organizational conflict may need to be disclosed to DARPA. There may be exceptions; for example, participating in collective discussion at a workshop related to developing the BAA may not create as much potential for organizational conflict as advising DARPA as an individual.
- MSU develops a detailed model plan for the scientific and technical training of staff at the Air Force Research Laboratory. The Laboratory adopts the curriculum and incorporates it into a request for proposal to conduct the training. If anyone from MSU responds to the proposal an organizational conflict of interest exists. This potential organizational conflict may need to be disclosed to the Air Force.
- A non-MSU researcher collaborates with MSU's Distributed Analytics and Security Institute on a project for Homeland Security and has access to confidential government information. Another researcher at MSU submits a proposal for funding to Homeland Security related to the same scientific area. Homeland Security may consider this to be an OCI.
- A MSU researcher serves as a reviewer for NSF. This individual must follow NSF's conflict of interest guidelines and recuse him/herself from certain proposals. However this activity generally does not create an OCI for the researcher or his/her MSU colleagues.

Review

This OP will be reviewed as needed, but at least every four years, by the Director of Research Compliance with recommendations presented to the Vice President for Research and Economic Development.

REVIEWED BY:

/s/ Kacey Strickland
Director of Research Compliance

10/04/2018
Date

/s/ David R. Shaw
Vice President for Research &
Economic Development

10/04/2018
Date

/s/ Joan Lucas
General Counsel

10/17/2018
Date

/s/ Timothy N. Chamblee
Assistant Vice President and Director
Institutional Research & Effectiveness

10/18/2018
Date

APPROVED:

/s/ Mark Keenum
President

10/22/2018
Date