

FAQs on Conflict of Interest and Outside Activities

Last updated: June 2018

Why does the university require faculty and others to disclose outside activities and outside financial interests?

University faculty and other personnel are Commonwealth employees and thereby subject to the [Massachusetts ethics regulations](#). Faculty and others engaged in teaching and academic research have a negotiated “carve out” from these regulations, subject to certain requirements for the university to review, approve, and manage potential conflicts of interest stemming from [outside activities](#). This allowance is in place to foster technology transfer and economic development activities that benefit the Commonwealth. Because university employees are compensated using taxpayer dollars, we must strive to embody and model the highest ethical standards for our students and Massachusetts taxpayers. The Amherst campus leadership reminds faculty and others that these types of entrepreneurial activities, when disclosed and approved properly, are points of pride and celebration as they represent the university’s commitment and obligation as a public land grant university to economic development and community service.

Outside financial interests (unrelated to an outside activity) must also be disclosed, not only to comply with Massachusetts ethics regulations, but also Federal regulations which may be applicable based upon one’s funding sources for research and sponsored projects.

What specific activities need to be disclosed?

Generally, ongoing engagements with outside entities where that engagement is related to an individual’s institutional duties, such as editorship service (if not awarded through UMass); short- or long-term consulting; paid or unpaid service on board of trustees, science advisory boards, etc. These activities and the associated financial interests (e.g., consulting income, equity) should be disclosed, reviewed, and approved by the university. In addition, [outside financial interests](#) unrelated to outside activities such as equity, royalties, and stock options must be disclosed. Monetary thresholds for disclosure depend upon one’s external funding. For PHS funded researchers, remuneration or equity in a public entity totaling more than \$5,000 in the previous 12 months must be disclosed, as well as any equity at all in a private entity. For NSF and other Federally-funded researchers, the threshold is \$10,000 or 5% equity (public or private). If faculty have no Federal funding, the threshold is \$10,000 or 1% equity for non-clinical research and \$1,000 and any equity for clinical research. Faculty who work with human subjects and who are conflicted have a higher bar for approval to engage in the research because university policy presumes denial in most cases to ensure the health and welfare of human subjects in the research.

What if I start a business?

The university, as a land grant institution, has a primary commitment to the transfer of knowledge and, by extension, the economic well-being of the Commonwealth. Entrepreneurial activity is a component of this commitment and a key goal for research at public universities throughout the United States. As full-time employees of the Commonwealth, faculty and other personnel owe a primary “fiduciary obligation” to the university as our employer and to the taxpayers of Massachusetts who fund the university. If an outside business conflicts with (because it overlaps with) areas of expertise or university responsibility, an individual may be at risk of an ethics violation by participating in that activity without disclosure and approval through the university process. Research and Engagement professionals in the Office of Research Compliance and the Technology Transfer Office are available to support faculty start-up efforts with business envisioning, entrepreneurial guidance, and conflicts management.

Where do I get help?

The Office of Research Compliance can assist faculty and other university personnel with actual or apparent conflicts of interest, or in properly documenting, as needed, any outside activities related to one’s institutional duties. Please let us help! (413) 545-5283 or rescomp@research.umass.edu