

CONFLICT OF INTEREST IN RESEARCH POLICY

Office of the Vice President for Research

Last modified: May 20, 2024

The purpose of this document is to protect the integrity, trust and respect of New Mexico Tech, its academic community and its research activities. The policy is intended to inform investigators of their disclosure obligations and to assure funding agencies of New Mexico Tech's compliance with applicable regulations.

Table of Contents

Conflict of Interest in Research Policy.....	3
1. Policy.....	4
2. Definitions.....	4
2.1. Conflict of Interest.....	4
2.2. Investigator.....	5
2.3. Non-NMT Investigator.....	5
2.4. Significant Financial Interest.....	5
2.5. NMT Research.....	7
2.6. Noncompliance.....	7

Conflict of Interest in Research Policy

Background

The purpose of this policy is to protect the integrity, trust and respect of New Mexico Tech, its academic community and its research activities. The policy is intended to assure federal and non-federal funding agencies of NMT's compliance with applicable laws and regulations, and to inform New Mexico Tech's community of research investigators of their ongoing obligation to disclose any and all conflicts.

Members of the New Mexico Tech community are engaged in many contractual, consulting and advisory relationships with other universities, government agencies and private sector entities. NMT encourages these relationships for their contributions to research, education, technological advancement and professional development. NMT members must be cautious, however, to prevent unresolved conflicts of interest in these relationships that might undermine the credibility of their work, or damage their reputation. Additionally, full-time faculty members and researchers must be mindful of their obligation to devote their primary professional efforts and allegiance to NMT. Other activities should not interfere or significantly conflict with this responsibility.

Conflicts of interest may occur when an investigator's research responsibilities compete with their private interests, such as financial interests, raising questions of objectivity and improper gain.

Conflicts of interest are inevitable in modern research universities and do not imply any impropriety on the part of the investigator. A conflict of interest may exist despite the highest standards of conduct and candor. Most conflicts can be successfully resolved without impeding research activities.

Disclosing the required information at the earliest possible time will afford the best protection of an investigator's interests. Disclosure early in NMT research is a key factor in protecting an investigator's reputation and career from potentially embarrassing or harmful allegations of inappropriate behavior. Investigators are encouraged to disclose any situation that could conceivably be viewed as a conflict of interest or a reportable financial interest, and to favor more rather than less disclosure. The Conflicts of Interest Committee will assess whether an actual or potential conflict exists and work with the

investigator to determine how it should be resolved or managed. Individuals who are uncertain about the policy's application to their situation should contact the Office of Research Compliance for assistance.

1. Policy

1.1. Every NMT investigator, and Non-NMT investigator working on NMT research, must disclose all real and potential conflicts of interest annually, at the beginning of the Fall semester during the "Disclosure Window," when submitting a proposal for funding, and whenever there is a material change to their most recent disclosure.

1.1.1. This policy applies to all investigators, including non-NMT investigators. The policy covers actual and potential conflicts of interest associated with participation in NMT research, which includes:

1.1.1.1. Research funded by or through NMT (including outside sponsored funding).

1.1.1.2. Research conducted at NMT, regardless of funding.

1.1.1.3. Non-sponsored research conducted off campus by NMT employees.

1.1.1.4. Non-sponsored NMT research that is:

1.1.1.4.1. Human subject research;

1.1.1.4.2. Animal subject research; or

1.1.1.4.3. Research funded by a formal award from internal NMT sources based on submission of a proposal.

2. Definitions

2.1. Conflict of Interest

2.1.1. Conflict of interest means a situation associated with an investigator's participation in NMT Research where it reasonably appears, on an actual or potential basis, that:

2.1.1.1. The investigator's significant financial interest could directly and significantly affect the design, conduct or reporting of NMT research activities; or

2.1.1.2. The investigator's situation could directly and significantly compromise their professional commitments or allegiance to NMT.

2.2. Investigator

2.2.1. Investigator means the principal investigator, the co-principal investigator and any other person (including faculty, staff and students) who is responsible for the design, conduct or reporting of NMT research. Any individual responsible for a task that could have a significant effect on the research design, conduct or reporting is considered to be an investigator, even if the individual does not have sole or primary responsibility for the task or the research.

2.3. Non-NMT Investigator

2.3.1. Non-NMT Investigator means any person who is:

2.3.1.1. Responsible for the design, conduct or reporting of NMT research; and employed by an entity other than NMT, working pursuant to a sub-award with another entity, working as an independent contractor or collaborator, or otherwise not employed by NMT.

2.4. Significant Financial Interest

2.4.1. Significant financial interest means anything of monetary value belonging to the investigator and their spouse or domestic partner and dependent children, including but limited to:

2.4.1.1. Salary, royalties or other payments for services, such as consulting fees or honoraria, unless they are expected to total less than the allowable threshold (see procedure document) over the next 12 months for the investigator and their spouse, domestic partner, and dependent children.

- 2.4.1.2. Equity interests, such as stocks, stock options or other ownership interests, unless they amount to \$10,000 or less in value and represent a 5% or less ownership interest in a single entity when aggregated for the investigator and their spouse, domestic partner, and dependent children.
- 2.4.1.3. Intellectual property rights, such as patents and copyrights, and royalties from these rights.
- 2.4.2. Significant financial interest does not include the following:
 - 2.4.2.1. Salary, royalties or other remuneration from NMT (including payments or other technology commercialization proceeds through the New Mexico Tech University Research Park Corporation).
 - 2.4.2.2. Income from seminars, lectures or teaching engagements sponsored by public or nonprofit entities.
 - 2.4.2.3. Income from service on advisory committees or review panels for public or nonprofit entities.
 - 2.4.2.4. Interests in widely held investment funds if:
 - 2.4.2.4.1. The investigator does not exercise control over or have the ability to exercise control over the fund's financial interests; and either
 - 2.4.2.4.1.1. The fund is publicly traded or available, or
 - 2.4.2.4.1.2. Its assets are widely diversified; for example, if the fund holds no more than 5% of its portfolio value in the securities of any one issuer, other than the federal government, and no more than 20% of its portfolio value in any particular economic or geographic sector
 - 2.4.2.4.1.3. Interests in blind trusts if the investigator has no knowledge of the trust assets

2.5. NMT Research

2.5.1. NMT Research means a systematic investigation designed to develop or contribute to generalizable knowledge, including basic and applied investigations and product development, that is:

2.5.1.1. Funded by or through NMT (including outside sponsored funding);

2.5.1.2. Conducted at NMT, regardless of funding; or

2.5.1.3. Non-sponsored and conducted off campus by NMT employees.

2.6. Noncompliance

2.6.1. Failure to comply with this policy occurs when an investigator

2.6.1.1. fails to complete the required annual Conflicts of Interest (COI)

Disclosure during the disclosure window,

2.6.1.2. fails to update the annual disclosure when a material change occurs;

2.6.1.3. submits a disclosure that is inaccurate or untruthful,

2.6.1.4. does not cooperate with the Conflicts of Interest Committee, or

2.6.1.5. does not cooperate with a required management plan.

2.6.2. Noncompliance with this policy may result in

2.6.2.1. The investigator's inability to expend research funds,

2.6.2.2. work stoppage on non-sponsored research,

2.6.2.3. disciplinary action up to and including termination.



MEMORANDUM

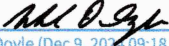

TO Michael Doyle PhD; Vice President of Research
Mahyar Amouzegar PhD; President
FROM Mikell Coleman; Director, Research Compliance
Sheila O'Sullivan, Research Compliance
CC Carlos Rey Romero; Associate Vice President of Research
DATE December 9, 2024
SUBJECT Conflicts of Interest in Research Policy

Introduction

New Mexico Tech is now operating under an Interim Conflicts of Interest in Research Policy. This Policy expires on December 9, 2024. This Interim Policy was implemented under the Interim President Daniel López on June 20, 2023, and extended by President Mahyar Amouzegar in June, 2024. The policy was submitted for final review and approval in October 2024 and is awaiting final approval.

Please grant your approval to extend this interim policy until March 12, 2024.

Thank you for your attention and for your review.

Approved:  Date: 09-Dec-2024
Approved:  Date: 09-Dec-2024