

January 2023 Issuance of Revisions to Academic Personnel Manual Section 025, Conflict of Commitment and Outside Activities of Faculty Members and Designated Other Academic Appointees (APM - 025) and Section 671, Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants (APM - 671). Effective Date for Implementation July 1, 2024.

Summary of Key Policy Revisions

- APM 671-10/025-10 Two new Category I activities requiring prior approval:
 - Current or pending acceptance of an honorary, visiting, adjunct, or other institutional appointment (either compensated or uncompensated) at an outside institution of higher education, research institute, or medical center affiliated with an outside institution of higher education, non-U.S. government, or other entity.
 - Current or pending participation in, or application to, talent recruitment programs (specifically designed to recruit science and technology professionals or students) sponsored by a government agency of a nation other than the United States (“non-U.S. government”).
- APM 671-4/025-4 Expansion of the definition of compensation to include *in-kind* contributions:
 - Compensation for outside professional activities includes all types of remuneration (including, but not limited to, stock, stock options, and *in-kind* contributions such as office/laboratory space, equipment, supplies, or employees or students supported by an outside source) that have immediate or potential financial value, excluding customary honoraria, reimbursement for reasonable travel expenses, and per diem expenses
- APM 671/025 6b. New reference to disclosure requirements that are already included in federal funding agency laws and policies governing research and grant disclosures
 - Complying with federal funding agency laws and policies governing research and grant disclosures (e.g., conflicts of commitment and affiliations, including, but not limited to, participation in non-U.S. talent recruitment programs and accepting visiting and honorary appointments at outside institutions of higher education and research) if participating in a federally funded research project and if deemed to be key personnel or senior personnel by the Principal Investigator or funding agency.
- APM 671-16 Policy restrictions now include language referencing adherence to limitations imposed by funding sources:
 - Faculty who are receiving extramural funding may not exceed limitations on outside professional activities imposed by the funding sources, including effort rules.
- APM 025.a.2 Policy now includes *Designated Other Academic Appointees* (list of job titles identified in the revised 025 policy – *newly included on our campus are Specialists and Professional Researchers*):

- Designated Other Academic Appointees who are employed by the University of California should devote their time and energy to research or other defined duties appropriate to their series. This policy requires that Designated Other Academic Appointees comply with federal funding agency laws and policies governing research and grant disclosures if participating in a federally funded research project and if deemed to be key personnel or senior personnel by the Principal Investigator (PI) or funding agency

Stakeholders

- Dept. Chairs, Dean's offices, VPAA, and EVCP (OATS: Category I prior approval requests, requests to exceed time and earnings thresholds, COC and annual OPA certification)
- Office of Ethics and Compliance and Office of Sponsored Research (COI, Export Control, Funding Agency Disclosures)
- HSCP Faculty under APM 671 and faculty appointed at 50% under APM 025 (prior approvals for Cat I and requests to exceed time and earnings thresholds, COC and annual OPA reporting, COI, Export Control, and Funding Agency Disclosures)
- Faculty less than 50% and designated other academic appointees- Specialists and Professional Researchers (COI, Export Control, and Funding Agency Disclosures)

Implementation Guidelines for Policy Revisions

- APM 671-10/025-10 Current or pending acceptance of an honorary, visiting, adjunct, or other institutional appointment (either compensated or uncompensated) at an outside institution is a Category I activity. The revised policies provide clarification that current or pending acceptance of an honorary, visiting, adjunct, or other institutional appointment (either compensated or uncompensated) at an institution of higher education, research institute, or medical center affiliated with an outside institution of higher education, non-U.S. government, or other outside entity is a Category I activity.
 - This is a newly defined Category I activity.
 - Prior approval of Category I activity in OATS is required for APM 025 faculty appointed at 50% and all HCOMP faculty under APM 671.
 - These new Category I requests will follow the standard review and approval process in OATS.
 - COC, COI, IP and Export Control issues for these category I requests will be addressed by VPAA level review committee if not addressed prior. If disclosures are not complete, this will delay review/approval.
 - Dean's offices will ensure that Category I requests move through OATS in a timely fashion to ensure prior review of non US activities and completion of COI and export control review.
 - Faculty appointed at less than 50% effort (including non-HCOMP recall), Specialists and Researchers are not required to disclose OPA or request Category I prior approval in

OATS. These populations will disclose directly to OEC/OSR. (for questions contact COIAC@ucsf.edu)

- Research policies governing disclosure requirements apply to all personnel meeting the definition of an Investigator: *anyone responsible for the design, conduct or reporting of the research regardless of their university job title*. Investigators submitting NIH grant proposals and/or with NIH funding support are required to complete disclosures in COI SMART. For non-NIH funds, investigators are required to disclose activity within 30 days of receiving a related project by completing form 700U and PI certification (for questions contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>)

Additional Process Steps Needed

- OATS will be enhanced to include this additional Category I activity
 - School Implementing Procedures and Dept. compensation plans will be updated to reflect changes to APM
 - Dean's offices will communicate this change to Departments and affected faculty
- APM 671-10/025-10 Participation in or application to talent recruitment programs sponsored by a government agency of a nation other than the United States is a Category I activity. The revised policies make explicit the requirement that faculty members seek prior approval for application to or participation in talent recruitment programs specifically designed to recruit science and technology professionals or students.
 - This is a newly defined Category I activity.
 - Prior approval of Category I activity in OATS is required for APM 025 faculty appointed at 50% and all HCOMP faculty under APM671.
 - New Category I requests will follow the standard review and approval process in OATS.
 - COC, COI, IP and Export Control issues for these category I requests will be addressed by VPAA level review committee if not addressed prior. If disclosures are not complete, this will delay review/approval.
 - Dean's offices will ensure that Category I requests move through OATS in a timely fashion to ensure prior review of participation in non US research activities.
 - Faculty less than 50% (including non-HCOMP recall), Specialists and Researchers are not required to disclose OPA or request Category I prior approval in OATS. These populations will disclose directly to OEC. For questions contact COIAC@ucsf.edu.
 - Research policies governing disclosure requirements apply to all personnel meeting the definition of an Investigator: *anyone responsible for the design, conduct or reporting of the research regardless of their university job title*. Investigators submitting NIH grant proposals and/or with NIH funding support are required to complete COI disclosures in COI SMART. For non-NIH funds, investigators are required to disclose activity within 30 days of receiving a related project by completing form 700U and PI certification (For

questions contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>)

Additional Process Steps Needed

- OATS will be enhanced to include this additional Category I activity.
 - School Implementing Procedures and Dept. compensation plans will be updated to reflect changes to APM.
 - Dean's offices will communicate this change to Departments and affected faculty.
- APM 671-4/025-4 Expansion of the definition of compensation to include additional *in-kind* contributions. The revised policies state that *in-kind* contributions, such as office/laboratory space, equipment supplies, or employees or students supported by an outside source, constitute compensation for outside professional activities. This is in addition to the receipt of cash and non-cash compensation (stock/options, equity interest) that already require disclosure in OATS. Compensation does not include training awards, prizes, or gifts. Gifts are resources provided where there is no expectation of anything (e.g., time, services, specific research activities, money, etc.) in return. An item or service given with the expectation of an associated time commitment is not a gift and is instead compensation and must be reported as such.
 - This is already required reporting to Office of Sponsored Research when researchers are reporting sources of support to federal funding agencies in grant proposals and progress reports.
 - For COI-SMART disclosures, the PHS regulation for conflicts of interest in research does not specifically define the *in-kind* contributions noted above as a Significant Financial Interest that would need to be reported as a financial conflict of interest related to research. As a result this information may not be captured through existing COI disclosures.
 - OATS will be utilized as another mechanism to document information related to the receipt of *in-kind* contributions from **non-US institutions**. This information will then be reviewed by local campus compliance offices: Office of Ethics and Compliance (OEC) /Office of Sponsored Research, who will address faculty disclosure and reporting requirements.
 - For HCOMP faculty and APM 025 faculty appointed at 50% effort, we anticipate that, in many cases, receipt of *in-kind* contributions will be associated with a Category I prior approval request (e.g. appointment, research or administration of a grant, outside the University). This will provide the opportunity for VPAA committee campus level review of COC, COI, IP, and Export Control disclosures related to the activity. If not related to category I activity, HCOMP faculty and APM 025 faculty appointed at 50% effort will document *in-kind* contributions as non-cash compensation when entering activity or completing annual OPA reporting in OATS.
 - *In-kind* contributions as described in APM 671-4/025-4 will not count towards the earnings threshold.

- Excludes customary honoraria (APM 666), and reimbursement for travel expenses.
- Questions will be added to OATS specific to the receipt of grant support from a non-US government or other non-US organization and whether faculty are receiving in-kind contributions from a non-US government or other non-US organization.
- Faculty will be asked to disclose the type of *in-kind* support being received and estimate the value if it is readily known.
- Faculty will have the option to indicate that value is not known if this cannot be readily determined. OEC Financial COI in Research staff will assist in the valuation of *in-kind* contributions from **non-US institutions** and will work with faculty to address disclosure and reporting requirements. (If the value cannot be readily determined a description of the *in-kind* support may be submitted)
- Faculty less than 50% (including non-HCOMP recall), Specialists and Researchers, are not required to disclose OPA or request prior approval in OATS. These populations will disclose directly to OEC. For questions contact COIAC@ucsf.edu
- Research policies governing disclosure requirements apply to all personnel meeting the definition of an Investigator: *anyone responsible for the design, conduct or reporting of the research regardless of their university job title*. Investigators submitting NIH grant proposals and/or receiving NIH funding support are required to complete COI disclosures in COI SMART. For non-NIH funds, investigators are required to disclose activity within 30 days of receiving a related project by completing form 700U and PI certification (For questions contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>)

Additional Process Steps Needed

- OATS will be enhanced to include questions related to *in-kind* contributions from non-US institutions.
 - System-wide OATS IT team is exploring enhancement options to facilitate connecting faculty with their local campus compliance offices if receiving grant support and/or *in-kind* contributions from non-US organizations/programs
 - Dean's offices will communicate the changes to APM policy and OATS reporting to their Schools
 - Ethics and Compliance COI staff will review the information in OATS and will work with Faculty to address disclosure and reporting requirements. Audit access to OATS will be provided to OEC COI staff as needed.
- APM 025/671-6 and 14 Faculty and Designated Other Academic Appointees are responsible for complying with federal funding agency laws and policies governing grant disclosures if participating in a federally funded research project, if deemed to be key personnel or senior personnel by the PI or funding agency, and if deemed required to disclose per funding agency policy, grant terms & conditions, and/or federal law. Reporting requirements for federal funding

agency laws and policies include reporting on conflicts of interest/commitment and affiliations including, but not limited to, participation in non-U.S. talent recruitment programs and acceptance of visiting and honorary appointments at outside institutions of higher education and research.

- While this language has not previously been included in APM policy, these disclosures are currently required under federal funding agency laws and policies governing research and grant disclosures. The inclusion of this language is meant to serve as a reminder of these requirements to Faculty and Designated Other Academic Appointees.
- Disclosure requirement applies to all APM 671 HSCP faculty and APM 025 Faculty appointed at 50% effort or less, non-HCOMP Recall Faculty, Faculty on leave, Specialists and Professional Researchers. As noted above, this is not a new requirement.
- Research policies governing disclosure requirements apply to all personnel meeting the definition of an Investigator: *anyone responsible for the design, conduct or reporting of the research regardless of their university job title*. Investigators submitting NIH grant proposals and/or receiving NIH funding support are required to complete COI disclosures in COI SMART. For non-NIH funds, investigators are required to disclose activity within 30 days of receiving a related project by completing form 700U and PI certification (For questions contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>)
- Category I prior approval and annual OPA disclosure in OATS are required for APM 671 HCOMP faculty and 025 faculty appointed at 50% if participating in non-U.S. talent recruitment programs and for acceptance of compensated and uncompensated appointments at outside institutions of higher education and research.
- Faculty less than 50% (including non-HCOMP recall), Specialists and Researchers are not required to disclose OPA or request prior approval in OATS. These populations will disclose directly to OEC if participating in non-U.S. talent recruitment programs and for acceptance of compensated and uncompensated appointments at outside institutions of higher education and research. For questions contact COIAC@ucsf.edu.

Additional Process Steps Needed

- OEC currently working on mechanisms to improve tracking for compliance.
- Required research compliance trainings are assigned to employees designated as Investigators through the UCSF Learning Center platform. Additional COI training for faculty, specialists and professional researchers may be obtained by contacting Ivana Neff in OEC. Schools may also contact Joyce Abe Operations & Training Officer, [Office of Sponsored Research](#).
- Review of the final contract language for represented Specialists and Professional Researchers when published on OP website – OP has indicated that new contracts will include language referencing the requirement for compliance with federal funding agency laws and policies governing grant disclosure if participating in a federally funded research projects

- APM 025/671-14 c Disclosures while on leave: When making required disclosures in the University of California's outside activities tracking system, faculty must provide complete and accurate information and, in particular, must avoid attributing prior work or income to the period of their leave of absence in order to unfairly benefit the faculty member or a private company or result in detriment to the University.
 - Faculty and designated other academic appointees meeting the definition of Investigator: *anyone responsible for the design, conduct or reporting of the research regardless of their university job title* are required to notify their PI and/or extramural funding sources prior to initiating a block leave.
 - Consistent with our existing campus practice which requires HCOMP faculty and APM 025 faculty (appointed at 50%) to request prior approval for Category I activities and requests to exceed the time or earnings thresholds, and report OPA occurring while on leave unless there is a documented exception for an approved activity from campus leadership
 - For COI related questions contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>

- APM 671-16 Restrictions, the revised policy now includes language referencing adherence to limitations imposed by funding sources: Faculty who are receiving extramural funding may not exceed limitations on outside professional activities imposed by the funding sources, including effort rules.
 - This language is already present in 01/15/2020 version of APM 025 but is new to APM 671
 - OEC (Ivana Neff COI Unit Manager) has confirmed that this is not required for NIH or other federal funds but could be a requirement for some other non-federal funding support. Investigators will need to review the terms and conditions of their funding support to determine whether this restriction is applicable. Contact COIAC@ucsf.edu for more information.
 - Compliance oversight is under OEC/OSR and will require coordination with the Schools and Department Chairs for faculty and designated other appointees deemed to be out of compliance

Additional Process Steps

- OEC is currently working on mechanisms to improve tracking for compliance.

Resources:

- For APM 671 or 025 policy questions, please contact your department manager or Dean's office:

School: Director / Vice or Associate Dean

Dentistry: [Phillip Babcock](#) / [Sunita Mutha](#)

Medicine: [Amy Friedli](#) / [Christina Mangurian](#)

Nursing: [Candace Wise](#) / [Catherine Waters](#)

Pharmacy: [Phillip Babcock](#) / [Robin Corelli](#)

- For questions regarding research disclosure requirements contact COIAC@ucsf.edu or <https://compliance.ucsf.edu/financial-conflict-interest-research>
- To request assistance with informational presentations on COI please contact: Ivana.Neff@ucsf.edu
- For COI/research trainings not offered through the UCSF Learning Center please contact Joyce Abe Operations & Training Officer, [Office of Sponsored Research](#), at Joyce.Abe@ucsf.edu