



Approved: January 17, 2014

Revised: November 23, 2016

Revised: April 8, 2019

Revised: August 18, 2025

Next Scheduled Review: August 18, 2030

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## Rule Summary

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Texas A&M University-Kingsville is committed to conducting research and educational activities in a manner consistent with the highest standards of integrity and ethics. This rule is adopted to promote objectivity in research and to ensure that the research and educational activities are conducted in a manner free from bias and influence resulting from Financial Conflict of Interest (FCOI).

This rule implements the requirements of System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*.

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## Definitions

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Definitions of terms used in this rule are found in System Regulation *15.01.03*.

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## Rule

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### 1. APPOINTMENT OF CONFLICT OF INTEREST OFFICIAL

The president appoints the vice president for Research and Innovation or their designee as the Conflict of Interest Official (COI Official) for Texas A&M University-Kingsville. The COI Official must perform the duties established in System Regulation *15.01.03* relating to the disclosure of financial interests and the management and reporting of financial conflicts of interest beyond those required by federal regulations.

### 2. DISCLOSURE AND REVIEW

2.1. Each investigator must submit financial disclosure statements within 30 days of initial appointment and annually, based on the prior disclosure date to the Texas A&M University-Kingsville COI Official or designee as required in System Regulation *15.01.03*. Each investigator must disclose any changes to and/or any new Significant Financial Interest (SFI) within 30 days of acquisition or change.

- 2.2. In accordance with System Regulation *15.01.03* and federal regulation, the COI Official or designee will review all financial disclosure statements by investigators and/or covered family members and determine whether any disclosed SFI is related to the investigator's research and whether an FCOI exists.
- 2.3. If an FCOI exists, the COI Official will develop a management plan specifying the actions that will be taken to manage, reduce or eliminate the FCOI. All FCOIs identified by the COI Official will be satisfactorily managed, reduced or eliminated prior to the expenditure of any sponsored research funds. The management plan must be signed by the investigator and the investigator's supervisor and approved by the COI Official. The management plan must include key elements in accordance with Section 7.3 of System Regulation *15.01.03*.
  - 2.3.1. If an investigator disagrees with the COI Official's determination, a review will be conducted in accordance with Section 7.1 of System Regulation *15.01.03*.

### 3. MONITORING

Each investigator conducting research under a management plan must comply fully and promptly with the plan. The COI Official will be responsible for conducting periodic reviews of financial disclosure statements and management plans to determine individual and institutional compliance. The COI Official must report instances of noncompliance as required in System Regulation *15.01.03* and federal regulation.

### 4. TRAINING AND CERTIFICATION

Investigators must complete training as required in System Regulation *15.01.03*. In addition, each investigator must annually certify that the investigator is aware of and has read System Regulation *15.01.03* and this rule and is aware of the investigator's responsibilities regarding disclosure of SFIs and applicable federal regulations and funding agency guidelines.

### 5. PUBLIC ACCESSIBILITY

- 5.1. The COI Official must ensure that this rule is available through a publicly accessible website.

#### 5.2 Public Health Service (PHS)-funded Research

If the COI Official determines that an FCOI exists that is related to PHS-funded research, the COI Official must coordinate with the public information officer to make the following information available in writing to any requestor within five business days after receipt of a request, so long as the investigator still holds the SFI:

- (a) The name of the investigator;
- (b) The title and role of the investigator in relation to the affected research;
- (c) The name of the entity in which the SFI is held;
- (d) A description of the SFI that was determined to be an FCOI; and

(e) The approximate dollar value of the SFI. If the dollar value cannot be determined by reference to publicly available prices or another reasonable method, the system member must include a statement to that effect. Dollar values may be provided within ranges, e.g., \$0-\$4,999; \$5,000-\$10,000; \$10,000-\$20,000; \$20,000-\$50,000; \$50,000-\$100,000. Amounts over \$100,000 may be stated in increments of \$50,000.

## 5.2. Non-PHS-funded Research

For all public information requests related to research not funded by the PHS, the COI Official must work with the public information officer to ensure that responses to requests comply with Texas Government Code, Chapter 552.

## 6. OTHER CONSIDERATIONS

In addition to the issues addressed in System Regulation *15.01.03* and this rule, there may be other ethical considerations that are separate and distinct from conflict of interest questions, including but not limited to those relating to external employment and conflict of commitment. The primary responsibility of employees of Texas A&M University-Kingsville is the accomplishment of the duties and responsibilities assigned to the employee's position of appointment. External consulting or other outside employment should not interfere with those duties and responsibilities as set forth in system policies and related regulations.

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## Related Statutes, Policies, or Requirements

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[42 C.F.R. Part 50, Subpart F](#)

45 C.F.R. §§ [74.53\(b\)](#), [92.42\(b\)](#) and [Part 94](#)

21 C.F.R. [Parts 54, 312, 314, 320, 601, 807](#) and [812](#)

[Texas Government Code, Ch. 552](#)

[NSF Proposal & Award Policies & Procedures Guide \(PAPPG\)](#)

[System Policy 15.01, Research Agreements](#)

[System Regulation 15.01.03, Financial Conflicts of Interest in Sponsored Research](#)

[System Policy 07.01, Ethics](#)

[System Policy 31.05, External Employment and Expert Witness](#)

[System Regulation 31.05.01, Faculty Consulting and/or External Professional Employment](#)

[System Regulation 31.05.02, External Employment](#)

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## **Contact Office**

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