

San José State University Research Foundation Office of Sponsored Programs

Guidelines for Completing the Financial Conflict of Interest (FCOI) – 2 Disclosure Form for Use with All Other Governmental Sponsors/Entities

This form is required by law and all principal investigators, including Co-PIs, must provide the requested information (regarding themselves and members of their immediate family) using common sense about potential conflicts that might arise in the conduct of proposed research. Significant financial interest in another entity beyond the SJSU campus could influence decision-making by the principal investigator.

You are not required to disclose any financial interests that are clearly unrelated to your proposed research. Financial interests that might require disclosure are: ownership of a business that produces products related to your research, stock holdings in a potential sub-contractor's business, or other similar interests related to your research or funded activity. Home ownership, or other investments unrelated to your funded activity, normally does not represent a significant financial interest as defined by the law.

In your consideration of disclosure, your professional responsibility must be your guide. If you have information that requires disclosure, be as complete as possible in your disclosure. The information you provide will remain confidential. If you have indicated on the form that you do not have significant financial interests in or from an entity, sign the form and attach it to your proposal.

Definitions

A *potential financial conflict of interest* occurs when there is a divergence between an individual's private interests and his/her professional obligations to the university (or research sponsor) such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise.

An *actual financial conflict of interest* depends on the situation and not on the character or actions of the individual. For purposes of the disclosure, a conflict of interest exists when significant financial interest could directly and significantly affect the design, conduct, or reporting of sponsored projects.

Frequently Asked Questions

Q: What happens to information I disclose?

A: The disclosure is reviewed by the associate vice president of research, to determine whether there is a conflict of interest.

Q: If a conflict of interest is determined, do I have a chance to challenge the conclusion?

A: Yes, a dialogue with the associate vice president of research will occur immediately.

Q: If the conclusion is sustained, then what happens?

A: The associate vice president of research will work with you to develop a resolution plan that will be approved by your college dean. Such a resolution plan may take any reasonable form that provides assurance that significant financial interests are unlikely to interfere with decisions regarding the proposed research. The plan will go into effect at the time of award, prior to the expenditure of any funds. Several resolution plan options are explained in university's Conflict of Interest Policy (S99-11).

The university's Conflict of Interest Policy (S99-11) has been approved by the Academic Senate. For a complete copy, please see your Research Foundation Pre-Award manager.

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Office of Sponsored Programs**

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Disclosure Form for Use with All Other Governmental Sponsors/Entities**

Investigator Name:

Department and College:

Project Title:

Proposed Sponsor:

Investigator Type:

Do you have any financial conflict of interest(s) to disclose? Yes No

If **yes**, complete the information below and the [Addendum to the Financial Conflict of Interest Disclosure Form](#).

I am disclosing the following significant financial interest or other potential conflict of interest related to the entity funding the project or the entity involved with the project as described above and below.

Note: Responses should include the investigator, spouse, and any dependent children.

Name of Entity:

Address of Entity:

Principal Business of Entity:

Are you a director, officer, partner, trustee, or employee of the entity?	Yes	No
Do you have an investment of \$1,000 or more in the entity?	Yes	No
Do you hold an equity position of 5% in the entity?	Yes	No
Have you received income of \$250 or more, or gifts valued at \$50 or more from the entity? (Exclude income received from the entity for a current or previously funded project.)	Yes	No
Have you received a loan from the entity for which the outstanding balance exceeded \$250 in the past 12 months?	Yes	No
Do you have an interest in any intellectual property rights belonging to the entity?	Yes	No

Investigator Certification:

- I agree to update this disclosure either on an annual basis, or as new reportable significant financial interests are obtained, and at project completion.
- I agree to cooperate in the development of a resolution plan to address any actual or potential conflict of interest identified via this disclosure.
- I agree to comply with any conditions or restrictions imposed by SJSU to manage, reduce, or eliminate actual or potential conflicts of interest or forfeit the award.
- I agree that I have no interest, will not acquire any interest, direct or indirect, financial or otherwise, that would conflict in any manner or degree with the performance of this agreement. I further covenant that, in the performance of this agreement, I will not employ any contractor or person having such an interest.
- I agree to comply with the specific conflict of interest clause in the contract or agreement executed for the above-named project.

Investigator Signature:

Date:

Endorsements: I have reviewed this significant conflict of interest disclosure and believe that no significant conflict of interest exists, or if one does exist a resolution plan to manage, reduce, or eliminate any actual or potential conflict of interest is attached to this disclosure.

AVP for Research Signature:

Date:

The associate vice president for research's signature is required if any of the indicators on this disclosure are marked **Yes**, which identifies a significant financial interest.