Sanctions for non-compliance with the Financial Conflict of Interest related to Research policy

Cornell University is committed to overseeing the conduct of research in a manner that ensures the integrity of the research process and maintains the public trust and that of sponsors in the integrity and credibility of its faculty, its staff, and its research programs. This commitment requires the university to ensure that there is no reasonable expectation that research results are biased by the external commitments and financial interests of persons who are responsible for the design, conduct, reporting, or direct administration of university research. Compliance with the requirements of the policy is a critical component of maintaining that commitment.

Accordingly, Principle 11 of the FCOIRR Policy 1.7 establishes the expectation for compliance with the policy as follows: “Persons subject to this policy are required to report fully and accurately their external commitments and financial interests and to comply with any plans developed to manage their real or apparent financial conflicts of interest. Disciplinary measures and sanctions will be imposed when they fail to report as required or when they fail to comply with management plans.”

The policy requires that research personnel submit timely and accurate reports of their external commitments and financial interests to the institution, as described in the procedures. In addition, if it is determined by the COI Faculty Committee that the external interest constitutes a financial conflict of interest related to Cornell research and a management plan is required, research personnel are required to comply with the terms of the management plan.

The following sanctions will be imposed for research personnel who do not submit their 2014 Annual disclosures of External interests by May 23, 2014, and will be effective May 27, 2014.

- An individual who has not completed and submitted the Annual Report cannot be named as a PI, Co-PI or Key Personnel on any new proposal submitted or new award received. Colleges and grant and contract officers (OSP, CVM, CALS) have been instructed to not submit any such proposals and OSP has been instructed to not accept any such awards until the individual produces evidence of their compliance status or is removed from the proposal or award.

- In cases where a non-compliant individual is the Principal Investigator (PI) on an active award, the individual’s department and college will identify an alternate PI and request approval from the funding agency for the proposed change. If approval is not granted, the award will be terminated and any resulting costs will be covered by PI discretionary funds and then department or college funds if needed.

- Any salary of the individual being charged to a sponsored award will be stopped as of May 27, 2014. A non-sponsored source of funds must cover this salary for the entire period that the individual is non-compliant in submitting their disclosure and for the period of time that it takes the committee to review and act on any possible
management plan actions. Retroactive salary charges to any sponsored award will NOT be allowed for the period of non-compliance.

- If the individual is a key personnel on a sponsored award funded by a PHS Agency (NIH, CDC, FDA and others), the non-compliance will be reported to the funding agency.

- Steps will also be initiated to withdraw the FY15 SIP increase for anyone who has not submitted their Annual Report. Once implemented this withdrawal will be in place for the pay periods that the individual is in non-compliance. Withdrawn salary increments may or may not, at the discretion of the college, be retroactively restored after the individual has produced evidence that they are in compliance. Once compliance is confirmed, there will be a delay of 2-3 pay periods before the salary increment is again included in the paycheck.

Additional sanctions for continued non-compliance with this reporting requirement will be imposed if necessary, and will include but are not limited to:

- Withdrawn SIP will not be paid retroactively for the period of non-compliance.
- Documentation will be placed in an individual’s personnel file regarding non-compliance