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 2016 Annual disclosure of external interests will run from April 12, 2016 through May 13, 2016. During this time, individuals who are required to submit disclosures will receive weekly email reminders to submit their reports. COI staff are available by phone, email and in person to provide assistance.

Individuals who do not submit their reports will be subject to sanctions starting at 9 am on Monday May 16, 2016, as follows:

- 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, or on any research protocols (IRB, IACUC, IBC). Colleges and Grant and Contract Officers (OSP, CVM, CALS) have been instructed to not submit any proposals, and OSP has been instructed to not accept any awards until the non-compliant individual produces evidence of their compliant status or is removed from the proposal or award.
- The non-compliant individual will not be eligible to enter into technology transfer agreements.
- 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 the original PI’s discretionary funds, and then department or college funds, if needed.
• Any salary or stipend of the non-compliant individual that is being charged to a sponsored award will be stopped as of 9 am May 16, 2016. For the entire period that the individual is non-compliant, and for the period of time that it takes the COI Committee to review and act on any possible management plan actions, only a non-sponsored source of funds may be used to cover the salary or stipend. Retroactive salary charges to any sponsored award will NOT be allowed for the period of non-compliance.

• If the individual is 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.

• Future annual salary increases will not be paid, based on the duration of non-compliance. For non-compliance of any duration beginning at the deadline, and for 14 days thereafter, the salary increase for the first full pay period of the next fiscal year will not be paid. For non-compliance of any duration during the next 15 days, a second pay period’s salary increase will not be paid, and so on. Unpaid amounts will not be reimbursed.

• A letter, over the signature of the SVPR, will be placed in the individual’s personnel file indicating that his or her good standing as a member of the faculty or university has been called into question.

• Any suspension of research activities and associated salary will be undertaken in accordance with the applicable university policies and codes, including the Dismissal/Suspension Policy for Faculty Members.

• If the individual has a temporary assignment at Cornell, such as a Visitor, Adjunct or Courtesy appointment, that appointment will be terminated.