



THE UNIVERSITY OF NORTH CAROLINA
AT
CHAPEL HILL

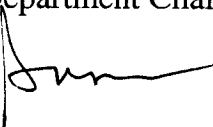
Office of the
Vice Chancellor
and General Counsel

October 4, 2000

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MEMORANDUM

TO: Deans, Directors, and Department Chairs

FROM: Susan H. Ehringhaus 

SUBJECT: Review of Conflict of Interest and Commitment Forms

This memorandum provides an explanation of how the review process works for the "Annual Evaluation Forms for Possible Conflicts of Interest and Commitment." If you already understand it, you need not read any more of this.

If you are a department chair, you should have by now received from all faculty and EPA non faculty employees within your unit their completed "Annual Evaluation Forms for Possible Conflicts of Interest and Commitment." If you have not received the Conflicts forms, please ask that they be submitted to you as soon as possible.

Once you have received the Conflicts forms from everybody within your unit, you need to review each form to make sure that the activities disclosed are managed in accordance with the Policy on Conflicts of Interest and Commitment. If the "E-Z Response" option on the form was used by an employee in your unit, you need not review or sign the form and need only collect it for filing in the employee's personnel file.

For those employees who cannot answer "No" to all questions (and thus cannot use the "E-Z" Response), the following information may be useful as you evaluate the form. Each question on the "Annual Evaluation Form" has within it bracketed references to particular examples of conflicts within Category II and III of the Policy. These references are provided to help you focus on the particular issues or concerns that may be present in a given set of circumstances. For example, if a faculty member responds to question one in the affirmative, you will know from the bracketed reference in question one that you should be examining Category II.a. and III.a. of the Policy to see if the activities disclosed by the employee on the form meet the description of possible conflict provided in Category II.a. or III.a. of the Policy.

If in fact the activity revealed on the form is a Category II activity (an activity that may be allowable following disclosure, and, where necessary, the implementation of

monitoring procedures), then you have three choices. First, you may approve or disapprove the activity on your own. Second, you may seek the advice of your Dean about the matter. Third, if you believe that the activity disclosed has sufficient potential for conflict to necessitate some monitoring device, you are required to refer the form to your Dean (or Vice Provost or Vice Chancellor, where appropriate) for his or her decision.

If, on the other hand, the activity on the form is a Category III activity (an activity that is presumptively not allowable), then you must refer this activity, preferably with your recommendation for managing the apparent conflict, to your Dean for his or her review and disapproval or approval. Approval can only be granted by the Dean following consultation with the Standing Committee on Conflicts of Interest and Commitment.

If you are a Dean, Associate Provost, or Vice Chancellor, once you receive Category III disclosures from the units in your jurisdiction, you or your delegate should contact Jennifer Nall (962-1219, jennifer_nall@unc.edu) to initiate the review process by a panel of the Standing Committee on Conflicts of Interest and Commitment. You will be asked to send the Category III disclosures from your unit to Ms. Nall, who will schedule panel reviews of Category III disclosures and notify the disclosing faculty and EPA non faculty employees of the opportunity to be heard by the review panel.

It is expected that you will be making a recommendation on each disclosure you send to a panel, for example, a recommendation for approval contingent on your formation of a peer review panel to review research plans. As explained in the Policy, under appropriate circumstances you may be able to request that the disclosure be handled through the Expedited Review Process. The "Conflict of Interest/Commitment Submission and Expedited Review Form" has been developed to assist you in this process and a copy of that form is enclosed with this memo. After its review, the panel will provide a recommendation back to you in writing. Thereafter, you may either approve or disapprove the activity. If you decide to approve the activity over a negative recommendation from the Committee, you must first consult with the Provost or Vice Chancellor, as appropriate.

Once again, David Parker, and I are willing to help you in any way we can. Please call upon us, as we want to try to make this review as painless as possible, though we acknowledge "painless" is not a word one would normally apply to this process. Our telephone numbers and e-mail addresses are as follows:

Susan Ehringhaus	962-1219	susan_ehringhaus@unc.edu
David Parker	966-3929	david_m_parker@unc.edu

Please let us know how we can help. Thank you for your patience.

Enclosure

cc: Chancellor James Moeser

**CONFLICT OF INTEREST/COMMITMENT SUBMISSION AND
EXPEDITED REVIEW FORM**

For standard review, complete the following:

I have reviewed the Annual Evaluation Form for Possible Conflict of Interest or Commitment submitted by _____ of the Department of _____. I believe that a Category II or III Conflict of Interest or Commitment may/does exist.

I recommend approval of this activity under the following conditions:

Dean

Date

For Expedited Review, complete the following:

I recommend approval of this activity under the Expedited Review Process. This activity is unchanged since the last time it was reviewed by the Standing Committee, its monitoring mechanisms are still in place and are functioning at an acceptable level, no complaints have been issued in connection with this activity, the standards by which the activity was last judged have not changed, and it continues to have my approval.

Dean

Date