



## FREQUENTLY ASKED QUESTIONS

### *Frequently Asked Questions by Students*

**Q1. I'm still a bit confused about what conflict of interest is as it relates to my graduate education. Please elaborate...**

**A1.** Conflict of interest, in the context of graduate education, concerns protecting the academic interests of our graduate students in the event that a financial interest, on the part of a Faculty Mentor/Thesis/Dissertation Advisor, relating to a project on which the student is [or may be] working, raises a conflict of interest issue *that may have the potential to harm the academic interests of the graduate student*. The following two scenarios should help to clarify the issue for you (if you're already clear on conflict of interest in graduate education, please skip ahead to find an answer to your particular question).

**Scenario 1:** A faculty member owns stock in an outside entity that may or may not be supporting research on which the faculty is working, but which stands to benefit from that research. The faculty member directs the student, who is also working on this research, to delay publication of his/her dissertation, and graduation, until the faculty member can complete his research.

**Scenario 2:** A faculty member establishes a company that stands to benefit financially from a research or other project. The company is also supporting the Faculty member's research in this area at the university laboratory. The faculty member pressures a student to work on the research project of interest to his/her company.

**Q2. When is the best time to raise a concern about conflict of interest?**

**A2.** A COI issue may be raised at any time. It is the responsibility of the faculty member, however, to notify the departmental representative and the student of any personal financial interests that could lead to a COI at the time that the student is considering a thesis or dissertation topic, forming a graduate committee, or being employed as a research or teaching assistant, whichever event comes first.

**Q3. Who can identify and report a conflict of interest?**

**A3.** The graduate student, the Faculty Mentor/Thesis/Dissertation Advisor, a Departmental Representative (either the Faculty Graduate Advisor or Departmental Chair), or the campus [Conflict of Interest Oversight Committee](#) (COIOC) can initiate the procedures to deal with the perceived COI (see Q7 below).

**Q4. What are the responsibilities of my Academic Unit in conflict of interest matters?**

**A4.** The academic unit is responsible for ensuring that graduate students are properly notified about the nature and risks of faculty conflicts of interest, the University definition, and policy regarding such conflicts. The academic unit is encouraged to communicate at least once during the student's tenure as a graduate student at UCI, in a format of the unit's choosing, the University policy on COI matters as well as the procedures designed to protect the academic interests of the student (see also Q6 below). The academic unit is also responsible for: (i) notifying the graduate students of the identity of a **Designated Resource Person** who is available to advise students in circumstances in

which there is a perceived faculty COI; (ii) ensuring that faculty members have a written copy of the [Academic Personnel Manual, Section 028](#) (APM-028) section concerning COI and other related policies and guidelines; and (iii) ensuring that faculty are familiar with the ways in which the policy might impact a mentor's relationship with a graduate student.

***Q4a. What is the role of the "Designated Resource Person" in the Academic Unit with regard to conflict of interest?***

**A4a.** The **Designated Resource Person** (usually the departmental graduate advisor) will serve as the *de facto* departmental representative in all matters related to the COI issue. If, however, the departmental graduate advisor is the conflicted faculty member, the Department Chair should personally advise the student and serve as the departmental representative as described herein.

***Q5. What is the responsibility of the Mentor/Thesis/Dissertation Advisor with regard to conflict of interest?***

**A5.** Each faculty member serving as a mentor or thesis or dissertation advisor to a graduate student is responsible for disclosing in advance any COI that might in any way be pertinent to the research conducted by the student. In doing so, the faculty member should use criteria as outlined in [APM-028](#), regardless of whether the company/entity is sponsoring research at the University. The faculty member is also responsible for notifying the student and the **Designated Resource Person** of the academic unit of his or her COI in a timely manner. The faculty member should notify the departmental representative and the student at the time that the student is considering a thesis or dissertation topic, forming a graduate committee, or being employed as a research or teaching assistant, whichever event comes first.

***Q6. Is there any routine documentation/paperwork regarding conflict of interest that I as a graduate student should be aware of?***

**A6.** Yes. UCI's Graduate Council requires that all graduate students, and their faculty, be made aware of UCI's Conflict of Interest (COI) policy related to graduate education and research. Awareness of the COI issue must be acknowledged formally (in a section of the new OGS Advancement to Candidacy forms — see below) *prior* to the student's advancement to candidacy examination. In the event that a COI is identified, and that conflict has the potential to harm the student, the advancement examination can not be given until a faculty "Oversight Member" has been appointed to the student's committee (see **Q7, Steps 3 & 4** below).

In an effort to streamline communication regarding the Advancement to Candidacy process for doctoral and masters degree students, the Office of Graduate Studies has incorporated the COI policy into the [Ph.D. Form I: Report of the Ph.D. Candidacy Committee](#), and into the [Application for Advancement to Candidacy/Final Report for the Masters Degree](#) forms. These forms include transparent instructions, a straightforward format, a place for COI acknowledgment, as well as an appendix outlining Advancement to Candidacy and other, related policies.

***Q7. What are the procedural steps to be followed in the event that an apparent conflict of interest is perceived?***

**Step-1.** A COI issue may be raised at any time at the academic unit level by the graduate student, the Faculty Mentor/Thesis/Dissertation Advisor, a departmental representative, or the campus Conflict of Interest Oversight Committee. The COI issue shall be reviewed by and openly discussed among the relevant parties to determine if the conflict has the potential to negatively impact the academic interests of the student. The COI issue shall be handled by the **Designated Resource Person** in an academic unit, preferably the departmental graduate student advisor. If the **Designated Resource Person** is also the student's conflicted Faculty Mentor/Thesis/Dissertation Advisor, then the Department Chair shall handle the matter.

**Step-2.** If the COI poses minimal risk of harm to the academic interests of the student, then the **Designated Resource Person** in the department shall write a brief statement to that effect, and shall include a summary of the situation and the reasons for the decision. If there is mutual agreement with the statement, the student and conflicted faculty member shall co-sign the statement. The signed statement shall then be deposited in the student's file and a copy forwarded to the Office of Graduate Studies. Copies should also be provided to the co-signers. Should any party become aware of new information impacting the academic interests of the student, a prior judgment that the faculty COI does not appear to have a negative impact on the student can be reviewed and overturned. If, however, either the student or the conflicted faculty member does not agree with the statement after suitable revisions have been attempted by the **Designated Resource Person**, then the COI matter should be referred promptly to the Dean of Graduate Studies for final resolution.

**Step-3.** If the **Designated Resource Person** in the department determines that the COI issue includes a component that may be harmful to the student, then that person shall notify the Dean of Graduate Studies in writing and request that the Dean of Graduate Studies appoint an "Oversight Member" to the student's research advisory and/or thesis/dissertation committee. The "Oversight Member" shall not be implicated in any way with the COI issue, but if at all possible, should be familiar with the student's research interest.

**Step-4.** The Dean of Graduate Studies shall select an "Oversight Member" from a list of three nominations agreed upon by the student, the faculty research advisor, and the **Designated Resource Person** in the department. If no agreement can be reached on three nominees, the **Designated Resource Person** shall choose the nominees.

#### **What is the role of the Oversight Member**

The "Oversight Member" shall participate, as a non-voting *Ex Officio* Member, in all student research advisory and/or thesis/dissertation committee meetings. The "Oversight Member" shall be aware of the COI issues and relevant campus policies. If there do not appear to be any harmful results from COI issues, the "Oversight Member" shall sign a brief statement to that effect after each committee meeting. The "Oversight Member" shall also sign the advancement to candidacy and final exam forms below the signatures of the voting committee members. A copy of these forms, together with the oversight member's statements on the impact of the COI, shall be placed in the student's file and also forwarded to the Office of Graduate Studies. However, if the "Oversight Member" perceives that there is a problem arising from COI issues, then the "Oversight Member" shall not sign the advancement to candidacy or final exam forms summarizing the committee deliberation, but shall instead inform the Dean of Graduate Studies of the problem in writing. Regardless of the impact of the COI on the student, the "Oversight Member" shall not halt the proceedings during the course of an oral examination.

If the "Oversight Member" perceives that a potentially harmful situation to the student has arisen as a result of COI issues, and has so informed the Dean of Graduate Studies in writing, then the Dean of Graduate Studies is responsible for determining a solution.