TRANSPARENCIES FOR UNIT 14

CONFLICT ISSUES

"IT IS IMPORTANT TO KNOW THE DIFFERENCE BETWEEN AMBITION AND GREED, THE DIFFERENCE BETWEEN LOYALTY AND SERVITUDE, AND THE DIFFERENCE BETWEEN LIBERTY AND LICENSE."

— MONTAIGNE

OBJECTIVES

- NATIONAL NEED TO MAKE THE TOTAL INNOVATION PROCESS MORE EFFICIENT AND TO DECREASE THE TIME FROM CONCEPT / INVENTION / DISCOVERY THROUGH TO UTILIZATION IN SOCIETY.

- UNIVERSITY NEED TO OBTAIN RESOURCES TO SUSTAIN ITS DUAL EFFORT OF EDUCATION AND RESEARCH IN THE FACE OF DECREASED GOVERNMENT SUPPORT

- INDUSTRY NEED TO RECOGNIZE AND SUPPORT THE UNIVERSITY AND INDEED ALL RESEARCH INTERNAL AND EXTERNAL INDEPENDENT OF ITS INDIRECT SUPPORT THROUGH TAXES

BENEFITS - INDUSTRY

- EARLY EXPOSURE TO NEW TECHNOLOGY
- RECRUITING TALENT
- CONSULTANTS STIMULATE AND STRENGTHEN INTERNAL RESEARCH CAPABILITIES
- ACCESS TO SCIENTIFIC EQUIPMENT
- INTANGIBLE BENEFITS - PRESTIGE

BENEFITS - UNIVERSITY

- UNIVERSITY FINANCIAL NEEDS
- BROADENS THE FINANCIAL BASE
- UNIVERSITY SUSCEPTIBLE TO SHIFTS IN PRIORITIES
- EXPOSING SCIENTISTS TO NEW, CHALLENGING PROBLEMS RARELY ENCOUNTERED IN ACADEMIA
- EDUCATION OF STUDENTS ENHANCED THROUGH PRACTICAL APPLICATIONS OF KNOWLEDGE

SOCIETAL VALUES

ACADEMIC	INDUSTRY
• PURSUIT OF KNOWLEDGE	• APPLICATION OF KNOWLEDGE TO PRODUCTS AND SERVICES
• OPEN DISSEMINATION OF KNOWLEDGE	• CONTROLLED
• FREEDOM OF INQUIRY	• DIRECTED-RESTRICTED
• FREEDOM OF MODE OF INQUIRY	• DIRECTED
• INTELLECTUAL REWARDS	• MATERIAL REWARDS

CONTINUED

SOCIETAL VALUES

ACADEMIC	INDUSTRY
• FREEDOM OF SCHEDULE	• CONTROLLED
• FULFILLMENT / COMMITMENT OF SELF	• FULFILLMENT OF TASK
• NON PROFIT	• PROFIT
• BASIC / FUNDAMENTAL EDUCATION	• APPLIED / COMMERCIAL EDUCATION

CONFLICT RESOLUTION

1. FACULTY MEMBERS SHOULD BE REQUIRED TO DISCLOSE THEIR RELEVANT COMMERCIAL CONNECTIONS.

2. NEITHER EXACT DOLLAR AMOUNTS NOR OWNERSHIP OF STOCK IN A PUBLIC COMPANY UNRELATED TO AN INDIVIDUAL'S DISCIPLINE NEED BE A MATTER OF PUBLIC RECORD.

3. PROFESSORS MUST FULLY DISCLOSE OUTSIDE SPONSORSHIP TO STUDENTS, GRADUATES AND UNDERGRADUATES, DIRECTLY INVOLVED IN RESEARCH PROJECTS WITH THOSE STUDENTS.

4. PROFESSORS MUST DEFINE FOR THEIR STUDENTS PROCEDURES THAT WILL BE USED TO DETERMINE WHO WILL BE NAMED INVENTORS ON PATENTS THAT MAY RESULT FROM THE RESEARCH.

5. AN EQUITY POSITION MUST BE PROHIBITED IN ANY COMPANY THAT IS OPERATED BY OR FOR FACULTY.

CONTINUED

CONFLICT RESOLUTION

6. TITLE TO ANY PATENTS THAT RESULT FROM JOINT PROJECTS BE HELD BY THE UNIVERSITY.

7. UNIVERSITIES MUST NOT GRANT EXCLUSIVE LICENSES TO A COMPANY IN WHICH THEIR OWN FACULTY EITHER HOLD A RESPONSIBLE ADMINISTRATIVE OFFICE OR ARE SUBSTANTIAL STOCKHOLDERS.

8. UNIVERSITIES DETERMINE AND MAKE KNOWN IN ADVANCE THEIR POLICIES FOR DISTRIBUTION OF ROYALTY INCOME.

9. AGREEMENTS THAT PROHIBIT PUBLICATION POSE GREAT DANGER.

10. IT IS ILL ADVISED FOR A COMPANY TO CAPTURE A WHOLE FIELD WITHIN A UNIVERSITY OR, FOR THAT MATTER, A DEPARTMENT.

Source: The Science Business–Priority Press, 1984

SCIENCE AND TECHNOLOGY POLICY COMMITTEE MEMBERS

- EX OFFICIO MEMBER
- EXECUTIVE VICE PRESIDENT ACADEMIC AFFAIRS
- SENIOR ASSOCIATE VICE PRESIDENT HEALTH SCIENCE; PROFESSOR, MEDICINE
- PROFESSOR, SCHOOL OF LAW
- PROFESSOR, MEDICINE
- PROFESSOR, OBSTETRICS & GYNECOLOGY; ACTING ASSOCIATE DEAN, FACULTY MEDICINE-ADMINISTRATION
- VICE PROVOST
- PROVOST; PROFESSOR, BIOCHEMISTRY
- GENERAL COUNSEL
- PROFESSOR, PHYSIOLOGY
- PROFESSOR, INTERNATIONAL POLITICAL ECONOMY
- PROFESSOR, ELECTRICAL ENGINEERING
- UNIVERSITY PROFESSOR EMERITUS

SUPPLEMENTAL READING FOR UNIT 14

Association of American Universities

Suite 730 • One Dupont Circle • Washington, DC 20036

UNIVERSITY POLICIES ON CONFLICT OF INTEREST AND DELAY OF PUBLICATION

REPORT OF THE CLEARINGHOUSE ON UNIVERSITY-INDUSTRY RELATIONS

ASSOCIATION OF AMERICAN UNIVERSITIES

FEBRUARY, 1985

AAU Association of American Universities

February 19, 1985

President

FROM: Robert M. Rosenzweig

This report, "University Policies on Conflict of Interest and Delay of Publication", is the first written report of the Association of American Universities' Clearinghouse on University-Industry Relations.

The Clearinghouse was established in 1983 with the help of a grant from the Pew Memorial Trust, to provide all interested parties with information about the policies and practices governing the growing connections between universities and industry. The simple assumption underlying the project is that the availability of knowledge about how others have handled problems will help those who are confronting those same problems to avoid mistakes. The large number of requests to the Clearinghouse for information about the experience of others supports that assumption.

The present report answers the two most commonly expressed concerns about the growth of these new relationships: Are universities alert to the potential for conflict of interest and diversion of faculty effort that is inherent in working with business; and have universities addressed the potential threat to the openness of scientific communication that attaches to proprietary interests?

Without attempting to assess the adequacy or effectiveness of institutional policies in these areas, it is clear that neither has lacked for attention. The existence of policy is virtually universal, and most of it is recent enough to have been formulated in the light of experience with industry. Those two facts, alone, are reassuring.

Reports on other topics will be forthcoming in the months ahead. In the meantime, the Clearinghouse exists as a resource for all who may be interested in the subject.

UNIVERSITY POLICIES ON CONFLICT OF INTEREST AND DELAY OF PUBLICATION

REPORT OF THE CLEARINGHOUSE ON UNIVERSITY-INDUSTRY RELATIONS

ASSOCIATION OF AMERICAN UNIVERSITIES

FEBRUARY, 1985

TABLE OF CONTENTS

Part I - Introduction

A. Purpose of the Report

B. Background: The Growth of University-Industry Collaborative Research

C. Congressional Response to the Emerging Collaborative Relationships and the Establishment of the Clearinghouse on University-Industry Relations

D. The Clearinghouse's Initial Project : Establish an Information Source and Conduct a Study of Conflict of Interest and Delay of Publication Policies

Part II - Conflict of Interest Policies

A. Background

B. Results of the Survey

C. Summary

Part III - Delay of Publication Policies

A. Background

B. Results of the Survey

C. Summary

Part IV - Conclusion

* * * * * * * * * * *

Appendix A - Text of the Survey Request

Appendix B - Dates of the Most Recent Revision of Conflict Policies at Respondent Universities

Appendix C - Principal Terms of Conflict of Interest Policies at Respondent Universities

Appendix D - Respondents Having Equity Interest Provisions in Conflict of Interest Policies

Appendix E - Delay of Publication - Reasons Given by Respondent Universities for Permissible Delay

Appendix F - Length of Time Permitted by Respondent Universities for Delay of Publication