

## Conflict of Interest Reporting for Grants - Instructions

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All project directors, principal investigators, grant funded employees, and employees whose efforts are used to satisfy a required or voluntary cost share on a grant must comply with MDC Policies and Procedures related to Conflicts of Interest, as well as the applicable provisions of the State of Florida Code of Ethics for Public Employees. MDC abides by federal regulations, state statutes and College policies and procedures in managing conflicts of interests as listed below:

- Miami Dade College Manual of Policy, Policy Number II-23 - All Personnel: Conflict of Interest and Code of Ethics <https://www.mdc.edu/policy/Chapter2/02-II-23.pdf>;
- Miami Dade College Manual of Policy, Policy Number II-18 - Outside Employment <https://www.mdc.edu/policy/Chapter2/02-II-18.pdf> ; and
- Miami Dade College Manual of Procedure, Procedure Number 6013 - Conflict of Interest Relative to Purchasing Department Employees <http://www.mdc.edu/procedures/Chapter6/6013.pdf>.

In addition, project directors, principal investigators, grant funded employees, and those employees whose efforts are used to satisfy a required or voluntary cost share on a grant must also comply with the following conflict of interest reporting requirements for grants. While these employees are not prohibited from engaging in outside employment, consulting, and other similar activities, such activities and financial interests are of concern if they result in conflicts with their duties and responsibilities to the College, the grant, or the contract.

In the case of grants and contracts, a potential conflict of interest exists when an employee in any of the aforementioned positions, or his/her immediate family, have a “significant financial interest” in anything of monetary value, including salary, equity interest, or intellectual property rights, that could affect the employee’s ability to objectively execute the grant or contract. These criteria apply to any person involved with the grant project who is involved in the design, conduct, or reporting of the project's activities or their outcomes. Depending on the specific code or regulation, an actual conflict of interest exists when an employee or a member of his/her immediate family has a significant financial interest that is **determined** to affect his/her ability to objectively execute the grant or contract.

### Employee Responsibilities Related To Conflict Of Interest for Grants

- Comply with all applicable federal, state, and College Conflict of Interest Policies
- Certify, on the Resource Development Potential Conflict of Interest Reporting Form for Grants that follows this section, whether there is an existing or potential conflict of interest as described in this Guide, at the time of hiring or appointment to the grant.

- Update the Resource Development Potential Conflict of Interest Reporting Form annually and within 30 days of a change of status.
- If applicable, agree (in writing) to the appropriate terms and conditions of the decisions made by the College in order to mitigate any identified conflicts.
- Cooperate with College designated officials to complete accurate financial conflicts of interest disclosure forms within the designated time periods, and provide related disclosure documents and information when required to enable the College to complete federal agency and state financial conflict of interest management reports.

### **Reporting Conflicts Of Interest**

- Potential Conflicts of Interest (PCOI) and Conflicts of Commitment (real or perceived) must be reported at the following times:
  - Employees planning to apply for a grant or contract must disclose their significant financial interest (and those of their immediate family) prior to the time of application for the grant. Employees must certify whether they have a significant financial interest prior to proposal submission.
  - Once a grant or contract has been awarded, all grant related personnel shall certify whether they have a significant financial interest at the time of hiring, assignment to the position, and annually thereafter for the duration of the grant or contract.
  - Project Directors are responsible for coordinating the submission of Resource Development Potential Conflict of Interest Reporting Forms by all employees working on their grant or involved with their grant with the Grant Compliance Officer, updating forms as needed and maintaining copies in the project files.
- If a change occurs at any time during the annual grants Conflict of Interest (COI) reporting period, such change must be reported within 30 days of discovering, acquiring, or committing to a new financial interest or commitment.

Failure to comply with MDC's Conflict of Interest Policy and the processes outlined in the MDC Grant Award Guide will result in disciplinary action.

### **Review Process**

Potential Conflicts of Interest must be reported to the employee's immediate supervisor for review using the document, *Resource Development Potential Conflict of Interest Reporting Form*. The supervisor reviews the form and then forwards it to his/her supervisor for a second level review. If a potential COI exists the form is sent to the Office of Legal Affairs for review. If they determine a potential COI exists, the Campus President or his/her designee creates a monitoring plan and makes

the appropriate notifications to campus and district administration and the funder, as deemed appropriate. All documentation of the review must be kept in the grant files by the Project Director, or his/her direct supervisor in the case of the Project Director having the potential conflict of interest, including:

1. Project number;
2. Project title;
3. Names of all Project Directors (PD) and Principal Investigators;
4. Name of the employee with the potential conflict of interest;
5. Name of the entity with which the employee has a financial conflict of interest;
6. Reasons for the review;
7. Details and conclusions of the review.

Based on the outcome of the review, the designated official provides a report to the funding agency specifying the outcome of the review and any potential impact on the project, details of MDC's actions to eliminate or mitigate the effect of bias on the project, and a monitoring plan to avoid future COI issues.

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MIAMI DADE COLLEGE  
RESOURCE DEVELOPMENT

Potential Conflict of Interest Reporting Form for Grants

<b>Employee Name:</b>	<b>Select type of disclosure:</b>
<b>Name of Grant:</b>	<input type="checkbox"/> New/Annual disclosure
<b>Reporting Period:</b>	<input type="checkbox"/> Amended disclosure

Please answer the following questions honestly and to the best of your ability.

<p>1. During the reporting period do you or a member of your immediate family have a financial interest related to your Institutional responsibilities, in a publicly or non-publicly traded entity, that when aggregated, equals or exceeds \$5,000? (New employees should report remuneration and/or equity interests received in the last 12 months and during the current reporting period).</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>2. During the current reporting period have you been reimbursed by an entity other than the College, either directly or on your behalf, for any external travel that is related to your institutional responsibilities? (New employees should report the value of extramural travel (paid directly to you or on your behalf) in the last 12 months and during the current reporting period).</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>3. Will the value of intellectual property rights (e.g. patents, copyrights, trademarks), upon receipt of income to you and/or your immediate family, during the reporting period, equal or exceed \$5,000 (New employees should report intellectual property rights received in the last 12 months and during the current reporting period).</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>4. During the current reporting period, do you or an immediate family member intend to use the services of MDC students or personnel for whom you have supervisory or evaluative responsibilities at MDC, in carrying out any outside activities?</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>5. During the current reporting period do you intend to use other College resources (e.g., equipment, facilities, and supplies) or services (including information technology resources) in carrying out any outside activity?</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>6. During the current reporting period will you hold or do you expect to run for political office?</p> <p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p>
<p>7. During the current reporting period do you intend to commit College resources (i. e. personnel, materials and supplies, equipment use, departmental or project funds) to purchase goods and services from or provide services to any entity in which you or your immediate family member a) are an officer,</p>

partner, or proprietor of the entity, b) have a material interest (direct or indirect ownership) of 5% or more of the total assets or capital stock of any business entity, and/or c) hold any employment or contractual relationship with the entity? You must report proposed subcontract sponsored funding activity to the College from any entity owned or managed by you and/or your immediate family members.

Yes or  No

8. Are you performing an outside activity that could lead a person to believe that a conflict may exist, or that you otherwise wish to report, (e.g.: consulting activities, board membership, expert witness, company officer?) If you are an independent consultant, please indicate "Independent consultant" in the description of the activity and the name of each entity for whom you are performing consulting services.

Yes or  No

**Note:** If you answer "Yes" to any of the above questions, additional information will need to be provided.

**Certification:**

I certify that the outside employer(s) or recipient(s) of services understand that I am engaging in such outside activity as a private citizen, not as an employee, agent, or spokesperson of the College. I further certify that the statements and disclosures provided herein are current, accurate, and complete, and understand that any false or misleading representations may result in disciplinary action.

\_\_\_\_\_  
Signature of Disclosing Employee

\_\_\_\_\_  
Date

**REMINDER TO THE DISCLOSER**

- If you have more than one activity for each question, you will need to complete a separate disclosure for each activity.
- If all responses are "NO" to questions 1-8, please forward this form to your immediate supervisor (as Reviewer #1) in order to initiate its internal review process. Signature by Reviewer #2 is also required.
- Please remember to include, as applicable, any required additional information for all positive responses and such information is added to this form as an attachment. Forms containing any positive (YES) responses will need to be reviewed by the Office of Legal Affairs.

**Additional signatures are required for the completion of this form. See next page.**

**THIS SECTION IS TO BE COMPLETED BY REVIEWERS ONLY**

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**Reviewer # 1: {Discloser's direct supervisor}**

- No conflict
- Conflict identified: Monitoring Plan for Potential COI, Request for an Exemption/Disclosure form, or both are required
- Unapproved conflict (Please provide details below)

Comment(s):

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_ Title: \_\_\_\_\_

Department/Campus: \_\_\_\_\_

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**Reviewer # 2: {Supervisor of Discloser's direct supervisor}**

- No conflict
- Conflict identified: Monitoring Plan for Potential COI, Request for an Exemption/Disclosure form, or both are required
- Unapproved conflict (Please provide details below)

Comment(s):

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_ Title: \_\_\_\_\_

Department/Campus: \_\_\_\_\_