

APPENDIX VI

POLICY STATEMENT ON FACULTY-INDUSTRY RESEARCH RELATIONS

APPENDIX TO FACULTY BYLAWS

Policy Statement on Faculty-Industry Research Relations

Introduction

Universities and Health Science Center have established successful cooperative relationships with industry which have been mutually beneficial and which have been helpful to the general society. These relationships have fostered an increase in knowledge, an increase in Sabbatical opportunities and the economically productive application of technology.

Morehouse School of Medicine believes that it has much to contribute to and gain from appropriate relationships with private enterprise and that these relationships can be developed in a manner which preserves the School's important academic and research principles and traditions.

In order to clarify such principles and traditions, the School wishes to clearly state the policies which the faculty have determined should govern the School's relationships with industry.

The purpose of this statement of policies by the School is to foster those health and creative partnerships with the free enterprise sector of society which contributes new knowledge while maintaining the integrity of the School, its faculty and its students.

Statement of Policies

Nature of the Research Affiliation

Other academic institutions have experienced situations where it would be useful to have an investigator conduct a given research program for a sponsor and, in the absence of clear policy, have had to deal with pressures felt by investigators to conduct such research. The Task Force has felt it important to articulate a policy which will preserve the right of investigators to select the research in which they will be involved.

Policy No. 1

Morehouse School of Medicine shall not require a principal investigator to participate in a particular research program as a condition of employment.

It is important for there to be close and open communication between sponsors and principal investigators during all phases of research and sponsors must, of course, have the privilege to define the nature of the project they intend to support. Principal Investigators expect to be able to design, modify and control the research which they will direct.

Policy No. 2

Whereas a sponsor must have the privilege to define the subject of research it wishes to fund, the Principal Investigator must have final authority over the design and control of that research.

Universities which have established legally free standing research institutes in cooperation with sponsors wherein faculty may serve as staff have advised the Medical School to express a policy which preserves the academic freedom of such faculty.

Policy No. 3

Before the Medical School decides to enter into an agreement to participate in a free standing research unit, the dean shall request the Research Development Committee to advise him/her on whether there is risk of restriction to academic freedom of faculty which is unacceptable.

Policy No. 4

In cases where a given sponsor may wish to restrict an investigator's freedom to conduct similar research for a second sponsor, the Medical School will only consider such a restriction if there is a reasonable possibility that the proprietary rights of the first sponsor, as defined by a pre-existing agreement, will be infringed by work sponsored by the second.

In return for a financial commitment a sponsor may wish to state expected results to be delivered by a given date. Because of the nature of research, specific results cannot be guaranteed, although the School does commit to using its best efforts in conducting research and agrees to comply with sponsor's requirements that reports be generated on schedule.

Policy No. 5

Although the Medical School cannot guarantee the success of a particular research project, it is the policy of the School to organize and conduct research projects on a best effort basis and to be sensitive to special needs and time constraints of sponsors.

Publication and Dissemination of Research Findings

The freedom to publish and to otherwise disseminate research findings through formal and informal means is an important principle to academic institutions. Industries must, on the other hand, protect proprietary, trade secret or other confidential information. The policies adopted by the Medical School should meet the nondisclosure requirements of sponsors while preserving academic freedom.

Policy No. 6

Sponsors may review materials resulting from research they have sponsored prior to the publication of the materials. However, such reviews should not delay publication for more than 60 days unless recommended by the investigator and approved by the dean.

Policy No. 7

The final determination of what may be published shall remain with the Medical School.

Policy No. 8

Ordinarily, agreements to treat confidentially information resulting from sponsored research are not acceptable. Exceptions which are consistent with the School's principles may be granted by the dean after review by the Research Development Committee.

Each individual investigator has the responsibility to protect freedom of communication with colleagues and to refuse to enter into agreements which would restrict that freedom unacceptably.

Involvement of Students

Universities with experience in the involvement of students in research in which proprietary information is involved or in which faculty may have an outside professional interest, advise that any such arrangements should be monitored by a third, disinterested party.

Policy No. 9

Students shall not take part in research projects in which their right to publish or otherwise communicate the results are constrained. Exceptions to this policy must be approved by the dean upon the recommendation of the Research Development Committee.

Specific approval in writing by the dean is required by the Medical School in any involvement of students in the outside professional activities of faculty. The student shall also sign such a document.

Conflict of Interest or Commitment and Outside Professional Activities

A conflict of interest exists when a Medical School employee has a relationship with an outside organization such that his or her activities with the medical school could be biased in a direction which would ultimately provide direct financial benefit to the individual or a close family member.

A conflict of commitment exists when a medical school employee has a relationship which requires a commitment of time or effort such that the employee, either implicitly or explicitly, cannot meet his/her usual obligations to the Medical School. Any relationship with an outside organization which requires frequent and/or prolonged absence from the Medical School may present a conflict of interest.

Examples of situations which may create a conflict of interest or commitment include ownership by a faculty member or his/her immediate family (spouse and minor children) of a significant interest in an outside concern or management responsibilities.

Policy No. 10

Faculty members shall avoid entering into relationships which constitute a conflict of interest or a conflict of commitment.

Policy No. 11

Faculty members shall disclose annually to their chairperson and to the dean in writing their outside relationships with corporations and other business entities as members of boards, consultants, advisors or managers. The name of the company and the nature and scope of the relationship shall be provided. No information about financial arrangements need be provided.

Policy No. 12

In cases where a faculty member wishes to appeal an interpretation or decision made under this policy by a chairperson or the dean, or where the chairperson or the dean wishes to consult others for advice before making such a decision, the case may be brought to the Research Development Committee. On request from a faculty member, chairperson or the dean, the Committee shall review the status of the faculty member's (or his /her immediate families) financial interest or managerial relations with a private enterprise. The Committee shall report its findings to the dean.

Definition of Terms

Significant Financial Interest in a private enterprise means holding more than 20% of the equity, options or other types of corporate security. Such interests, if held by a faculty member's immediate family, shall fall within this definition.

Direct and active management obligations include serving as a member of the Board of Directors, Chief Executive Officer, Chief Operating Officer, Director of Research, Treasurer or other senior line management officer.

