

# Updated REG 01.25.01 Conflicts of Interest and Conflicts of Commitment

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# What Prompted the update?

## Change in Regulatory Landscape

The issuance of National Security Presidential Memorandum (NSPM-33) implementation guidance that established national security policy for U.S. Government-supported R&D

Revision to UNC System Policy 300.2.2- Conflict of Interest and Commitment  
*(revised January 2024)*

Revision to UNC System Regulation 300.2.2.1 [R]-External Professional Activities *(revised June 2024)*

## Goal of COI Reconfiguration in RED

Align both Disclosures in RED with the recently approved Regulation

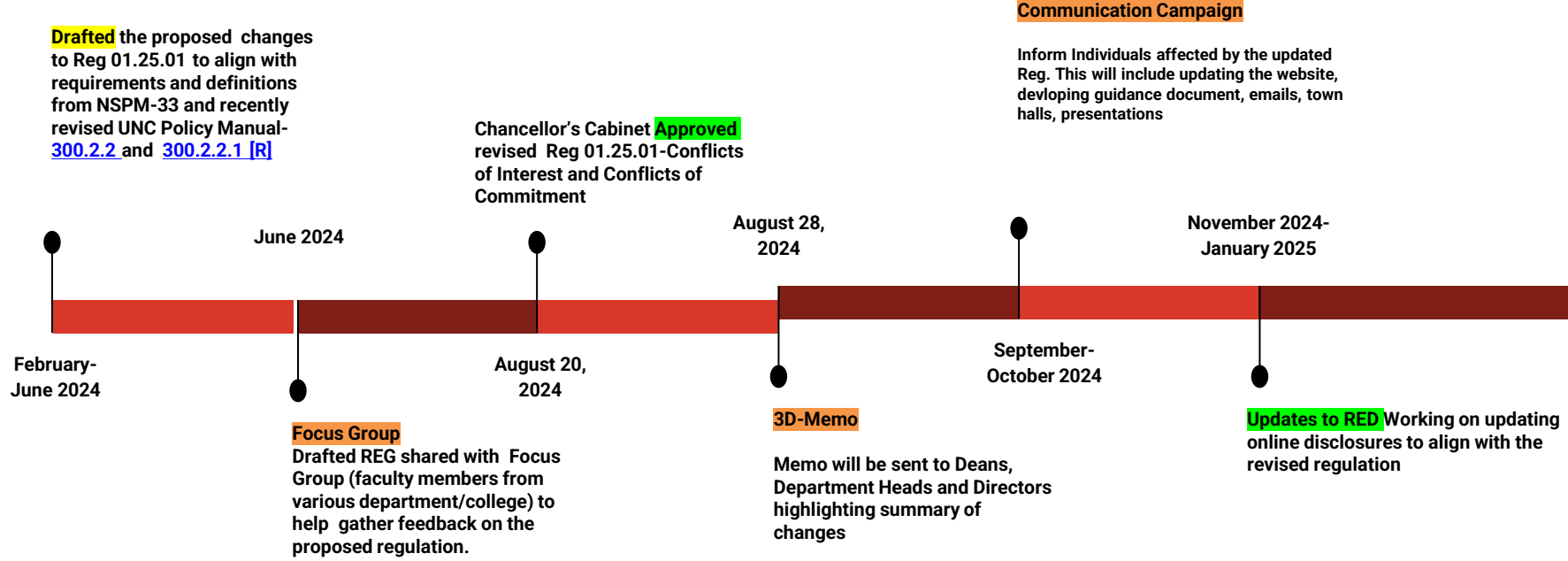
Improve user experience by streamlining the disclosure forms

Improve Reviewer's experience by providing tool (i.e., checklist) to help with analysis and determination

Help maintain a system of record/documentation for all current and past approvals

# Reg 01.25.01- Conflicts of Interest and Conflicts of Commitment - Updates

Existing Procedures remain in effect until the updates to RED have been Implemented



# Updating forms in RED Go-Live Timeline

## Financial Interest Disclosure

**Revised Financial Interest Disclosure form will replace the COI Disclosure form on November 25, 2024**

Individual will complete new disclosure when their annual disclosure is due.

### Disclosure Requirements:

- Annually;
- Updated within 30 days of acquiring or discovering a new financial interest



## External Professional Activities Disclosure

**Revised EPA Disclosure form will replace the NOI form also on November 25, 2024; however, the deadline to disclose all EPAs isn't until January 30, 2025**

### Disclosure Requirements:

- Covered Individuals are required to obtain approval from their Unit Head prior to engaging in an External Professional Activity and
- If the EPA continues beyond June 30, the Covered Individual must recertify for the next year.
- The renewal period will begin on May 1, after which approvals are in effect for the next full fiscal year.

# REG 01.25.01: Who is affected by this update?

Individuals subject to this regulation include anyone who falls into one or more of the following categories:

Faculty employees (Classified as EHRA Faculty )  
Inclusive of all Faculty, including, Extension, Teaching, and Research

Exempt Professional Staff (EPS) employees (previously called Non-Faculty EHRA)

Senior Administrative and Academic Officers (SAAO)

Any individual, regardless of employment type or status, serving as [Senior/Key Personnel](#) on a sponsored research project

**New** - Anyone supported by a particular sponsored research project, as required by specific federal award terms \*

\*Individuals in this category will be notified of their inclusion and shall be subject to this regulation only for the period of time they participate in the applicable project.

**Note: We are working on a process to making the identification process automated.**

Identified by Employee Classification in HR system.

Students and Postdocs are subject to this regulation if they are named as Senior/Key Personnel or if required by special federal award terms

# Reg 01.25.01: Summary of Changes

Defines role and responsibilities for involved individuals and offices

An expanded list and clarifications of commonly used definitions to align with NSPM-33 and UNC System Policies

Expanded requirement related to External Professional Activities to include disclosure of Paid and **Unpaid** activities

Requirements related to disclosure and review of Foreign Talent Recruitment Program

Limitations on direct involvement with a Foreign Entity of Concern and Participation in a Malign Foreign Talent Recruitment Program

For more detailed information, please visit:

- [Foreign Talent Recruitment Programs](#)
- [Summary of Changes to REG 01.25.01](#)

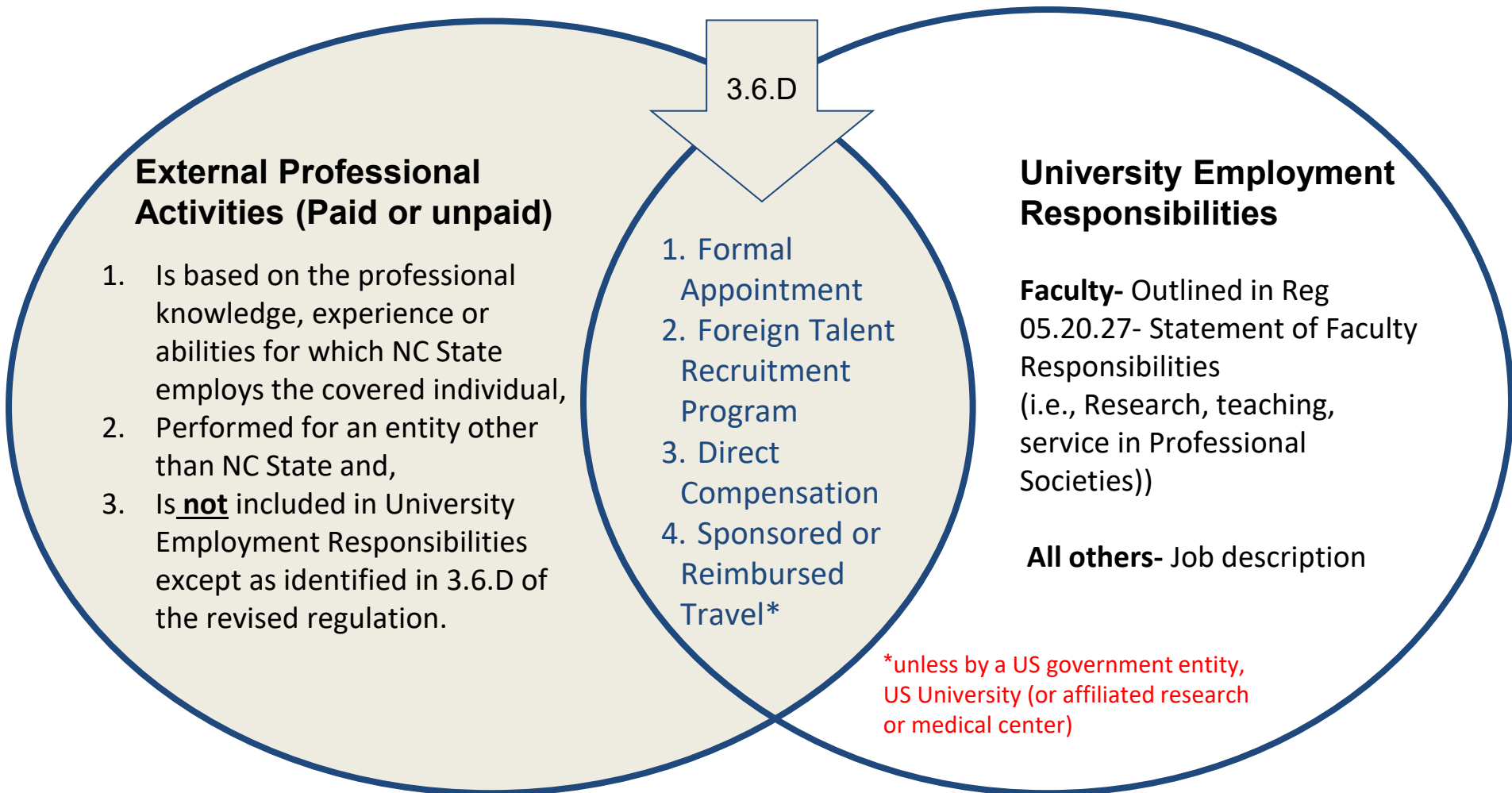
# Research Security Definition

“**Research Security**” means the necessary safeguarding of the research enterprise against the misappropriation of research and development to the detriment of national or economic security, related to violations of research integrity, and foreign government interference.

- REG 01.25.01, section 3.13 definition is consistent with NSPM-33 Definition
- Relevant to all federally funded research, not just controlled research
- The federal concern is focused on undisclosed affiliations and obligations

# External Professional Activities (EPAs)

External Professional Activities, which would typically fall under the Covered Individual's University Employment Responsibilities. To determine if Disclosure is required, further analysis of the activity is required



## External Professional Activities (Paid or unpaid)

1. Is based on the professional knowledge, experience or abilities for which NC State employs the covered individual,
2. Performed for an entity other than NC State and,
3. Is **not** included in University Employment Responsibilities except as identified in 3.6.D of the revised regulation.

3.6.D

1. Formal Appointment
2. Foreign Talent Recruitment Program
3. Direct Compensation
4. Sponsored or Reimbursed Travel\*

## University Employment Responsibilities

**Faculty-** Outlined in Reg 05.20.27- Statement of Faculty Responsibilities (i.e., Research, teaching, service in Professional Societies))

**All others-** Job description

\*unless by a US government entity, US University (or affiliated research or medical center)



# Reasoning for 3.6.D

Why are these 4 things called out?

EPA Trigger	Associated Disclosure Obligation
<p><b>Formal Appointment</b></p> <p>Appointments <b>conveyed in a formal manner</b> (e.g., via appointment letter, executed offer letter, or employment contract) by an entity other than NC State that relates to research, teaching, or associated scholarly activities.</p>	<ul style="list-style-type: none"> <li>● Disclosure to Federal Sponsors through Common Disclosures:                             <ul style="list-style-type: none"> <li>○ Current and Pending (Other Support) if involve research or research support activities.</li> <li>○ BioSketch</li> </ul> </li> </ul>
<p><b>Foreign Talent Recruitment Program</b></p> <p>an effort organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of full-/part-time status, citizenship, or national origin) or as may be defined by an applicable government or funding agency.</p>	
<p><b>Direct Compensation</b></p>	<ul style="list-style-type: none"> <li>● Federal and State of North Carolina Financial Interest reporting regulations</li> </ul>
<p><b>Sponsored or Reimbursed Travel</b></p> <p>unless by a US government entity at any level (Federal, State, local), US University or US University affiliated research or medical center.</p> <p><b>Sponsored</b> travel expenses would be those paid directly by the external entity on behalf of the traveler. This term should not be confused with expenses paid out of an NC State sponsored research account (i.e. a ledger 5 account) or other NC State managed accounts</p>	

# Sponsored Reimbursed Travel

Disclosure Requirement in the EPA Disclosure Form:

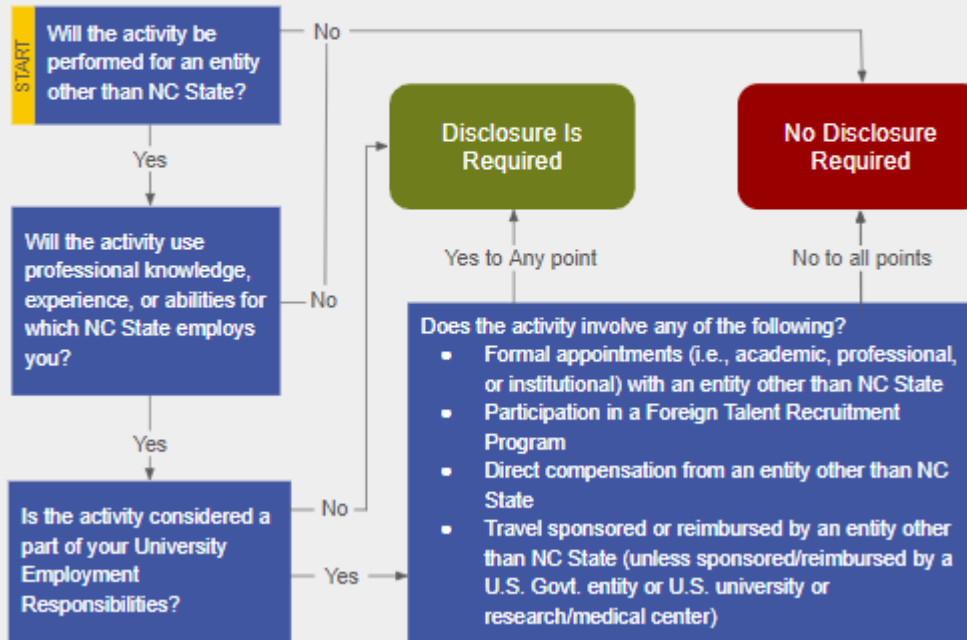
- Reimbursement - Traveler receives reimbursement directly from an outside entity
- Sponsored or Comped expenses - Traveler would have paid for the expense themselves if not paid by the outside entity.
  - Disclosure is not required if an NC State account would have paid the travel expenses

Level of Disclosure based on location of Travel

- Domestic- Trip details not required
- Foreign- Trip details of each travel will be required

# EPA Disclosure Decision Chart

## External Professional Activities (EPA) Disclosure (Paid or Unpaid) Decision Chart



Is this an External Professional Activity that would require EPA Disclosure (formerly NOI) and prior approval?

Yes

**Scenario #1- Consulting with a company in an area related to my NC State role but not a part of an NC State program**

**Is it included in University Employment Responsibilities?**

No

**Performed for an entity other than NC State?**

Yes

**Is based on the professional knowledge, experience or abilities for which NC State employs the Covered Individual?**

Yes

# Is this an External Professional Activity that would require EPA Disclosure (formerly NOI) and prior approval?

## Scenario #2- Reviewing Scientific Publications for a Journal

**Is it included in University Employment Responsibilities?**

Yes - Additional Analysis required (section 3.6.D. of Regulation)

**Performed for an entity other than NC State?**

Yes

**Is based on the professional knowledge, experience or abilities for which NC State Employs the Covered Individual?**

Yes

# Is this an External Professional Activity that would require EPA Disclosure (formerly NOI) and prior approval?

## **Scenario #2- Reviewing Scientific Publications for a Journal- 3.6 D analysis**

**If any of the following are yes - disclosure required  
If all are no - no disclosure required**

**Formal Appointment?**

**Examples include Editorial appointment**

**Foreign Talent Recruitment Program**

**Performing on behalf of a foreign government?**

**Direct Compensation from an entity other than NC State?**

**Including an Honorarium**

**Sponsored or reimbursed travel (unless US Government, US University or Affiliated entity)**

**Travel includes airfare, lodging or conference registration**

# Is this an External Professional Activity that would require EPA Disclosure (formerly NOI) and prior approval?

**Scenario #3 - Receiving a Fellowship related to your NC State expertise from an external organization. Funds will be paid directly to you as individual and not through NC State**

**Is it included in University Employment Responsibilities?**

**Yes - Additional Analysis required (section 3.6.D. of Regulation)**

**Performed for an entity other than NC State?**

**Yes**

**Is based on the professional knowledge, experience or abilities for which NC State Employs the Covered Individual?**

**Yes**

**Scenario #3 - External Fellowship - 3.6 D analysis**

**If any of the following are yes - disclosure required**

**If all are no - no disclosure required**

**Formal Appointment?**

**Fellowship Agreement?**

**Foreign Talent Recruitment Program**

**Is it from a foreign government or on behalf of a foreign government**

**Direct Compensation from an entity other than NC State?**

**Yes**

**Sponsored or reimbursed travel (unless US Government, US University or Affiliated entity)**

**Yes- If travel is included (Travel, Lodging or Conference Registration)**



# Is this an External Professional Activity?

**Scenario # 4- I am serving on an NSF proposal review panel**

**Is it included in University  
Employment Responsibilities?**

Yes - Additional Analysis required  
(section 3.6.D. of Regulation)

**Performed for an entity other than  
NC State?**

Yes

**Is based on the professional  
knowledge, experience or abilities  
for which NC State Employs the  
Covered Individual?**

Yes

**Scenario #4 Federal Proposal Review Panel - 3.6 D analysis**

**If any of the following are yes - disclose required**

**If all are no - no disclosure required**

**Formal Appointment?**

**No**

**Foreign Talent Recruitment Program**

**No**

**Direct Compensation from an entity other than NC State?**

**If receiving an honorarium**

**Sponsored or reimbursed travel (unless US Government, US University or Affiliated entity)**

**Not applicable**

# Key Takeaways

Having a Financial Interest or an External Professional Activity is not a bad thing

Timely Disclosure and transparency is the key

Resources are available on Research Compliance website

When in doubt, disclose!



# Available Resources

## COI Office Contact Form

Need assistance or have questions related to your External Professional Activities

- [One-on-one consultation](#)
- Office Hours (coming soon)

## Research Compliance Website

- [Summary of changes page](#)
  - Includes link to Recording of recent Town Hall
  - Links Guides and FAQs
    - [Entity Lookup Process](#)
- [External Professional Activities Decision Tree](#)

## COI Office Contact Information

- Email us @ [COI-Support@ncsu.edu](mailto:COI-Support@ncsu.edu)

