

WPI Faculty Handbook: Chapter Nine - Certain WPI Legal Policies

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WPI

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Chapter Nine - Certain WPI Legal Policies

1. Conflict of Interest Policy

(Presented to the Faculty, *December 16, 2016*)

(Adopted by the Board of Trustees, *February 24, 2017*)

(Revised by the Faculty, *October 9, 2024*)

(Approved by the Board of Trustees, *November 1, 2024*)

a. Intention

Worcester Polytechnic Institute is committed to ensuring that its research and other activities are conducted in a manner that upholds the integrity and credibility of its faculty, staff, students, and associates. This policy establishes a shared ethical standard of ensuring that relationships with business entities are transparent, grounded in objectivity, and do not improperly influence professional judgment, exercise of WPI responsibilities, or performance of WPI-related activities. This policy and its procedures promote compliance with all applicable federal and state laws, regulations, and sponsor policies regarding financial conflict of interest, including among others the policies of the National Science Foundation, the National Institutes of Health, Public Health Service, and private foundations.

For the purpose of this policy, a Conflict of Interest means a situation in which an individual's financial interests and relationships/commitments outside of WPI could improperly influence that individual's professional judgment, exercise of WPI responsibilities, or performance of WPI-related activities.

WPI recognizes the value of entrepreneurship, as well as engagement in external organizations and activities. It encourages faculty, staff, and students to engage in appropriate outside relationships and activities, including consulting and starting their own companies. However, the financial interests that accompany such relationships may lead to real or apparent financial conflicts of interest. These financial interests need to be disclosed, reviewed, and managed in accordance with this policy and the associated procedures.

b. Who Is Covered?

This policy applies to all faculty and exempt staff employed by WPI. It also applies to all other individuals with responsibility for the design, conduct, or reporting of sponsored research at WPI, including students, consultants, and affiliate faculty.

c. Annual Disclosure

Annually, covered individuals, including those who are temporarily away from campus (e.g., leave, sabbatical), must complete a Conflict of Interest (COI) Disclosure listing

all significant financial interests and relationships/commitments outside of WPI which are related to their institutional responsibilities at WPI. "Institutional responsibilities" may include, but are not limited to teaching, research, departmental administration, committee membership, purchasing of goods and services etc. Covered individuals must disclose their own financial interests as well as those held by members of their families. A current disclosure must be on file prior to the submission of any proposal in which the covered individual is named.

d. Updated Disclosure

In addition to the annual disclosure requirements, all covered individuals must complete a new disclosure within 30 days of a substantial change in a business or financial interest that relates to their WPI institutional responsibilities. A "substantial change" includes, but is not limited to, the acquisition of a new financial interest or an increase in the value of an existing financial interest to a value that qualifies it as a significant financial interest.

e. What must be disclosed?

Covered individuals must disclose all significant financial interests ("SFIs") that reasonably appear to be related to the individual's institutional responsibilities. An SFI must be disclosed even if the individual does not believe that it creates a conflict of interest. Significant Financial Interests include any of the following when reasonably related to the covered individual's institutional responsibilities:

1. *Remuneration.* Any remuneration (income) received from an outside entity in the calendar year preceding the COI disclosure, or anticipated during the calendar year following the disclosure. Disclosure is required when the annual amount received from an entity is \$5,000 or greater.
2. *Equity Interests.* Any equity (ownership) interests in a business entity. This includes stock, stock options, warrants, futures, purchase rights, or convertible securities. Disclosure is required when the market value of the equity exceeds \$5,000 for a given entity, or when a covered individual owns 5% or more of an entity's total equity. Equity in non-publicly-traded entities, or any other equity where the value cannot be readily determined through reference to market prices, must be disclosed regardless of the amount or value. Equity interests which are subject to a vesting requirement must be reported regardless of whether or not they are vested.
3. *Royalties Paid in Connection with Intellectual Property Rights.* The value of any royalties paid in connection with intellectual property rights, e.g., patents and copyrights, and any agreements to share in royalties related to such rights.
4. *Travel Expenses.* Covered individuals must disclose travel that is estimated to exceed \$5000 and is paid for or reimbursed by an outside entity (except as described in the following section). New sponsored travel expenses should be reported within 30 days of the trip by way of an updated disclosure.

f. Disclosure Not Required

Covered individuals are not required to disclose the following:

1. Salaries, royalties, or other remuneration paid by WPI to the covered individual. This includes remuneration paid from grant funds awarded to WPI.
2. Income (including honoraria) from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute affiliated with an institution of higher education. (This exception applies to income from U.S. agencies and institutions only.)
3. Income from service on advisory or review panels for a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute affiliated with an institution of higher education. (This exception applies to income from U.S. agencies and institutions only.)
4. Income and equity related to certain investments, such as mutual funds or blind trusts, where the covered individual does not directly control the investment decisions being made.
5. Travel expenses paid for or reimbursed by a governmental agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education. (This exception applies to expenses paid by U.S. agencies and institutions only.)

g. Review

WPI's Director of Research Integrity & Compliance (and/or other qualified individual(s) designated in writing by the Vice Provost for Research) will be the Designated Institutional Official (DIO) responsible for reviewing each annual or updated disclosure. The DIO, in consultation with the individual's Department Head and/or Program Director will determine if any of the disclosed SFIs constitute a conflict of interest with the covered individual's institutional responsibilities.

If the individual disclosing the SFI has any active research projects or proposals, the DIO will conduct a further review to determine (1) whether or not the SFI is related to the individual's research, and (2) whether the SFI could constitute a conflict of interest.

If the DIO believes that a disclosed SFI could constitute a conflict of interest, the DIO will refer the matter to the Conflict Management Committee (CMC).

h. Conflict Management Committee

The Conflict Management Committee is charged with determining (1) whether or not it is possible to manage an identified conflict of interest, and (2) if so, what conditions and restrictions are needed in order to do so. The committee may issue a written Conflict

Management Plan describing these conditions in detail. Conflict Management Committee membership shall consist of five voting members and two non-voting members:

Voting Members:

- one faculty member selected annually by the Committee on Governance (COG) to chair the committee,
- the Chair of the Committee on Graduate Studies and Research (CGSR),
- one additional faculty member selected by CGSR,
- the Vice Provost for Research
- the Director of Research Integrity and Compliance

Non-Voting Members:

- a representative from the Division of Talent & Inclusion selected by the Senior Vice President of Talent & Inclusion.
- the Director of Sponsored Programs

The Office of General Counsel (OGC) will serve in an advisory capacity to CMC.

COG shall also annually appoint an alternate faculty member to the Committee to serve in the event of the recusal or absence of one of the other appointed faculty members. In the event that more than one alternate is needed, the Vice Provost for Research shall appoint additional faculty member alternates as necessary. Recusal shall be required when it appears that a member of the Conflict Management Committee will be unable to fairly judge a potential conflict raised by a disclosure statement. If any of the non-faculty members are unable to serve, the Vice Provost for Research shall appoint a replacement. Such appointees will have the same voting authority as the member they replace. If the positions of the non-faculty members are renamed, reorganized, vacated, or otherwise changed, the Vice Provost for Research shall work with the Committee on Governance (COG) to update the committee membership.

i. Appeals Process

Should the individual not agree with the Conflict Management Committee's conditions or restrictions, he/she can appeal in writing to the Provost within ten (10) days after receipt of notification from the Vice Provost for Research, detailing why such conditions and restrictions are inappropriate.

The Provost will then consult with the Conflict Management Committee and make a decision, which will be final.

j. Human Subject Protocols

Disclosures associated with the submissions of protocols for Institutional Review Board (IRB) review will be reviewed following the same process as for sponsored research proposals. Protocols will not be approved until all conflicts are resolved or addressed by the Conflict Management Committee.

k. Reporting to Funding Agencies

The designated institutional official will report financial conflicts of interest or non-compliance to PHS in accordance with PHS regulations. If the funding for the research is made available from a prime PHS-awardee, such reports shall be made to the prime awardee prior to the expenditure of any funds and within 60 days of any subsequently identified financial conflict of interest such that the prime awardee may fulfill their reporting obligations to the PHS.

l. Sanctions

Covered Individuals must be in full compliance with this policy in order to submit proposals or participate in sponsored research at WPI. In the event of an individual's failure to comply with this Policy, the Conflict Management Committee may suspend all activities relevant to that conflict of interest until the matter is resolved through the appropriate disciplinary conduct policies. For faculty members, the relevant conduct policies are described in the Faculty Handbook. The institution will promptly notify sponsors, if applicable, of any non-compliance and the remedial actions taken.

m. Retrospective Review

In addition, if a Financial Conflict of Interest was not identified or managed in a timely manner, WPI will complete a retrospective review of the covered individual's activities and the research project to determine whether the research conducted during the period of non-compliance was biased in its design, conduct or reporting. If bias is found, WPI will promptly notify the sponsor and submit a mitigation report in accordance with applicable regulations.

n. Training

Individuals will comply with training requirements mandated by sponsors. OSP will notify individuals of such requirements when applicable. Sponsors may require the completion of training prior to the expenditure of grant funds.

o. Record Retention

WPI will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to the sponsor, unless any litigation, claim, financial management review, or audit is started before the expiration of the three-year period. In that case, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.

p. Public Accessibility

WPI will normally treat conflicts of interest as confidential. However, with regard to any PHS-funded research, WPI will make accessible to the public, within five business days

of written request, information concerning any Significant Financial Interest disclosed to the institution that meets all of the following criteria:

1. The Significant Financial Interest is related to the PHS-funded research;
2. WPI has determined that a conflict of interest exists; and
3. The Significant Financial Interest is still held by the individual.

For non-PHS-funded research, WPI will comply with established public accessibility requirements if so required.

q. Subrecipients

Subrecipients on federal grants and contracts must have an active and enforced conflict of interest policy that meets the requirements of the funding agency. If a subrecipient does not have such a policy, they will be required to comply with WPI's policy.

r. Definitions

"Conflict of Interest (or COI)" means a situation in which an individual's financial interests and relationships/commitments outside of WPI could improperly influence that individual's professional judgment, exercise of WPI responsibilities, or performance of WPI-related activities.

"Designated Institutional Official (or DIO)" means the WPI employee responsible for soliciting and reviewing disclosures of financial interests pursuant to this policy.

"Family" means the covered individual's spouse/partner, dependent children, and any other dependents living in the covered individual's household.

"Institutional Responsibilities" may include, but are not limited to teaching, research, departmental administration, committee membership, and purchasing of goods and services.

"Institutional Review Board (or IRB)" means any boards established or contracted to review protocols for human subjects research whether federally funded or not.

"Public Health Service (or PHS)" means the Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority of the PHS may be delegated (including the National Institutes of Health).

"Sponsored Research" means any research-related activity, including training, which is funded by a grant, contract, cooperative agreement, or fellowship awarded to WPI.

2. Intellectual Property Policy

(Approved by the Board of Trustees, *May 13, 2016*)

a. Part One: Policy Summary

It is the policy of Worcester Polytechnic Institute (WPI) to encourage creativity and entrepreneurship among its faculty, students, and staff. WPI invests in this endeavor by making available its own facilities, equipment, personnel, and information resources. WPI also actively seeks specific support for creative activity from external sources, both public and private.

The Policy supports the strategic goals of creating an outstanding student experience that promotes personal and intellectual development; recruiting and retaining excellent students, faculty and staff; and strengthening research, and scholarship, as well as institutional financial resources.

Inventions, discoveries, and creative works that are developed by individuals at WPI, may have commercial as well as scientific and scholarly value. The intent of this policy is to provide incentives that foster creative activity and to help assure that any such intellectual property produced will be exploited for the benefit of the creator(s), WPI, and the public. To help meet these policy objectives, WPI makes available from the Office of Intellectual Property and Innovation's, technical and legal assistance to protect ownership of intellectual property and to aid in its commercial development.

The specific aims of this policy are the following:

1. to encourage creativity among, WPI faculty, students and staff;
2. to increase the likelihood that ideas, inventions, and creative works produced at WPI are used to benefit the public;
3. to protect the traditional rights of the creator(s) with respect to owning the products of their intellectual endeavors;
4. to assure compliance with the provisions of contracts with external sponsors; and
5. to provide that, when intellectual property is introduced for commercial development, the creator(s) and WPI share any net profits, where appropriate.

b. Part Two: Scope of Policy

i. Who Is Covered: WPI Personnel Community

For purposes of this policy, WPI personnel community refers to WPI faculty members (this includes full time, part time, tenured, tenure-track and non-tenure track faculty), visiting faculty, postdoctoral scholars, researchers (research associates, scientists and engineers, and postdoctoral fellows), visiting scholars, investigators, administrators, office and technical staff, students, contractors (as appropriate), consultants, and all others whose work affiliation is with WPI, whether compensated by WPI or not. WPI personnel are obligated under this policy when their creative work is developed partially or entirely during performance of their WPI responsibilities or when it involves the use of WPI resources such as space, facilities, equipment, staff, or funds, as stipulated for the particular circumstances described in the sections below "Determination of Rights for Patentable Subject Matter" for both patentable and copyrightable material.

As a condition of affiliation with WPI, members of the WPI personnel community are bound by all WPI policies, including this one.

ii. What Is Covered: Intellectual Property

All intellectual property produced at WPI by its personnel (defined above) is covered by this policy. Intellectual property shall consist of, for example and without limitation: inventions, creative works, patentable subject matter, copyrightable materials, know-how, electronic or paper documents, software, multimedia or audiovisual materials, and photographs. For purposes of this policy, intellectual property is divided into two categories:

- "Patentable intellectual property" (Section 2.1) shall include, without limitation, all inventions, discoveries, know-how (despite the fact that these may not benefit from patent protection) and discoveries or other material that is patentable under US law (whether or not produced in the US), as well as all software that is excluded from "copyrightable material" (whether or not patentable under US law).
- "Copyrightable intellectual property" (Section 2.2) shall include, without limitation, all creative works, electronic or paper documents, software, multimedia or audiovisual materials, and photographs, and any other materials that may be copyrightable under US law (whether or not produced in the US).
- All research lab notebooks, data sets, data images, gene constructs, reagents, animal, human and plant cell lines, model organisms remain the exclusive property of WPI.

1. Patentable Intellectual Property *Responsibility for Disclosure of Patentable Intellectual Property:* WPI personnel who alone, or in association with others, create patentable subject matter with any use of WPI resources are responsible for disclosing the patentable subject matter to WPI. Such disclosure shall be made in a timely manner when it can be reasonably concluded that a patentable subject matter has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action that protects rights to the intellectual property for the creator and WPI (<http://www.wpi.edu/offices/ipi/forms.html>).

Determination of Rights to Patentable Subject Matter: Except for Patentable Intellectual Property developed independently and without WPI resources as noted below, all Patentable Intellectual Property produced by WPI Personnel shall be deemed "work made for hire" and be WPI's sole and exclusive property. WPI will assert ownership rights to patentable intellectual property developed under any of the following circumstances:

- Development was funded by an externally sponsored research program or by any agreement that allocates rights to WPI.
- Development required use of WPI resources (for example but not limited to facil-

ities, equipment, funding, or personnel). WPI has rights to patentable material derived from research carried out with any use of WPI resources. However, patentable material developed independently by the creator outside of normal duties associated with the creator's position and with no use of WPI resources or facilities is vested with the creator and/or with the organization whose resources were used.

- The creator was assigned, directed, or specifically funded by WPI to develop the material.
- Material was developed by administrators or staff in the course of their employment duties and constitutes "work for hire" under US law.

2. Copyrightable Intellectual Property *Responsibility for Disclosure of Copyrightable Intellectual Property:* In contrast to historical business practice, the tradition of academic institutions is to give its personnel the right to retain ownership of their copyrightable products. This policy protects that traditional right and personnel are not obligated to disclose the creation of copyrightable material, even when the product might have commercial value, unless the material was developed under one of the qualifying conditions listed in the next section, in which case the creator is responsible for timely disclosure.

Determination of Rights to Copyrightable Intellectual Property: Except for Copyrightable Intellectual Property developed independently and without WPI resources as noted below, all Copyrightable Intellectual Property produced by WPI Personnel shall be deemed "work made for hire" and be WPI's sole and exclusive property. To the extent that copyrightable material is developed for courses or curriculum at WPI by such individuals, and as a condition of employment by WPI, the creators of such copyrightable material grant a non-exclusive, royalty-free, perpetual license to WPI to use of such material for educational and research purposes. WPI will assert ownership rights to copyrightable intellectual property developed under any of the following circumstances.

- Development was funded by an externally sponsored research program or by any agreement, which allocates rights to WPI.
- WPI personnel was assigned, directed, or specifically funded by WPI to develop the material, or WPI has negotiated an understanding or formal contract with the creator.
- The material was developed with extraordinary or substantially more use of WPI resources than would normally be provided for the creator's employment duties. This might occur as disproportionate use of staff time, networks, equipment, or direct funding.
- Works created by non-faculty independent contractors on behalf of WPI, unless otherwise specified in a written agreement between such independent contractor and WPI. Such contractors do not share in the creator's portion of Net Royalty

Income (as defined below under "Income Distribution").

- Laboratory Notebooks, data sets, biological materials.

Scholarly and Artistic Works Exception: "Scholarly and Artistic Works" means copyrightable and copyrighted works that are in the nature of academic and scholarly works of authorship and works of visual art, including but not limited to photography, film, audio-visual works, sculpture, painting, choreography and the like. "Scholarly and Artistic Works" include by way of example 1) scholarly articles and papers written for journal publication (rights to these is assigned to the publisher as a condition for publication), presentations and scholarly papers prepared for seminars and conferences, pedagogical works, and teaching and curriculum materials (including classroom lectures, seminars and presentations reduced by or for the author to written or other recorded form); and 2) paintings, drawings, musical compositions and performances, dramatic compositions and performance, poetry, fiction and other works of artistic expression authored by WPI faculty, postgraduate students, and postdoctoral fellows and postdoctoral associates ; provided that, the definition shall not apply to the works of WPI Students authored pursuant to activities undertaken as Teaching Assistants that are Scholarly or Artistic Works as described in this paragraph will remain the property of their authors.

"Scholarly and Artistic Works" shall be and remain the property of their Authors ("Individually-Owned Works") unless such copyrighted works are (i) developed as part of a WPI project, program or activity that is the subject of an external WPI agreement; (ii) developed within the scope of employment by non-faculty WPI Employees; or (iii) developed as part of a WPI- Commissioned project. All Scholarly and Artistic

Works described in the preceding sentence under (i), (ii), or (iii) are WPI-Owned.

3. Intellectual Property Created by Students It is the general policy of WPI that WPI Students shall have ownership rights in Intellectual Property developed by them independently, except where it is developed using WPI funds, part of any project, Interactive Qualifying Project (IQP), Major Qualifying Project (MQP), directed study, directed research, or where WPI has external obligations with respect to Student Intellectual Property, such as via a contract with a company, or where there are federal funds involved. If there are no WPI external obligations for the Intellectual Property, Student Intellectual Property may assign to WPI and be treated as a WPI Invention.

If there is Student Intellectual property that is free from WPI external obligations the Students may choose to enter into an agreement with WPI for the value of that Intellectual Property. Such value will not exceed 1% of the current value of that Intellectual Property. The waiver provisions of this Policy shall apply to WPI Students (Section 6). Activities undertaken by WPI Students receiving financial aid as tuition assistance shall not be considered "WPI funds" unless such assistance consists of employment at WPI (including, but not limited to teaching assistantships)

or is charged against a grant, contract or other agreement between WPI and an external funding source.

As a condition of study or a degree award, each student shall grant to WPI a non-exclusive, royalty-free, non-commercial license to reproduce and publicly distribute, including by electronic means, copies of the student's work in which the student retains copyright.

iii. Significant Use of WPI Resources

Generally, an invention, software, or other copyrightable material, will not be considered to have been developed using WPI funds or facilities if:

- 1. only a minimal amount of unrestricted funds has been used; and
- 2. the Intellectual Property has been developed outside of the assigned area of research of the inventor(s)/author(s) under a research assistantship or sponsored project; and
- 3. only a minimal amount of time has been spent using significant WPI facilities or only insignificant facilities and equipment have been utilized (note: use of office, library, machine shop facilities, and of traditional desktop personal computers are examples of facilities and equipment that are not considered significant); and
- 4. the development has been made on the personal, unpaid time of the inventor(s)/author.

iv. Intellectual Property Developed Under Sponsored Research Agreements

Ownership of copyrightable and patentable intellectual property developed pursuant to an agreement with any sponsor will be governed by the provisions of that agreement.

Government and nonprofit sponsors generally allow rights to intellectual property that arise from the research program to vest with the institution, subject to certain retained rights held by the federal government. Under special circumstances, sponsors, including government agencies, will provide for the institution to retain title to all intellectual property that arises in the course of the research program, with the sponsor retaining an option to acquire commercialization rights through a separate license agreement.

v. Special Agreements

Since WPI aims to encourage creativity, it reserves the right to allow some flexibility in applying this policy. The inventor(s) or author(s) may request the VPR Office to release the intellectual property to them, at their own expense, unless other agreements exist.

vi. Waiver or Return of Rights

WPI may determine that WPI will not take ownership of invention or WPI may, after initially exercising ownership, determine that WPI will no longer pursue or maintain intellectual property protection, for example in cases without a revenue producing license. Where WPI determines that it will not pursue or maintain intellectual property protection and licensing of WPI-Owned Intellectual Property, it will promptly and in writing advise the inventor(s) or author(s).

To the extent permitted by external obligations, including any applicable laws and regulations, WPI may consider application by inventor(s) or author(s) for alternative funding of prosecution or maintenance of intellectual property, or waiver of ownership rights and the terms under which such waiver may be made. WPI will not consider requests for waiver of ownership with respect to any invention or software program unless all inventors and authors, as legally determined, concur with the request for waiver. Ownership waivers, if granted, will be made to all relevant inventors and authors as joint owners. Waiver agreement terms between WPI and the inventor(s) will include a perpetual, royalty-free right and license retained by WPI to use the invention or software for its own education and research purposes, and will be further subject to any external obligations as may be required.

vii. Administration of Intellectual Property Policy

Except as otherwise specified in this policy or as otherwise duly authorized by WPI, the IPI department has responsibility for the interpretation, implementation and oversight of this Policy. The IPI department will issue such administrative guidelines and procedures to facilitate Policy as may be reasonable and consistent with it. In accordance with otherwise applicable WPI policy or contract terms, WPI may also pursue disciplinary, or civil or criminal action, for Policy violations. These duties are delegated to the Director of Intellectual Property and Innovation

WPI personnel who wish to pursue the commercialization of their independently developed and owned intellectual property through WPI may offer such intellectual property to WPI by following the administrative process outlined above.

viii. Income Distribution

Costs and Net Royalty Income: Unless otherwise agreed, Net Royalty Income shall mean Gross Royalties in the form of cash or cash proceeds whether from the sale of equity or obtained in licensing transactions, less all commercialization costs, including but not limited to, previous and ongoing billed costs for protection of intellectual property, marketing, legal fees and other licensing costs.

Distribution of Net Royalty Income: With respect to intellectual property owned by WPI hereunder, Net Royalty Income shall be distributed (usually annually) as follows:

50% Creator(s) (personal)

5%	Creator(s) Department
5%	Creator(s) Office of the Dean
5%	Office of Intellectual Property and Innovation
35%	WPI

It is encouraged for the Department share give priority to the inventor's laboratory if at all possible. The funds should be directed towards a continued investment in research and technology development. Dean and Department shares may involve multiple Deans or Departments. If this occurs, the split will go according to how the inventors have agreed to split their share.

Note that Intellectual Property created by students may have a different distribution per the conditions in section 4. The creator will receive personal royalties as income. If the creator chooses to donate a portion of the royalties to research, the creator may do so in accordance with the policy and procedures of the Development Office of WPI and in accordance with local, state and federal tax policies.

Where all or a portion of the Royalty Income received by WPI is in shares of stock, stock options, warrants or other indicia of ownership ("Equity"), Inventors and Authors shall be entitled to shares to be negotiated with the company. If Inventors and Authors obtain Equity from the company, WPI Equity will be wholly owned by WPI. For all other Inventors/Authors who did not receive Equity from the Company, WPI, upon occurrence of a liquidation event, distribute cash according to the distribution agreed upon among the inventors in their original invention disclosure.

WPI may postpone the distribution of Net Royalty Income when future expenses relating to the applicable technology, such as patent prosecution costs, or an infringement suit, are reasonably anticipated.

1. Creator Equity Participation Creators may receive equity in return for their contributions as founders or consultants only in accordance with specific WPI policies. Annually, creators must fully disclose their equity positions and shall otherwise be and remain in compliance with the WPI Conflict of Interest policies.

ix. Conflict of Interest and Conflict Avoidance in Equity Transactions

Where a Creator(s) holds or will acquire an equity or founder's stock and/or option position in a company to which Intellectual Property that the Creator(s) helped develop is licensed by WPI, WPI will accept an equity position in lieu of royalty. In all such situations, Creator(s) who remain in the employ of WPI will not use WPI students for research and development projects sponsored by the company without expressly disclosing to students the inventor(s)' equity ownership interest in the company and without the express approval of the academic department head or other appropriate administrative unit supervisor. In addition, inventor(s) will not restrict or delay access to their research results so as to benefit the company (apart from any

WPI- authorized agreement with the company) and will not engage in such other activities that may create a presumption of conflict of interest between their activities as faculty or staff of WPI and their activities with or on behalf of the company. The limitations and conditions of this paragraph are in addition to those required by WPI's conflict of interest or other related policies.

x. Survival of Terms

All licenses and rights granted to WPI will survive any termination of employment or end of enrollment by a student as applicable.

xi. Conflict Resolution

When a disagreement arises between WPI and the inventor(s) concerning the interpretation of this policy, an Intellectual Property Appeal Board (the "Appeal Board") will be appointed and convened to resolve the disagreement. Appeals shall state explicitly what is in dispute and be submitted in writing to the President of WPI and to the Committee on Governance. When a request for an appeal is received, an Appeal Board shall promptly be appointed.

- 11.1 The Appeal Board is composed of five persons, three appointed by the Committee on Governance and two appointed by the WPI administration. The COG-appointed members shall be members of the faculty chosen from a current list of tenure-track faculty members who have agreed to serve on the Appeal Board if so requested, and who have a variety of experience. In making their respective appointments, COG and the WPI Provost will seek to ensure that some of the appointees are familiar in detail with this policy and its past applications, and some of the appointees are familiar with the technical area of the intellectual property under consideration. No person with a special interest in the outcome of its decisions, including people who have participated in the decision that is under appeal, shall be appointed to the Appeal Board.
- 11.2 The Appeal Board shall promptly meet, elect a chair, and hear the appeal. The Appeal Board shall receive written briefs from each party to the dispute, take oral presentations open to all parties and their counsels, and receive written emendations to the written briefs. The Appeal Board shall have the power to summon witnesses and documents necessary to reaching its decisions. The Appeal Board shall consider all relevant facts, policies, and precedents, and then reach a decision. The Appeal Board shall report its decision in a written finding that includes the principal arguments leading to its conclusions.

xii. Use of WPI Name, Mark, or Insignia

The WPI name, seal, or logo may not be used:

1. in conjunction with any private or commercial enterprise;
2. in tandem with the advertisement of any product;

3. by any individual or group promoting itself.

Any questions regarding the use of the WPI name, seal, or logo should be referred to the WPI Chief Marketing Officer.

1. Changes to this Policy The Provost will periodically initiate review of this Policy to address legal developments and to reflect experience gained in its administration. Policy changes will be made in accordance with governance and applicable legal requirements.

3. WPI Policy of Indemnification for Faculty, Professional Staff and All Other Employees

(Approved by the Board of Trustees, *February, 1986*)

(Revised through the Administrative Policy Group and approved by President Soboyejo, *March 2023*)

WPI shall indemnify and hold harmless all of its Faculty, Professional Staff and all other Employees including those who serve at its request as Faculty, officers, employees or agents of any affiliated organization, and their respective heirs, administrators, successors and assigns, against any and all reasonable liabilities, losses, costs and expenses, including amounts paid upon judgments, legal counsel fees, and amounts paid in settlement (before or after suit is commenced), actually and necessarily incurred by such persons in connection with the defense or settlement of any claim, action, suit, investigation or proceeding, whether civil or criminal, or both, in which they, or any of them, are made parties, or a party, or which may be asserted against them or any of them, by reason of being or having been in one of the above-described relationships with WPI, or of such affiliated organization. No indemnification shall be provided for any person with respect to any matter as to which they shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that their action was in the best interests of WPI and conformed to the requirements of their employment. Each person to be indemnified shall provide WPI with an undertaking to repay the amounts advanced on their behalf if they shall be adjudicated not to have been entitled to indemnification, which undertaking may be accepted without reference to the financial ability of such person to make repayment.

4. Anti-Hazing Policy

(Updated by SOF through the VP for Student Affairs, *August 15, 2016*)

In December 1987, the anti-hazing legislation, Chapter 269, Sections 17 through 19, was amended by the Legislature in Chapter 665 of the Acts of 1987. The amendment increases the criminal penalties for hazing infractions and alters the manner in which institutions notify individuals of the law.

Specifically, WPI is required to inform groups, teams or organizations of the provisions of M.G.L. MA State Law Chapter 269, Section 17, 18 and 19. A club officer must read

Sections 17, 18, and 19 of this law and pass out a copy to each member of the organization. Once you have shared the information with your organization:

1. Print out the Anti-Hazing Policy Form and complete the bottom portion.
2. Print out the Anti-Hazing Signature Sheet and have all of your members sign it.
3. Return both forms to the Student Activities Office. These materials must be submitted on a yearly basis to SAO for Recognition purposes. The due date for these forms is October 1.

Not only is hazing against the law, but it is a practice which diminishes the integrity of individuals and their organizations. Hazing is clearly defined with the sections of the law, and has no place in our society, particularly at an institution of higher education.

WPI is committed to emphasizing that all organization activities be made constructive, educational and safe. Therefore, in support of the university's commitment to the mental, emotional and physical well-being of every student, it is the policy of the University and the Commonwealth of Massachusetts that "hazing" in any form be prohibited, and its practices in any fashion be condemned.

5. Statement on Affirmative Action

(Updated by SOF through Human Resources, *August 15, 2016*)

WPI is committed to the principles of equal opportunity for all persons and it is the policy of WPI to affirmatively seek, employ, and promote the best qualified employees, students, and applicants without regard to race, sex, age, color, national origin, religion, genetic identity, disability, gender identity or expression, marital or parental status, sexual orientation, transgender status, veteran status, or any other protected status. This policy applies to the total WPI community and is designed to comply with both the spirit and letter of governing state and federal laws. It is expected that this policy, as well as the WPI Affirmative Action Plan will be effectuated by employees, students and others who act on behalf of WPI.

All supervisors, managers, and administrators are responsible for helping the campus fulfill its equal opportunity responsibilities. This is accomplished by making good faith efforts toward meeting affirmative action goals and ensuring a workplace that is free of discrimination and harassment. WPI's goal is to employ and retain a diverse workforce of the best-qualified individuals.

a. Employment of Minorities and Women

The Institute's Affirmative Action Program is intended to expand our efforts to guarantee equality of opportunity in employment and in education and to reduce underrepresentation and underutilization of minorities and women at WPI. For all Institute categories of employment, our objectives are to achieve a representation of minorities and women that is at least in proportion to their current availability and to provide new opportunities for career development which both stimulate and respond to their

changing interests and aspirations. WPI's obligations as a federal contractor under Executive Order 11246 includes the development of an affirmative action program which provides for analysis of utilization of minorities and women in all job groups in each organizational unit.

b. Employment of Disabled Individuals

The Institute's program for the employment of individuals with disabilities is intended to expand WPI's efforts to provide opportunities for employment and advancement for qualified persons with disabilities. The Institute will not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant is qualified.

WPI's obligations as a federal contractor under Section 503 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, include an assessment of all employment practices to assure that any adaptation that permits the employment or advancement of individuals with disabilities is reasonably accommodated, provided it does not cause undue hardship to the employer. Some individuals may require flexible work schedules, worksite accommodations, or auxiliary aids in order to perform the required duties of a job. Reasonable accommodation to needs such as these is the Institute's affirmative action responsibility under the law.

Inquiries regarding this policy may be directed to the Benefits Administrator in the Office of Human Resources

c. Employment of Disabled and Other Covered Veterans

In compliance with the Vietnam-Era Veterans Readjustment Assistance Act of 1974, as amended, and the 2002 Jobs for Veterans Act (JVA), as amended, WPI does not discriminate against any qualified employee or applicant for employment because he or she is a veteran with a disability or other covered veteran. WPI, in this respect, takes affirmative action to employ, advance in employment, and treat without discrimination, veterans with disabilities and other covered veterans.

A covered veteran is a person in one of the following categories:

- **Armed Forces Service Medal Veteran:** Any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.
- **Recently Separated Veteran:** Any veteran during the three year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.
- **Other Protected Veteran:** A person who served on active duty in the U.S. military, ground, naval or air services during a war or in a campaign or expedition for which a campaign badge has been authorized.

- **Disabled Veteran:** A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs, or a person who was discharged or released from active duty because of a service-connected disability.
 - A disabled individual is defined as any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, or has a record of such impairment, or is regarded as having an impairment. ("Life activities" are those which affect employability; "substantially limits" means the degree that the impairment affects employability.)

As a government contractor, WPI will take affirmative action to ensure that job applicants are employed and that employees are treated during employment without regard to their race, creed, color, national origin, sex, or other protected classifications.

WPI also invites all employees to voluntarily self-identify themselves to the Office of Human Resources. More information can be found on our website.

6. Conflict of Commitment Policy for Faculty & Investigators

(Approved by the Faculty, *April 16, 2025*)

(Approved by the Board of Trustees, *May 16, 2025*)

a. Purpose

The purpose of this policy is to help faculty and investigators avoid Conflicts of Commitment (defined in Section III, below) by clarifying obligations and expectations with respect to Outside Professional Activities (defined in Section III, below), while also balancing the significance and importance of promoting entrepreneurship and professional advancement. WPI recognizes the importance of faculty involvement in Outside Professional Activities. Such activities extend professional competence, enrich the faculty teaching experience, and contribute to the advancement of the profession. At the same time, a WPI faculty member's primary professional commitment of time and intellectual energy is to teaching, research, and service to WPI.

Occasionally, a Conflict of Commitment may arise when a faculty member's Outside Professional Activities conflict with their primary responsibilities to WPI. For example, having an active consulting business or a startup company may conflict with the faculty member's participation in the instructional, scholarly, or administrative work of WPI, or may otherwise affect (or appear to affect) one's judgment in carrying out WPI-related responsibilities.

Additionally, this policy seeks to ensure compliance with legal requirements from Grant sponsors. These institutional requirements vary by sponsor but generally require the grantee institution to verify the accuracy and validity of an investigator's biographical sketch, disclosed research support (e.g., "Current and Pending" or "Other Support")

or other disclosures provided by the investigator as part of a Grant application. The obligation to disclose an activity does not indicate or imply that the activity creates a conflict of interest/commitment or is otherwise improper.

This policy is intended to complement the Faculty/Exempt Staff Conflict of Interest (FCOI) Policy (Chapter Nine, Section 1). While the FCOI Policy deals primarily with financial conflicts of interest, this policy deals primarily with conflicts related to commitments of time, effort, and responsibilities.

This policy is not intended, nor should it be interpreted to interfere with any faculty member's academic freedom, as defined in the Faculty Handbook (Chapter One, Section Two, Part V).

b. Scope

This policy applies to all WPI faculty (as defined in the Faculty Handbook), and to any other person who is an Investigator on a Grant to WPI (as defined below).

Because of their responsibility for managing Grant funds, Investigators are subject to more stringent disclosure and approval requirements, as described in Section e.

This policy does not apply to employees who work for WPI half-time or less (e.g., adjunct faculty), except to the extent that such employees have effort commitment on Grants at WPI.

c. Definitions

Conflict of Commitment means any Outside Professional Activity in excess of the limitations imposed by this policy, or which otherwise conflicts with a Covered Individual's external funding commitments. A Conflict of Commitment usually involves an issue of time allocation that conflicts or overlaps with an employee's commitments to WPI and/or with the employee's responsibilities on Grants.

Conflict Management Plan means a written agreement between WPI and a Covered Individual for the purpose of managing an identified Conflict of Commitment or other Conflict of Interest.

Covered Individual means (1) a WPI faculty member, as defined by the Faculty Handbook, or (2) any other Investigator as defined below, who is subject to this policy.

Designated Institutional Official (DIO) means the WPI employee responsible for soliciting and reviewing disclosures pursuant to this policy.

Grant means an award of financial assistance or a contract for services, regardless of how named, which provides support for research and related activities at WPI AND which requires WPI to provide certain deliverables or meet objectives as a condition of funding. This definition does not include gifts.

Outside Professional Activity means an activity engaged in by Covered Individuals

outside of WPI that reasonably relates to, or could affect their ability to perform, their institutional responsibilities at WPI. For example, Outside Professional Activities generally consist of outside research, teaching, consulting, clinical activities, or business activities whether paid or unpaid, including but not limited to start-up companies or companies originating from WPI, which may involve WPI-owned intellectual property.

Investigator means any person, including without limitation WPI faculty, students, and staff/administrators, with responsibility for the design, conduct, or reporting of sponsored research or other sponsored programs at WPI. This includes all PIs, Co-PIs, Co-Is, and other senior personnel on Grants. This definition generally excludes graduate research assistants and fellows, except in cases where they are named as a principal investigator, co-principal investigator, or other senior personnel on a Grant.

Professional Service means a form of Outside Professional Activity that does not involve an ongoing professional appointment with an outside entity, is remunerated by no more than a modest honorarium or equivalent, and involves service to:

1. Government agencies and boards, including peer review panels and speaking engagements for federal, state, and local governmental entities.
2. Philanthropic organizations or charities, professional societies, visiting committees or advisory groups to other universities, and analogous bodies. Activities that provide financial or in-kind support for research are not considered Professional Service.

Sponsor means an entity from which WPI requests or receives financial support (other than gifts) for the purpose of furthering research, training, or other institutional activities.

Supervisor means a Covered Individual's direct line manager. For faculty this is normally the Department Head or Program Director.

d. Policy Requirements for All Covered Individuals

i. Disclosure

Covered Individuals must disclose any Outside Professional Activities that (a) may reasonably appear to conflict with their WPI responsibilities, (b) that exceed the permitted time commitment specified in this policy, or (c) that involve a formal appointment or affiliation with an entity in a foreign country. Such disclosures are required to be submitted as follows: (a) annually, at a time to be determined by the Designated Institutional Official, *and* (b) within thirty (30) days after the start of any new Outside Professional Activity that requires disclosure under this policy. Activities that fit the definition of Professional Service ([\[Section 6.c\]\(chapter-9.html#chapter-9-section-6.3\)](#)) do not need to be disclosed.

Disclosure is not required for activities which are wholly unrelated to a Covered Individual's WPI responsibilities. Additionally, the following types of Outside Professional Activities are not subject to disclosure:

- a. Professional Service (as defined in this policy) to US-based organizations.
- b. Tutoring of individual students.
- c. Other *de minimis* activities as determined by the Designated Institutional Official. The DIO shall maintain, and make available to Covered Individuals, a list of activities determined to be exempt from disclosure.

ii. Permitted Time Commitment for Faculty

For faculty on nine-month appointments, Outside Professional Activities that involve consulting or outside employment are limited to the equivalent of one day per week during the faculty member's contract year. A reasonable amount of "averaging" of this time is permissible if, on occasion, a faculty member plans to consult for more than one day in one week but less than one day per week on average. The time limitations in this section do not apply during unpaid periods, such as unpaid summer months for faculty on nine-month appointments, or during unpaid leave. However, faculty members with effort commitments on Grants must limit their outside activities so as not to create a Conflict of Commitment with those Grants. A faculty member's full-time effort commitment to the University is not reduced because of the faculty member's consulting.

During a sabbatical leave (as defined in the Faculty Handbook), the time limitation noted above does not apply. However, faculty who work on Grants during sabbatical may not overlap their Grant commitments with Outside Professional Activities. For example, if a faculty member on sabbatical is drawing salary support from Grants, their total academic year salary from all sources cannot exceed the equivalent of nine months, in accordance with Chapter 2, Section 8a Policy on Sabbatical Leaves.

Activities that fall within the definition of Professional Service (see "Definitions") are not considered Consulting or outside employment, and do not count towards the one-day limit.

iii. Prior Approval requirements for all Covered Individuals

Certain types of Outside Professional Activities require prior approval in order to avoid unmanaged conflicts. Covered Individuals must follow the procedure in Section h to obtain approval.

1. *Significant managerial responsibilities:* Covered Individuals (including full-time faculty) must obtain prior approval from the Conflict Management Committee before accepting significant managerial responsibilities with outside entities. Normally, a written Conflict Management Plan will be required in such situations. It may be necessary for a full-time employee to take a leave of absence from their WPI responsibilities in order to take on a significant management role in an outside entity.
2. *Service on governing boards:* Any Outside Professional Activity that includes a governing board position in a for-profit, non-profit, or government entity that

does business with WPI (including but not limited to the licensing of intellectual property from WPI) requires prior approval. Approval is not required for service on the board of an entity that does not do business with WPI,

3. *Use of WPI resources:* Covered Individuals may not make significant use of WPI resources (e.g., funds, facilities, or equipment) or personnel (e.g., WPI students and WPI employees) in connection with their consulting or outside employment without prior approval. Use of library facilities, facilities available to the general public, and incidental use of office equipment, email, etc., will not ordinarily be considered "significant use."
4. *Use of WPI name and marks:* When Covered Individuals are involved in Outside Professional Activities not directly associated with WPI, the use of WPI's name and marks is limited to identification of the individual by generic title (e.g., Associate Professor), and place of work (i.e., WPI). Covered Individuals may not permit the outside entity to claim any partnership, affiliation, and/or endorsement with or by WPI.
5. *Activities involving known WPI students:* Outside Professional Activities that directly or indirectly involve WPI students in anything other than their normal academic pursuits are likely to create a Conflict of Commitment (and/or Conflict of Interest). Before involving known WPI students in any such activities, Covered Individuals must obtain written approval.

iv. Prohibited Activities

1. *Activities that assign WPI intellectual property to a third party:* Covered Individuals may not enter into agreements that assign WPI-owned intellectual property to a third party, or that create claims to intellectual property in conflict with WPI's rights or the rights of Sponsors. WPI's ownership of, and rights to employee-created intellectual property are governed by the Intellectual Property policy.
2. *Activities that involve restricted WPI data:* Covered Individuals are not permitted to engage in Outside Professional Activities that involve the use of restricted WPI data contrary to WPI's Data Classification and Usage Policy.
3. *Activities with restricted/sanctioned entities:* Covered Individuals are prohibited from engaging in Outside Professional Activities with foreign countries, persons, or institutions that are subject to U.S. sanctions, embargoes or export restrictions, unless the DIO has determined, in advance and in writing, that such activities are legally authorized.

e. Additional Requirements for Investigators

i. Disclosure to WPI

Investigators must disclose *all* Outside Professional Activities, subject to the exemptions listed in Section d of this policy.

Such disclosures are required to be submitted as follows:

- a. prior to the submission of any funding proposal, unless the Investigator has an existing disclosure on file, and confirms in writing prior to the proposal that such disclosure is complete and up-to-date.
- b. annually, at a time to be determined by the Designated Institutional Official, and
- c. at the start of any new Outside Professional Activity. New activities should be disclosed in advance when possible but must be disclosed within thirty (30) days after the start of the Outside Professional Activity. Investigators must disclose Outside Professional Activities to WPI regardless of whether there is any perceived conflict. The obligation to disclose an activity does not indicate or imply that the activity creates a conflict of interest/commitment or is otherwise improper.

Disclosure is still required in cases where the Outside Professional Activity is subject to a nondisclosure agreement. In such cases, the Covered Individual may be required to obtain permission from the other party in order to make the disclosure. The Office of Research Integrity & Compliance will ensure appropriate handling of confidential information related to disclosures.

Covered Individuals should err on the side of disclosure and may consult with the DIO if there is any doubt whether an Outside Professional Activity is subject to disclosure.

ii. Disclosure to Grant Sponsors

Investigators are responsible for complying with Sponsor disclosure requirements, and for making all required disclosures to the sponsor in their proposals, progress reports, etc. For example, applicants for Public Health Service (e.g., NIH) or National Science Foundation funding may need to disclose Outside Professional Activities in both their bio-sketch and as "current and pending" or "other support". Covered Individuals should consult with OSP and ORIC if they have questions about specific requirements. If a Covered Individual fails to comply with Sponsor disclosure requirements, OSP and/or ORIC will be responsible for submitting remedial disclosures to the Sponsor in accordance with Sponsor guidelines.

iii. Pre-approval Requirements

1. Consulting and Outside Employment

Investigators must obtain approval as outlined in Section h below, before entering into consulting agreements, employment contracts, or other similar agreements in connection with an Outside Professional Activity. Consulting or employment engagements that exceed the time limit specified in this policy, or that may involve a Conflict of Interest pursuant to the FCOI Policy, must have a Conflict Management Plan approved by the Conflict Management Committee.

2. Service as Principal Investigator Co-Principal Investigator for Other

Entities

Covered Individuals may not serve as principal investigator or co-principal investigator on an externally funded project or award that is administered by a for-profit entity, foreign entity, or academic institution other than WPI without prior written approval. This approval must be obtained prior to Grant submission and, if approval is granted, the activity is subject to the limitation on time commitment contained in this policy.

This rule does not limit Covered Individuals from participating in multi-site awards (e.g., when WPI receives a sub-award or has a collaborative or other agreement with another institution), nor is it intended to restrict access to specialized facilities not available at WPI. Additionally, WPI recognizes that Covered Individuals may, on occasion, receive special approval for appointments with other research organizations where they may serve as principal investigators. In such cases, the Conflict Management Committee will be responsible for ensuring that any Conflict of Commitment is satisfactorily managed.

f. Review of Disclosures

The Office of Research Integrity & Compliance (ORIC) is responsible for coordinating the disclosure process, reviewing disclosures, and referring potential Conflicts of Commitment to the Conflict Management Committee. ORIC will provide training and guidance to Covered Individuals as needed, in order to support their ongoing compliance with the policy.

The Director of Research Integrity & Compliance (and/or other qualified individual(s) designated in writing by the Vice President and Vice Provost for Research) will be the Designated Institutional Official (DIO) responsible for reviewing each annual or updated disclosure. The DIO will review each disclosure to determine whether a potential conflict exists, consulting with the Covered Individual, their Supervisor or Dean, and others, as appropriate. Any identified conflicts will be referred to the Conflict Management Committee for management, as described in Section g below.

g. Management of Conflicts

The Conflict Management Committee is comprised of the individuals set forth in the FCOI Policy. The Conflict Management Committee is charged with determining (1) whether it is possible to manage an identified Conflict of Commitment, and (2) if so, what conditions and restrictions are needed to do so. The committee may issue a written conflict management plan describing these conditions in detail. Any such conflict management plan will be binding on the Covered Individual.

The Conflict Management Committee shall convene, as needed, to review any potential conflicts identified pursuant to this policy and to determine the appropriate actions necessary to manage and/or eliminate such conflicts.

In order to resolve a Conflict of Commitment, the Conflict Management Committee may

approve a management plan that includes a reduction of WPI effort for the Covered Individual. For example, a faculty member wishing to devote additional time to a startup company may be granted a temporary part-time appointment to accommodate the startup activity. In such cases the Covered Individual will remain subject to this policy despite the temporary loss of full-time status.

h. Process for Approvals

Requests for approval are considered by the Designated Institutional Official, with input from the Covered Individual's Supervisor and Dean or Division Head. The process for seeking approval is as follows:

1. The Covered Individual submits a request in writing to their Supervisor;
2. The Supervisor forwards this request, along with any comments (if any), to the appropriate Dean or Division Head that might be helpful to the DIO in making a decision;
3. The Dean/Division Head forwards the request to the DIO along with any comments (if any) that could be helpful.
4. The DIO will approve, disapprove, or conditionally approve each request in a timely manner, consulting as needed with the Covered Individual, their supervisor/dean, and/or the Conflict Management Committee. A conditional approval indicates that the activity may proceed once a Conflict Management Plan is in place.

When evaluating a request for approval, the DIO should consider carefully the Covered Individual's allocation of effort between grant-funded and other activities, as well as the potential legal, financial, and regulatory risks to both the institution and the Covered Individual. Requests may not be disapproved solely on the basis of the perceived academic or professional merit of the proposed activity.

If a request for approval is particularly time-sensitive (i.e., a response is needed within 24 hours), a Covered Individual may contact the DIO to request expedited approval. If the DIO is unavailable, requests for expedited approval may be directed to the Provost.

Covered Individuals may appeal the DIO's decision as described in Section i, below.

i. Appeals

If permission to engage in a particular type of Outside Professional Activity is denied, or if a Covered Individual disagrees with a conflict management plan that the Committee has approved, the Covered Individual may appeal that decision or plan to the Provost, or the Provost's designee, within ten (10) business days of the Covered Individual being informed of the denial or management plan. A decision by the Provost, or the Provost's designee, shall be final.

j. Questions

Any questions regarding this policy must be directed to the Office of Research Integrity and Compliance.