

## Potential Conflict of Interest Scenarios

The following scenarios are shared to help University of South Carolina employees navigate relevant policies and considerations regarding potential conflicts of interest. Individual situations will vary-- if you have questions, please reach out to your supervisor, or contact [COI@mailbox.sc.edu](mailto:COI@mailbox.sc.edu).

Category: Outside Financial Interests			
Example	Policy	Policy Snapshot	Action
An employee is looking for vendors for a USC project. The employee's spouse works for an outside company interested in serving as a vendor for the project.	FINA 2.14, BTRU 1.18	No employee, officer, or agent shall participate in the selection, award or administration of a contract if a real or apparent COI would be involved.	The employee must disclose this relationship and develop a management plan to address the potential conflict of interest.
An employee has a second job with a technology service company where they work evenings and weekends.	HR 1.30	Employees intending to undertake outside employment must first obtain the permission of their department head, through their supervisor.	The employee must disclose this outside employment to ensure there is no conflict of interest or conflict of commitment with their role at the University.
A faculty member has equity ownership in a start-up company related to her area of expertise.	BTRU 1.18	An employee is expected to disclose businesses with which they have financial interests or are involved as an owner, operator or executive officer, that is directly related to the employee's institutional responsibilities.	The employee must disclose this outside financial interest to ensure there is no conflict of interest with her role at the University.
A faculty member plans to use a book he authored as required material to be purchased by students in his class.	ACAF 1.34	Requiring students to purchase classroom materials which are authored by the instructor of the course and from which the instructor derives direct financial benefit is allowed only when approved in writing by the instructor's administrative supervisor.	The faculty member must receive written approval from his supervisor. The evaluation standard is whether the material in question is the best (or equivalent to the best) material available for use in the course.

Example	Policy	Policy Snapshot	Action
A faculty member has applied for a research grant related to a technology that he also has an outside financial interest in. For example, he has invested in the technology or has an outside consulting business to implement the technology.	RSCH 1.06, BTRU 1.18	When an investigator has a significant financial interest related to his/her institutional responsibilities, a formal disclosure describing that interest is required.	The faculty member must disclose this outside financial interest to ensure there is no conflict of interest with his sponsored research. As needed, a management plan may be implemented to ensure the research is not impacted by the potential conflict.
A faculty member is working on a project in their area of expertise but separate from their role at the university. They plan to claim ownership/ IP related to the project.	ACAF 1.33	In claiming ownership, the burden of proof is with the creator to document the invention was not conceived or reduced to practice within the scope of their duties at the university (i.e., they must demonstrate it was conceived and reduced to practice on their own time). The creator must also show they did not make substantial use of university resources, facilities, or grant funds administered by the university in developing the invention.	The Intellectual Property Committee (IPC) recommends resolutions for disputes regarding IP. If a faculty member seeks to claim ownership/IP of an invention they develop outside of their university duties, they need to disclose this work as an outside professional activity and manage any potential conflicts of interest.
An employee serves on the board of directors for a private company that provides services in her area of expertise.	BTRU 1.18	An employee is expected to disclose businesses with which they or their immediate family members have a financial interest... that is directly involved with the employee's institutional responsibilities.	The employee must disclose this outside financial interest to ensure there is no conflict of interest with her role at the University.
An employee in the facilities department owns a cleaning company as an outside business.	BTRU 1.18, HR 1.30	An employee is expected to disclose businesses with which they or their immediate family members have a financial interest... that is directly involved with the employee's institutional responsibilities.	The employee should disclose this outside employment and financial interest. If their university duties overlap in any way with their outside business, a management plan must be approved to address any potential conflict of interest.

<b>Category: Outside Professional Activities</b>			
<b>Example</b>	<b>Policy</b>	<b>Policy Snapshot</b>	<b>Action</b>
A faculty member is offered a paid outside consulting opportunity in his area of professional expertise.	ACAF 1.50	Outside professional activities to be reported should not normally include colloquia, authoring or editing textbooks, paintings, and performance, but special attention should be given to compensated services, private practice, or for-profit activities.	The faculty member must disclose this outside professional activity to their department chair to ensure no potential conflicts of interest or commitment.
A faculty member presents information related to their research at a conference sponsored by a federal agency. Their travel is paid for by the U.S. government.	BTRU 1.18, ACAF 1.50	Travel reimbursed by U.S. federal, state or local government entities is not considered an outside financial interest.	The faculty member typically would not need to disclose this activity. Their travel is reimbursed by the federal government and presenting their research to the public is a regular expected duty in their role at the university.
A faculty member is offered a contract to provide expert witness testimony in a civil case.	ACAF 1.50	Outside professional activities to be reported should not normally include colloquia, authoring or editing textbooks, paintings, and performance, but special attention should be given to compensated services, private practice, or for-profit activities.	The faculty member must disclose this outside professional activity to their department chair to ensure no potential conflicts of interest or commitment.
A faculty member serves on a planning committee with other SEC schools for an academic symposium on a topic related to their area of expertise.	ACAF 1.50	Outside professional activities to be reported should not normally include colloquia, authoring or editing textbooks, paintings, and performance, but special attention should be given to compensated services, private practice, or for-profit activities.	The faculty member typically would not need to disclose this activity since it is a regular expected duty in their role at the university.
A faculty member teaches a course in their area of expertise at a local community college.	ACAF 1.50	Participation in a service or teaching contract with another college or university should be disclosed and reviewed for potential conflict of interest or commitment.	The faculty member should disclose this outside professional activity to their department chair to ensure no potential conflicts of interest or commitment.

Example	Policy	Policy Snapshot	Action
A faculty member is planning to travel to a conference outside of the United States and their travel will be paid for by a foreign entity.	FINA 1.00, BTRU 1.18	Travel paid by a foreign government/institution is considered an outside financial interest and must be disclosed.	A travel authorization must be completed before the travel occurs. The faculty member must also disclose paid travel from a foreign entity as an outside financial interest.
A faculty member volunteers providing their professional expertise to a non-profit collaborative working on a statewide initiative.	ACAF 1.50	The University encourages pro bono work for reasonable time periods and without substantial allocation of University resources, as a normal and desirable activity for faculty. Reporting pro bono work allows the University to properly recognize such work which benefits the University, but which currently may not be reported formally.	This activity would typically be disclosed. Please check with the department chair if you have any questions. Although this activity is unlikely to create a conflict of interest, a conflict of commitment could potentially occur if the time required exceeds normal involvement in outside professional activities.

Outside relationships, gifts, and other circumstances			
Example	Policy	Policy Snapshot	Action
An employee and his spouse work in the same department.	HR 1.27	No public employee may cause the employment, appointment, promotion, transfer, or advancement of a family member to a state or local office or position which the employee supervises or manages.	The employee cannot be involved in any supervisory decisions related to his spouse. Even if the employee's role does not overlap with his spouse's work, this relationship should be disclosed to ensure full transparency and avoid any perceived conflicts of interest.
A university administrator's son is a board member for a company that has proposed a joint venture with the university.	BTRU 1.18	Employees must disclose businesses with which the employee or their immediate family members have financial interests or are involved as an owner, operator or executive officer, that is related to the employee's area of institutional responsibilities	If the employee's role at the University has any potential overlap with the proposed joint venture, they should disclose this relationship to ensure no potential conflicts of interest.

Example	Policy	Policy Snapshot	Action
An employee is selecting a vendor for a new university database. The vendor offers to pay for the employee's travel to attend a promotional workshop in Florida to learn about the software.	BTRU 1.18, FINA 2.14, FINA 1.00	Employees cannot accept a gift or anything of value from a person or entity given as a result of a relationship established through their university employment (BTRU 1.18). Reimbursement of travel will vary depending on circumstances and conditions, including the extent of benefit expected to accrue to the individual and university (FINA 1.00)	The employee must seek approval from their supervisor to attend the workshop. Travel reimbursement from the vendor cannot be accepted. If the travel is considered beneficial and appropriate, the university could potentially pay for the employee's travel to the event.
A contractor or vendor sends a gift to a university employee.	FINA 2.14, BTRU 1.18	Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to sub-agreements. (FINA 2.14) Items given to an employee not otherwise excluded from this rule which are not easily returned may be donated to charity or, if food, placed in a common area for the benefit of all employees.	The employee should return the gift, or if it's a food item (e.g., fruit basket) place it in a common area for everyone to access. Promotional items under \$10 (pens, notepads, etc.) are excluded from this rule and do not need to be returned.
An employee's college roommate is a salesperson with a software company. That company is bidding on a contract to develop a database for the employee's department.	BTRU 1.18	Employees shall disclose if they have a personal relationship with an individual who has a financial interest in a business entity with which the university does business, and the employee is in a position to influence the university's decision.	If the employee has any role in the selection process for this vendor contract, they need to disclose this relationship and develop a management plan to address the potential conflict of interest.