George Mason has two policies governing financial conflicts of interest:
(1) University Policy Number 4001 – Financial Conflicts of Interests in University Contracts with Businesses under Virginia Law (adopted Dec. 9, 2009), and
(2) University Policy Number 4010 – Financial Conflicts of Interest in Federally-Funded Research (adopted May 16, 2008).

While related in subject matter, these two policies differ in important respects because they implement different underlying legal requirements.
The first, policy 4001, implements Virginia statutory requirements.
The second, Policy 4010, implements requirements applicable to recipients of Federal funds.

Applicability.
Policy 4001 applies to all officers and employees of the university.
Policy 4010 applies to any person responsible for the design, conduct, or reporting of research funded by a Federal agency.

Policy 4001.

This policy that implements Virginia law prohibits having a personal interest in a contract with the university other than one’s employment contract. A “personal interest” is a financial benefit or liability accruing to the employee or a member of his or her immediate family. In a business context, a “personal interest” includes an ownership interest in the business that exceeds three percent of its total equity or income from the business that exceeds $10,000 annually.

The prohibition does not apply in certain circumstances, generally related to the transparency of the interest and the employee’s lack of involvement in both the business’ and the university’s contracting processes, and, for contracts for research and development or the commercialization of intellectual property, the employee’s disclosure of his or her interest and the university President’s approval (“waiver”) of the potential conflict before the contract is let. Specific requirements that must be met to qualify for these exceptions, including the process for obtaining a waiver, are stated in the policy.

Policy 4010.

This policy that implements requirements applicable to recipients of Federal funds requires that researchers disclose certain financial interests related to their research. Those interests are “significant” financial interests (defined in the policy) of the researcher or his or her spouse or dependent children --

- That would reasonably appear to be affected by the research, or
- In an entity whose financial interests would reasonably appear to be so affected.

Researchers must certify, before or shortly after the university submits an application for funds, that they have no such interests or that those interests will be disclosed to their Dean or Institute
Director. When a researcher discloses a significant financial interest, it is reviewed under a process described in the policy. If a conflict is found to exist, the researcher and the university’s Conflict of Interest Committee work together to develop a plan to manage, reduce, or eliminate the conflict. The management plan must be in place before the university spends any funds under the Federal award.

Vice President for Research and Economic Development

Date: January 5, 2010