

Conflict of Interest Disclosure Instructions

If you utilize a screen reader and are unable to access elements of the MetricStream form, you may email a PDF version to compliance@mines.edu.

General Information

- The primary goal of the Conflict of Interest Disclosure is to manage potential and actual conflicts of interest.
- If you are unsure whether or not to include information, please include it.
- The information you provide is maintained in a confidential manner, subject to the procedures outlined in the [Conflict of Interest Policy](#).
- When responding to questions, please consider the previous twelve months and the next twelve months.
- When listing an organization name, please provide the full name (not an abbreviation).
- When entering a date please use MM/DD/YYYY.
- Defined terms are capitalized. For definitions, please refer to page 5 of this document.
- If you are completing the form in MetricStream, please note that it is a dynamic form – certain answers may trigger additional questions.

For more information about the conflict of interest disclosure process, please visit our website at www.mines.edu/compliance/conflict-of-interest. If you have questions, please contact the Office of Compliance, Policy and Risk Management at compliance@mines.edu.

Remuneration

- Include compensation from outside business(es), employment, and consulting arrangements related to your Institutional Responsibilities.
- Compensation includes monetary payments, in-kind contributions, honoraria, etc.
- In-kind compensation includes goods or services offered free or at a discount, including, but not limited to, equipment, software, computers, facilities, travel and entertainment, etc.
- Aggregate all remuneration from a single entity, whether cash or in-kind.
- Calculating the value of in-kind contributions:
 - Remember, it's not how much it's worth to you, but rather about fair market value.
 - Consider how much you would expect to pay for the good or service.
- Common disclosure examples include:
 - Research & Development - consulting, advising, private seminars/lectures.
 - Teaching/Education - seminars, lectures, convention speeches/presentations, continuing education lectures.
 - Employment - contracting, start-up ventures, spouse's/partner's work.
- DO NOT include salary and compensation issued directly from Mines.

Applicable Authority includes: 2 CFR Part 200, Subpart B; NSF 23-1 Proposal & Award Policies & Procedures Guide (PAPPG); 42 CFR 50, Subpart F; C.R.S. § 24-18-101, et seq.; C.R.S. § 24-18-201, et seq.

Note: If you answer “Yes” to this question, you may also need to respond to the Equity/Interests and Conflict of Commitment questions.

Equity Interests/Investments

- Include Equity interests/investments in:
 - publicly traded corporations that, when aggregated exceed either \$5,000 in value or 5% ownership of a single entity;
 - OR-
 - in a privately-held company where the equity interest or ownership is valued at any amount.
- You only need to disclose Equity interests/investments that relate to your Institutional Responsibilities.
- Common disclosure examples include:
 - Stocks held through broker-dealers and trading firms, such as Interactive Brokers, JP Morgan, eTrade, Robinhood Trading, etc.
 - Stock options obtained and held through dealings outside of Mines.
 - Partial stakes/ownership of private or public companies.
- DO NOT include mutual/pooled investments that are managed by a third-party investment management firm that make the investment decisions on your behalf (e.g., 401k/403b, PERA, Mutual Funds, etc.), or fund-structured investments with third-party investment managers.

Applicable Authority includes: 2 CFR Part 200, Subpart B; NSF 23-1 PAPP; 42 CFR 50, Subpart F

Note: If you answer “Yes” to this question, you may also need to respond to the question relating to Remuneration.

Intellectual Property

- Include intellectual property related to your Institutional Responsibilities that was created outside of your Mines employment.
- Common disclosure examples include intellectual property of which you were an investigator at a different institute/university; book royalties.
- DO NOT include any confidential information about the IP.
- DO NOT include Mines-owned intellectual property.

Applicable Authority includes: 2 CFR Part 200, Subpart B; NSF 23-1 PAPP; 42 CFR 50, Subpart F

Note: If you answer “Yes” to this question, you may also need to respond to the questions relating to Remuneration, Equity/Investments, and Start-Up Business Involvement.

Sponsored/Reimbursed Travel

- Travel expenses or travel benefits include travel activities paid for on your behalf such as airline tickets, car rentals, lodging, etc.
- Common disclosure examples include sponsored lectures/conventions and board/officer related travel.
- When disclosing reimbursed or covered travel expenses, DO NOT include funds provided by the following external organizations:
 - Federal, state, or local United States government agencies.
 - U.S. Public or non-profit institutions of higher education.
 - Academic medical centers (or teaching hospitals).
 - Research institutes affiliated with institutions of higher education.

Applicable Authority includes: 2 CFR Part 200, Subpart B; NSF 23-1 PAPP; 42 CFR 50, Subpart F

Note: If your travel was to a foreign country, you may also need to respond to the question relating to Foreign Association. You may also respond to the Conflict of Commitment question.

External Board Service

- If you are unsure if the organization does business with Mines, please disclose the full name of the organization and the individual's role within the organization.
- Examples of doing business with Mines may include, but are not limited to, sponsored and non-sponsored research, selling/buying a product to or from Mines, and providing services to Mines.

Applicable Authority includes: C.R.S. § 24-18-101, et seq.; C.R.S. § 24-18-201, et seq.

Note: If you answer "yes" to this question for yourself, you may also need to respond to the question relating to Conflict of Commitment.

Foreign Associations

- You only need to disclose a foreign association if it relates to your Institutional Responsibilities and the association was not managed by Mines.
- Please spell out the full name of the country (New Zealand not NZ).
- Examples include:
 - Services or other obligations (paid or unpaid, including promised future compensation or in-kind compensation), including but not limited to consulting, teaching, contract work, transferring intellectual property, participation in a foreign talent program and/or other activities.
 - Honorary titles, appointments, career advancement opportunities or benefits given in exchange for advice, consulting, teaching and/or other activities.
 - Research and/or collaborations outside of Mines funded directly or indirectly by a Foreign Entity.
- Mines encourages international collaborations and recognizes the value of these activities to the individuals personally and the Mines community as a whole. The information provided under this question is being collected to promote transparency in this area as required by federal agencies and to enable the university to continue to support international collaborations.

Applicable Authority includes: DOE O 486.1A; NSF 23-1 PAPP; DOD Memorandum "Actions for the Protection of Intellectual Property, Controlled Information, Key Personnel and Critical Technologies" (March 20, 2019); NASA – The Department of Defense and Full-Year Appropriation Act, Public Law 112-10, Section 1340(a); The Consolidated and Further Continuing Appropriation Act of 2012, Public Law 112-55, Section 539

Note: If you answer "yes" to this question, you may also need to respond to the questions relating to Remuneration and Conflict of Commitment.

Start-Up Entity/Business Involvement

- Involvement with a start-up company may include: founder, officer, holding a financial interest, consulting/advising, or employment.
- Report at any stage of start-up development, including pre-entity formation. Disclosure and review of start-up company involvement prior to any research and/or grant award may help address any potential conflicts without delaying future projects.

Note: If you answer "yes" to this question, you may also need to respond to the questions relating to Remuneration, Equity Interests/Investments, Intellectual Property, or Conflict of Commitment.

Conflict of Commitment

(Reminder: Requests to engage in external commitments must be approved in advance in accordance with [Mines policy](#). As part of the disclosure review process we will confirm that the appropriate approval is in place.)

- External commitment(s) may be related or unrelated to your Institutional Responsibilities
- External commitment(s) may be compensated (includes in-kind exchanges and receipt of gifts) or uncompensated.
 - In-kind compensation includes goods or services offered free or at a discount, including, but not limited to, equipment, software, computers, facilities, travel and entertainment, etc.
- If you receive an in-kind exchange or gift, disclose the monetary value. Calculating the value of in-kind contributions:
 - Remember, it's not how much it's worth to you, but rather about fair market value.
 - Consider how much you would expect to pay for the good or service.
- Common disclosure examples include board membership for a non-profit or for-profit company; consulting or advising; employment arrangements with an external company; start-up company involvement (i.e., founder, officer, financial interest, employee, or consultant); ongoing involvement with a foreign entity; other ongoing repetitive time commitments.
- DO NOT include one time or sporadic volunteer events.

Note: If you answered "yes" for yourself in the Remuneration, Travel, External Board Service, Foreign Association or Start-Up questions, you may need answer this question.

Conflict of Interest Disclosure Definitions

Conflict of Commitment means a situation in which an employee's external relationships or activities have the possibility (either in actuality or appearance) of interfering with or impeding the employee's ability to satisfy their primary institutional obligations and commitments to Mines, or otherwise competing with Mines educational, research or service missions.

Equity means an interest or stake in an entity including, but not limited to: stock, stock options, warrants, or any security representing ownership/stake in an entity.

External Employment and Services means employment or services undertaken by an employee for compensation from an individual or entity outside Mines including but not limited to arrangements whereby the employee provides goods or services to external businesses or individuals, paid board appointments, paid speaking engagements, etc.

Foreign Entity includes country, regional, or local level foreign governments, foreign corporations (private, public and non-profit), foreign universities and foreign research institutes/centers.

Immediate Family means any family member with whom you have a close relationship that could influence your judgment. Immediate Family includes, but is not limited to, spouse, domestic or civil union partner, parents, siblings and children.

Institutional Responsibilities means the employee's professional responsibilities on behalf of Mines, and typically refers to the performance of duties related to research, scholarship, education and service. Examples may include activities such as handling financial transactions, research, research consultation, teaching, work on scholarly publications, and service on Mines committees.

Mines Resources means any resource acquired by Mines, or by the State of Colorado for the benefit of Mines, whether such resource was acquired by lease, purchase, donation, gift or in conjunction with a sponsored research project. Mines Resources may include, but are not limited to, personal property, office/lab space, computers, equipment, funding, grants, time, personnel and similar.

Non-Remunerative External Commitment means continual volunteer service, and external professional service or development activities such as participation in professional societies or organizations, participation in review boards or accreditation efforts for other institutions, etc.

Professional Consulting means the provision of professional advice or services to external constituents with or without remuneration.