

# STAR Program

- STAR Certificate consists of 11 courses. To obtain a certificate, you must complete all 11 courses within two (2) years.
- During this pandemic, the two-year period has been extended. Please reach out to [training@research.ucsb.edu](mailto:training@research.ucsb.edu) for any exceptions
- For any STAR Program questions contact Hilda Vasquez and/or Clarissa Cabrera at [training@research.ucsb.edu](mailto:training@research.ucsb.edu)
- Zoom Classes will not be recorded for this 2023 series.
- Reminder to complete the STAR Evaluation. Emailed to registered participants via email used in UCLC.

# Research Integrity

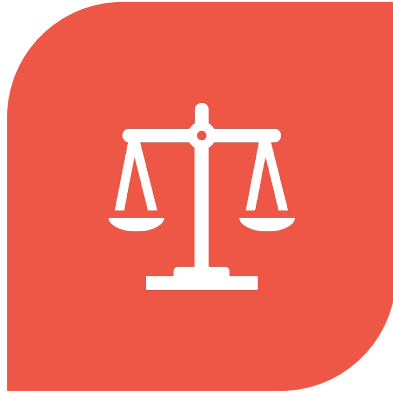
Barry Rowan – Director, Research Integrity

Monica Woltmon – Export Control Officer

Nicole Foley – COI Specialist

# Webinar logistics

Questions: There will be time at the end of our presentation for questions. Please use the Chat function to submit questions during the webinar. We will answer as many questions as time allows at the end of the session. Do not use the "Raise Hand" feature.



**RESEARCH INTEGRITY &  
RESEARCH SECURITY**  
BARRY ROWAN



**EXPORT CONTROL**  
MONICA WOLTMON



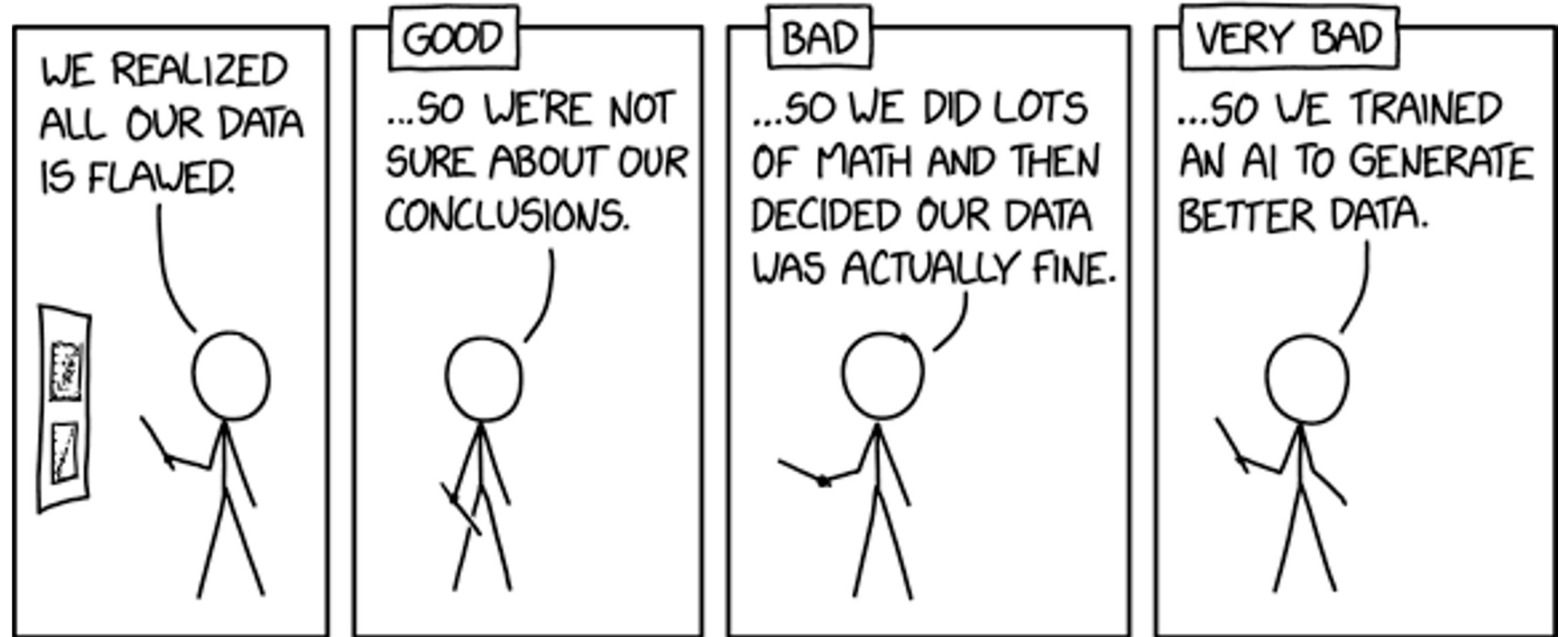
**CONFLICTS OF INTEREST**  
NICOLE FOLEY

# Today's topics

# Research Integrity & Misconduct

Barry Rowan – Director, Office of Research Integrity

# Research Integrity



<https://xkcd.com/2494/>

# Why Talk About Research Misconduct?

Increased temptations and pressures in scientific research

Misconduct is underreported

Erodes public trust in science

Reproducibility crisis

Misuse of limited research funding

Impacts funding and employment opportunities of others

# What is Research Misconduct?

## Fabrication

- Making up data or results without conducting experiments

## Falsification

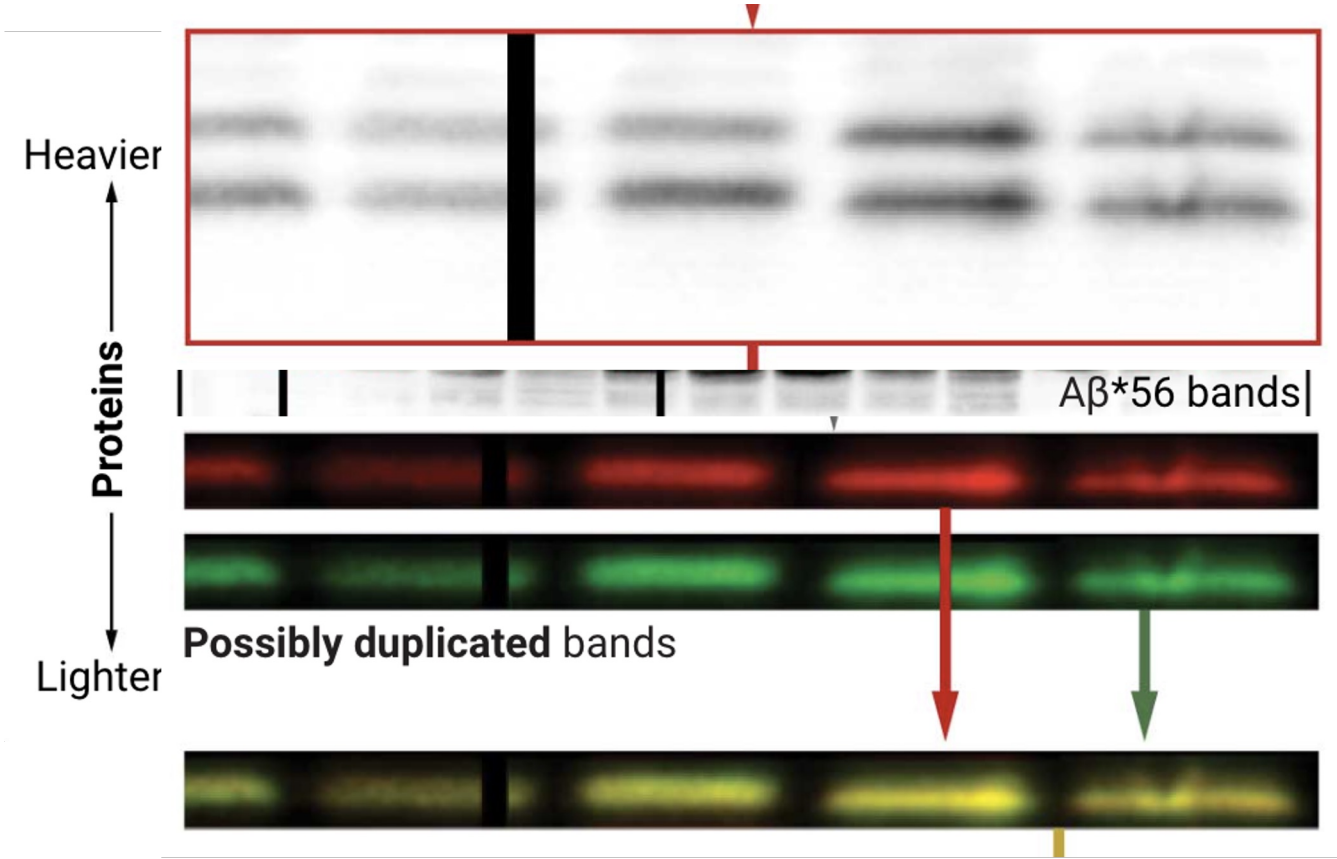
- Manipulating research methods, equipment or data to bias findings

## Plagiarism

- The appropriation of another person's ideas, processes, results, or words without acknowledgement, and passing them off as one's own



# Falsification Example



doi: 10.1126/science.adeo209

## Process at UCSB

Initial Allegation to Department Chair or Vice Chancellor for Research

Assess allegation – credible and specific

Sequester potential evidence

Inquiry to determine if investigation is warranted

Investigation and final determination

# Responsible & Ethical Conduct of Research Training

## NSF

- All research funding
- Students, postdocs, faculty and other senior personnel
- Must include mentorship and mentor training
- Training plan covers all NSF awards

## NIH

- Training grants
- Trainees
- NIH lists topics that should be covered
- Must be in person
- Faculty led
- Training program specific to the proposal

# Research Security

Barry Rowan – Director, Office of Research Integrity



ONGOING FEDERAL  
CONCERN



DISCLOSURE  
OBLIGATIONS



CONSEQUENCES

# Key Points

## Overview

### International collaboration and foreign contributions are critically important to UCSB

- U.S. government has shared concerns about unreported foreign engagements since 2018
- New policies and requirements have been enacted to address these concerns
- The government has penalized institutions for noncompliance

**Outcome:** High scrutiny of materials submitted to funding agencies

# Key areas of federal concern

## Reporting research support and foreign affiliations

- **Double-dipping:** receiving federal funding for research that is also funded at a foreign institution
- **Malign foreign talent recruitment programs:** contractual requirements that violate policies/laws such as hiding affiliation from home institution

## Securing intellectual property

- Reduce the risk of intellectual property diversion
- Preserve appropriate international collaborations
- Limitations on activities that have military applications

## Protecting the integrity of peer review

- Unauthorized sharing of confidential or pre-publication research data

# What should researchers do?



Understand that it is better to err on the side of reporting than not



Follow existing COI and Outside Activity reporting requirements



Review funding agency expectations and UCSB guidance



Ensure Biosketch lists all foreign appointments



Fully report Other Support in proposals and progress reports



Work with SPO if a sponsor requests more information



# Sponsor guidance

## NIH

- [Disclosure table](#)
- [Other Support FAQ](#)
- [Decision matrix for assessing foreign interference](#)

## NSF

- [Disclosure table](#)
- [Current and Pending FAQ](#)

## DOD

- [Memo on disclosing other support](#)
- [Policy on risk-based security reviews](#)

# Malign Foreign Talent Recruitment Programs

CHIPS Act includes prohibition on receiving Federal funding if participating in such a program.

## Special concern with these programs

- Many countries have legitimate recruit programs
- Talent programs allow full U.S. employment while working at a foreign institution
- Contract terms often differ from the participant's understanding
- Terms conflict with UC policies
- Termination of agreement may require foreign government approval

## Characteristics may include requirements to:

- Attribute awards, patent, and publications to the foreign institution, even if U.S. funded
- Include time obligations that create conflict of commitment
- Give preferential treatment to members of the foreign institution
- Replicate or transfer U.S.-funded work to the foreign institution
- Unauthorized transfer of IP

# National Security Presidential Memorandum-33



Requires all federal research funding agencies to strengthen and standardize disclosure requirements for federally funded awards. This includes Disclosure Requirements and Requirements for Research Security Program & Training.



Required Research Security elements:

- Cyber Security standards
- Research Security training
- Export Control training
- Foreign travel reporting and training

# Export Control

Monica Woltmon – Export Control Officer

## Export Controls

United States federal regulations that regulate the distribution of items, information, software and services to foreign nationals and foreign countries.

# U.S. Export Control Regulations

## ITAR (International Traffic in Arms Regulations)

- Department of State
- Military technologies; e.g. firearms, missiles, tanks and military vehicles but also includes spacecraft & satellite technology

## EAR (Export Administration Regulations)

- Department of Commerce
- Broader dual-use technologies; e.g. computers, marine technologies, sensors and lasers; and controls are very technology-specific

## OFAC (Office of Foreign Assets Control)

- Department of the Treasury
- Sanction programs are country specific and controls may cover any and all technologies and activities

# Emerging & Foundational Technology Controls

Section 1758 technologies

## UCSB Emerging & Foundational Technology Research Activities/Programs

- Advanced Computing
- Advanced Engineering Materials
- Advanced Gas Turbine Engine Technologies
- Advanced Manufacturing
- Advanced and Networked Sensing and Signature Management
- Advanced Nuclear Energy Technologies
- Artificial Intelligence
- Autonomous Systems and Robotics
- Biotechnologies
- Communication and Networking Technologies
- Directed Energy
- Financial Technologies
- Human-Machine Interfaces
- Hypersonics
- Networked Sensors and Sensing
- Quantum Information Technologies
- Renewable Energy Generation and Storage
- Semiconductors and Microelectronics
- Space Technologies and Systems

# Campus Partners





# Impacted Activities

- International shipping
- Procurement
  - Purchasing controlled items (commodities, software, and technology)
  - Sending commodities back to international suppliers for repair
- Hosting foreign visitors (students and scholars)
- Agreements with industry partners (e.g. MTAs and NDAs)
- Contracts and grants
- Surplus sales
- Foreign travel
  - Iran, Cuba, North Korea, Syria, Crimean Region of the Ukraine

# How Does UCSB Comply?

Restricted party screening practices

Review international shipments

Work with industry and government contacts to understand export control compliance obligations

Ensure an open research environment

- Freedom to publish research results
- No restrictions on research personnel

# ORBiT Datasheet

## Assurance #11 (A, B, C)

Does the proposed research involve any of the following: foreign sponsor, foreign collaboration, foreign sub-recipient(s), or international shipments of any commodities or technology (e.g. materials, software, etc.). Additionally, does the proposal involve travel to Cuba, Iran, Syria, Sudan, North Korea, Ukraine (Crimean Region) or research at any listed country by UCSB personnel? Please contact Research Integrity staff at [exportcontrol@research.ucsb.edu](mailto:exportcontrol@research.ucsb.edu) for any questions regarding this assurance.

- **11A.** Covers high risk countries under comprehensive sanctions (Cuba, Iran Syria, Sudan, North Korea, Ukrain (Crimean Region)
- **11B.** Covers shipments and transfers to foreign countries
- **11C.** Covers foreign sponsors, foreign collaborators, foreign subcontracts, and financial support to a foreign entity

## Examples

Purchase of an ITAR-controlled infra-red camera for a fundamental research project on campus

Research samples being sent to a foreign collaborator for specialized testing

Faculty member traveling to Iran for a conference

Remote work and learning requests



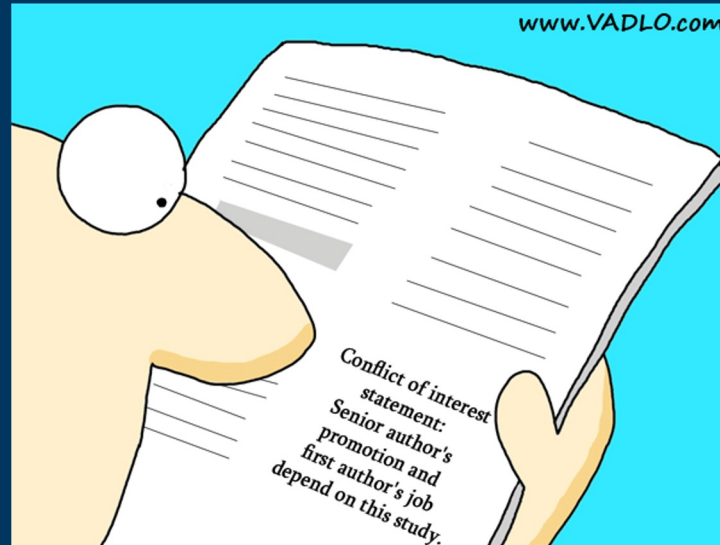
If you have **ANY** questions, please contact us at:



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# Conflicts of Interest in Research

Nicole Foley– COI Analyst



# Conflict of Interest (COI)

Definitions & Principles of COI

UCSB COI related policies

National Science Foundation

Public Health Service

Department of Energy

California state requirements for private funders

Conflict of Interest Committee review

Examples of COI

ORCOI

# Conflict of Interest - definitions

## Conflict of Interest

- ❖ Occurs when an individual's decisions, actions, plans or priorities could be affected by external influences or pressures.

## Business/ Procurement

- ❖ Occurs when an employee or officer may influence UC business decisions for the personal gain of the employee or his/her family or friends.

## Research conflict

- ❖ Occurs when a researcher's external interests have the potential to influence the research project, or the interpretation of research results.



# Why Conflicts of Interest Matter?

## Conflicts can be perceived or real

- ❑ It's important to identify all conflicts in research to avoid circumstances such as:
  - ❖ personal gain
  - ❖ compromise in design, conduct, or reporting
  - ❖ distorted or inaccurate data
  - ❖ withholding results
- ❑ It's important to maintain the integrity of both UCSB and the researcher

# Policies related to Conflict of Interest

- ❑ **Principles of Academic Freedom (APM-010)**
  - ❖ As a public university, UCSB has a responsibility to disseminate knowledge for public benefit. UCSB must retain the freedom to publish research results, assure that the teaching and research environment remains open and retain unfettered freedom to pursue research.
- ❑ **Outside Professional Activities (APM-025)**
  - ❖ Outside professional activities are limited to 39 days per academic year, which includes weekend days, but excludes summer months.
- ❑ **Conflict of Interest in Graduate Education (APM-028)**
  - ❖ Faculty cannot use university resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

# National Science Foundation and NASA

## Policy

- ❖ The NSF and NASA COI Policies are substantially similar so projects funded by either agency are covered by UCSB's NSF COI disclosure
- ❖ Investigators must disclose ***project-related*** outside financial interests at time of proposal, on an annual basis or within 30 days of acquiring a new outside financial interest that is above the threshold of \$10k in the trailing 12 months.

## How?

- ❖ Datasheet assurance NSF "yes" populates COI queue
- ❖ Lead PI indicates to liaison all the Key Personnel responsible for Design, Purpose, Conduct & Reporting in project
- ❖ Liaison enters Key Personnel and checks complete
- ❖ All investigators on the project receive an email from ORCOI with a link to complete an NSF disclosure.
- ❖ Subrecipients who do not have their own COI policy must also complete an NSF disclosure in ORCOI

# Public Health Service

## Policy

- ❖ Investigators must disclose all outside financial interests related to their *institutional responsibilities* at time of proposal, on an annual basis or within 30 days of acquiring a new outside financial interest that is above the threshold of \$5k in the trailing 12 months. They also must disclose all reimbursed travel related to their institutional responsibilities that when aggregated is more than \$5k in the trailing 12 months.

## How?

- ❖ Datasheet assurance PHS “yes” populates COI queue
- ❖ Lead PI indicates to liaison all the Key Personnel responsible for Design, Purpose, Conduct & Reporting in project
- ❖ Liaison enters Key Personnel and checks complete
- ❖ All investigators on the project receive an email from ORCOI with a link to complete a PHS disclosure. PI and all KP must also complete COI training in UCSB Learning Center
- ❖ Subrecipients who do not have their own COI policy must also submit a PHS disclosure and complete training

# Department of Energy

## Policy

- ❖ Investigators must disclose all outside financial interests related to their *institutional responsibilities* at time of proposal, on an annual basis or within 30 days of acquiring a new outside financial interest. They also must report all reimbursed travel regardless of amount as it relates to their institutional responsibilities.

## How?

- ❖ Lead PI indicates to liaison all the Key Personnel responsible for Design, Purpose, Conduct & Reporting in project
- ❖ Liaison enters Key Personnel and checks complete
- ❖ All investigators on the project receive an email from ORCOI with a link to complete a DOE disclosure. (No datasheet entry needed). PI and all KP complete COI training in UCSB Learning Center

# California State Requirements for Private Funders

## Policy

- ❖ UCSB PI's must submit 700-U disclosures at the time of award for all private contracts, grants or gifts.

## How?

- ❖ Datasheet assurance 700-U "yes" populates COI queue
- ❖ PI receives an email from ORCOI with a link to complete the 700U.

## Conflict of Interest Committee Review

- ❑ Meets monthly to review “positive” disclosures
- ❑ Sends recommendations to the VCR suggesting:
  - ❖ Best Practices Memo
  - ❖ management conditions
  - ❖ needs further review
  - ❖ denial

# Examples of COI in research

## Consulting

### Outside consulting

- ❖ Concerns: bias in research
- ❖ Mitigation: transparency & disclosure

## Equity

### Holding equity in a company that is sponsoring research or has interest in outcome of research

- ❖ Concerns: bias in research, intellectual property rights
- ❖ Mitigation: non-conflicted co-PI or advisor, transparency & disclosure

## Startup

### Founding a company & subcontracting to UCSB

- ❖ Concerns: use of resources, bias in research, graduate student protection, intellectual property rights
- ❖ Mitigation: non-conflicted co-PI or potential removal from project



# Office of Research Conflict of Interest Disclosure System (ORCOI)

- ❖ ORCOI will automatically send emails to investigators when a disclosure is due and will continue to send notices until the disclosure is completed.
- ❖ Once the disclosure is completed, ORCOI will either auto approve or send to the COI team for review.
- ❖ The COI office, in conjunction with IT, continue to improve ORCOI's capabilities and efficiency.



If you have **ANY** questions, please contact us at:



[coi@research.ucsb.edu](mailto:coi@research.ucsb.edu)

# Questions

