



Online Ethics Center
FOR ENGINEERING AND SCIENCE

Conflict of Interest (RCR Role Plays)

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Description

One of nine role play scenarios developed by Michael Loui and C. K. Gunsalus. This page, on conflicts of interest, includes the summary, resources, and handouts to be given to various participants. *The full role play instructions with discussion guidelines are included in pdf format.*

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Role-Play Summary

This faculty adviser in this role-play has a major conflict of interest, which puts the student in an awkward situation. If the conflict oversight committee hasn't contacted the student already (an unfortunately common situation), they should

have. In an ideal situation, every student affected by a potential conflict of interest should have some written guidance about what to expect and how to get advice if concerns arise.

One useful step is to find out if there are any written policies or guidelines about what students can expect in situations like this: for example, is there a meeting annually or every six months with the oversight committee or is a student simply informed about the option to contact the committee? Does the committee monitor students' progress? The University's interest here should be in assuring that the split interests of the faculty member do not adversely affect the progress of students.

One reason for the student to talk with the grad studies director first is that, if the student first meets with the adviser, the meeting might not go well (for example, the adviser gets annoyed at being questioned). This role-play can help the participants learn how to explore their options without making enemies. What would be appropriate to mention and what would not? What questions could the student ask that would be helpful and constructive?

A conflict of interest can arise whenever a person is in a position to influence university decisions in a way that provides or might provide personal financial benefit to the individual or members of his or her family. Conflicts of commitment, on the other hand, generally concern allocations of time and can arise whenever a person's external commitments (whether or not compensated) interfere with the ability of the person to fulfill his or her employment obligations fully. Dilemmas like these often arise in situations where startup companies are formed to commercialize the results of more basic university research projects. The student is afraid that much of the work for the company will not advance his/her research, but feels compelled to do the work since next semester's assistantship money will be split between the company and the adviser's research lab. The student does not feel comfortable raising these concerns to the adviser.

Universities, and departments, are obligated to protect graduate students, post-docs and other employees in these situations. In an ideal circumstance, the University will have 1) reviewed all proposed arrangements according to prevailing national standards for propriety; 2) determined the arrangements to be in the best interests of the University and all University participants, including the students; and 3) established an ongoing review mechanism to oversee the arrangements and

assure that their operation matches the written agreements made at the outset. At minimum, there should be a written and legally binding contract between the University and the company/faculty member setting out the acceptable boundaries of all activities. There are also often contracts in place to govern intellectual property rights and licensing.

Graduate students in such situations should know their roles and rights. Ideally, there should be a conflict oversight committee and a member of that committee should meet individually at least annually with each student in the lab at who is affected by this situation to maintain open lines of communication.

Resources on Conflicts of Interest

American Chemical Society <http://pubs.acs.org/instruct/ethic.html>

Davis, M., & Stark A. (2001). *Conflict of Interest in the Professions*. New York: Oxford University Press.

Gunsalus, C. K., & Rowan, Judith (1989). *Conflict of Interest in the University Setting: I know It When I See It*, Research Management Review.

Gunsalus, C.K. & Rowan, Judith (1989). *You and the Big U: Protecting your interests and your name; conflict of interest considerations in spin-off licensing*. Presented at conference at Virginia Tech University.

University of Illinois Policy on Conflict of Commitment and Interest.
<http://www.research.uiuc.edu/coi/procedures.asp>

Director of Graduate Studies Role

What follows is an outline of your role. You will need to improvise to some extent – be creative but try to stay within the bounds of what seems realistic.

You are a faculty member who has been serving as your department's director of graduate studies for about a year. You have a meeting coming up with a student in the lab of a highprofile colleague. The meeting is a routine progress check. The student is almost finished with the program and will be looking for jobs soon. You have only had one other meeting and you don't know this student very well, so you

have not established a strong relationship yet.

The student's adviser has recently started a new company to commercialize the technology created in the lab. There has been a lot of publicity on campus about this new company. The University encourages commercialization because it helps connect the University to the business community. Startup companies like this one also help demonstrate how faculty members' inventions are fueling economic development in the state. The University often reduces professors' teaching loads and service activities while they establish these types of companies. The job of a professor can be complicated enough without running a business at the same time.

Despite these positive aspects of such startups, many of your colleagues have expressed concern to you about impediments to the graduate students' progress when faculty members have split interests. Some graduate students have recently been taking more time to finish their degrees than has been typical in the past. Also, more students are leaving the university before finishing their degrees. You know that there is a conflict oversight committee responsible for making sure that these businesses are managed correctly, but this committee focuses on issues from the professor's perspective.

The student's funding next semester will be split between a university research assistantship and duties at the adviser's startup company. Because you are concerned about split appointments from the graduate students' perspective, you want to ask questions about how the company's work is affecting this student's progress. You don't want to sound like you're checking up on your colleague or prying. You just want to make sure that the student will finish on time.

Director Role-Playing Notes

- The student does not know you that well yet
- You believe that the student is making good progress
- You want to discuss possible conflicts for graduate students when their professors also have companies
- You are concerned with graduate student progress and development
- The university really supports professors' startup companies

Plan for your meeting

- Write questions that you will ask the student
- Follow-up questions that you might ask
- Questions that the student might ask you, and your answers

Graduate Student Role

What follows is an outline of your role. You will need to improvise to some extent – be creative but try to stay within the bounds of what seems realistic.

You are an advanced graduate student going into the last year of your thesis research. Your relationship with your research adviser is more complicated than usual. You are connected through your work and school, and your adviser's family owns the building where you live. You didn't realize who owned the building when you moved in. Everything was fine until you started having problems with the maintenance company. They never fixed the dishwasher and suggested that you did not need it. You are not happy with this, but you don't want to talk about it because you have heard your adviser complain about "whiny" tenants.

Your research adviser has also told you that your appointment for next semester will be split between your university research assistantship and duties at your adviser's startup company. In your department, the faculty members generate the money and assign students to funding, so you are not sure if this is something you could negotiate with your adviser. You are not the only student who has been told to expect a split appointment. You also know that your adviser's administrative assistant is going to be working for the company on evenings and weekends for extra money.

The technology marketed by the company is related to your thesis research. You are uncomfortable because you are uncertain of the boundary between research and business. You really want to get your degree on time, start earning a real salary, and pay off your student loans. You are concerned that your duties at the company will be routine, boring, time consuming and will keep you from making progress on your thesis project. The startup company operates out of your adviser's office and research laboratory. The company has a federal Small Business Innovation in Research (SBIR) grant that involves subcontracting a portion of the work back to the university lab. You attended an ethics presentation that mentioned

the University's conflict of interest rules, and you wonder if these rules may apply to your adviser's startup company. Your adviser doesn't like being questioned and expects directions to be followed. For example, when the company was just starting, you asked about how to charge company expenses from the department's storeroom. You were told to sign for the supplies on your research account, like you've always done. You don't know anything about the specific business arrangements, but you wonder if this procedure is correct.

You have an appointment with the department's director of graduate studies for a routine check on your academic progress. You want to talk about your concerns with your work at the company, but you don't want to cause trouble.

Graduate Student Role-Playing Notes

- You want to know how to keep your research on track so you can graduate on time
- You don't want to sound like a whiner or complainer
- You want to maintain good relations with your adviser
- You are worried about the proper use of university resources within the company

Plan for your meeting

- Write questions that you will ask the program director
- Follow-up questions that you might ask
- Questions that your director might ask you, and your answers

Starting the Role-Play

Director: Hi ...how are you doing today?

Grad Student: I'm doing all right ... just a little stressed with all that is going on ... but I guess that is typical for grad school.

Director: Yes, I see a lot of stressed-out students ... Let's see if we can plan some things out...I've always found that having a good plan helps reduce stress ...

Grad Student: That sounds good ... what do you want to start with?

Director: Well, how about with your research ... it looks like you are on schedule with all your required work ...How is your thesis research progressing?

Grad Student: It's going well enough ... I think that I should be able to get it done ... as long as I have enough time during the next year to work on it ... given my other responsibilities ...

Director: That's always an issue when you are finishing up ... I see that your funding is going to be split between research in your lab and work in your adviser's company ...

Grad Student: That's what I was told ... everyone seems so excited about this new company and the chance to make extra money ...

Director: I know that the administration is working to promote these kinds of companies ... Are you excited about the company too?

Observer Role

- Read both roles.
- Watch the interview and take notes.
- If the conversation appears to be stopping early, encourage discussion on topics that still haven't been addressed.

What is the student trying to convey?

What is the graduate studies director trying to achieve in this meeting?

Did the student "read" the signals from the director well? What cues did you see?

Did the professor "hear" the student well? What signals of this were there?

What questions do you think could/should have been asked that were not? What do you think could have been said that was not?

Contributor(s)

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Rights

Use of Materials on the OEC

Resource Type

Case Study / Scenario

Parent Collection

Role-Play Scenarios for Teaching Responsible Conduct of Research

Topics

Conflict of Interest

Mentors and Trainees

Research and Practice

Discipline(s)

Engineering

Research Ethics

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