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NORTH PACIFIC RESEARCH BOARD

"Building a clear understanding of the North Pacific, Bering Sea, and Arctic Ocean ecosystems that enables effective management and sustainable use of marine resources."

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CONFLICT OF INTEREST POLICY of the North Pacific Research Board

Approved May 6, 2016

The North Pacific Research Board (NPRB) funds research that makes major contributions to the understanding of marine ecosystems and fisheries in Alaska's waters. It is the board's duty to maintain the public trust in its process of proposal review and selection.

NPRB's enabling legislation establishes board membership representing federal, state, fishery, academic, environmental, Alaska Native, and oil and gas perspectives. Similarly, panel members, staff, and technical peer reviewers are selected for the insights they offer based on their experience and expertise. Therefore, board members, panel members, staff, and peer reviewers must simultaneously provide the representation inherent in their appointment while striving to eliminate circumstances in which their professional judgment or decisions regarding NPRB's mission and goals might be unduly influenced or usurped by a secondary or competing interest.

Purpose of the Policy

The goal of this conflict of interest (COI) policy is to avoid actual and perceived conflicts by increasing transparency and ensuring consistency with national standards for scientific proposal review. All professional and/or personal relationships that would lead a reasonable person to question the neutrality of a decision will be disclosed; involved individuals may be recused if a substantial connection is identified. Detailed descriptions of COIs and their relative requirements for either disclosure or recusal can be found under **Categories of Conflict of Interest**.

A COI may exist when the interests of a board member, panel member, staff member, or peer reviewer may be seen as competing with the interests of NPRB. Individuals may be considered to have a COI whenever they, or a related party, have an existing or potential financial or other material interest that impairs, or might appear to impair, their independence or objectivity in the discharge of NPRB responsibilities. Additionally, personal and business relationships unrelated to personal financial gain may also cause dual loyalties, and therefore may raise COI concerns.

The NPRB COI policy stresses confidentiality and requires education of participants, disclosure, and recording of all conflicts. Recusals shall be to the strictest level practical.

Components of the Policy

1. Educate:

Board members, panel members, and staff will participate in an initial training or educational session regarding COI at the onset of their term/employment. Outside peer reviewers will be provided a copy of the COI policy and will be asked to apply the COI policy to identify any disclosable or recusal-worthy conflicts with any proposals they have been invited to review and comment upon.

2. Agree:

At the beginning of the first regular meeting of every year, board and panel members will receive a short review of the COI policy and sign a statement asserting that s/he has read, understands, and agrees to comply with the NPRB COI policy. Staff will sign the same statement annually. The signed statements will be kept on record in NPRB's office for the duration of the year.

3. Record:

Early in the proposal review and selection process, board and panel members, and staff will be provided a list of principal investigators (PIs), co-PIs, and others with a known significant financial interest associated with each proposal. The list will not include unfunded collaborators. Prior to proposal review meetings, each board, panel or staff member will be responsible for identifying and disclosing to the executive director his/her specific conflicts for each proposal. Staff will maintain written records of these conflicts; the records will be available during discussion of proposals and archived as part of NPRB's internal proposal review record for three years.

At the beginning of each proposal review meeting, a consensus motion will be introduced to accept the disclosures and recusals as reported. During subsequent discussions, should individuals become aware of conflicts that were not previously disclosed, the individual will acknowledge such conflicts immediately so they can become a part of the written record of the meeting.

4. Disclose or Recuse:

Individuals are expected to disclose all professional and personal relationships that would lead a reasonable person to question the neutrality of a decision. Disclosure involves verbal and written declaration of the possible conflicts of interest. The board, in consultation with the panels and staff, has established categories to distinguish between conflicts that trigger recusal and those that must merely be disclosed (see **Categories of Conflict of Interest**). Conflicts that do not trigger recusal are still noted in written records maintained by NPRB staff; those individuals who are not recused may participate in proposal discussion, review and voting.

Depending on the extent of the relationship, the individual may or may not be recused and recusal might take one of two forms. The closer the relationship between individuals reviewing the proposals (i.e., board, panel and staff members and peer reviewers) and individuals associated with a proposal (i.e., principal and co-principal investigators, and others with financial interests in a proposal), the more likely that recusal will be required. Moreover, while recusal always involves prohibition from voting on a proposal, in more strict cases recusal will also involve leaving the room while the proposal is being discussed.

For the closest relationships, such as direct involvement in a proposal or personal relationship with those involved in a proposal, recusal is generally required. And in these instances, recusal takes the strictest form: leave the room, no discussion, no questions, no voting.

For more distant relationships, such as an institutional (organizational) relationship with an individual involved in a proposal, recused board or panel members may stay in the room during discussion and may provide specific information if requested. However, the recused individual must refrain from participating in the discussion except when asked a direct question. The individual will also be prohibited from voting (except on motions involving whole categories of proposals). Additionally, the recused individual shall not discuss with any person the content or rating of that proposal during the review process (including outside the meeting room) or afterward.

For even more distant relationships, such as broad organizational affiliations or collaborations on other projects, potential conflicts will generally only require disclosure and may not be subject to recusal.

Peer reviewers and staff must also disclose all potential conflicts. For recusal-worthy conflicts, peer reviewers shall not proceed with the particular proposal review. Staff members, who do not vote on proposals anyway, may remain in the room during discussion in order to fulfill their responsibilities, but for any recusal-worthy conflicts the staff member shall refrain from participating in the discussion except if asked a direct question, shall not discuss with any person the content or rating of that proposal during the review process (including outside the meeting room) and afterward shall not disclose to any person the discussion or rating of the proposal.

A note on institutional relationships: NPRB has an established Memorandum of Understanding on fiscal matters with the Alaska SeaLife Center (ASLC) and the National Oceanic and Atmospheric Administration (NOAA) as well as an office tenancy relationship with ASLC, the Alaska Ocean Observing System (AOOS), and Alaska Sea Grant/University of Alaska Fairbanks. NPRB acknowledges and discloses these ongoing and significant relationships; NPRB staff will administer, and board and panel members will review, recommend and approve proposals from all of these organizations in an unbiased fashion.

In these ways, NPRB believes that the strictest policy practical is being applied while maintaining the ability to perform necessary functions.

5. Uphold Confidentiality:

Proposal content, reviewer identities, peer review content, panel discussions of proposals, and board discussions of proposals are confidential. Proposal details or ideas must not be used by board members, panel members, staff, or peer reviewers for personal gain or made available to others.

The Policy in Practice

NPRB will be cognizant of COI throughout the proposal solicitation, review, and funding processes, including during:

- Development of topics for requests for proposals (RFPs) or research questions for integrated ecosystem research programs (IERPs)
- Selection of funding amounts for research categories
- Management of the proposal review, including discussion of proposals
- Decisions regarding which proposals to fund or other activities to support

Each individual must agree to comply with the policy in order to participate in NPRB RFP development or proposal review. NPRB recognizes that specific relationships may be complex and not always clearly distinguished within this policy.

For situations involving the board, the board chair is responsible for enforcement of the policy. If a conflict precludes the chair from carrying out the enforcement, the responsibility will shift to the vice chair and then to the board's executive committee. Should there be disagreement about whether a conflict exists, the chair may make a decision based upon the guidelines in this policy or, if necessary, call for discussion and a vote to resolve the matter.

The chairs of the panels are responsible for enforcement of the policy during specific situations involving the Science Panel or Advisory Panel. Should there be disagreement about whether a conflict exists, the

appropriate chair may make a decision based upon the guidelines in this policy or, if necessary, call a vote after discussion to resolve the matter.

NPRB's executive director is responsible for enforcement of the policy in situations involving staff or peer reviewers. Should there be disagreement about whether a conflict exists, the executive director may make a decision based upon the guidelines in this policy or, if necessary, consult with the board and panel chairs to resolve the matter.

For personal or private matters, any disagreement about the status of a conflict may be referred to a closed session.

For the purposes of this policy, "significant financial interest" is defined as anything of monetary value over \$10,000, including, but not limited to, salary or payment for services (e.g., consulting fees or honoraria), equity interest, or intellectual property rights.

It is the intent of the board to review this policy every three years.

Categories of Conflict of Interest

- 1. Direct:** A board, panel, or staff member or a peer reviewer has submitted the proposal or is directly involved.

Disclose:

- a) The member or reviewer is a member of an organization that has written a letter of support.

Recuse (leave the room, no discussion, no questions, no voting):

- a) The member or reviewer is a PI, co-PI, or has a significant financial interest in a proposal.
- b) The member or reviewer is an unfunded collaborator or has signed a letter of support.

- 2. Personal:** A board, panel, or staff member or a peer reviewer has a personal relationship with the PI, co-PI, or person with significant financial interest in the proposal.

Disclose:

- a) The member or reviewer has a past association as thesis student, thesis advisor, or member of a graduate student committee.

Recuse (leave the room, no discussion, no questions, no voting):

- a) There is a known family relationship such as spouse, legal partner, significant other, child, sibling, parent, or other person living in the member's or reviewer's household.
- b) There is a business or professional partnership.
- c) There is a current association as thesis student, thesis advisor, or member of a graduate student committee.
- d) If interests of spouses, legal partners, significant others, minor children, or other individuals living in the member's or reviewer's household coincide with those outlined above (any of their conflicts are also the member's or reviewer's conflicts).
- e) There is a substantial positive or negative relationship, such as a close personal friendship or exceptionally adversarial relationship.

- 3. Institutional:** A board, panel, or staff member or a peer reviewer is employed at the same institution, organization or agency as a PI, co-PI, or as a person with significant financial interest in the proposal.

Disclose (institution or agency-wide, unless otherwise noted):

- a) The member or reviewer is an adjunct, visiting professor, consultant, or member of an advisory body at the institution, agency, or organization.
- b) The member or reviewer was previously employed by the organization within past 12 months.
- c) The member or reviewer received an honorarium or award from the organization (within last 12 months, if less than \$10,000).
- d) The member or reviewer holds a current membership on a visiting committee or similar body within the organization.
- e) The member or reviewer is employed by an organization, if another member or contributor to the organization having financial ties (less than \$10,000 investment in last 12 months) is a PI, co-PI, or has significant financial interest in the proposal.

Recuse (may remain in the room, answer questions, but not discuss or vote):

- a) The member or reviewer is on the governing board of an institution or organization.
- b) The member or reviewer owns securities of firms involved in the proposal.
- c) The member or reviewer is employed by or directly associated with the organization on the proposal (for applicable institution or organizational levels **see Appendix 1 for board members, Appendix 2 for panel members, staff members, and peer reviewers**):
 - i. Current employment (including adjunct, visiting professor, consultant, advisor, student, or similar documented or formal relationship if involving significant financial interest)
 - ii. Current consideration for employment or contractual arrangement
 - iii. Formal or informal reemployment arrangement
- d) The member or reviewer is employed by an organization, if another member or contributor to the organization (**see Appendix 1 for board members, Appendix 2 for panel members, staff members, and peer reviewers**) having significant financial ties (greater than \$10,000 investment in last 12 months) is a PI, co-PI, or has significant financial interest in the proposal.

- 4. Collaborative:** A board, panel, or staff member or technical peer reviewer has a collaborative relationship with PI, co-PI, or someone with significant financial interest in the proposal.

Disclose:

- a) The member or reviewer is part of a collaboration on a project, book, article, report, and/or paper within the last 24 months (includes existing collaboration on a proposal, paper, project that has not yet been submitted or published).
- b) The member or reviewer is co-editing a journal, compendium, or conference proceedings within last 24 months.
- c) The member or reviewer has conflicts of interest related to an unnamed, unfunded collaborator. Potential recusal will be decided on a case-by-case basis by the board or panel chair or the executive director as appropriate.

Appendix 1: COI Organizational Units for Board Members

Board members of NPRB will adhere to this list of organizational units for determining if a recusal-worthy institutional conflict of interest exists between the board member and a given organization or its members. For agencies and universities other than those named below, a similar level of organizational unit will be identified as needed on a case-by-case basis.

1. Alaska Department of Fish and Game – all one unit
2. Alaska SeaLife Center – all one unit
3. Oregon State University – all one unit
4. Prince William Sound Science Center – all one unit
5. U.S. Department of Commerce – all one unit
6. U.S. Department of the Interior – all one unit
7. University of Alaska – all one unit
8. University of California – all one unit
9. University of Washington – all one unit

Appendix 2: COI Organizational Units for Science and Advisory Panel Members, Staff Members and Technical Peer Reviewers

Members of the NPRB Science and Advisory Panels, NPRB staff, and peer reviewers will adhere to this list of organizational units for determining if a recusal-worthy institutional conflict of interest exists between the panel member, staff member or peer reviewer and a given organization or its members. For agencies and universities other than those named below, a similar level of organizational unit will be identified as needed on a case-by-case basis.

1. Alaska Department of Fish and Game – units are at the division level
2. Alaska SeaLife Center – all one unit
3. Oregon State University – units are at the school level
4. Prince William Sound Science Center – all one unit
5. U.S. Department of Commerce – units will be at the level as follows:
 - a. NOAA Alaska Fisheries Science Center
 - b. NOAA Northwest Fisheries Science Center
 - c. NOAA Pacific Marine Environmental Laboratory
6. U.S. Department of the Interior – units are at the agency level (e.g., NPS, FWS, USGS)
7. University of Alaska Anchorage – units are at the school level
8. University of Alaska Fairbanks – units are at the school level
9. University of Alaska Southeast – units are at school level
10. University of California (e.g., Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, or Santa Cruz) – units are at the school level
11. University of Washington – units are at the school level