



**Krieger School of Arts and Sciences
Whiting School of Engineering**

**Conflict Review Committee
By-Laws**

January 2016

ARTICLE I. NAME, PURPOSE, AUTHORITY

Section 1. Name

The name of the Committee shall be the Conflict Review Committee (CRC).

Section 2. Purpose and Authority

The Deans of the Homewood Schools (the Dean of the Krieger School of Arts and Sciences and the Dean of the Whiting School of Engineering) manage the Homewood Schools' Conflict Review Committee (CRC), which is dedicated to maintaining the highest standards for research integrity and independent inquiry. The CRC's mission to advise the Deans of the Homewood Schools, or their designees, regarding potential, actual, or perceived Conflicts of Interest (COI) and Conflicts of Commitment (COC) in accordance with the Homewood Schools' and the University's Policies on Conflicts of Interest and Commitment.

A Conflict of Interest generally occurs when the conduct of research, the reporting of research results, academic activities, or other professional norms could be compromised by an Academic Staff member's interests or commitments.

A Conflict of Commitment occurs when the time and attention devoted to external activities negatively affects an Academic Staff member's ability to fulfill her/his University responsibilities. Acceptance of a University appointment entails a commitment to give one's best efforts to this end and to assign appropriate priority to the needs and goals of The Johns Hopkins University.

The University requires that all faculty members disclose any potential Conflicts of Interest and/or Conflicts of Commitment. The CRC, as directed by the appropriate Dean, considers each such disclosure on an individual basis to ensure that the Schools retain their well-earned reputation for academic excellence and integrity. Specifically, the CRC reviews proposed arrangements that have the potential to affect or appear to affect the research, education, and other primary activities of the faculty members, research staff, administrative staff and students of the Homewood Schools.

The objective of each review is to protect the Homewood Schools and the faculty, staff and students in the Homewood Schools from situations involving risks such as the following:

- a) compromise of scientific objectivity in the conduct of research due to financial gain;
- b) compromise of appropriate controls in the conduct of research due to financial gain;
- c) unfair access by an outside entity (for example, a company) to information or technology due to an outside activity;
- d) use of university resources for private financial gain;
- e) exploitation of students or subordinates for private financial gain;
- f) adverse impact by those in leadership roles on the professional or academic advancement of colleagues, staff or students as a result of outside interests.

From time to time, the CRC may make recommendations to the Deans of the Homewood Schools regarding revisions or modifications of the Homewood School's policies.

Activities of the CRC will be governed by the WSE KSAS COC/COI Policy (found at http://engineering.jhu.edu/new/PDF/CoI_CoC_Divisional_Policy.pdf).

ARTICLE II. MEMBERSHIP

Section 1. Members

The CRC shall consist of no fewer than five (5) voting members. Voting members will consist of at least four (4) tenured faculty members from the Whiting School of Engineering (WSE) and at least one (1) tenured faculty member from the Krieger School of Arts and Sciences (KSAS). Non-voting ex-officio members will be appointed by the Vice Dean for Faculty (WSE) in consultation with the Vice Dean for Natural Sciences (KSAS). All members will be appointed for a minimum of a one (1) year term.

Section 2. Term of Membership

The Vice Dean for Faculty (WSE) and Vice Dean for Natural Sciences (KSAS) shall appoint, remove, or replace any member of the Committee at any time. CRC members serve for a renewable three-year term, beginning on July 1 and ending on June 30.

Section 3. The Chair and Vice Chair

The Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS) will jointly appoint the CRC Chair and Vice Chair. Should an agreement be reached on the choice of Chair, the Dean of the Whiting School will appoint the Chair. Both the Chair and Vice Chair will serve for renewable three-year terms, beginning on July 1 and ending on June 30.

Section 5: Vacancies

- a) **Permanent Vacancies:** When a vacancy on the CRC exists as a result of a member's resignation or removal, suggestions for a new member may be received from present CRC members or by the Chair, who will submit the suggestions to the Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS). However, decisions regarding the appointment of a new member will be made by the Deans. The vacancy can be filled before the end of the resigning or departing CRC member's term.
- b) **Temporary Vacancies:** CRC members are permitted to temporarily vacate their CRC position for up to one year before a permanent replacement is appointed by the Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS). When a vacancy on the CRC exists as a result of a member's temporary absence, for example in the case of an extended leave of absence or sabbatical, suggestions for an interim proxy member may be received from present CRC members or by the Chair, who will submit the suggestions to the Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS). Decisions regarding the appointment of a proxy member will be made by the Deans. The vacancy can be filled before the end the departing CRC member's temporary absence.

Section 6: Absences, Resignation, and Termination

CRC members must attend a majority of CRC meetings. Resignation from the CRC before the end of one's term must be made in writing and should be sent to the WSE Vice Dean for Faculty

(for WSE members) or the KSAS Vice Dean for Natural Sciences (for KSAS members) and CRC Chair.

A CRC member may be removed by the Vice Deans for failure to attend a majority of the full CRC meetings in any particular academic year.

Section 7: Ex-Officio Members

There are three standing, non-voting Ex-Officio members of the CRC:

- a) The Vice Dean for Natural Sciences in the KSAS.
- b) The Vice Dean for Faculty in the WSE.
- c) The Senior Policy Associate charged with running the Homewood IRB and the CRC.

In addition, one representative of each of the following administrative offices shall be a non-voting, ex-officio member of the CRC:

- d) The Office of the General Counsel (GC's Office)
- e) Johns Hopkins Technology Ventures (JHTV)

When applicable, non-voting guests with the necessary appropriate expertise, such as those from Johns Hopkins University Research Administration (JHURA), will also be invited to inform selected cases before the CRC.

ARTICLE III. MEETINGS OF MEMBERS

Section 1: Presiding Officer

A Chair or, in his/her absence, a Vice Chair or CRC member, shall preside over each meeting of the CRC.

Section 2: Meeting Frequency

The full CRC shall have regular standing meetings once a month; however, meetings may be canceled as business dictates. CRC meetings are called by the Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS) via the Senior Policy Associate.

Section 3: Special Meetings

Special meetings may be called by the Chair, Vice Chair, or upon the request of at least one-third of the CRC members. Notices of special meetings shall be sent out by the Chair or his/her designee to each CRC member at least one week in advance.

Section 4: Meeting Assemblage

The Committee may meet in person, by telephone conference call, or in any other manner that permits full access to meeting materials and discussion for those able to participate.

Section 5: Quorum

A quorum is required for motions to be made or passed and for any management plans to be approved. At least one-half of the voting CRC members and no fewer than three (3) CRC members form a quorum.

Section 6: Voting

On all votes other than those dealing with amendments to the bylaws (see Article IV below), a simple majority of voting members present, and no fewer than three affirmative votes, is required to pass any motion. Thus, the number of affirmative votes must outnumber the sum of the negative votes and abstentions.

The recommendation of the CRC for management of COI will be presented to the appropriate Dean. The Dean will render a decision, and this decision will be communicated in writing from the Dean, or his/her designee, to the CRC and the involved JHU staff member.

The Vice Dean for Faculty (WSE) and the Vice Dean for Natural Sciences (KSAS) shall make recommendations to the appropriate Dean regarding the management of Conflict of Commitment (COC). The Dean will make the final determination regarding the COC.

Section 7: Recusal from Voting

CRC members are required to recuse themselves from discussion and voting on any case if:

- a) the member's own proposal or relationship with an outside entity is the subject of the case; or
- b) those involved in the case report directly to the member; or
- c) the member has significant professional involvement with those involved in the case (e.g., the member collaborates on a research project under discussion); or
- d) the member has a significant financial interest in a company involved in a case, where a significant financial interest is defined as in the WSE and KSAS Divisional Policy on Conflict of Commitment and Conflict of Interest; or
- e) one or more of those individuals involved in a case is in the member's immediate family; or
- f) it is determined to be appropriate by the Vice Dean for Faculty (WSE), Vice Dean for Natural Sciences (KSAS), or the CRC Chair; or

The presiding officer may ask that the conflicted member remain in the meeting room to provide information or answer questions; however, any conflicted individual, as defined above, must recuse himself/herself until consideration of the case, including discussion, deliberation and voting, is complete.

CRC members are required to disclose the possibility of a conflict or the appearance of a conflict if, for example:

- g) the CRC member belongs to the same department, center, or institute as the individual(s) whose case is under discussion; or
- h) the member has significant professional involvement with any of the individuals involved in the case (e.g., the member collaborates on the research project under discussion).

In the case of potential conflicts (g) and (h), the CRC member should discuss with the CRC whether or not the conflict is such that voting on the case would constitute a conflict of interest. Should unanimous agreement not be reached by the CRC, a vote will be taken in accordance with Section 7.

Section 8: Chair's Discretion on Cases

If, in the opinion of the presiding Chair or Vice Chair, a particular case requires the vote of a majority of voting members, the case will be held over to the next meeting or subjected to a vote by e-mail.

ARTICLE IV. AMENDMENTS

Section 1: Bylaw Amendments

These bylaws may be amended when necessary by a vote of two-thirds of the voting members of the CRC members AND the approval of both the Vice Dean for Faculty in the WSE and the Vice Dean for Natural Sciences in the KSAS. Proposed amendments must be submitted to the Chair and will be sent to the membership with regular CRC announcements.

Revision 01: Effective date: January 14, 2016

APPENDIX A:

Annual Meeting with School of Medicine's Committee on Outside Interests

The date, time, and location of a regular annual meeting retreat will be set by the Committee on Outside Interests' Chair. The purpose of the annual meeting is to review a summary of the past year's activities, review current procedures and develop new procedures as needed, and discuss areas of special interest based on internal and external events and trends in the field of conflict of interest.

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