

Selected Definitions

Business Associate: Any person legally linked with the employee in business contracts, partnerships, firms, enterprises, franchises, trusts, joint ventures, finances, real estate, or in other for-profit legal entities or agreements.

Compensation: Money, financial benefit or things of value. Compensation does not include reimbursement for actual and necessary expenses incurred in the performance of official duties or for actual and necessary expenses reimbursed for services to nonprofit organizations and outside professional associations and related organizations.

Conflict of Commitment: A real or apparent competition of outside activities such that an independent observer might reasonably question whether the employee's professional actions or decisions are or will be adversely affected by competing outside activities and interests to the detriment of the employee's specific and primary duties to the University and its mission.

Conflict of Interest: A real or apparent divergence between a University employee's private interests and his or her professional obligations to the University, such that an independent observer might reasonably question whether the individual's professional actions or decisions are or could be determined by considerations of private gain rather than by potential benefit to the University mission.

Family Member: *Conflict of Interest/Commitment/Nepotism*—the “family” shall have the same meaning as defined by section 2921.42 of Revised Code (grandparents, parents, spouse, children, whether dependent or not, grandchildren, brothers and sisters, or a person related by blood or marriage residing in the same household). This will not apply in financial disclosures.

Family Member: *Financial disclosure in connection with external funding*—for purposes of considering issues of disclosure of financial interest and financial relationships, “family” shall be deemed to mean employee, spouse and dependent children.

Financial Interest: Anything of monetary value, including but not limited to salary or other payments for services (e.g., consulting fees); equity interests (e.g., stock options or other ownership interests); intellectual property rights (e.g., patents, copyrights, trademarks, trade secrets and royalties from such rights); and any other interest which an employee has in a business enterprise outside the University.

Intellectual Property: An all-encompassing term now widely used to designate as a group at least all of the following: patents or patentable inventions, trademarks, copyrights, trade secrets, and the rights of publicity.

Invention: A discovery or development which may be patentable (novel, useful, and non-obvious), and certain types of computer software.

Investigator: A principal investigator, project director, co-investigator, or any other person at the University who is responsible for the design, conduct, or reporting of research or educational activities funded by an external sponsor.

Outside Activities: Outside professional association activities and outside consulting activities.

Outside Consulting Activities: Activities of University employees, other than their employment obligations to the University, performed for compensation above actual and necessary expenses or honoraria. These do not include outside professional association activities. These may or may not involve conflict of interest or conflict of commitment, which may need management.

Outside Professional Association Activities: Uncompensated activities (except for actual and necessary expenses and honoraria) such as, but not limited to, those involving recognized professional associations and societies or scholarly or advisory bodies related to academic work or disciplines; serving on public commissions or boards of philanthropic organizations; presenting guest lectures or scholarly papers at academic or professional conferences; leading or participating in seminars, workshops, or short courses sponsored by academic, government, or nonprofit organizations; serving on review panels or accreditation teams; visiting colleagues or model programs at other universities or public or nonprofit institutions. Such uncompensated activities are not considered outside consulting activities.

Private Gain: Acquiring something of value, profiting, receiving payment, or otherwise receiving some form of personal financial or material increase or compensation for self or family member(s), from The University of Akron.

Provost: The senior vice president and provost.

Quarter: Any three consecutive calendar months.

Scholarly Misconduct: Academic and/or scientific misconduct construed so as to encompass misconduct in the physical sciences, natural sciences, health sciences, social sciences, humanities, professions, fine arts, applied arts, in artistic expression and in all other academic fields within the University. Terms and categories of misconduct will be deemed to have those meanings and interpretations as reflected by their common usage and understanding in an academic and research community. At The University of Akron, each department is the judge of these meanings and interpretations. Scholarly misconduct is intended to include within it but is not limited to the definitions of the American Association of Universities' Broad Categories of Classification of Scientific Misconduct and the federal definitions as published by the National Institutes of Health of the U.S. Public Health Service, U.S. Department of Health and Human Services, and of the National Science Foundation, as amended. Scholarly misconduct includes: (a) plagiarism; (b) falsification of discovery; (c) theft of another's discoveries, scholarly work, or creations; (d) violation of accepted scientific procedures in making discoveries; (e) falsification of data; (f) abuse of confidentiality; (g) practices that seriously deviate from those that are commonly accepted within the scientific or academic community or discipline for proposing, conducting, or reporting research (not including honest error or honest differences in interpretations or judgments of data) or in publication, except that this is not intended to cover research or proposals or publications that may be protected as an exercise in academic freedom; (h) material failure to comply with federal requirements, including protection of researchers, human subjects, and the public, and/or to ensure the welfare and ethical care and use of laboratory animals; (i) failure to meet other material legal requirements governing research or sponsored programs.

Significant Financial Interest: A financial interest beyond the following: (a) an equity interest in an entity that does business with The University of Akron that, when aggregated for the employee and the employee's family members, meets one of the following tests: exceeds ten thousand dollars in value as determined through reference to public prices or other reasonable measures of fair market value, and represents more than a five percent ownership interest in any single entity as defined in paragraph (h)(6) of this rule; (b) salary, royalties, or other payments that, when aggregated for the employee and the employee's family members, exceeds ten thousand dollars in an entity doing business with The University of Akron; (c) a significant financial interest does not include: (i) royalties or royalty-type income/remuneration from the University itself; (ii) income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities; (iii) income from service on advisory committees or review panels for public or nonprofit entities.

Whistleblower: A University employee or student who reports what may be illegal or wrongful activities of the University and/or its employees.