



START-UP NY Campus Plan for Designation of Tax-Free New York Areas Cornell University

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- 2. Tax-Free Area List of Buildings and Land (see Attachment A)**
- 3. Aerial images of the Tax-Free Areas (see Attachment B);
Floor plans of each physical building included in the Tax-Free List of Buildings and Land (see Attachment C).**
- 4. Types of Businesses and Alignment with the Academic Mission of the University:**
As the largest employer in Tompkins County, the largest research university in Upstate and New York's land grant university, Cornell University is committed to the economic vitality of the region and the state. START-UP NY represents a unique opportunity for Cornell to leverage its strengths in innovation and education to help companies start and grow in the region, creating platforms to bring the research of Cornell's faculty and students to practice, and to create job opportunities for our highly educated residents and students to express their talents here in the region and in the state.

Cornell anticipates attracting **three types of companies** to the program:

- New startups will come from research and student initiatives in the region as well as from community members making use of connections to the University's innovation assets. These new startups will enter the system through engagement with the University's incubator programs, where they can find space, mentorship, programs and support, as well as access START-UP NY's tax benefits. Upon "hatching" from the incubators, these startups will be eligible to enter tax-free communities and to continue to be eligible for the benefits under the program. Companies will be connected to real estate opportunities in the region based on their needs, including but not limited to START-UP NY qualifying property at Cornell or at other institutions in the State.

- Companies relocating to New York will be matched with real estate opportunities in Cornell's portfolio, other possibilities in our community, and will be connected with other SUNY institutions depending on their needs and the potential for beneficial academic connections.
- Expansions of existing companies will primarily be based on opportunities generated by these companies' connections to Cornell research and academic expertise. Cornell has active corporate relations programs in its various colleges and units, and Cornell's economic development staff will work closely with these professionals to identify high-potential collaborations and opportunities for expansion on qualifying property.

Cornell University is proud of its strong and varied academic core competencies and research areas. A few that we would highlight for the START-UP NY program include:

Research Areas

Agriculture & Agri-Business

- Animal Health Welfare & Food Security
- Biology & Life Sciences
- Environmental Sciences
- Food & Energy Systems

Energy

- Biofuel
- Green Chemistry
- Power Electronics
- Renewable Energy
- Solar/Photovoltaics

High Tech

- Advanced Materials
- Energy Sustainability
- Fashion & Technology
- Fiber Science
- Information Technology
- Nanotechnology

Human & Veterinary Medicine

- Advanced Nutrition
- Bioengineering

Human & Veterinary Medicine (con't)

- Biology & Life Sciences
- Cancer Genetics & Stem Cell Research
- Cancer Research
- Cardiovascular Disease
- Chemistry & Chemical Biology
- Children's Health
- Developmental Biology
- Diabetes & Metabolic Disorders
- Global Health & Infectious Disease
- Human Neuroscience
- Infectious Diseases
- Neurodegenerative & Neuropsychiatric Diseases
- Reproductive & Regenerative Medicine

Sustainable Technology

- Community & Economic Vitality
- Energy & Sustainability
- Food & Energy Systems
- Sustainable Materials

Industry Sectors

- Advanced Materials
- Agriculture & Food
- Animal Health
- Automotive & Clean Transportation
- Bioengineering
- Chemical Industry
- Communications/Electronics
- Construction/Mining
- Electrical Energy Storage
- Genetics
- Green Technologies
- Imaging/Optics
- Life Sciences
- Manufacturing
- Nanotechnology
- Nutrition
- Recreation & Sports
- Semiconductor Industry
- Textile
- Veterinary & Medical Device

Cornell University's academic core competencies and research areas are best represented through its colleges. Through these academic units business opportunities will be aligned, particularly in units where a significant amount of potentially transferrable research with commercial potential is conducted, including:

- College of Agriculture & Life Sciences, including the New York State Experiment Station in Geneva and Cornell Cooperative Extension
- College of Arts & Sciences
- College of Engineering
- College of Human Ecology, including the Division of Nutritional Sciences
- College of Veterinary Medicine
- The Faculty of Computing and Information Science
- Weill Cornell Medical College
- Cornell Tech

Connections will also be made with programs where faculty and students can contribute to building and growing a vibrant innovation economy in the region, including:

- College of Architecture, Art, and Planning
- Cornell Law School
- Samuel Curtis Johnson Graduate School of Management
- School of Hotel Administration
- School of Industrial and Labor Relations

Business Alignment with Academic Mission

Businesses selected for participation in Cornell's START-UP NY allocation will have strong linkages to the academic mission of Cornell University. Examples of these links include, but will not be limited to:

- Research: companies commercializing research from Cornell or other academic institutions, or companies with commercial interests that can be furthered by partnerships with Cornell researchers.
- Experiential learning: connections between employers and students from Cornell educational programs at the undergraduate and graduate level, where internships, externships, and co-ops provide experiential learning opportunities for Cornell students.
- Use of shared facilities: companies that have use for one of Cornell's many shared research facilities programs, such as the Abby and Howard P. Milstein Chemistry Core Facility, the Animal Health Diagnostic Center, the Institute of Biotechnology and Biotechnology Resource Center, Cornell Institute for Social and Economic Research, or the Food Venture Center in Geneva. In addition to those listed above and many others, the following research centers are federally designated and supported with the sponsoring agency noted: Cornell Center for Materials Research (NSF), Cornell NanoScale Science and Technology Facility (NSF), Cornell High Energy Synchrotron Source (NSF), and the Energy Materials Center at Cornell (DOE).
- Regional economic development: companies that help ensure a diverse and thriving local and regional economy, providing employment opportunities for Cornell students and Cornell staff and faculty spouses and partners. Cornell plans to collaborate with academic and commercial institutions throughout the Southern Tier Region and State of New York as a whole, so as to fully realize the potential of the START-UP NY program. Collaborations with SUNY institutions, in particular Binghamton University, are paramount to economic development in the region.

5. Positive Community and Economic Benefits:

The region has significant innovation assets in the form of both research and development and a highly educated population. These assets are underleveraged in new company formation, commercialization, and technology transfer. Companies attracted to the region to start, grow, and relocate through the START-UP NY program will bridge this gap. These new and growing companies represent a significant opportunity for job creation. Furthermore, these new employers will diversify the area's economy and employment base, making the area more attractive for talented employees who wish to settle in the region. These new jobs will lead to increased spending in the local economy and increases in the tax base.

In addition, START-UP NY companies may offer opportunities for internship and research opportunities to Cornell students interested in business and entrepreneurship or the companies' particular area of research and development. These students will receive practical training that will increase their preparedness for the job market.

Existing Workforce and Industry

Tompkins County is home to one of the most educated populations in the country, with over 49% of the population having obtained at least a bachelor's degree, and 29% having obtained a graduate or professional degree (2007-2011 American Community Survey). Home to Cornell University, Ithaca College, and Tompkins Cortland Community College, the county hosts over 30,000 students and over \$750 million in academic research and development. Education is the largest industry sector in the county, with seven of the top fifteen employers in the education sector, including the top three (source: Tompkins County).

6. Process Used to Select Participating Businesses:

Cornell has appointed two committees to guide its policies and decision-making regarding START-UP NY. The Leadership Committee is made up of senior staff and deans. It is responsible for setting policy, evaluating recommended businesses, and providing strategic leadership and guidance for the implementation of the program. The Faculty Advisory Committee, made up of faculty members appointed by the Faculty Senate and the Leadership Committee, will advise the Leadership Committee on strategies for academic alignment with new businesses and development of the overall plan for START-UP NY.

Business applications will be reviewed by economic development staff. Factors to be considered in evaluation include:

Academic and Research Alignment

- Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?
- Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
- Does the business provide areas for partnership and advancement for faculty and students?
- Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
- Will the business fund scholarships, campus facilities or other academic services or amenities?
- Will the business and/or its employees contribute to instruction or provide student mentoring?
- Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

Economic Benefit

- How many net new jobs will be created?
- Is the business viable in both the short- and long-term?
- Will the business attract private financial investment?
- Does the business plan to make capital investments (e.g., renovation, new construction)?
- Are the new jobs in critical areas of the economy?
- How will the University financially benefit from the terms of the lease?

Community Benefits

- Does the business have the support of one or more municipal or community entities?
- Is the business recruiting employees from the local workforce?
- Does the business invest in underserved, economically distressed regions?
- Will the business rely on suppliers within the local and regional economy?

Qualifying applications will be provided to the Faculty Committee and Leadership Committee for their review and recommendation. The final decision as to which businesses will be sponsored by Cornell in the START-UP NY program will rest with the President of the University, or his/her designee. Interested businesses should begin by contacting Cornell by email at startupny@cornell.edu.

7. Any future amendments to the Plan will be proposed by economic development staff, in consultation with Cornell Real Estate (Infrastructure Properties and Planning), and reviewed by the Leadership Committee for approval.
8. As a university with both private and public contract colleges, Cornell is in a unique position within the START-UP NY program. Cornell has chosen, with the approval of SUNY and Empire State Development Corporation (ESDC), to participate in the START-UP NY program through the public process. In order to include land controlled by private colleges in a public Campus Plan that land or building space will be designated as part of up to 200,000 square feet of additional vacant land or vacant building space within 1 mile of the campus (can be further than 1 mile with ESDC approval) allowed in the START-UP NY Regulations for universities and colleges applying through the public process. Vacant land and vacant building space in the 200,000 square foot allotment will include property controlled by the private colleges and property that is not controlled by Cornell.

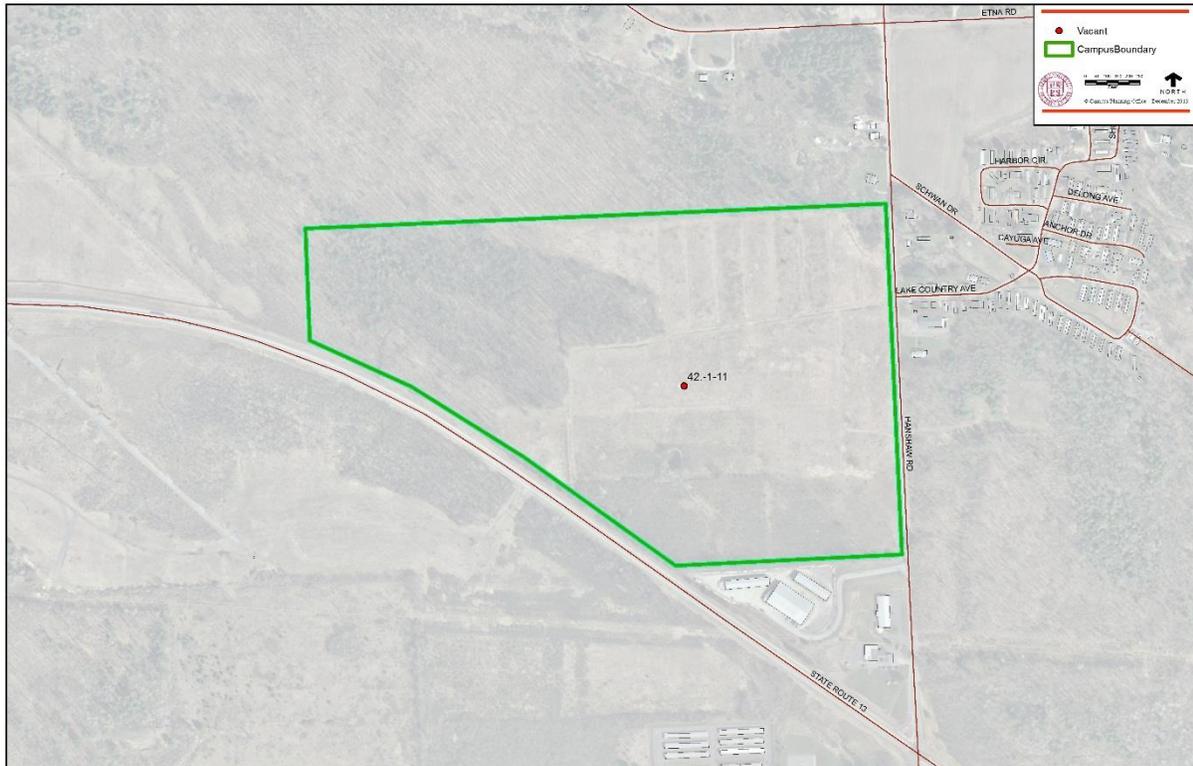
Attachments:

- A.** Tax-Free Area List of Buildings and Land.
- B.** Aerial Images of the Tax-Free Areas.
- C.** Floor plans of each physical building included in the Tax-Free List of Buildings and Land.
- D.** Description of Physical Characteristics of Proposed Tax-Free NY Areas.
- E.** Summary of Additions and Increases to the Tax-Free List of Buildings and Land.
- F.** Conflicts of Interest and Commitment Policy (Policy 4.14 Appendix C: START-UP NY).
- G.** START-UP NY Program Participation Policy.

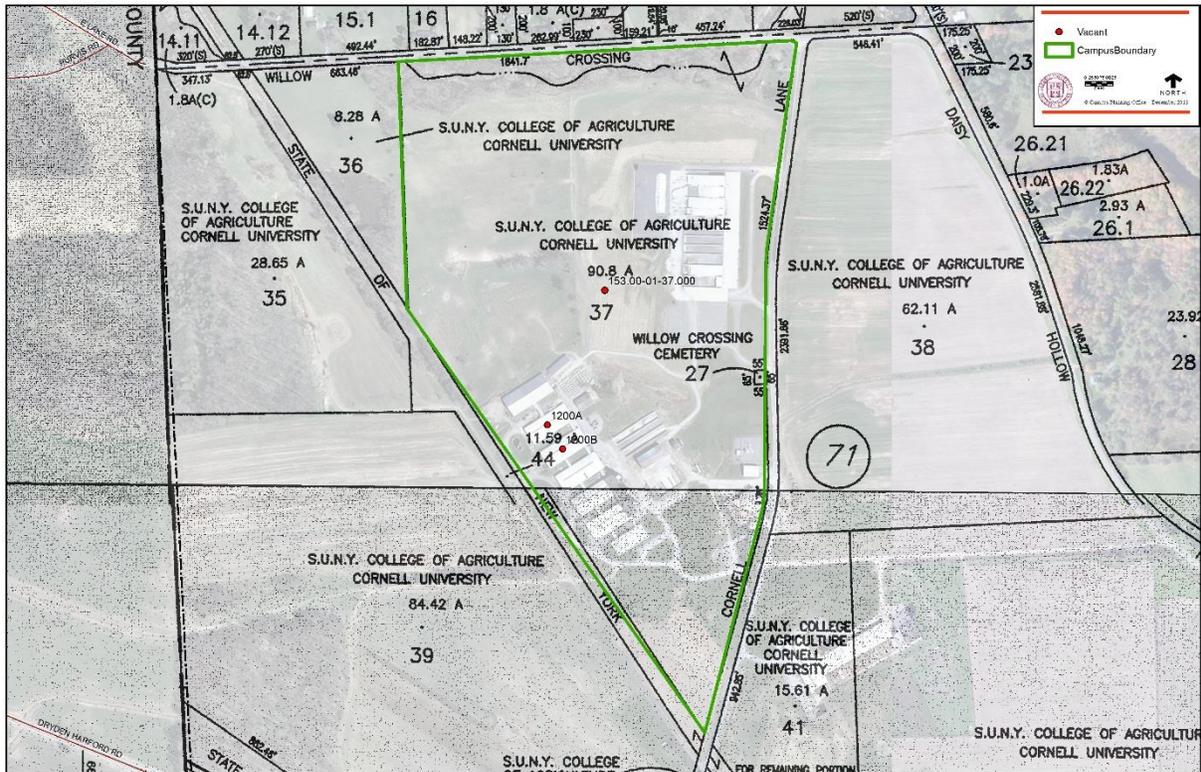
Attachment B:

Aerial images of the Tax-Free Areas

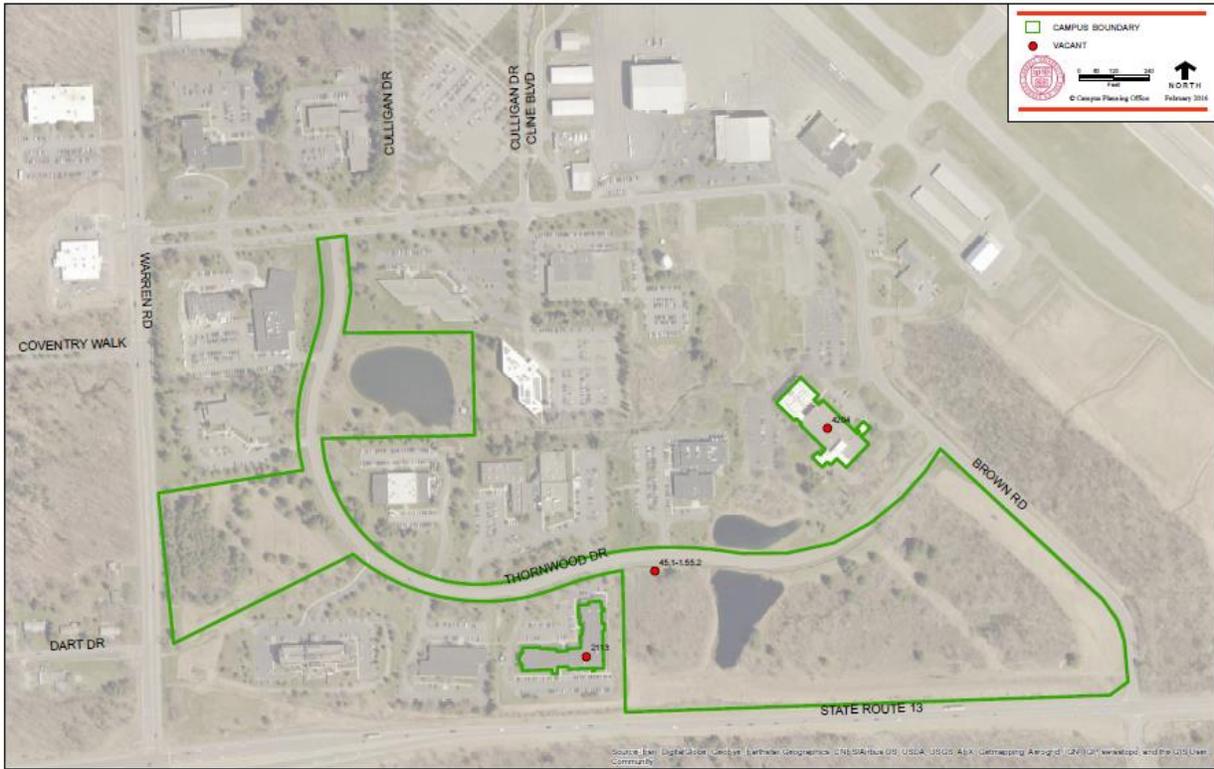
1. Hanshaw Road, Dryden, NY: Land



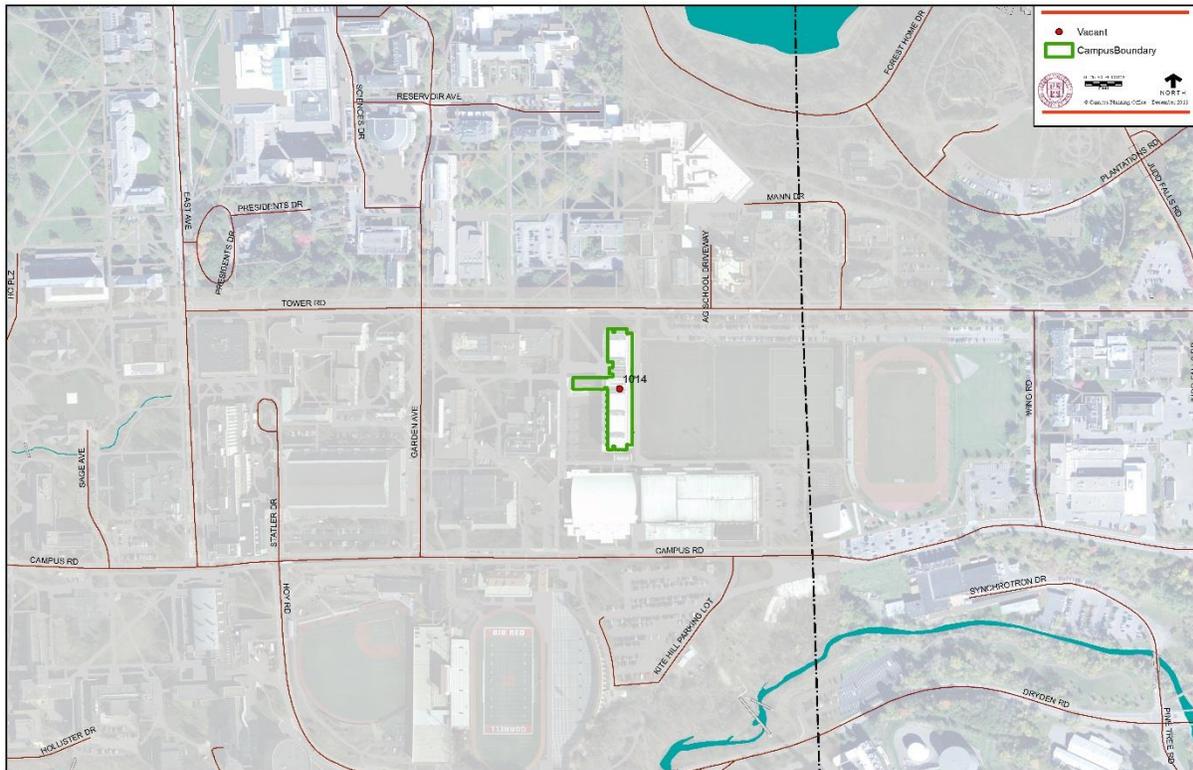
2. 681 Willow Crossing Road, Cornell Lane, 565 Daisy Hollow Road, Harford, NY: Building Space and Land



3. 95 Brown Road (Langmuir Lab), 35 Thornwood Drive (Cornell Business & Technology Park), and Thornwood Drive Lansing, NY, Building Space and Land:



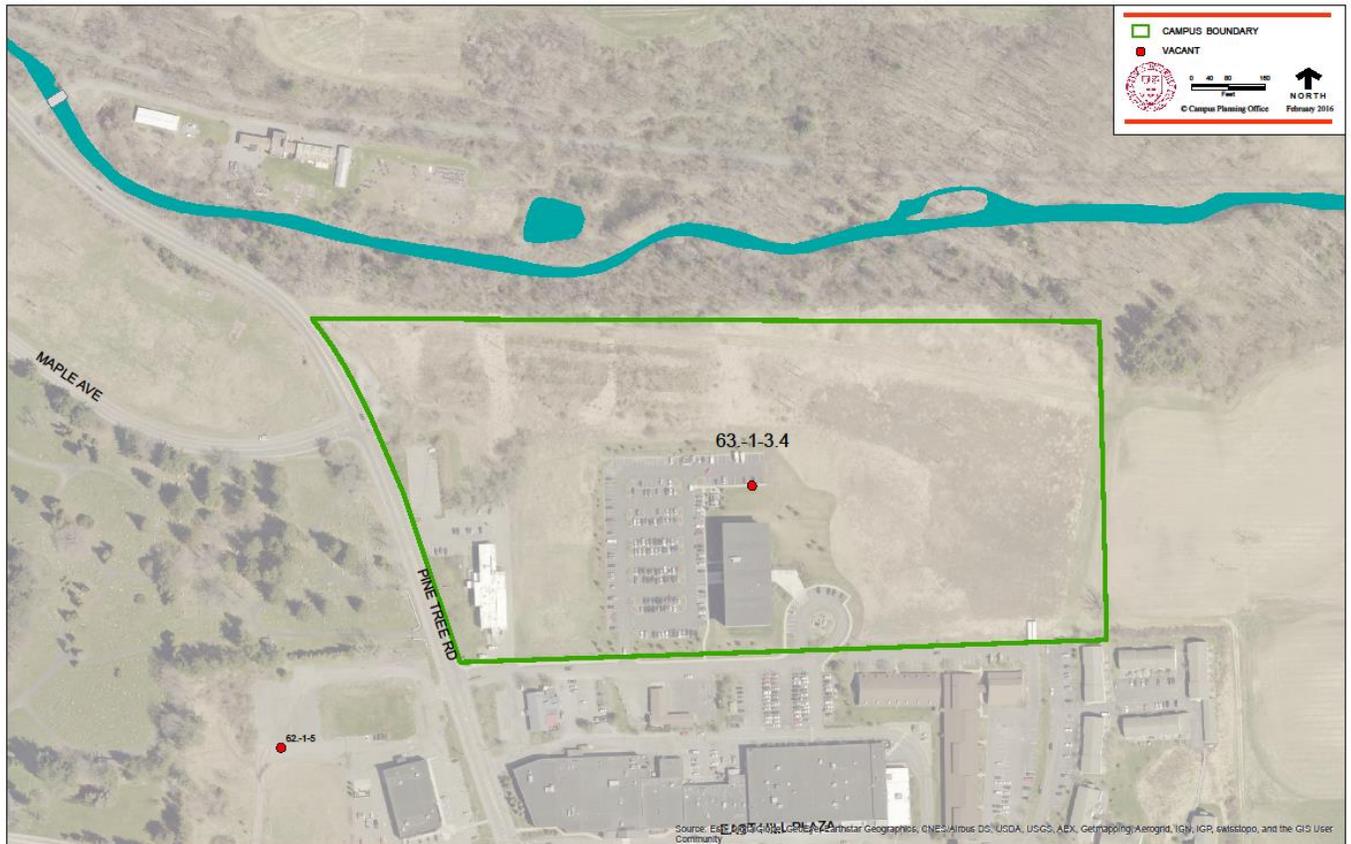
4. 237 Tower Road (McGovern Center), Weill Hall, Ithaca, NY: Building and Lab Space



5. 500 Technology Farm Drive (Cornell Agriculture & Food Technology Park), Geneva, NY:
Land and Building Space



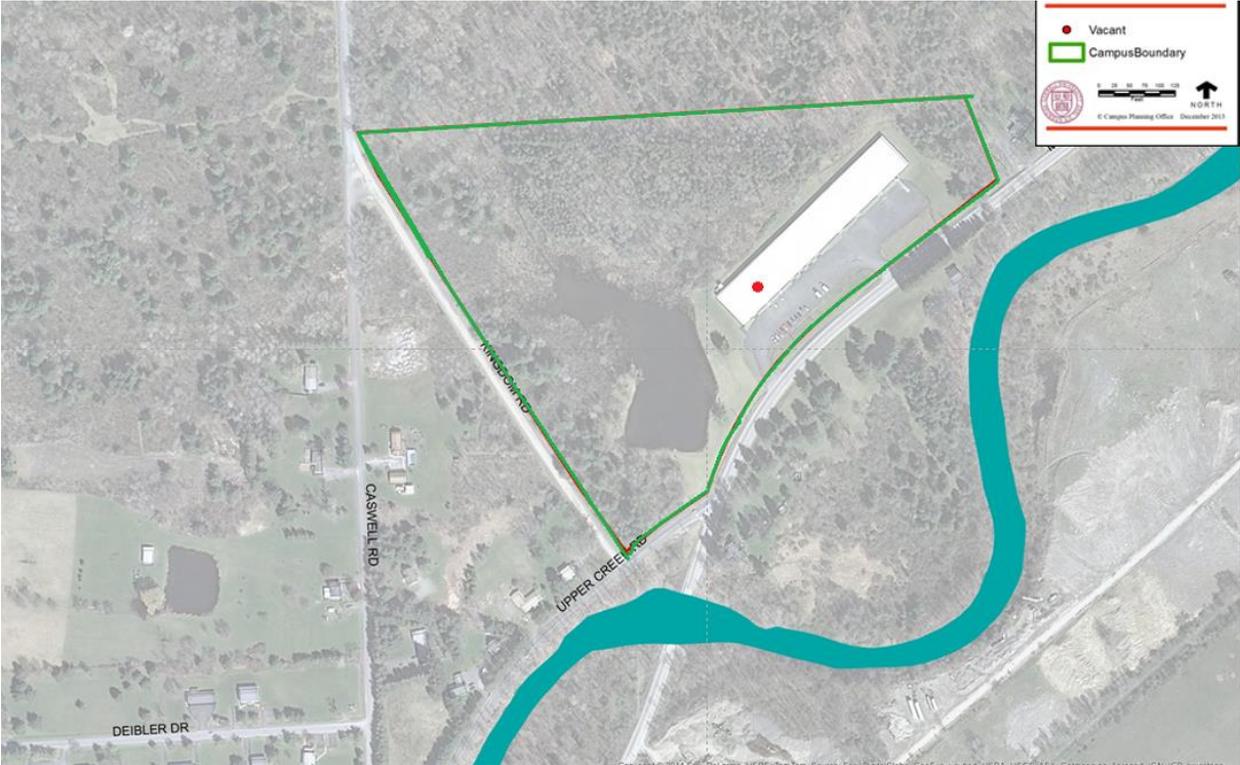
6. 391 Pine Tree Road, Ithaca, NY: Land



7. 314 E. State St, Ithaca (Rev: Ithaca Startup Works), NY: Co-Working Office Space



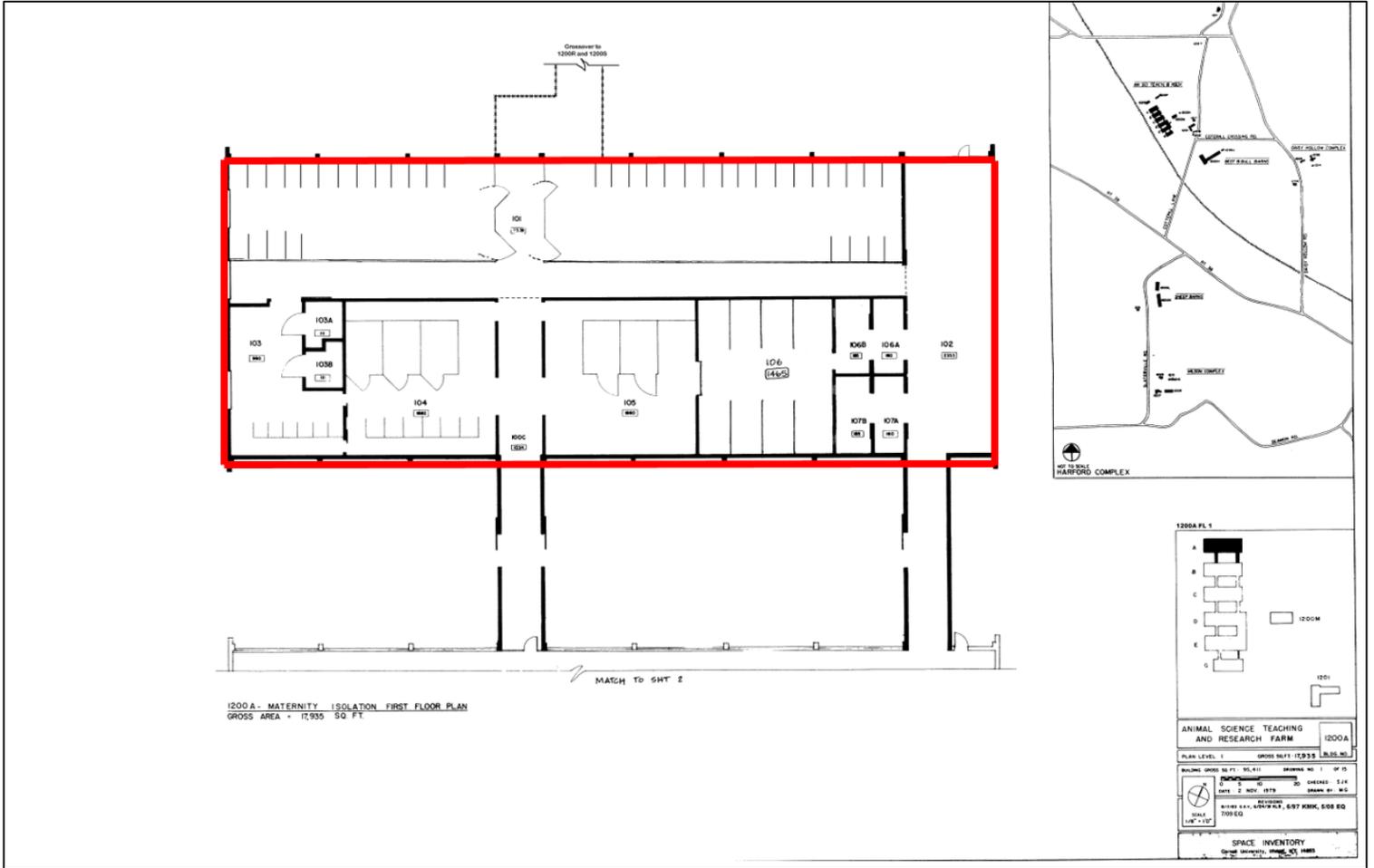
8. 330 Main St, Freeville (Incodema3D Building), NY: Building Space



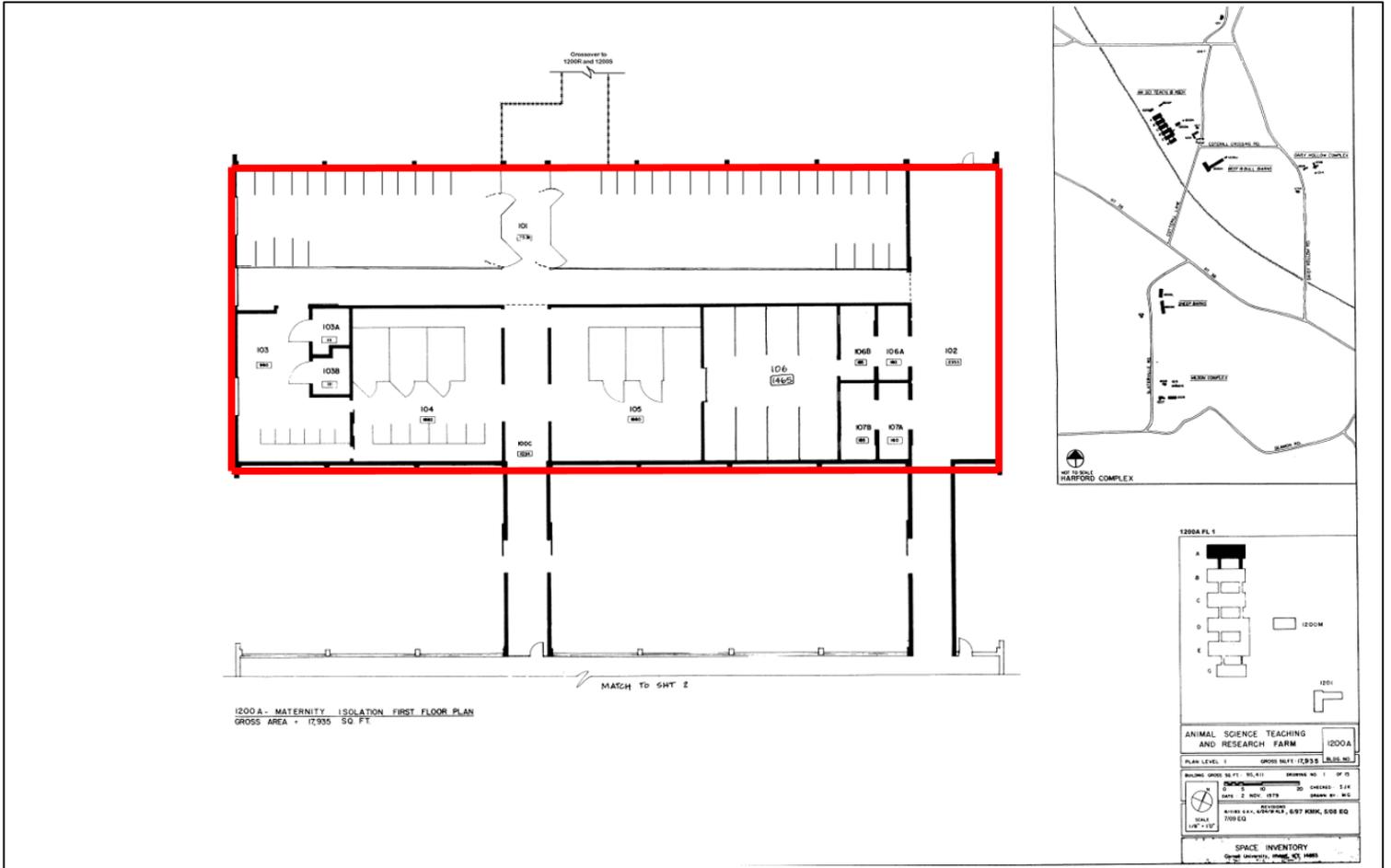
Attachment C:

Floor plans of each physical building included in the Tax-Free List of Buildings and Land.

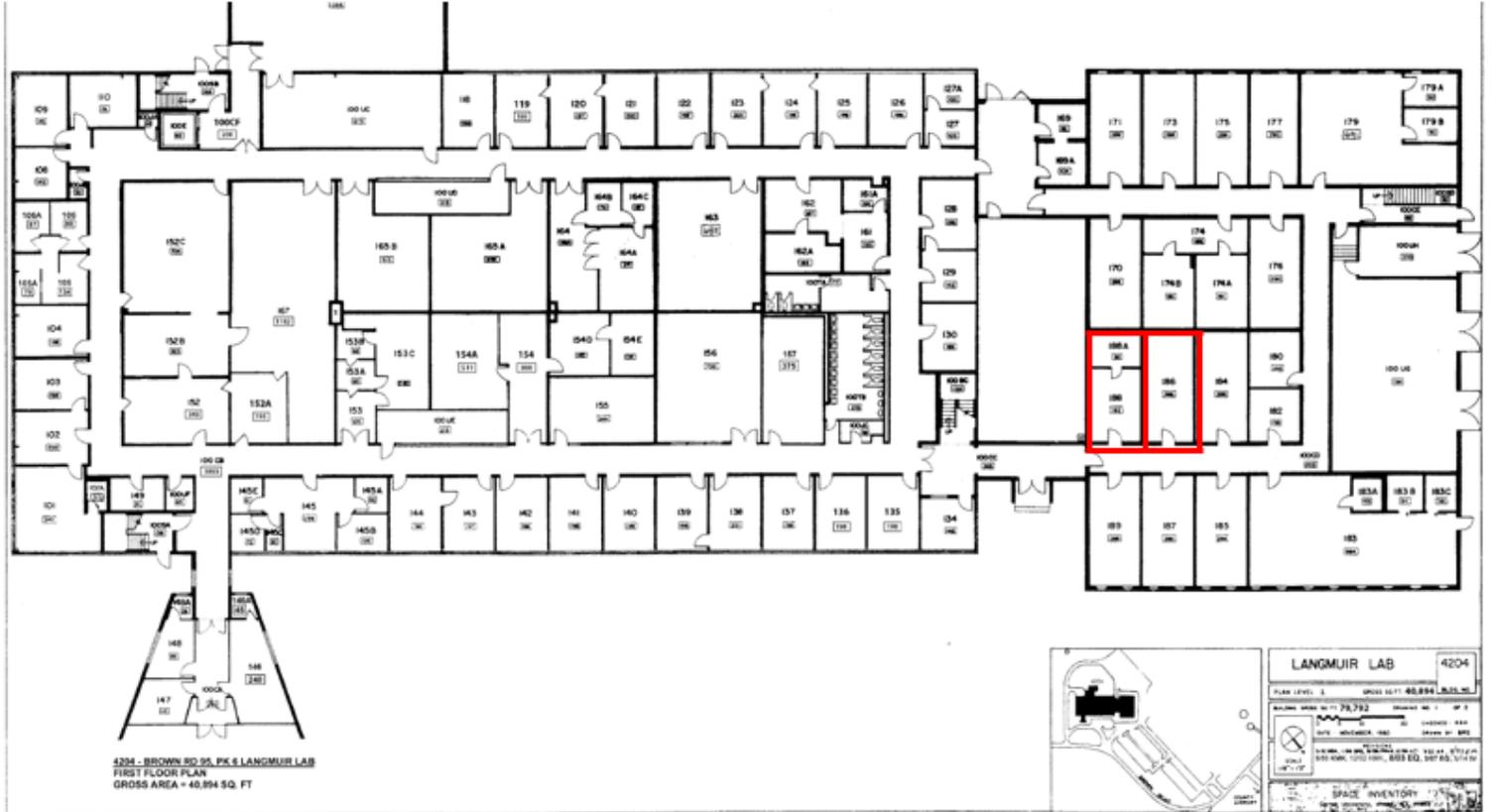
- 1. 1200A, Cornell Lane, Harford NY
 17,935 s/f
 SU-216-1-B-1200A-000-A



2. 1200B, 565 Daisy Hollow Road, Harford NY
 17,895 s/f
 SU-216-1-B-1200B-000-A

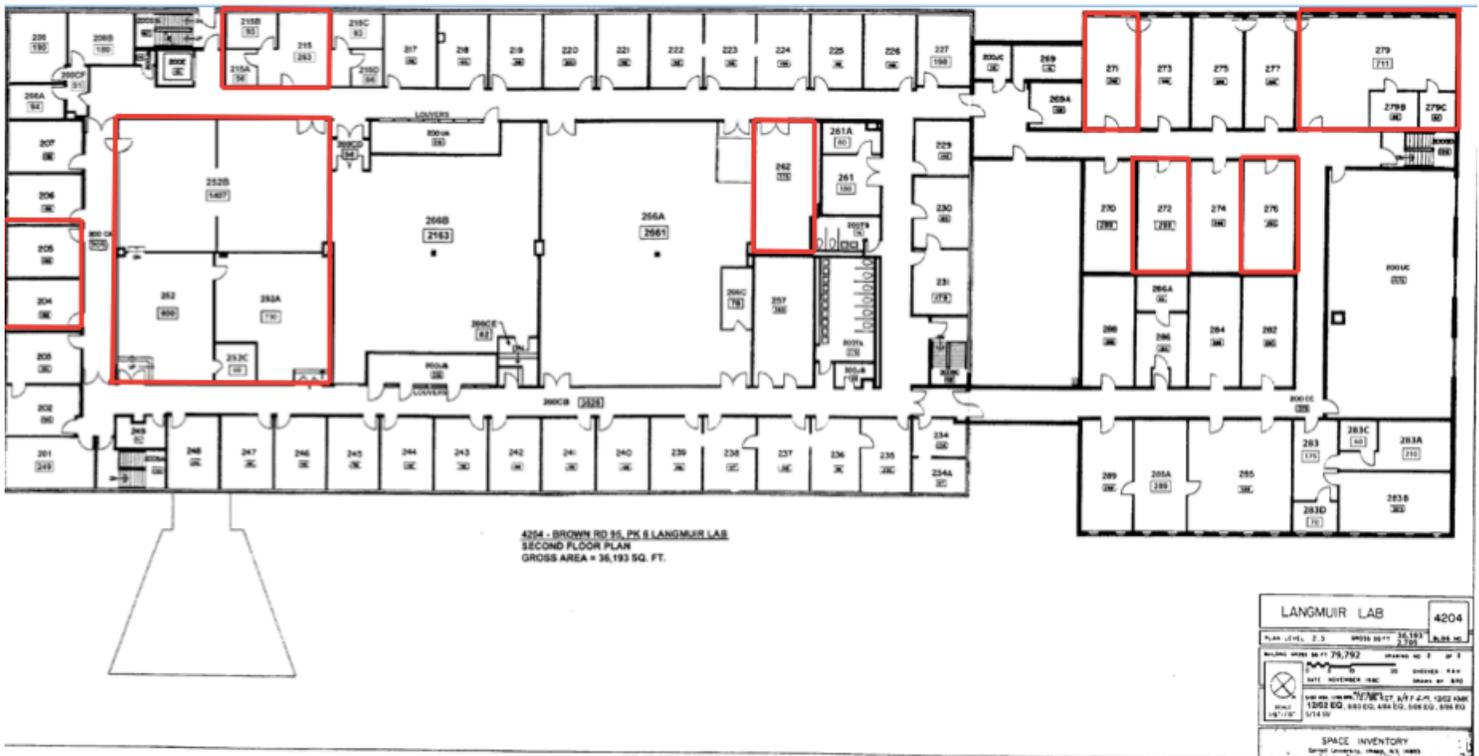


4. Rooms 186, 188, Langmuir Labs, 95 Brown Road, Lansing NY
 612 s/f, 1st floor total square footage
 SU-216-219-2-B-4204-188-A – 306 s/f
 SU-216-219-2-B-4204-186-A – 306 s/f



5. Rooms 204, 205, 214, 215, 252, 262, 272, 270, 276, Langmuir Labs, 95 Brown Road, Lansing NY

- 5,657 s/f, 2nd floor total square footage
- SU-216-219-2-B-4204-204-A – 210 s/f
- SU-216-219-2-B-4204-205-A – 210 s/f
- SU-216-219-2-B-4204-214-A – 210 s/f
- SU-216-219-2-B-4204-215-A – 210 s/f
- SU-216-219-2-B-4204-252-A – 2,880 s/f
- SU-216-219-2-B-4204-262-A – 407 s/f
- SU-216-219-2-B-4204-272-A – 306 s/f
- SU-216-219-2-B-4204-270-A – 918 s/f
- SU-216-219-2-B-4204-271-I – 306 s/f
- SU-216-219-2-B-4204-276-A – 306 s/f



6. Suites/Rooms: 406, 407A, 407B, 408, 409, 410, 410C, 413, and 414, McGovern Center, 237 Tower Road, Ithaca NY

4,553 s/f

SU-216-219-2-B-1014-406-U – 147 s/f

SU-216-219-2-B-1014-407A-A – 116 s/f

SU-216-219-2-B-1014-407B-A – 117 s/f

SU-216-219-2-B-1014-408-U – 142 s/f

SU-216-219-2-B-1014-409-A – 851 s/f

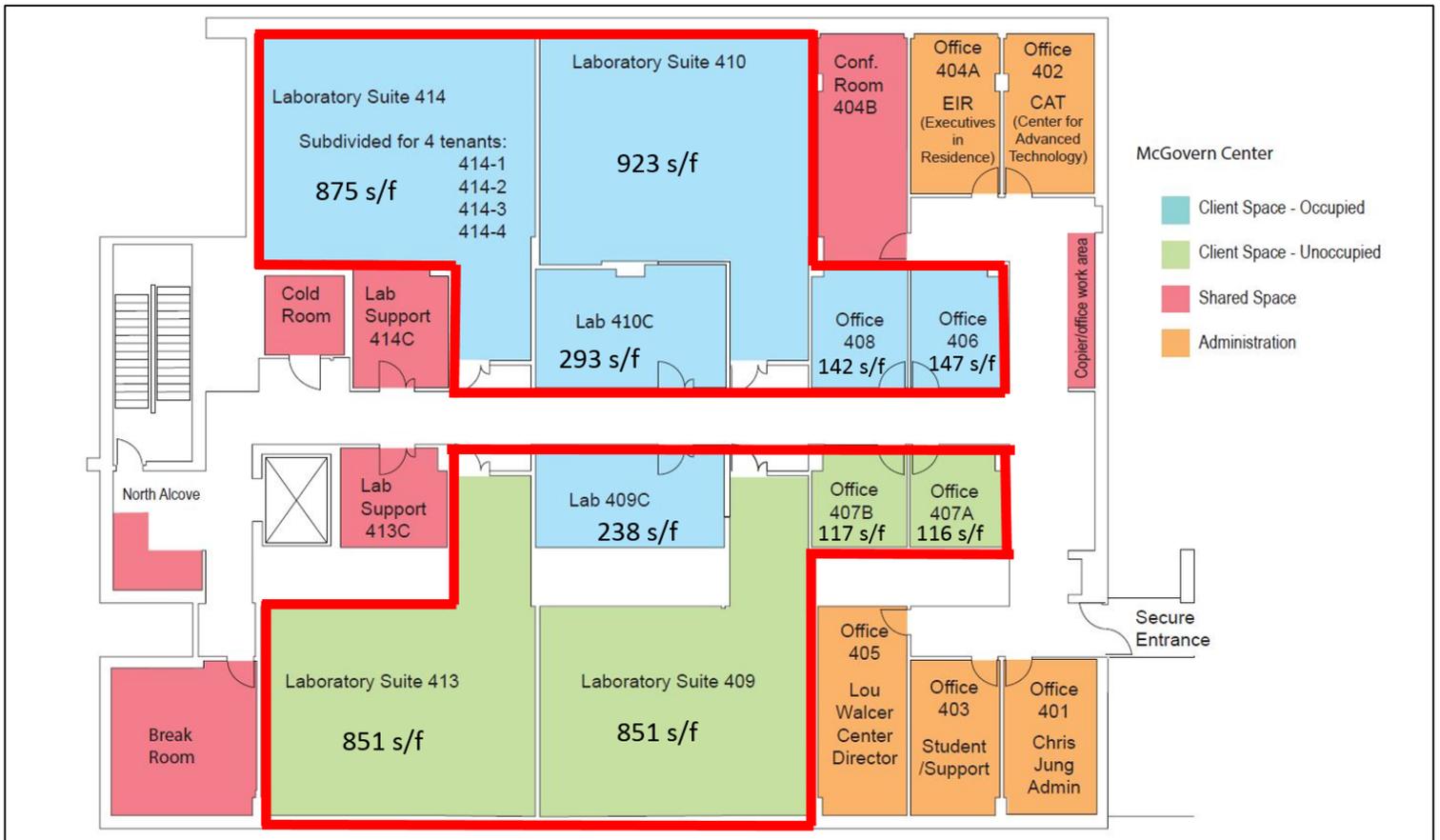
SU-216-219-2-B-1014-409C-U – 238 s/f

SU-216-219-2-B-1014-410-U – 923 s/f

SU-216-219-2-B-1014-410C-U – 293 s/f

SU-216-219-2-B-1014-413-A – 851 s/f

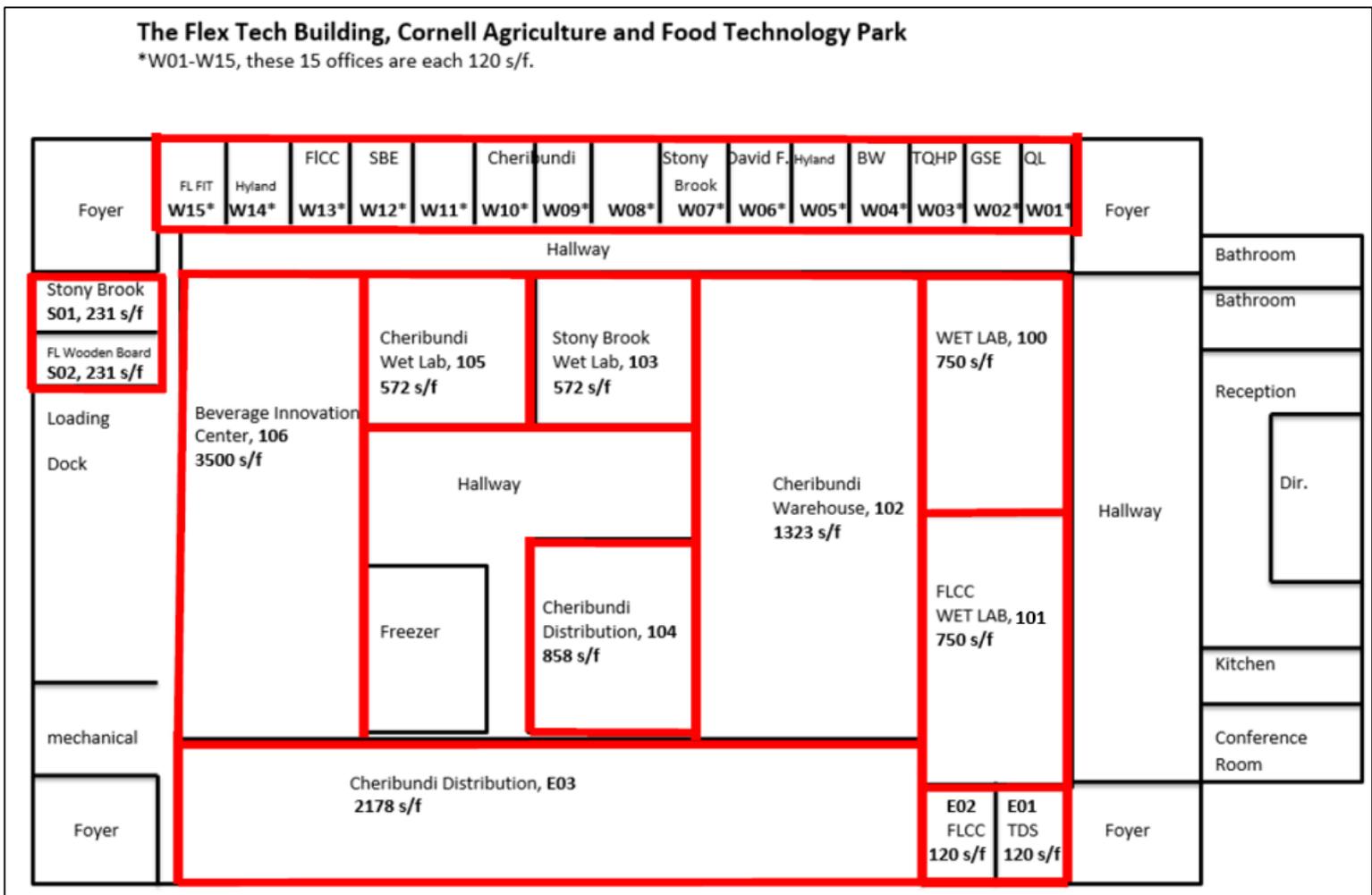
SU-216-219-2-B-1014-414-U – 875 s/f



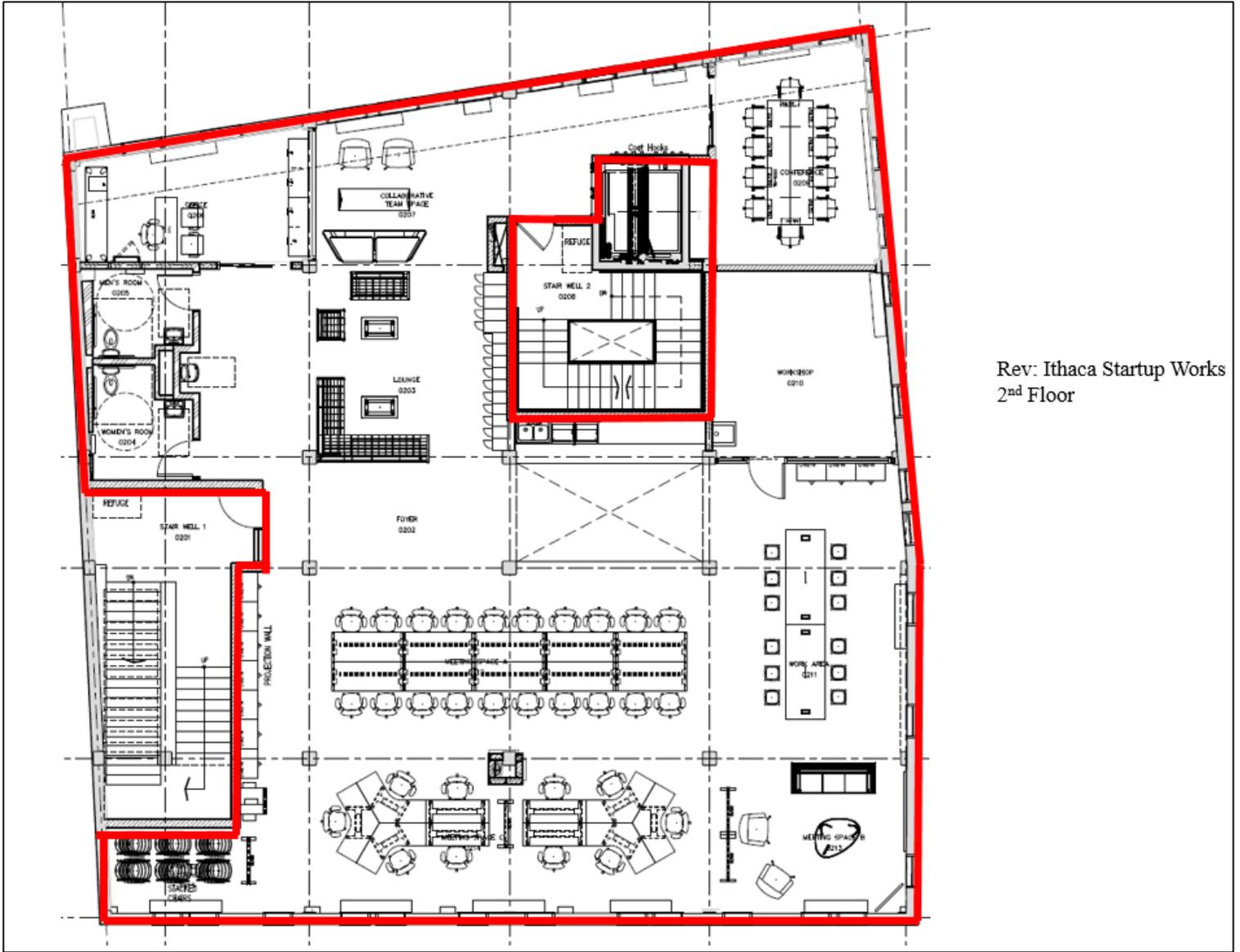
7. Rooms 100-106, W1 – W15, E01-E03, and S01-S02, Flex Tech Building, 500 Technology Farm Drive, Geneva NY
13,005 s/f

- SU-216-219-2-B-TECHF-100-A – 750 s/f
- SU-216-219-2-B-TECHF-101-U – 750 s/f
- SU-216-219-2-B-TECHF-102-U – 1,323 s/f
- SU-216-219-2-B-TECHF-103-U – 572 s/f
- SU-216-219-2-B-TECHF-104-U – 858 s/f
- SU-216-219-2-B-TECHF-105-U – 572 s/f
- SU-216-219-2-B-TECHF-106-U – 3,500 s/f
- SU-216-219-2-B-TECHF-S01-U – 231 s/f
- SU-216-219-2-B-TECHF-S02-U – 231 s/f
- SU-216-219-2-B-TECHF-E01-U – 120 s/f
- SU-216-219-2-B-TECHF-E02-U – 120 s/f
- SU-216-219-2-B-TECHF-E03-U – 2,178 s/f
- SU-216-219-2-B-TECHF-W1-U – 120 s/f
- SU-216-219-2-B-TECHF-W2-U – 120 s/f

- SU-216-219-2-B-TECHF-W3-U – 120 s/f
- SU-216-219-2-B-TECHF-W4-U – 120 s/f
- SU-216-219-2-B-TECHF-W5-U – 120 s/f
- SU-216-219-2-B-TECHF-W6-U – 120 s/f
- SU-216-219-2-B-TECHF-W7-U – 120 s/f
- SU-216-219-2-B-TECHF-W8-A – 120 s/f
- SU-216-219-2-B-TECHF-W9-U – 120 s/f
- SU-216-219-2-B-TECHF-W10-U – 120 s/f
- SU-216-219-2-B-TECHF-W11-A – 120 s/f
- SU-216-219-2-B-TECHF-W12-U – 120 s/f
- SU-216-219-2-B-TECHF-W13-U – 120 s/f
- SU-216-219-2-B-TECHF-W14-U – 120 s/f
- SU-216-219-2-B-TECHF-W15-U – 120 s/f

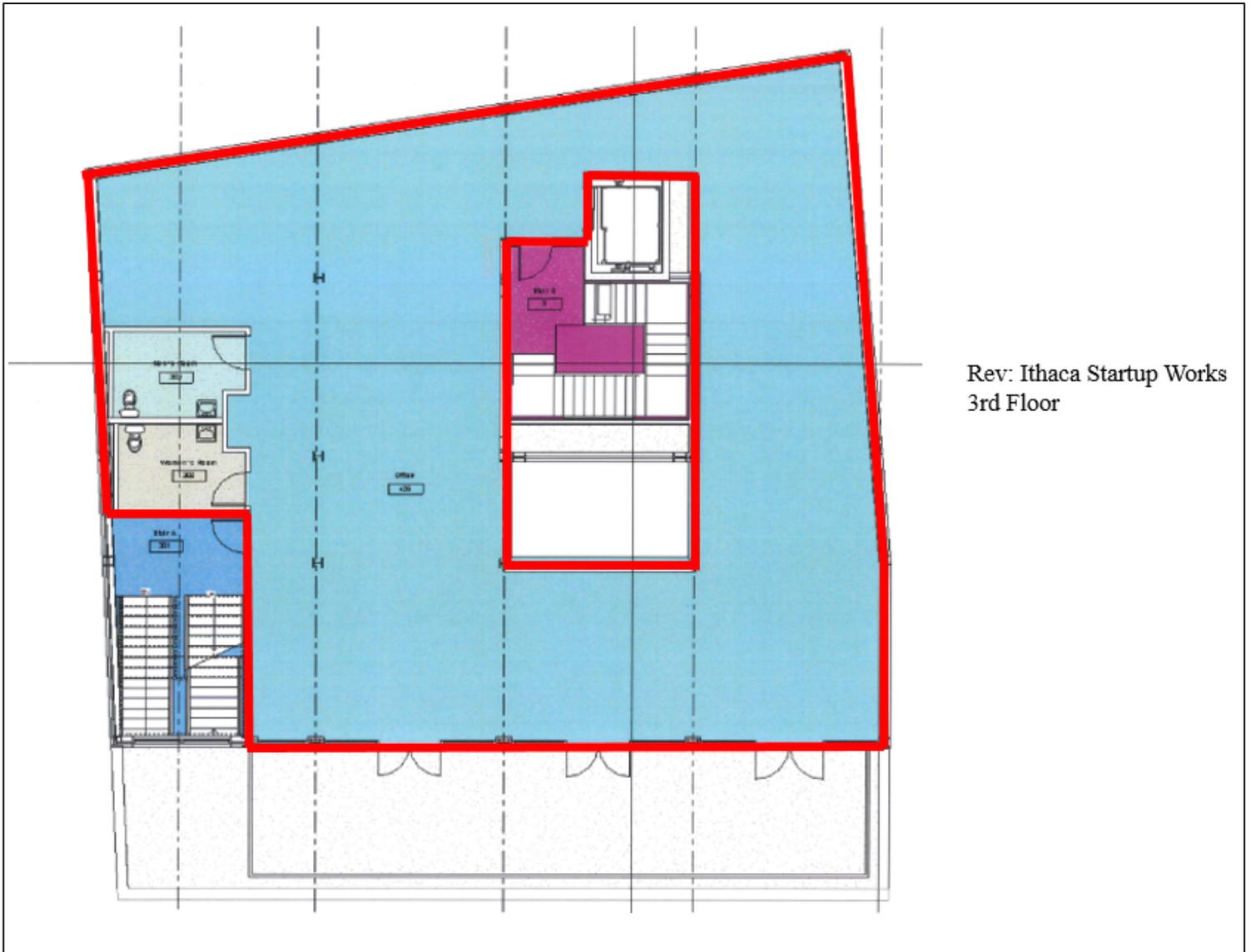


8. Rev: Ithaca Startup Works, 314 E State Street, Ithaca NY
4,500 s/f, 2nd floor total square footage
SU-216-219-2-B-REVIT-200-I

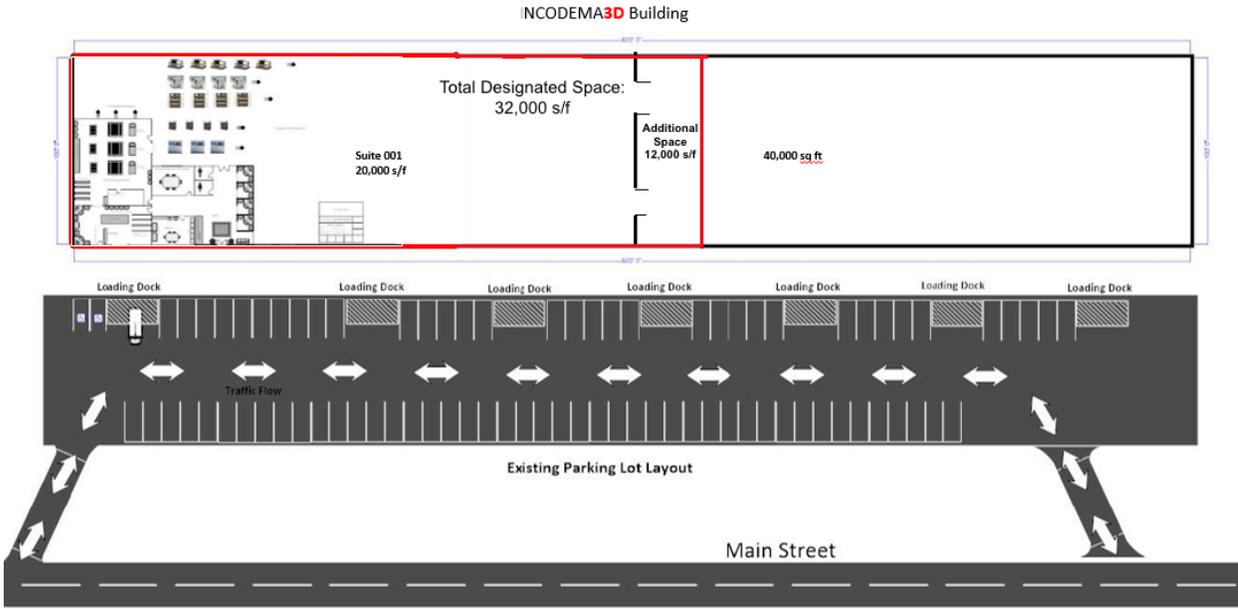


Rev: Ithaca Startup Works
2nd Floor

9. Rev: Ithaca Startup Works, 314 E State Street, Ithaca NY
4,000 s/f, 3rd floor total square footage
SU-216-219-2-B-REVIT-300-A



10. 001, Incodema3D Building, 330 Main St, Freeville NY
32,000 s/f
SU-216-219-2-B-INC3D-001-A



- 11. Gateway Center, 401 E. State Street, Ithaca, NY
1,957 s/f
SU-216-219-2-B-GTWY-203-C



Attachment D:

Description of Physical Characteristics of Proposed Tax-Free NY Areas.

Buildable Land on Hanshaw Road, Dryden NY: Developable land available, 75.8 acres. The property is close to the Cornell Business & Technology Park and Cornell's main Ithaca campus.

Buildable Land at 681 Willow Crossing Road, Harford NY: Developable land available for potential use, 3 acres. This property is close to Cornell's Dairy Research Facility. A company that locates here should have an academic alignment to dairy research.

1200A Cornell Lane, Harford NY: Unused Cornell dairy barn, 17,935 s/f. The building would need significant repairs before any future use. A company that locates here should have an academic alignment to dairy research.

1200B, 565 Daisy Hollow Rd, Harford NY: Unused Cornell dairy barn, 17,895 s/f. The building would need significant repairs before any future use. A company that locates here should have an academic alignment to dairy research.

Suite 500, 35 Thornwood Drive, Lansing NY: This office suite is class B+ office space, 2,226 s/f.

Buildable Land on Thornwood Drive, Lansing NY: Developable land available for development of a property totally no more than 50,000 s/f. The property is in the Cornell Business & Technology Park and is close to Cornell's main Ithaca campus.

Rooms 186, 188, 204, 205, 214, 215, 252, 262, 272, 270, 271, and 276, Langmuir Labs, 95 Brown Road, Lansing NY: These rooms are class B+ office, laboratory, and light manufacturing space, 6,269 s/f.

Suites/Rooms: 406, 407A, 407B, 408, 409, 410, 410C, 413, and 414, Kevin M. McGovern Family Center for Venture Development in the Life Sciences, 237 Tower Road, Ithaca NY: There are offices and wet lab spaces available for life science startups that are members of the business incubator, 4,553 s/f. This incubator is part of the Southern Tier Startup Alliance.

Rooms 100-106, W01 – W15, E01-E03, and S01-S02, Flex Tech Building, 500 Technology Farm Drive, Geneva NY: Cornell has an agreement with the Cornell Agriculture & Food Technology Park Corporation (the Technology Farm), an affiliated organization, to include building space and land in the Tax-Free Area list. This business incubator provides offices and lab space to its member companies, 13,005 s/f. This incubator focuses on the creation, retention, and expansion of agriculture, food, and biotechnology research enterprises. Member companies have access to the knowledge base at the Agriculture Experiment Station and Cornell University, and have access to larger spaces designed for laboratory work or pilot plants for commercialization of new technologies. This incubator is part of the Finger Lakes Innovation Hot Spot.

25,000 square feet of building space to be constructed on land at 500 Technology Farm Drive, Geneva NY (in the Cornell Agriculture & Food Technology Park (“Tech Farm”))

50,000 square feet of building space to be constructed on land at 391 Pine Tree Road, Ithaca NY

2nd and 3rd Floors, Rev: Ithaca Startup Works, 314 E State Street, Ithaca NY: This business incubator will provide co-working space for member companies. It is designed to be the hub of an entrepreneurial ecosystem and a place for people to flexibly work together (co-working), 8,500 s/f. There will be access to conference rooms and meeting space as well as open desks and workstations on a check-in and check-out basis. Rev will have a light workshop space for prototyping physical products. The construction of the 3rd floor will be complete in 2016. This incubator is part of the Southern Tier Startup Alliance.

001, Incodema3D Building, 330 Main St, Freeville NY: This building has an open warehouse floor plan and is well suited to the needs to a high tech light manufacturing company. Incodema3D is growing at a rapid rate and believes that they will outgrow the space at 10 Brown Road in the B&T Park faster than they initially anticipated. Designating 32,000 s/f of this building allows for their rapid expansion and job creation. As this property is more than 1 mile from campus (3.9 miles from campus), ESD approved this property for inclusion in STARTUP-NY.

Suite 2013 in the Gateway Center, 401 E. State Street, Ithaca, NY: this space is class B+ office space, lab space, and conference rooms, for a total of 1,957 s/f. The space will allow Ursa Space Systems, a company formerly incubated at Rev: Ithaca Startup Works, room to house their current and future employees in the secure location needed to carry out business.

Attachment E:

Summary of Additions and Increases to the Tax-Free List of Buildings and Land.

Adds off-campus space at:

391 Pine Tree Road – 25.84 acres and 50,000 s/f

Thornwood Drive – 36.06 acres and 50,000 s/f

401 E. State Street, Suite 203; Gateway Center – 1,957 s/f

Increases off-campus space to:

330 Main Street, Incode3D Building – 32,000 s/f (addition of 12,000 s/f)

95 Brown Road, Langmuir Labs – 6,269 s/f (addition of 2,979 s/f)

Decrease off-campus space at:

10 Brown Road – 3,500 s/f

33 Thornwood Drive – 2,896 s/f

Pine Tree Road – 50,000 s/f



Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

POLICY STATEMENT

All members of the Cornell University community are expected to conduct the affairs of the university in a manner consistent with their primary commitments to the university, and the performance of their professional responsibilities must be free from real or apparent bias motivated by self-interest. This policy, and the complementary University Policy 1.7, Financial Conflict of Interest Related to Research, sets forth the principles and procedures to identify, report, review, and manage real and apparent conflicts of commitment and conflicts of interest.

REASON FOR POLICY

The university recognizes that the quality of teaching, research, extension service, and the administration of university programs may be enhanced when members of the Cornell University community participate in extramural activities. This policy establishes the principles and procedures to assure that individuals' primary commitments to the university and the objective performance of their professional responsibilities are not adversely affected by external commitments and financial interests.

ENTITIES AFFECTED BY THIS POLICY

- All units of the university

WHO SHOULD READ THIS POLICY

- Trustees, faculty, and staff

WEB ADDRESS FOR THIS POLICY

- This policy: www.dfa.cornell.edu/treasurer/policyoffice/policies/volumes/governance/conflicts.cfm
- University Policy Office: www.policy.cornell.edu

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

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POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

RELATED RESOURCES

University Policies and Documents Applicable to All Units of the University

[University Policy 1.7 Financial Conflict of Interest Related to Research](#)

[University Policy 3.6, Financial Irregularities](#)

[University Policy 3.25, Procurement of Goods and Services](#)

[University Policy 4.6, Standards of Ethical Conduct](#)

[Cornell Conflict of Interest website, maintained by the Office of Research Integrity and Assurance](#)

[Guidelines for Addressing Potential Conflicts of Interest and Commitment in Faculty/Staff Involvement in Startup Companies](#)

University Policies and Documents Applicable to Only Ithaca Campus Units

[University Policy 3.11, Effort Planning and Confirmation](#)

[University Policy 6.9, Time Away From Work \(Excluding Academic and Bargaining Unit Staff\)](#)

[University Policy 6.11.3, Employee Discipline \(Excluding Academic and Bargaining Unit Staff\)](#)

[Bylaws of the Board of Trustees](#)

[Dismissal/Suspension Policy for Faculty Members](#)

[Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure](#)

[Human Resources Policy 6.13.1, Conflict of Commitment: Dual Appointment](#)

[The Faculty Handbook, Chapter 5: Academic Policies and Responsibilities, Conflicts of Interest and Conflicts of Commitment; Consulting](#)

University Policies and Documents Applicable to Only Weill Cornell Campus Units

[Employee Complaint and Grievance Procedure, Weill Cornell Medical College](#)

External Resources

[STARTUP-NY Regulations, Section 220.20 \(PDF\) \(see the Appendix C section of this document\)](#)

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

CONTACTS

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

Ithaca Campus Units

Subject	Contact	Telephone	E-mail/Web Address
Policy Clarification and Interpretation	Office of the Provost	(607) 255-2364	provost@cornell.edu www.cornell.edu/provost/
	University Counsel	(607) 255-5124	
Federal and State Laws and Regulations on Financial Conflicts of Interest	Office of Research Integrity and Assurance	(607) 255-6439	www.oria.cornell.edu
Reporting Suspected Conflicts of Others	Immediate supervisor	Unit-specific	
	University Audit Office	(607) 255-9300	
	Cornell Hotline	(866) 384-4277 (toll-free)	www.hotline.cornell.edu

Weill Cornell Campus Units

Subject	Contact	Telephone	E-mail/Web Address
Annual Disclosure Survey	Conflicts Management Office	(212) 821-0710	conflicts@med.cornell.edu

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

DEFINITIONS

These definitions apply to terms as they are used in this policy.

Academic Staff Member	As defined in University Bylaws Article XVII (see the Related Resources section of this document).
Apparent Conflict of Interest	A situation that arises when there is a reasonable concern, which an informed person is likely to have, that the opportunity for personal gain could compromise or influence the performance of an individual's professional responsibilities.
Associate	A person, trust, organization, or enterprise (of a business nature or otherwise) with respect to which the individual or any member of his or her family (1) is a director, officer, employee, member, partner, or trustee, or (2) has a significant financial interest or any other interest that enables him or her to exercise control or significantly influence policy.
Community and Civic Activities	Elected or appointed service on local government councils, boards, and commissions.
Conflict Management	Measures taken to address the risk of bias or the appearance of bias when members of the university community have real or apparent conflicts of interest.
Conflict of Commitment	A situation caused when an individual undertakes external commitments that may burden or interfere with his or her primary obligations and commitments to the university, even if the outside activity is valuable to the university or contributes to professional development and competence.
Conflict of Interest	A situation where an individual has the opportunity to influence the university's business, administrative, academic, or other decisions in ways that could lead to personal gain or advantage of any kind.
Disclose/Disclosure	To provide relevant information about an individual's external commitments and financial interests to parties inside and outside the university to assure full awareness of potential conflicts and institutional efforts to address them. Compare with <i>Report</i> , below.
External Commitment	An obligation or activity (e.g., management, employment, advisory, or consulting role) that is not part of one's primary commitments or obligations to the university.
External Entity	An entity other than the university.
Family Member	A spouse, domestic partner, parent, sibling, child, or any other blood relative, if that other blood relative resides in the same household.
Nonacademic Staff Member	An employee not included in the definition of <i>Academic Staff Member</i> , above.
Officers of the Corporation	The president, provosts, chief financial officer, and university counsel and secretary of the corporation, as defined in Article VI of the university bylaws.
Other Senior Administrators	Vice provosts, vice presidents, chief investment officer, auditor, treasurer, and controller.
Report	To provide information to the university concerning one's external commitments and financial interests in accordance with this policy.
Significant Financial Interest	1. With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees,

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

DEFINITIONS, continued

honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.

2. With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when an individual or his or her family holds any equity interest (e.g., stock, stock option, or other ownership interest).
3. Related to intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

The term significant financial interest **does not include** the following types of financial interests:

- Salaries, royalties, or other remuneration paid by Cornell to an individual, including intellectual property rights assigned to the institution and agreements to share in royalties related to such rights.
- Income from investment vehicles, such as mutual funds and retirement accounts, as long as the individual does not directly control the investment decisions made in these vehicles.
- Income from seminars, lectures, or teaching engagements sponsored by, or income from service on advisory committees or review panels for a federal, state, or local government agency, a non-profit U.S. institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.
- Any paid for or reimbursed travel determined by the Cornell to not constitute a significant financial interest.

Unit

A department, research center, institute, program, business service or financial transaction center, office, or other operating entity of the university.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

Advisory Committee Appointed By the Provost	Consider appeals and recommend resolution to the provost.
Audit Committee of the Board of Trustees	Oversee the administration of the university's policies on conflicts of interest.
Committee on Conflicts of Interest of the Board of Trustees	Manage conflicts for trustees, officers of the corporation, and other senior administrators.
Conflicts Advisory Panel (WCMC)	Advise the dean of Weill Cornell Medical College (WCMC), regarding conflicts of interest and commitment (see Additional Procedures Specific to Weill Cornell Campus Units in this document).
Dean, Director, or Unit Head	Collect and retain reports of non-research-related external commitments and interests. Manage conflicts of individuals within the unit. Provide the University Conflicts Committee (UCC) with such summaries or reports of conflicts as it may require.
Individual	Discharge Cornell duties in a manner that is free from real or apparent bias motivated by self-interest. Report and manage conflict of interest and commitment in a manner consistent with this policy.
Office of Research Integrity and Assurance (ORIA)	Forward reports of potential conflicts of commitment to the appropriate college, division, or other administrative unit.
Provost and Provost for Medical Affairs	Manage conflicts of deans, directors, and unit heads. When appropriate, appoint an advisory committee for appeals. Make final and binding determinations under this policy regarding appeals.
University Conflicts Committee (UCC)	Maintain an ongoing awareness of college procedures, practices, and standards, with a view toward assuring consistency. Provide advice and recommendations to the provost on general matters related to conflict of interest and conflict of commitment. Report annually to the faculty and the president on matters within its jurisdiction.
University Counsel	Advise on matters involving external commitments and financial interests of trustees, officers of the corporation and other senior administrators. Where appropriate, consult with the Committee on Conflicts of Interest of the board of trustees.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PRINCIPLES

Overview

All members of the Cornell University community are expected to promote the best interests of the institution in the conduct of their Cornell responsibilities. Individuals who accept full-time appointments must maintain a primary commitment to the university, and must discharge their Cornell duties free from real or apparent bias motivated by self-interest. The university recognizes that the quality of teaching, research, extension, and clinical service, and administration of university programs is enhanced when individuals participate in extramural activities. This policy, and the complementary policy on Financial Conflict of Interest Related to Research, sets forth the general principles and procedures to identify, review, manage, and disclose real and apparent conflicts of commitment and conflicts of interest.

Individuals are expected to evaluate and arrange their external interests and commitments in order to avoid compromising their ability to carry out their primary obligations to the university. In the first instance, conflicts should be avoided or resolved through the exercise of individual judgment or discretion. Full disclosure of the circumstances surrounding a real or potential conflict should be made prior to making the commitment or initiating the activity that poses the possible conflict. Disclosure shall be sufficiently detailed to permit an accurate and objective evaluation.

Conflicts of Interest

An individual is considered to have a conflict of interest when he or she, a member of his or her family, or an associate (to his or her present knowledge) either (1) has an existing or potential significant financial interest or other material interest or relationship that impairs or might appear to impair the individual's independence and objectivity in the discharge of his or her responsibilities to the university; or (2) may receive a financial or other material benefit from information confidential to the university.

Typically, a conflict of interest may arise when an individual has the opportunity to influence the university's business, administrative, academic, or other decisions in ways that could lead to personal gain or advantage of any kind.

Upon full reporting, the university may approve a transaction or affiliation, provided that the conflict can be managed. In many cases, the conflict can be managed through disclosure. In some cases, the individual may be required to report on the conflict annually. The university will disapprove the transaction or affiliation if a conflict of interest is involved that cannot be managed.

Business Ventures

An individual involved in a business venture as owner, operator, or major investor must be alert to the possibility that a conflict may arise. If the entity does no business with the university, only the area of conflict of commitment is likely to be involved.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PRINCIPLES, continued

If the entity does business with the university, or might do business with the university, whether in a research or non-research context, the individual is expected to report that fact. Generally, there is the potential for a real or apparent conflict of interest where an opportunity exists for the individual's interest in the business to influence the university or the individual's professional decisions.

Contracting

An employee may not review, approve, or administratively control a contract when the contract is between the university and a company in which the employee has a significant financial interest, or when the contract is with a member of the employee's immediate family, or when a member of the employee's immediate family is an employee of the contractor and directly involved with activities included under the contract or has a significant financial interest in the contractor.

Gifts

No gifts or accommodations of any nature may be accepted by any individual when to do so could possibly place that individual in a prejudicial or embarrassing position, interfere in any way with the impartial discharge of duties to the university, or reflect adversely on that individual's integrity or that of the university. For more information, see University Policy 4.6, Standards of Ethical Conduct and University Policy 3.25, Procurement of Goods and Services.

Financial Conflicts of Interest Related to Research

The university addresses financial conflicts of interest arising from the design, conduct, reporting, or direct administration of research (research-related conflicts) separately from those that do not (non-research-related conflicts). Individuals involved in the design, conduct, reporting, or direct administration of research must also read carefully and comply with University Policy 1.7, Financial Conflict of Interest Related to Research (see the Related Resources section of this policy).

Conflicts of Commitment

For All Members of the Cornell University Community

A conflict of commitment arises when an individual undertakes external commitments that may burden or interfere with primary obligations and commitments to Cornell. See appendix A for illustrative examples.

Trustees, Officers of the Corporation, and Other Senior Administrators

Trustees, officers of the corporation, and other senior administrators are fiduciaries, owe special duties of care and loyalty to the institution as a whole, and must keep the university's interests paramount to all others.

Academic Staff

An academic staff member who accepts a full-time appointment has a primary commitment that generally includes teaching classes, being available to students and

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PRINCIPLES, continued

colleagues outside the classroom, serving departmental, college, and university committees, providing clinical services (where applicable), conducting research, publishing scholarly works, and otherwise meeting the changing needs of the university. Those holding Cooperative Extension or clinical appointments have specified obligations of service to the public.

Such an appointment constitutes a full-time obligation to the university, and, with the exceptions explicitly permitted by university policies on consulting and other related professional activities (see the Related Resources section of this policy), full-time faculty members must not engage in other employment.

◆ **Note:** Rules on consulting are addressed in the Faculty Handbook (see the Related Resources section of this policy).

Nonacademic Staff

In the case of staff members, commitments of time and the expectations attached to such positions are more explicitly defined, and therefore the likelihood of conflicting external activities is reduced. Nevertheless, the university expects that staff members also will recognize the possibility that their external activities and commitments may have adverse effects on the performance of their university obligations.

Part-Time Appointees

Faculty and staff members who hold part-time appointments commonly will have major obligations and commitments, not only to the university, but also to one or more outside entities. The potential for conflict may be significant. Accordingly, part-time employees are expected to exercise special care in reporting and fulfilling their multiple obligations.

Community, Civic, and Governmental Activities

The university encourages participation in community, civic, and governmental activities. As with other external engagements, employees who consider serving in elected or appointed positions on local government councils, boards, and commissions should report and discuss such part-time opportunities with their supervisors to ensure that there is no conflict with their primary commitment to the university. See appendix B for guidance on how to determine when recusal is required.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PROCEDURES

Trustees, Overseers, Officers of the Corporation, and Other Senior Administrators

Conflicts of Interest

- **Reporting**

Any member of the board of trustees, board of overseers, an officer of the corporation, or other senior administrator must report annually, in writing, any external interests, or those of a family member or associate, to the university counsel and secretary of the corporation, in such form as he or she directs. The university counsel and secretary of the corporation will advise the Audit Committee of the board of trustees regarding such matters as necessary.

- **Managing**

The university counsel and secretary of the corporation manages conflicts, consulting, where appropriate or necessary, with the Committee on Conflicts of Interest of the board of trustees, which consists of the chair of the board, the vice-chairs, if any, the chair of the Executive Committee, the chair of the Audit Committee, and the president of the university. Where appropriate or necessary, the university counsel and secretary of the corporation and the Committee on Conflicts may refer the matter to the board of trustees for management.

Conflicts of Commitment

- **Reporting**

Any member of the board of trustees, an officer of the corporation, or other senior administrator must report, in writing, any external commitments to the university counsel and secretary of the corporation, in such form as he or she directs. The university counsel and secretary of the corporation will advise the Audit Committee of the board of trustees regarding such matters as necessary.

- **Managing**

The university counsel and secretary of the corporation manages conflicts, consulting, where appropriate or necessary, with the Committee on Conflicts of Interest of the board of trustees, which consists of the chair of the board, the vice-chairs, if any, the chair of the Executive Committee, and the president of the university. Where appropriate or necessary, the university counsel and secretary of the corporation and the Committee on Conflicts may refer the matter to the board of trustees for management.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PROCEDURES, continued

Deans, Directors, and Academic Unit Heads

Conflicts of Interest

- **Reporting**

Deans and directors of the colleges, schools, and units defined at Article I, Section 7 of the university bylaws must file annual statements with the provost or provost for medical affairs, or designees, reporting any external interests, or those of a family member or associate, in such form as the provost or provost for medical affairs may direct.

- **Managing**

The provost or provost for medical affairs, or designees, will manage conflicts in such cases.

Conflicts of Commitment

- **Reporting**

Deans and directors of the colleges, schools, and units defined at Article I, Section 7 of the university bylaws must file annual statements with the provost or provost for medical affairs, or designees, reporting any external commitments in such form as the provost or provost for medical affairs may direct.

- **Managing**

The provost or provost for medical affairs, or designees, will manage conflicts in such cases.

Academic and Nonacademic Staff Members Involved in Research

Conflicts of Interest

- **Reporting**

Members of the faculty or staff who are involved in the design, conduct, reporting, or direct administration of research must report their potential conflicts of interest pursuant to University Policy 1.7, Financial Conflict of Interest Related to Research.

- **Managing**

Conflicts of interest related to members of the faculty or staff who are involved in the design, conduct, reporting, or direct administration of research are managed in accordance with University Policy 1.7, Financial Conflict of Interest Related to Research.

Conflicts of Commitment

- **Reporting**

Members of the faculty or staff who are involved in the design, conduct, reporting, or direct administration of research must report their potential

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PROCEDURES, continued

conflicts of commitment through the process defined in University Policy 1.7, Financial Conflict of Interest Related to Research. The Office of Research Integrity and Assurance will forward reports to the college, division, or other administrative unit in which the individual is employed.

- **Managing**

The appropriate vice president, vice provost, dean, or director, or his or her designee, will receive reports and manage potential conflicts of commitment.

All Other Academic and Nonacademic Staff

Conflicts of Interest

- **Reporting**

Any other member of the faculty and staff will report information concerning his or her external interests, or those of a family member or associate, to the college, division, or other administrative unit in which he or she is employed, in such form and manner as the vice president, vice provost, dean, or director (“unit head”), or his or her designee, may prescribe.

Individuals have an obligation to report in a manner that is sufficiently detailed to permit an accurate and objective evaluation and to cooperate fully in the review of the pertinent facts and circumstances. Staff members involved in the following duties must be particularly conscious of possible conflicts or the appearance of such conflicts: the procurement, exchange, or sale of goods, services, or other assets; the negotiation or formation of contracts or other commitments affecting the assets or interests of the university; and the handling of confidential information and the rendition of professional advice to the university.

- **Managing**

Conflicts of interest are reviewed at the college, department, or other unit level. In the event that reported information reveals a conflict or appearance of conflict, the unit head or designee will review the facts and manage the conflict. Proper management may include disclosure to other members of the university community of an individual’s role in an external entity.

Conflicts of Commitment

- **Reporting**

Any member of the faculty and staff will report all potential conflicts of commitment, including consulting agreements, to the college, division, or other administrative unit in which the individual is employed in such form and manner as the vice president, vice provost, dean, or director (“unit head”) or designee may prescribe.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PROCEDURES, continued

- **Managing**

Conflict of commitment disclosures are reviewed at the college, department, or other unit level. In the event that reported information reveals a conflict, the unit head or designee will review the facts and manage the conflict.

Appeals

In the event that the faculty or staff member objects to the resolution recommended by the unit head or designee, he or she may ask for the matter to be referred to an advisory committee appointed by the provost or provost for medical affairs. The committee will consider the matter and recommend a resolution to the provost or provost for medical affairs. The provost or provost for medical affairs may accept, reject, or modify the committee's recommendation. If the member disagrees with the provost's determination, the individual may request a further consideration of the matter and, in that connection, may examine the recommendations of the advisory committee, including supporting evidence, and offer other relevant information or explanations. The university counsel shall serve as advisor to the provost. Following such reconsideration, the provost shall make a final and binding determination in writing.

If the determination requires the termination of a faculty member's appointment, the procedures described in the Dismissal/Suspension Policy for Faculty Members will apply.

A staff member may invoke the nonacademic Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure (at the Weill Cornell Medical College, Employee Complaint and Grievance Procedure) (see Related Resources). In the event that a staff member may be entitled to arbitration of the proposed resolution, the arbitrator may reject or modify the proposed remedy but shall have no authority to alter the determination of the university regarding the meaning, interpretation, or applicability of this policy. Members of collective bargaining units may invoke the applicable contract grievance procedure.

Reporting Suspected Conflicts of Others

Any member of the Cornell University community may report known or suspected conflicts of interest or commitment. Reporting must be handled in a confidential manner. If you suspect that someone else has a conflict, you may report this information to your supervisor, to the University Audit Office, or through the Cornell Hotline, at (866) 384-4277 (toll-free) or www.hotline.cornell.edu.

University Conflicts Committee (UCC)

Purpose

The University Committee on Conflicts (UCC) is established by the president to serve as a university resource with respect to matters involving the general subject of conflicts of interest and commitment and the oversight and implementation of this policy.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

PROCEDURES, continued

Composition

The UCC is co-chaired by the dean of the faculty and the senior vice provost for research and must include not fewer than five additional members appointed by the president, including faculty representation from the endowed and contract colleges in Ithaca. Members serve three-year staggered terms. The university counsel serves as a non-voting member. To the extent practicable, the UCC should include representatives from the physical, biological, and social sciences, the humanities, engineering, medicine, and veterinary medicine.

Duties

A. General Oversight

The UCC is responsible for general oversight over the identification and management of conflicts of commitment and of conflicts of interest that are not related to the design, conduct, reporting, or direct administration of research.

B. Advisory Role

The UCC maintains an ongoing awareness of college procedures, practices, and standards, with a view toward assuring consistency.

The UCC provides advice and recommendations to the provost on matters related to conflict of interest and commitment.

The UCC may recommend to the provost changes to this policy.

C. Reporting

The UCC reports biennially to the faculty and to the president on matters within its jurisdiction.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS

Conflicts Management Office (CMO)

The dean of Weill Cornell Medical College (WCMC) or his/her designee shall establish a conflicts management office, which shall be responsible for the overall management of issues related to conflicts of interest and commitment. The office shall be responsible for the following:

- Implementing the WCMC conflicts policy
- Serving as a resource to the faculty and staff regarding questions relevant to issues of conflict of interest or commitment and regulations related to conflicts of interest
- Collecting an annual disclosure of conflict related information from the faculty and staff
- Evaluating information submitted in the annual disclosure as well as other individual disclosures
- Developing and implementing conflicts management plans
- Providing staff support for the Conflicts Advisory Panel (see below) and for any conflicts oversight committees
- Developing educational programs for faculty and staff regarding conflicts related issues

The Conflicts Management Office (CMO) shall establish procedures to fulfill these responsibilities consistent with this policy.

The CMO shall be under the direction of the associate dean of research compliance or his/her designee.

Conflicts Advisory Panel

The dean shall appoint a Conflicts Advisory Panel (CAP) consisting of the chairman of the General Faculty Council and between four and six members of the faculty of the medical college (at least two of whom shall hold the rank of professor).

The CAP shall, upon request, (1) provide advice to the dean or his/her designee, the associate dean and the CMO, in consultation with other staff members to the panel such as the associate university counsels, with regard to conflicts of interest and commitment-related matters; (2) advise and make recommendations to the dean on the acceptability of conflicts management plans submitted to the panel by the CMO on behalf of members of Cornell regarding potential conflicts of interest or commitment. In addition to reviewing conflicts management plans submitted by the CMO, the CAP will also review possible conflicts of interest or commitment issues as referred to it by the Grants and Contracts Division, Office of the University Counsel, the Cornell Research Foundation, the Office of Technology Development, and the Institutional Review Board.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, *continued*

Conflicts Management

Submission of Disclosures

Each full-time, part-time, and voluntary faculty and staff member is required to complete and submit a financial disclosure survey on an annual basis.

Amendments to disclosure surveys must be submitted whenever there is a change of circumstance that could give rise to a conflict situation as defined in this policy. This amendment must be submitted prior to engagement in such an activity.

The disclosure survey will be considered confidential. The information disclosed on the form is available only to individuals charged with responsibility for review and for ensuring compliance with university, federal, and state conflict of interest policies and regulations. Although WCMC will hold disclosures in confidence, the degree of confidentiality possible varies for the different types of disclosures and the specific facts and circumstances involved. In addition, university policy requires that any compensated consulting must be reported to, and approved by, the faculty member's department chairperson prior to being undertaken.

Review of Disclosures

All conflicts disclosures, including the required annual disclosure, will be reviewed by the CMO. All disclosures indicating a less than significant conflict will be managed by sending the member a letter indicating his/her responsibilities regarding departmental and public disclosure of the conflict. Copies of these letters will be forwarded to the Office of Faculty Affairs.

For all disclosures indicating a significant financial interest or a conflict of commitment, the CMO will work with the member to develop an appropriate conflict management plan. Once a management plan has been developed, it will be submitted to the CAP for review. The CAP may request additional information from the CMO and may recommend changes in the plan. Based on its review, the CAP will make a recommendation to the dean as to whether the plan should be approved. The final authority regarding the acceptability of a conflict management plan rests with the dean. All conflicts management plans will be signed by the member's department chairperson, and a copy will be included in the member's file in the Office of Faculty Affairs.

Disclosures that indicate only financial interests that are not significant financial interests typically will be managed by sending the individual a letter stating his/her responsibilities regarding departmental and public disclosure (for example, in publications and presentations) of the financial interest. Copies of these letters will be forwarded to the individual's department chairperson and the Office of Faculty Affairs.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, continued

Sanctions and Disciplinary Actions

In the event that the faculty or staff member does not disclose financial interests or outside commitments, sanctions and disciplinary actions may include, but are not limited to, the following:

1. The inclusion in the faculty or staff member's file of a letter from the provost for medical affairs indicating that the individual's good standing as a member of the faculty or staff has been called into question, i.e., censure
2. Ineligibility of the faculty or staff member to submit sponsored project applications, to teach or organize Continuing Medical Education programs, to obtain Institutional Review Board (IRB) or Institutional Animal Care and Use Committee (IACUC) approval, or to supervise graduate students
3. Withdrawal of the individual's annual salary increment
4. Non-renewal of appointment or termination of employment
5. Dismissal from the university

Right of Appeal

Faculty and staff members have the right to appeal all sanctions proposed by the provost for medical affairs.

If the member disagrees with the provost's determination, the member may request further consideration of the matter and may then examine the recommendations of the CAP, including supporting evidence, and offer other relevant information or explanations.

The university counsel shall serve as advisor to the provost for medical affairs. Following such consideration, the provost shall make a final and binding determination in writing.

Frequently Asked Questions (FAQ) Regarding WCMC Annual Disclosure

For All Disclosures

Q1: Do I have to fill out the disclosure survey? I am certain I have no conflicts.

A1: This policy requires that all employees, including faculty, must complete a disclosure annually.

Q2: Do I have to indicate that I receive a salary/stipend from WCMC?

A2: No! Financial arrangements outside of WCMC are what you must disclose.

Q3: If my position at WCMC does not involve any research activity, must I still complete the disclosure survey?

A3: Yes. The disclosure requirement applies to all persons who hold appointments at WCMC or are employees of WCMC. There are types of conflicts that do not involve research.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, continued

Q4: I have no change in my external activities since I reported last year. Must I still complete this disclosure survey?

A4: This policy requires reporting every year. For the first round of electronic disclosure reporting, you will have to complete the survey. In subsequent years, your disclosure record may be updated electronically.

Q5: Will I receive a response from the Conflicts Management Office (CMO) regarding my disclosure?

A5: If you have disclosed a possible conflict of interest or commitment and a determination is made that further information is required or that there are special procedures you must follow in view of the possible conflict, you will receive a letter from the CMO. If you fully complete the disclosure survey and indicate no possible conflicts, to conserve staff effort, you will receive no communication from the CMO.

Q6: What should I do if I do not understand how to fill out the survey to communicate my specific situation?

A6: If your situation is such that completing the survey is difficult or does not provide a clear and accurate picture of your situation, you should feel free to forward a written description. There is no limitation in length. The survey is provided to facilitate the process of reporting and evaluating the reports. Do not allow adherence to the survey to cause you to provide an incomplete or misleading disclosure. If you have any questions, you may always call or write to the CMO at (212) 821-0710, Box 6 or conflicts@med.cornell.edu.

Q7: What happens if I disclose a potential conflict of interest or commitment?

A7: That depends on the specific details of the disclosed potential conflict as set forth in these Additional Procedures Specific to Weill Cornell Campus Units.

Q8: When the disclosure survey asks about the financial interests of my family, what is meant?

A8: The term "family" is meant to include spouses (or domestic partners), siblings, parents, children, and any other blood relatives, (if that other blood relative resides in the same household). In some circumstances, you may feel that it is appropriate for you to include other persons as "family." Feel free to do so and forward an explanation (see Q7) as you feel appropriate for the situation.

Q9: Is it necessary for me to disclose all of my external financial activities, even those unrelated to my work for the WCMC?

A9: The policy requires disclosure of all activities/relationships that could be or give the appearance of a conflict of interest or commitment. Investments in mutual funds or similar situations in which you do not have control over the specific investments

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, *continued*

generally need not be reported. If a problem should arise in the future, your having reported the activity/relationship offers some protection to you and to the institution in terms of how people may interpret the problem. A failure to report an activity/relationship may be interpreted as a desire to hide the activity because you feel there is something undesirable about it. No one is criticized for “over-reporting.”

The Hard-Copy Disclosure Format

Q10: What if I cannot utilize the electronic format?

A10: A hard-copy disclosure will be provided to you.

Q11: What is the purpose of the ID number?

A11: The ID number is used for identification purposes on the confidential conflicts database and provides security against inappropriate access to the information in your file or unauthorized insertion of information into your file.

Q12: Do I have to fill in the information requested on page one of the disclosure form, even though I can be identified by my ID number?

A12: Please fill out the information section on page one. Although we can trace your name using the ID number, your detailed completion of the form will facilitate handling and may provide contact information not otherwise available.

Q13: Do I have to sign the form?

A13: Yes, to indicate that you have personally provided the information and that the information provided is accurate to the best of your knowledge.

Q14: After I complete it, what do I do with the form?

A14: Make a copy of the form for your records and send the original to Box 6 in the mailroom in the return envelope provided.

Q15: What do I do with the cover letter, which bears my confidential ID number?

A15: Retain it for your records with your copy of your disclosure. There is no need to return the cover letter.

Q16: Can I use the white return envelope even though the form is being returned via interoffice mail?

A16: Yes, you may use the white envelope. The mailroom will process white envelopes for interoffice delivery. Since forms are sent to persons both on- and off-campus in the same mailing, using only one type of envelope simplifies the distribution process. The mailroom staff knows that those envelopes go to Box 6.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, *continued*

Q17: Can I make a copy of my form for another employee who needs one?

A17: You should not share the form with anyone, because of the individual ID number placed on it.

Q18: If I lose the form, can the CMO fax another copy to me?

A18: Due to the unique identifiers on the form, the CMO generally avoids faxing it. Upon request from you, the CMO will be happy to issue a new form and will send or hand-deliver it to you.

Q19: If I forgot to keep a copy, can I get my old form faxed to me?

A19: Due to the importance of maintaining confidentiality, the CMO generally avoids faxing a completed form, but you can request a copy of your old form in writing, and the CMO will be happy to mail it or deliver it to you.

Q20: If I have not received a form, but believe that I should have received one, what should I do?

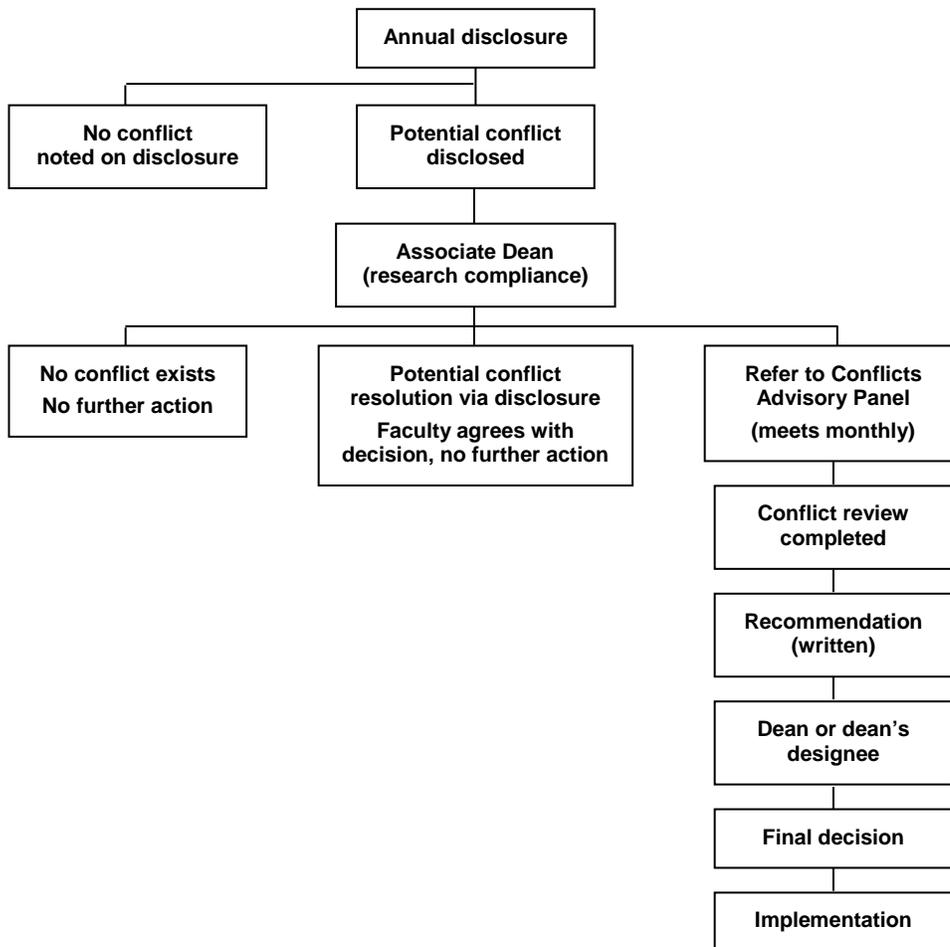
A20: Contact the CMO at (212) 821-0710, and provide an interoffice, outside, or hand-delivery mailing address. The CMO will check the database and provide a form, if appropriate.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

ADDITIONAL PROCEDURES SPECIFIC TO WEILL CORNELL CAMPUS UNITS, continued

Annual Disclosure Review Process



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Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX A: EXAMPLES AND COMMENTARY

The following commentary and examples are intended to provide guidance in the identification of conflicts of interest or commitment. The list does not cover all possible situations that might involve a real or apparent conflict of interest. It is intended to be illustrative only. For more information, see University Policy 1.7, Financial Conflict of Interest Related to Research, and University Policy 3.25, Procurement of Goods and Services.

Conflicts of Interest

The following activities have the potential to create conflicts of interest or commitment and should be reported and reviewed prior to being undertaken.

Example 1

Situations where an individual directly or indirectly leases, rents, trades, or sells real or personal property to the university.

Example 2

Situations where an individual possesses a significant financial interest in or participates in the profits of any organization that deals or seeks to deal with the university. Participation through stockholdings, mutual funds, and similar vehicles is not a conflict unless the stocks of the organization held by the individual constitute a substantial holding.

Example 3

Situations where an individual accepts appointment as an officer or director or serves in any management capacity in an external commercial, industrial, business or financial organization, or profit-making enterprise that deals or seeks to deal with the university.

Example 4

Situations where an individual, while serving in a position at Cornell, is concurrently engaged to teach a course or otherwise make a substantial contribution to the instruction or educational services offered by another entity. Instructional activities performed in the course of a dean-approved faculty sabbatic plan are not meant to be covered by this example, nor are instructional activities conducted for a subsidiary of the university. These activities are routinely subject to reporting and approval processes.

Example 5

Situations where an individual makes substantial use of university resources (e.g., studios, computer technology, research, technical, or support staff) in developing and/or teaching a course to be offered by another entity.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX A: EXAMPLES AND COMMENTARY, *continued*

Example 6

Situations where an individual, without permission, utilizes the name of the university or one of its colleges or programs in connection with the promotion, marketing, or sale of a product or service in such a way as to imply university sponsorship, e.g., "The Cornell Book of _____."

Example 7

Situations where an individual, as part of an arrangement with an entity unaffiliated with Cornell, agrees to any limitations on his or her performance of university duties (e.g., through agreements containing exclusive provider, non-competition, or right of first refusal clauses).

Example 8

Relationships that might enable individuals to influence Cornell's interactions with outside organizations in ways that may lead to personal gain, to the taking of improper advantage by anyone, or the improper diversion of university assets from the primary missions of the university, including the time and talents of its faculty and staff members.

Example 9

Situations where an individual, while serving as a consultant to an external organization has access to unpublished, privileged information from a colleague that has potential commercial value and wishes to provide that information to the external organization.

Example 10

Situations where an individual directs a student into a research area or other activity, under circumstances where that individual has the potential to realize personal gain as a result of the student's participation in that area or activity.

Example 11

Situations where the individual is asked to assume executive or managerial positions with outside organizations that might seriously divert the individual's attention from university duties, or create other conflicts of loyalty.

Example 12

Disclosure or use for personal profit or gain of unpublished information coming from university research or other confidential university sources, or assisting outside organizations by giving them access to such information except as may be authorized by university policies.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX A: EXAMPLES AND COMMENTARY, continued

Example 13

Consultation that imposes obligations that conflict with University Policy 1.5, Inventions and Related Property Rights, or with Cornell's obligations to sponsors.

Example 14

Situations where a substantial body of research that could and ordinarily would be conducted by the investigator within the university is directed elsewhere.

Example 15

Situations where the individual is invited to advise or serve an organization doing business in the general area of the individual's university responsibility or that is related to that field.

Example 16

Situations where an individual is offered a position on a scientific or administrative board of an organization that has research contracts with the individual's unit.

Example 17

Situations where an individual is offered support from an organization in which the individual serves as a director, a member of an advisory board, or as a consultant, or in which the individual holds a significant equity position.

Example 18

Situations where the individual occupies a position in an enterprise doing business in the area of the individual's university responsibility that is related to that field.

Example 19

Situations where the individual is involved in independent business ventures as owner, operator, or major investor, particularly if the corporation is doing business with the university.

Example 20

Situations where an individual can require others to purchase a product in which the individual has a proprietary interest and from which the individual will receive income.

Conflicts of Commitment

These conflicts will be apparent in the failure of individuals to discharge fully the role and duties expected of them. These include the following:

Example 1

External commitments, whether compensated or in a volunteer capacity, that involve frequent or prolonged absence from the university on non-university business.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX A: EXAMPLES AND COMMENTARY, *continued*

Example 2

External commitments (e.g., running for public office), that engage a substantial portion of the time an individual is expected to spend in university-related activities and which thereby dilutes the amount or quality of participation in the instructional, scholarly, or administrative work of the university.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX B: COMMUNITY, CIVIC, AND GOVERNMENTAL ACTIVITIES

Community, Civic, and Municipal Activities

University employees elected or appointed to part-time public positions are generally free to consider and vote on any matter involving the university, unless the individual falls into one of the following three categories:

Trustees, Officers of the Corporation, and Other Senior Administrators

Trustees, officers of the corporation, and other senior administrators, including vice presidents and vice provosts, should refrain from discussions and voting on any matter involving Cornell's interests.

Deans and Directors

Other employees with managerial responsibilities, including full-time faculty, academic department heads, and administrative directors, should similarly recuse themselves from participating in the governmental decisional process regarding specific matters that directly involve their particular Cornell unit (administrative division, school, or college) or area of responsibility.

Academic and Nonacademic Staff

Academic and nonacademic staff members should similarly recuse themselves from participating in the governmental decisional process regarding issues over which they have specific authority.

Other Extramural Activities

This three-tiered analysis to determine when recusal is required should similarly be used to identify those circumstances in which the possible adverse effects of other extramural activities upon the university should be considered in evaluating the potential for conflict of interest. Thus, when pursuing extramural activities not specifically covered in the conflicts policy or limited by the three-tiered analysis, employees are not required by Cornell to take the interests of the university into account.

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX C: START-UP NY

Introduction

The language below sets forth conflict of interest guidelines for those universities and colleges participating in the START-UP NY program, administered through the State of New York Department of Economic Development. Cornell University is a participant in the START-UP NY program and adopts the following conflicts guidelines for the duration of its participation in START-UP NY.

Section 220.20 Conflict of Interest Guidelines

- a. Each university or college participating in the START-UP NY Program shall adopt a conflict of interest policy. Such conflict of interest policy shall provide, as it relates to the Program:
 - 1) as a general principle, that service as an official of the university or college shall not be used as a means for private benefit or inurement for the official, a relative thereof, or any entity in which the official, or relative thereof, has a business interest;
 - 2) no official who is a vendor or employee of a vendor of goods or services to the university or college, or who has a business interest in such vendor, or whose relative has a business interest in such vendor, shall vote on, or participate in the administration by the university or college, as the case may be, of any transaction with such vendor; and 48
 - 3) upon becoming aware of an actual or potential conflict of interest, an official shall advise the president or chief executive officer of the university or college, as the case may be, of his or her or a relative's business interest in any such existing or proposed vendor with the university or college.
- b. Each university or college shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this section, and shall report such disclosures, on a calendar year basis, by January 31st of each year, to the auditor for such university or college. The auditor shall forward such reports to the Commissioner, who shall make public such reports.
- c. For purposes of such conflict of interest policies:
 - 1) an official of a university or college has a "business interest" in an entity if the individual:
 - i. owns or controls 10% or more of the stock of the entity (or 1% in the case of an entity the stock of which is regularly traded on an established securities exchange); or
 - ii. serves as an officer, director or partner of the entity;
 - iii. a "relative" of an official of a university or college shall mean any person living in the same household as the individual and any person who is a direct descendant of that individual's grandparents or the spouse of such

POLICY 4.14

Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

APPENDIX C: START-UP NY, continued

descendant; and

- iv. an "official" of a university or college shall mean an employee at the level of dean and above as well as any other employee with decision-making authority over the START-UP NY Program.

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Conflicts of Interest and Commitment (Excluding Financial Conflict of Interest Related to Research)

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Category:
Academic Affairs
Community Colleges
Legal and Compliance
Research

Responsible Office:
[Academic Affairs](#)

Policy Title:
START-UP NY Program Participation Policy

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6800

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This policy item applies to:
Community Colleges
State-Operated Campuses

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Summary

START-UP NY is a state economic development program that positions SUNY campuses as magnets for entrepreneurs and businesses from around the globe. START-UP NY aligns with SUNY's mission of teaching, research and public service; enabling engagement with industry, knowledge acceleration, translation of research into practical applications, and delivering the 21st century workforce businesses need to grow and thrive. START-UP NY will transform university communities to deliver unprecedented economic benefits to New York. To participate in the program, all campuses must comply with this policy and any applicable rules and regulations issued by the NYS Commissioner of Economic Development.

This policy governs the review process that all participating campuses must follow to secure SUNY's approval of the plans, applications, and other documents required by the NYS Commissioner of Economic Development to participate in the START-UP NY program. It also prescribes special requirements for the disclosure and management of actual or potential conflicts of interest in matters pertaining to the campus' START-UP NY program. Any conflict between this policy and any other applicable Conflict of Interest policy shall be resolved in favor of disclosure of any potential, actual, or perceived conflict of interest relating to the campus' START-UP NY program to the President or Chief Executive Officer of the sponsoring campus.

Policy

- A. **Campus Plans for Designation of Tax-Free Area(s):** Any campus intending to submit a Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Campus Plans within fifteen (15) business days of receipt. Any rejected Campus Plan shall be accompanied by an explanation of the basis for rejection. Once approved by the Chancellor or designee a campus may submit its Campus Plan to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Campus Plan that is rejected can be resubmitted for Chancellor

or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Campus Plans must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.

- B. Sponsoring University or College Applications for Business Participation:** Any campus intending to submit a Sponsoring University or College Application for Business Participation ("Sponsor Application") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Sponsor Applications within thirty (30) business days of receipt. Any rejected Sponsor Application shall be accompanied by an explanation of the basis for rejection. Once approved the campus may submit the Sponsor Application to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Sponsor Application that is rejected can be resubmitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Sponsor Applications must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.
- C. Delegations:** The Chancellor or designee may charge a group of individuals, collectively called the SUNY START-UP NY Proposal Review Team, to evaluate all submitted Campus Plans and Sponsor Applications prior to accepting or rejecting them.
- D. Conflicts of Interest:** Service as an Official shall not be used as a means for private benefit or inurement for any Official, a Relative thereof, or any entity in which the Official or Relative thereof has a Business Interest. A conflict of interest exists whenever an Official has a Business Interest or other interest or activity outside of the university that has the possibility, whether potential, actual, or perceived, of (a) compromising the Official's judgment, (b) influencing the Official's decision or behavior with respect to the START-UP NY Program, or (c) resulting in personal or a Relative's gain or advancement. Any Official who is an owner or employee of an entity that is the subject of any matter pertaining to the university's START-UP NY Program, or who has a Business Interest in any entity that is the subject of any matter pertaining to the university's START-UP NY Program, or whose Relative has such a Business Interest, shall not vote on or otherwise participate in the administration by the university of any START-UP NY matter involving such entity. Any Official or other campus representative who becomes aware of a potential, actual or apparent conflict of interest, either their own or that of another Official, related to a sponsoring university or college's START-UP NY program must disclose that interest to the President or Chief Executive Officer of the sponsoring college or university. Each such President or Chief Executive Officer shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures on a calendar year basis, by January 31st of each year, to the University Auditor or to the Chancellor's designee, in which case the University Auditor shall be copied on the correspondence to such designee. SUNY shall then forward such reports to the Commissioner of Economic Development for the State of New York, who shall make public such reports.
- E. Exceptions:** There are no exceptions to this policy.

Definitions

Business Interest means that an individual (1) owns or controls 10% or more of the stock of an entity (or 1% in the case of an entity the stock of which is regularly traded on an established securities exchange); or (2) serves as an officer, director or partner of an entity.

Official means an employee at the level of dean and above as well as any other person with decision-making authority over a campus' START-UP NY Program, including any member of any panel or committee that recommends businesses for acceptance into the START-UP NY program.

Relative means any person living in the same household as another individual and any person who is a direct descendant of that individual's grandparents or the spouse of such descendant.

Sponsoring College or University means any entity defined or described in NYS Education Law Sec. 352 and Article 126.

START-UP NY Program means the SUNY Tax-free Areas to Revitalize and Transform Upstate New York Program established by Article 21 of the Economic Development Law.

Tax-Free NY Area means vacant land or space designated by the Commissioner of Economic Development Article

21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

Other Related Information

[Start-Up NY Regulations](#); available at the [Start-Up NY Website](#).

At least thirty days before submitting the Campus Plan to the Commissioner of Economic Development the campus must provide a copy of the Plan to the chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable university or college faculty senate, union representatives and the campus student government. The campus shall include in their submission to the Commissioner of Economic Development certification of such notification, as well as a copy of any written response from chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable campus or college faculty senate, union representatives and the campus student government.

[StartUp-NY.gov](#) website and program information.

Procedures

[START-UP NY Program Participation, Procedures for](#)

Forms

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Memorandum](#)

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Template](#)

[START-UP NY Sponsoring University or College Application for Business Participation Memorandum](#)

[ESD START-UP NY Sponsoring University or College Application for Business Participation](#)

[ESD START-UP NY Business Application Instructions](#)

[ESD START-UP Business Application](#)

Authority

[State University of New York Board of Trustees Resolution 14-\(\) . START-UP New York Program Administration, adopted January 14, 2014](#)

[Law, New York Economic Development Law Article 21 \(Start-Up NY Program\)](#)

[Start-Up NY Regulations](#)

History

Enacted into law in June 2013, START-UP NY is a groundbreaking new initiative from Governor Andrew M. Cuomo that provides major incentives for businesses to relocate, start up or significantly expand in New York State through affiliations with public and private universities, colleges and community colleges. Businesses will have the opportunity to operate state and local tax-free on or near academic campuses, and their employees will pay no state or local personal income taxes.

Appendices

There are no appendices relevant to this policy.