

Frequently Asked Questions on USC Faculty Foreign Research Relationships

USC policies on outside relationships are generally the same for foreign as domestic entities, but there are some differences, as noted below. The following frequently asked questions and answers provide guidance to understanding responsibilities to the university when you engage in research-related activities with outside entities.

1. DISCLOSURE OF CONFLICTS OF INTEREST

Do I need to disclose the following as a potential conflict of interest or outside interest?

USC will receive a subaward from a foreign university or company: No. Work performed as part of your job at USC does not constitute a conflict.

A foreign university will reimburse my travel costs or pay an honorarium to participate in a conference or deliver a lecture: If you are conducting or proposing HHS research and the payments from a foreign university or foreign government (counting travel reimbursement, honoraria and any other payment combined) total \$5,000 or more in any 12 month period, you must disclose this on your annual HHS financial disclosure. (HHS does not require disclosure of these types of payments from domestic universities or domestic government entities.)

An unpaid research collaboration with a foreign university: When you are not compensated and do not receive anything of monetary value (besides your USC salary) no conflict disclosure is required as long as the following conditions are met: 1) Your affiliation is solely with USC in all research products, and 2) All intellectual property that you produce is assigned to USC. Otherwise, disclosure and approval is required as an external research relationship.

A university will pay me directly to participate on a research project, as a consultant. All paid research conducted for another entity (foreign or domestic) for which you will receive a direct payment (i.e., not through USC) must be disclosed and approved in advance. Such outside research is not permitted unless approved in advance as a special exception both by your dean and by the vice president of research. Please note that such requests are frequently turned down.

Please also read below for other types of disclosures and approvals that may be required, depending on the situation.

How do I disclose my outside financial interests and activities?

Whether foreign or domestic, non-profit or commercial, outside financial interests are disclosed through the [diSClose](#) system. This is the only acceptable method for USC faculty, staff or students to fulfill disclosure requirements on outside financial interests.

I am a consultant to a foreign company or other entity. Do I disclose this relationship differently from domestic companies?

No. The relationship must be disclosed through the diSClose system. HHS funded investigators must include the relationship in their annual disclosure if it relates in any way to their professional responsibilities at USC. Everyone must disclose the relationship and obtain advance approval if it presents a potential conflict of interest in research (such as a management role or equity interest in

a research-related startup, or consulting to a company that will benefit from your research, paid in excess of \$5,000 per year); or a medical doctor consulting for a pharmaceutical company (even without a research relationship, at any value).

I forgot to disclose a conflict of interest. Should I disclose now?

Yes. While failure to disclose and gain approval is a policy violation, the consequences are likely to be greater should a policy violation be discovered via audit rather than via self-disclosure. Please keep in mind that NIH and other HHS sponsors will require a retrospective review of your research if your outside activity was not properly disclosed.

When in doubt, you should always disclose an outside interest.

2. USC LIMITS ON OUTSIDE ACTIVITY

How much time may I spend on my outside activities?

During periods when you are full-time at USC, your total outside professional-related consulting may not exceed one day per week. The university assesses this limit by evaluating an average by semester (semesters are defined as: Fall, August 16 to December 31; Spring, January 1 to May 15; and Summer, May 16 to August 15) or quarter. Consulting includes work for which you are directly compensated (whether for a company or a not-for-profit); for which you have private equity interest (even if not receiving payment); or you hold a managerial role. You may devote additional outside effort during periods when you are not working full-time at USC, such as during unpaid months in the summer for those on academic year appointments.

Is it possible to spend more than one day a week on outside activities?

Additional effort is only permitted if the provost and your dean approve a reduced appointment at USC, which will reduce USC compensation. Tenured faculty are full-time, but may request a partial leave, generally limited to a maximum of one year. All such requests require Provost approval and must be made through Faculty Affairs.

May I be appointed as an Adjunct Professor, Research Professor or Honorary Professor at another university or institution?

Academic titles, whatever the title, at other institutions, whether the institution is foreign or domestic, require the written prior approval of the Vice Provost for Faculty Affairs, after recommendation of your dean. Approval is required whether or not you are compensated.

I have been approached by a “talents” program (e.g. 1000 Talents, New Century Talents Project) attempting to recruit me to perform research at a university. What should I do?

If you are contacted by such a program, please contact the Office of Research for guidance. Federal legislation is currently under consideration that would bar individuals who have participated in such programs from receiving any federal grant funding from the Department of Defense. There is some concern that this bar could be broadened to include other federal granting agencies.

As addressed in these FAQ's, participation in any outside research activity also requires advance disclosure in USC's diSClose system, is subject to the policies mentioned above, and will only be approved on an exception basis.

May I do outside paid work while on a sabbatical?

Your request for the sabbatical must disclose all proposed paid work, so that it can be approved or disapproved.

How much time may I spend outside the country?

There is no set limit. However, any extended absence from USC, whether inside or outside the country, should be approved by your dean. This is particularly important if you have teaching responsibilities. While outside the country, please follow the standards for travel stated in USC's policy on international relationships.

Also, your effort should only be charged to sponsors if you can clearly establish that you are performing work for the sponsored agreement while away from USC. If your activities while away are only partially devoted to the sponsored agreement, you must disclose that and apportion the costs fairly.

How do Memoranda of Understanding (MOU) affect my foreign relationships?

All MOU's must be written to comply with USC policies, unless a special exception is granted, so in most cases they do not affect your responsibilities at USC.

3. DISCLOSURE TO SPONSORS

What should I tell my research sponsors about my outside research activity?

Your participation in research must be disclosed as current or pending support in your funding applications, whether it takes place at USC or at an outside entity, whether domestic or foreign. This includes grant support, gift funding, or any other financial support for your research. In addition, if you are a named investigator at another institution, you likely need to disclose the project even if you are not compensated.

Please note that the National Institutes of Health has extensive [disclosure requirements](#) for external relationships, including any type of external faculty appointment or participation as an investigator at another institution. **If you are funded by NIH and have any external research activity, please carefully review and follow NIH requirements.**

4. INTELLECTUAL PROPERTY AND EXPORT CONTROLS

May I, or a company that I work for, patent intellectual property resulting from my consulting?

Generally no. In any case, invention disclosure to USC is always required. Under USC policy:

*“Faculty, staff, students and visitors recognize their responsibility as members of the University’s community of scholars to cooperate in the prompt and open dissemination of ideas and inventions by: (a) disclosing promptly and completely the creation of new intellectual property to the OTL [i.e., the Stevens Center], **even if the University does not necessarily have rights to such intellectual property under the provisions of this Policy:**”*

Because consulting frequently is dependent on USC research, it is unusual for the subject matter of consulting to be separate from USC-owned intellectual property.

Researchers are required to promptly disclose all IP to the Stevens Center through [the Sophia system](#), so that ownership can be determined. Also, keep in mind that as a term of your employment with USC, faculty assign to the university rights to intellectual property conceived or reduced to practice during the time of their employment to the university.

May I send data, materials, or animals to foreign collaborators?

It is possible to execute transfers if accompanied by a *material transfer agreement* or a *data transfer agreement* or other institutional agreement, which requires approval by USC. Please consult the Stevens Center for Innovation. Data may also be transferred to other entities through data sharing plans, in which case the collaborating entity should receive no preference over others who may also want the data.

How do I know if my research is subject to export controls, and what does that mean?

Export control regulations are laws that regulate the distribution to foreign nationals and foreign countries of strategically important products, services and information for reasons of foreign policy and national security. The regulations apply to commercial items as well as items whose primary purpose is military in nature. At universities, the export control regulations do not apply to research taking place in the United States as long as there are no publication or personnel restrictions imposed by the sponsor.

Export regulations apply broadly. If in connection with a foreign relationship or otherwise, you take or send hardware, software, or related technical data abroad, you may be required to obtain governmental authorization in the form of an *export license* **prior** to shipment. If you are a principal investigator on a project that is subject to publication and/or personnel restrictions, or you intend to take or send items abroad in connection with your work, do not do so prior to consulting with the Office of Compliance. For further guidance, please review USC’s International Collaborations and Export Controls policy at <https://policy.usc.edu/?s=international+collaborations&search=search>

5. Resources

[Memo from VP of Research on Foreign Relationships](#)

[Policy on International Relationships and Export Controls](#)

[Conflict of Interest in Research Policy](#)

[Conflict of Interest in Professional and Business Practices Policy](#)

[Bayh Dole Obligations for Universities \(intellectual property\)](#)

[Stevens Center for Innovation Data and Material Transfer Agreements](#)

[USC Resources on International Research](#)

[Office of Compliance and Ethics Export Control Information](#)

[Guide to Data Sharing Plans at USC](#)

[NIH Annual Disclosure FAQs](#)

[Association of American Universities Resources](#)

[NSF Dear Colleague Letter on Research Protection](#)

[NIH Policies on Other Support and on Policies related to Financial Conflicts of Interest and Foreign Components](#)