

Document # <b>SOP-MU-01</b>	Title: <b>Annual Sponsored Research Exemption Report to the State of Florida Governor and Legislature</b>	Print Date: <b>3/13/2017</b>
Revision # <b>0.0</b>	Prepared By: <b>Caroline Fultz-Carver, Associate Compliance Officer</b>	Date Prepared: <b>3/28/2016</b>
Effective Date: <b>3/13/2017</b>	Reviewed By: <b>Jolanda Thompson</b>	Date Reviewed: <b>4/1/2016</b>
Standards: <b>USF System Policy 0-027</b>  <b>Florida Statutes §112.313(12)(h)</b>	Approved By: <b>Jeffrey Muir, USF System Chief Compliance Officer</b>	Date Approved: <b>1/4/2017</b>
	Approved By: <b>Gerard Solis, USF System General Counsel</b>	Date Approved:
	Approved By: <b>April Turley, Director, Division of Patents &amp; Licensing</b>	Date Approved:

## Policy

Under the Florida Code of Ethics for Public Officers and Employees (FCOE) and USF System Policy 0-027, USF System employees are prohibited from having an employment or contractual relationship with a business entity also doing business with the USF System, unless an exemption applies under §112.313(12)(h). When such an exemption, called a Sponsored Research Exemption (SRE), is approved by the USF System President and the USF System Board of Trustees Chair, it must be disclosed to the State of Florida Governor and the Legislature by March 1 of each year.

## Scope:

This standard operating procedure (SOP) affects:

- USF System employees**
- Technology Transfer Office/Patents & Licensing in USF Research & Innovation**
- USF System Compliance & Ethics Program (CEP)**
- USF System President**
- USF System Board of Trustees Chair**
- Office of the General Counsel (GC)**

## Purpose:

The purpose of this SOP is to outline the responsibilities and steps needed to generate the annual Sponsored Research Exemption report to the State of Florida Governor and Legislature as outlined under Florida Statutes, §112.313(12)(h).

## Responsibilities:

**USF System Employees** must disclose when they have an employment or contractual relationship with a business entity that is doing business with the USF System in the eDisclose system on the FCOE form. Examples of “doing business” includes, but is not limited to, the following:

1.50 0 s1. Examples

Employment by a USF System vendor

Providing consulting services to a USF System vendor

An interest in a company that is licensing intellectual property from the USF System

An interest in a company that is sponsoring a USF System research project

**Patents & Licensing** is responsible for the following:

1. Ensuring USF System employees have completed a FCOE disclosure in the eDisclose system *prior* to execution of a license agreement that is between the USF System and a company in which a USF System employee has a direct involvement, i.e., ownership, officer, board member, consultant, etc.
2. Providing USF System Compliance & Ethics with a report of USF System employees with an interest in a com

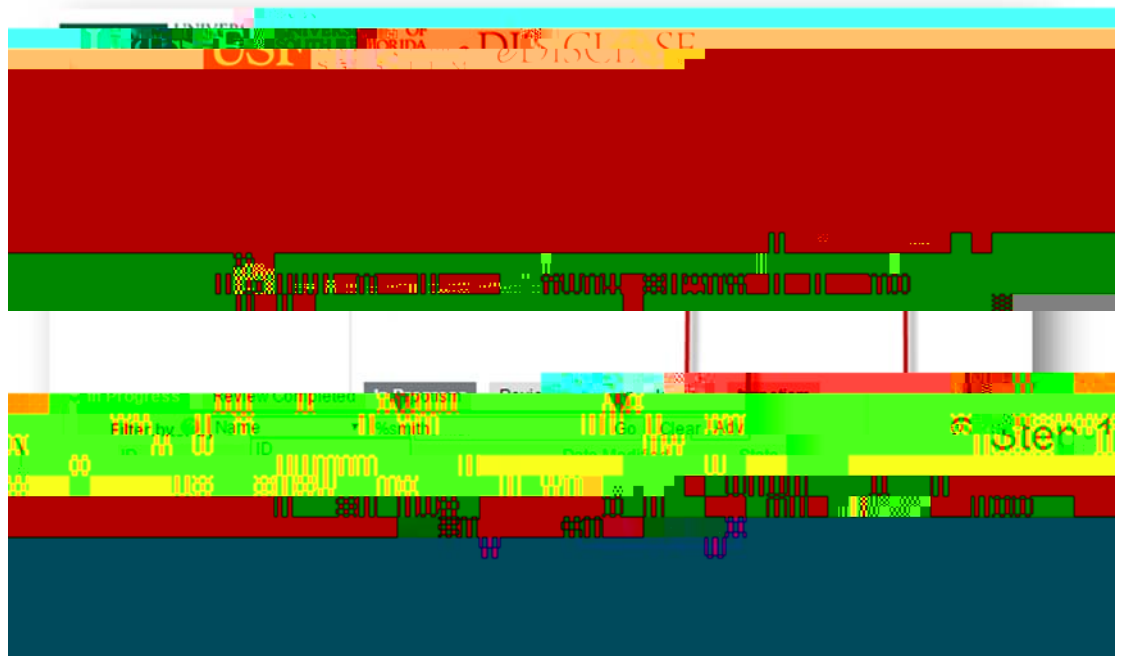


1.1.3 Search for disclosures submitted by the USF System employee on the **In Progress** or **Review Completed** tabs as follows:

- 1) Choose the filter type, e.g., Name.
- 2) Type your search text in the text box indicated below.

*Tip: Use % as a wild card before your search text, e.g., type %Smith, when searching for disclosures by disclosers with the surname Smith.*

- 3) Click **Go** to list only those disclosures meeting your search criteria on the tab you are viewing.





- 3) Confirm the employee has answered “yes” to Question 1.2 and completed subsequent 1.2 questions regarding the entity cited on the license agreement.
  - a. If the relationship has not been disclosed under Question 1.2, then the license agreement cannot be executed until the employee discloses the license agreement on their FCOE form. Contact the USF System employee and ask them to update their FCOE disclosure in eDisclose.

*TIP: FCOE disclosures listed on the In Progress tab can be edited. FCOE disclosures listed on the Review Complete tab can no longer be edited; the employee will need to submit a new FCOE disclosure.*

If the employee needs assistance editing their FCOE disclosure, refer them to the eDisclose Help Desk by directing them to call 813-974-2705 or [eDisclose@usf.edu](mailto:eDisclose@usf.edu).

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## 2.0 USF System Compliance & Ethics

- 2.1 Determine whether or not a SRE applies to FCOE disclosures made in the eDisclose system and, if so, document said exemptions in eDisclose.
- 2.2 Confirm an FCOE disclosure has been submitted in eDisclose for all USF System employees listed on the **Licensing Report** provided by PnL by following the procedures outlined in Section 1.0 of this procedure.

If an employee listed on the **Licensing Report** does not have an FCOE disclosure in eDisclose, then notify PnL so they can follow-up with the employee.

- 2.3 Prepare a list of companies and associated USF System employees based on the **Licensing Report** and FCOE disclosures granted a SRE in
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- 2.4.2 SRE report from the USF System Board of Trustees Chair to the State of Florida Governor: [O:\Compliance Program\01\\_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-GOVERNOR.docx](O:\Compliance Program\01_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-GOVERNOR.docx)
- 2.4.3 SRE report from the USF System Board of Trustees Chair to the Florida House of Representatives: [O:\Compliance Program\01\\_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-Legislature-HOUSE.docx](O:\Compliance Program\01_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-Legislature-HOUSE.docx)
- 2.4.4 SRE report from the USF System Board of Trustees Chair to the Florida Senate: [O:\Compliance Program\01\\_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-Legislature-SENATE.docx](O:\Compliance Program\01_eDisclose-FCOE-OA\SponsoredResearchExemption\Templates\TEMPLATE-Annual Sponsored Research Exemption Reporting-Legislature-SENATE.docx)
- 2.5 Email the draft SRE memo and reports to the Office of the General Counsel by February 14<sup>th</sup>.
- 2.6 Maintain USF System records for the submission of the annual Sponsored Research Exemption Report to the State of Florida Governor and the Legislature as follows:
- 2.6.1 Save correspondence and files relating to the SRE reporting for the calendar year in which it was reported to the State of Florida Governor and Legislature in the UAC Shared drive under **Compliance Program\01\_eDisclose-FCOE-OA\SponsoredResearchExemption** in a subfolder in the following format: YYYY Reporting.
- E.g., Correspondence and files for SRE reporting in 2016 to the State of Florida Governor and Legislature were filed in the following subfolder: [O:\Compliance Program\01\\_eDisclose-FCOE-OA\SponsoredResearchExemption\2016 Reporting](O:\Compliance Program\01_eDisclose-FCOE-OA\SponsoredResearchExemption\2016 Reporting)*
- 2.6.2 Save the final, signed version of the SRE memo and SRE reports to State of Florida Governor and Legislature in pdf format as a single file. Post this file to the UAC shared drive under Compliance Program\01\_eDisclose-FCOE-OA\SponsoredResearchExemption\YYYY Reporting\FINAL Report-YYYY.
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*E.g., The final SRE approval memo and reports in 2016 to the State of Florida Governor and Legislature were filed in the following subfolder: [O:\Compliance Program\01\\_eDisclose-FCOE-OA\SponsoredResearchExemption\2016 Reporting\FINAL Report-2016](#)*

### **3.0 Office of the General Counsel**

- 3.1 Review the draft SRE memo and SRE reports for form and legality, editing as needed.
  - 3.2 Print the SRE memo and SRE reports on USF System letterhead.
  - 3.3 Provide the SRE memo to the USF System President for review, approval, and signature.
  - 3.4 Provide the SRE memo signed by the USF System President and the SRE reports to the USF System Board of Trustees Chair for review, approval, and signature.
  - 3.5 Submit the final, signed SRE reports to the State of Florida Governor and the Legislature on behalf of the USF System Board of Trustees Chair by March 1<sup>st</sup>.
  - 3.6 Email a pdf version of the final, signed SRE memo and SRE reports to USF System Compliance & Ethics and maem Boar17np10.5 76.5 .0007
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## References:

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**USF System Policy 0-027, Florida Code of Ethics for Public Officers and Employees; Compliance and Disclosure:**

<http://regulationspolicies.usf.edu/policies-and-procedures/pdfs/policy-0-027.pdf>

**Florida Code of Ethics for Public Officers and Employees (see §112.313(12)(h)):**

<http://www.usf.edu/audit-compliance/documents/fcoe-chapter-112-2013.pdf>

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## Revision History:

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The below chart summarizes the revision history of this Standard Operating Procedure.

Revision	Date	Description of Changes	Requested By
0.0	3/13/2017	Inception	Caroline Fultz-Carver

