



FLORIDA STATE UNIVERSITY

Dos, Don'ts, and Maybes of Foreign Entity Relationships: A User's Guide

Generally Okay, but disclosure required.*

- The University has or will receive an award/sub-award from a foreign university or company. No additional disclosure to the University is required prior to award, but some additional reporting post-award may be required. **Related Requirements:** [Florida BOG Regulation 9.012, Foreign Influence](#); **Related FSU Requirements:** *None*
- A foreign entity (university, government, industry, or foundation) reimburses an investigator's travel costs, pays an honorarium or otherwise provides funding or support to an investigator to participate in a conference or deliver a lecture. **Related FSU Requirements:** [Policy 7A-21, Financial Conflict of Interest Disclosure](#); [FSU Conflict Administration Management System \(CAMS\)](#).
- Any effort, compensation, or credit relating to foreign research must be disclosed, and must be in accord with actual work done/effort expended or support provided. **Related Guidance:** *ICMJE's guidance on "Defining the Role of Authors and Contributors" (and similar sponsor or publisher guidance); and the FSU Office of Research Compliance Programs' [Research Integrity](#) website.*
- An investigator engages in unpaid research activities with a foreign research laboratory—typically at a university. However, review and approval may be required based on intellectual property considerations, or if an investigator's affiliation on research products such as proposals and publications is not solely that of his/her home institution. **Related FSU Requirements:** [Patent and Copyright Policies and Procedures](#) (from the Faculty Handbook); and [FSU's Intellectual Property Handbook](#).
- An investigator participates in research in a foreign country.
 - In cases where the faculty member is paid, this must be disclosed as current or pending support in funding applications. This includes grants, gifts, or any other financial support for research.
- If a faculty member is a named investigator at another institution, the project should be disclosed on your biosketch even if compensation is not provided. Any resulting publications must include the investigator's affiliation with their home university as a primary affiliation. **Related FSU Requirements:** *Policy and Guidance under development.*

Sometimes Okay ("gray area") but disclosure required.*

- A foreign university will pay an investigator directly to participate on a research project as a consultant; this may require approval depending on your school. **Related FSU Requirements:** [Faculty Outside Activity](#) (from the VP for Faculty Development & Advancement)
- An investigator forgot to disclose a financial interest, foreign or domestic. While this is generally a policy violation, it is preferable that it be discovered via self-disclosure rather than via audit by the university (or worse, a federal agency). If the non-disclosed interest is determined by the Office of Research Compliance Programs to be a conflict of interest, a retrospective review of the research is typically required to check for the introduction of bias. **Related FSU Requirements:** [Policy 7A-21, Financial Conflict of Interest Disclosure](#)
- An academic appointment is conferred at another institution, foreign or domestic. This requires the written prior approval of University administration. **Related FSU Requirements:** *Policy and Guidance under development*

Sometimes OK (“gray area”) but disclosure required.* continued...

- Recruitment into a foreign “talents” program (e.g., Thousand Talents Plan). If an investigator is contacted by such a program, s/he should contact FSU’s Office of the Chief Compliance & Ethics Officer for guidance. While not illegal, federal legislation is in place or under consideration that would bar individuals who have participated in such programs from receiving research funding from federal agencies. **Guidance:** *General information provided on the Office of Research Compliance Programs’ [Foreign Influence website](#).*
- An investigator’s extended absence overseas while employed at the university. This generally must be approved by the University in advance, and for a limited period of time. Payment from sponsored sources for any such time must be carefully monitored and fully disclosed to, and acknowledged/approved by, the funding agency and the home institution. **Guidance:** [Faculty Handbook](#).
- Export of materials, equipment, hardware, software, or technical data subject to restrictions on access/dissemination out of the US; this includes sharing technical data with foreign nationals (e.g., students) *even if it stays in the US*. Depending on the applicable regulation(s), technical data controls may apply to information already in existence, developed in the context of performing the current research, or both. A principal investigator on a project that is subject to publication and/or personnel restrictions, or who intends to take or send such items abroad, must consult with the Office of Research Compliance Programs to determine licensing requirements or the need for a Material Transfer Agreement or Data Use/Transfer Agreement. **Guidance:** [Export controls](#) or [Other Non-Financial Agreements](#) websites.

Not Okay.

- Outside activity (i.e. consulting) for a foreign entity beyond the duration or scope allowed by university policy, or unapproved outside activity for which approval is required. **Exception:** An investigator may devote additional outside effort during periods when they are not working full-time at the university, such as during unpaid months in the summer for those on < 12-month appointments. However, this outside activity must be disclosed*. **Related FSU Requirements:** [Faculty Outside Activity](#) (from the VP for Faculty Development & Advancement); [Policy 7A-21, Financial Conflict of Interest Disclosure](#)
- Accepting or giving authorship credit that does not reflect an individual’s actual contribution to work (e.g., ghost or honorary authorships); failing to acknowledge or misrepresenting source(s) of support; or falsely reporting contributions to intellectual property development. **Related FSU Requirements:** [7A-3 Policy on Authorship and Research Integrity](#); [7A-2 Misconduct in Research, Creative Activity, and Scholarship](#). **Guidance:** ICMJE’s “[Defining the Role of Authors and Contributors](#)” or similar sponsor or publisher guidance.
- “Double-dipping” (e.g., receiving support for the same project/effort from two different entities—one foreign and one domestic). This does not refer to joint sponsorship situations that are clearly disclosed to and supported by both sponsors. **Related FSU Requirements:** *None but would violate the terms and conditions of federal awards.*
- Disclosure of any confidential information (privileged grant application or review information, approval status, confidential results, reviewer identity, etc.) to any individual or entity, foreign or domestic, without the explicit authorization of the data owner (e.g., grant applicant or submitting author) or custodian (e.g., sponsoring agency or publisher to whom the data information was submitted by the owner). Unauthorized disclosure of confidential information may also violate civil and criminal laws protecting trade secrets. **Related FSU Requirements:** *None.* **Recent Actions:** *MD Anderson Cancer Center researchers ([Science](#) article; [Houston Chronicle](#) article).*
- Development of intellectual property without disclosure to the university and/or release of intellectual property for work conceived or done as a university investigator to any entity without appropriate licensing/contract from the University. **Related FSU Requirements:** [Patent and Copyright Policies and Procedures](#) (from the Faculty Handbook); and [FSU’s Intellectual Property Handbook](#).

* These are examples of activities or sponsorship that must be disclosed to federal, and many non-federal, sponsors in the “Other Support” (sometimes called “Current and Pending”) section of proposals and progress reports.