## ARTICLE III

CONFLICT OF INTEREST

A. Conflict of Interest in Faculty Status Decisions

The AAUP and the University recognize that it is the obligation of everyone involved in faculty status (appointment, reappointment, promotion and tenure) decisions to make recommendations and render judgments in as fair and unbiased way as possible and that the University relies on such judgments in order to carry out its central mission. At the same time the parties recognize that pre-existing relationships between candidates and those who are charged with making recommendations or rendering such decisions may make it impossible for an individual to render or appear to render a fair and unbiased judgment in a faculty status case. Under such circumstances it may become necessary for an individual not to participate in the departmental discussion and vote in a faculty status case in which they would otherwise be professionally obligated to participate. The following shall be the procedure to be followed when an involved individual believes that they or some other member of the University community should not participate in the departmental discussion and vote in a particular faculty status case because of a conflict of interest.

If any member of the faculty believes a conflict of interest created by a familial, intimate, or financial relationship would prohibit fair consideration of a candidate’s application for, appointment, reappointment, promotion and/or tenure, s/he has an obligation to report the potential conflict of interest, by petitioning the Provost and the AAUP Executive Committee to ask that a named individual be barred from participation in the departmental discussion and vote in a particular faculty status case. A petitioner must specify the nature of the relationship and explain why the relationship makes it impossible for the named individual to fairly evaluate the candidate. In a case where the petition comes from someone other than the individual with the alleged conflict of interest the named individual will be given the opportunity to explain why s/he should not be barred from participating in the evaluation of the candidate. In the case of appointments an individual may recuse themselves from the process if they believe that they have such a conflict. In all other faculty status cases an individual must petition the Provost and the AAUP Executive Committee to be excused from the obligation to participate. If the Provost and the AAUP Executive Committee concur that the conflict of interest would prohibit the fair evaluation of a candidate, then and only then, the individual named in the petition will be excused from this obligation. If the named individual is the Provost, the President and the AAUP Executive Committee shall make the decision.

B. Conflict of Interest in Financial or Other Personnel Decisions

While faculty members rarely make University financial or personnel decisions separate from the appointment, reappointment, and promotion and tenure process, when such a situation arises faculty have the same obligation to avoid conflicts of interest as they do in faculty status decisions. If a faculty member believes that he/she or any other member of the faculty in such a situation have a conflict of interest or may reasonably be perceived to have a conflict of interest due to a familial, intimate or financial relationship, he/she has an obligation to report the conflict to the Provost’s office. The Provost and the designee of the AAUP will review the potential conflict and either determine that no real or potential conflict exits, or in cases where the Provost and the AAUP designee cannot agree that is the case, the matter will be referred to the Conflict Committee of the University's Board of Trustees. Financial or personnel decisions that relate to the reported potential conflict of interest will not be implemented until reviewed and approved by either the Provost and the AAUP designee or the Conflict Committee of the University Board of Trustees.