

Report of the Conflict of Interest Committee

College of Liberal Arts

Purdue University

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Preamble

History

To our knowledge, there are no general guidelines concerning conflicts of interest for Purdue University faculty members. There are university policies and disclosure requirements concerning some conflicts that involve financial interests; these are articulated in executive memoranda C-1 and C-39. Conflicts of interest should be understood more broadly, however. For example, Liberal Arts departments have in practice generally refrained from asking the major professor of a candidate for tenure and promotion to write a letter of evaluation about the candidate. The major professor may have an interest in the candidate's success, and that interest might interfere with an impartial and unbiased appraisal of the candidate; it is very unlikely that the major professor has a financial interest in the candidate's success, however. While this has been the practice, there are no formal guidelines concerning this sort of situation.

Cases have arisen in more than one departmental Primary Committee and in the Liberal Arts Area Promotions Committee in which the major professor for a candidate's terminal degree was involved in the candidate's tenure and promotion decision. These are cases in which the candidate held a Purdue degree, supervised by a Purdue faculty member in the employing department. Unlike the situation with tenure and promotion candidates who earned their degrees elsewhere, in these cases one could not simply decline to ask their major professor for a letter of evaluation. In the absence of policy or guidelines, these cases had to be handled on an *ad hoc* basis.

Our committee was asked to develop a policy or general guidelines regarding conflicts of interest for use in the College of Liberal Arts. It may be that some disciplines and departments will find different or further policies and practices appropriate for them. We recommend that if any such different or further guidelines are adopted, they shall be put in writing.

Goal

Our goal is to help ensure fair and impartial treatment of faculty, staff, and students. No impropriety of any sort should hamper a faculty member from doing his or her work as a scholar or teacher, or unfairly reward him or her. A faculty member should not receive, or be denied, any reward or benefit he or she is due because of preferential treatment. Nor should a faculty member be placed in a position that would unavoidably raise reasonable questions about the objectivity of his or her judgment: it is often important to avoid the appearance of a conflict of interest as well as genuine conflicts. For example, while a spouse or partner might in fact be able to make an objective judgment about tenure and promotion for his or her spouse or partner, whether that judgment was compromised because of the relationship would remain in question, and participation in such a decision should be prohibited. Cases of this sort involve an unavoidable

appearance of a conflict of interest. But there may also be cases in which there is the mere appearance, or a defeasible appearance, of a conflict of interest; such cases do not demand withdrawal from the decision making process. Occasional co-authorship is such a case. Recusals in such cases could be unfair to those affected. They could be unfair to those about whom a decision is being made, by excluding judgments by those who are best positioned to make them. Recusals could also be unfair to those participating in the decisions by limiting the rights they have to participate in them.

While these comments generally focus on faculty, the fair and impartial treatment of staff and students is certainly included in our goal. Staff sometimes supervise students or other staff members, and students and staff are often affected by decisions in which faculty participate.

Policy or Guideline Recommendation

We recommend that

- **those who may have a conflict of interest shall disclose it to their department head or the relevant committee chair so that it can be discussed and adjudicated.**
- **others who perceive a conflict of interest shall disclose their concern to the department head or the relevant committee chair so the matter can be discussed and adjudicated.**
- **those deemed to have a conflict of interest or unavoidable appearance of a conflict of interest shall remove themselves from any decision making process to which that conflict is germane.**

The role of disclosure is to promote discussion of whether circumstances warrant recusal. If discussion indicates that there is neither a real conflict of interest nor the unavoidable appearance of one, but the mere or defeasible appearance of one, the person in question may participate in the discussion and decision making process. When it is determined that there is a conflict of interest or the unavoidable appearance of a conflict of interest, recusal is required, since declaring or disclosing the problem but continuing to participate in the decision making process is inappropriate. Persons in this situation would be able to provide information, and indeed might be in the best position to provide information, but they should not participate in the decision making process.

Examples

While we cannot anticipate every case, we can provide clear examples of relationships that give rise to conflicts of interest, and clear examples of decision-making processes from which those who have such conflicts should recuse themselves. We expect that our general remarks and the examples will provide guidance for other cases, but some situations will likely need to be addressed on their own merits.

Relationships

Some relationships that generate conflicts of interest are personal while others are professional. Being a spouse or partner or significant other, or a blood relative, should preclude participation in some decisions, as should having been the major professor or post-doc advisor to someone. A potential financial benefit or harm that depends on the

outcome of a decision could fall in either category, or both categories. Extreme personal animosity arising from personal or professional circumstances can also bring about a conflict of interest. However, having had professional or personal disagreements with someone is not by itself a source of a conflict of interest.

We note the value of collaborative work, and certainly do not wish to make it more difficult for people to pursue such work. However, we must recognize that some professional collaborations do create conflicts of interest for some purposes. Two examples are substantial co-authorship and acting as co-principal investigators on numerous grant applications. In these cases, an evaluation of a collaborator's work is almost inevitably an evaluation of one's own work. Occasional collaboration, on the other hand, is not an automatic source of conflict of interest. Neither is the mentoring of junior faculty by senior faculty.

Decisions

Some decisions in which those who have a conflict of interest should not participate are readily identified, and include

- Hiring decisions
- Tenure and promotion deliberations/votes
- Salary determination
- Determination of other significant benefits

We again note that students and staff as well as faculty might be involved. The benefit might be a reward for a staff member supervised by another staff member, or a research grant supporting a student for whom one is major professor, for example. Significant decisions that might raise reasonable questions about a faculty member's ability to provide an objective and impartial opinion should prompt discussion of whether the faculty member has a conflict of interest and should withdraw from the decision-making process. Matters such as setting teaching loads and teaching schedules are not decisions of this sort.

Respectfully submitted,
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