

TEMPLE UNIVERSITY

BOARD OF TRUSTEES

POLICIES AND PROCEDURES MANUAL

Title: Conflict of Interest - Faculty

Policy Number: 4.16.02

Issuing Authority: Board of Trustees

Responsible Officer: Provost

Date Created: March 11, 1986

Date Last Amended/Reviewed: May 13, 2008

Date Scheduled for Review: May 13, 2013

Reviewing Office: Senior Vice Provost for Faculty Development and Faculty Affairs

Scope of Policy & Rationale:

It has been and shall continue to be the policy of Temple University that all full-time and part-time faculty members avoid any conflict, or appearance of conflict, between their personal interest and the interest of the university in dealing with any organization or individual having, or seeking to have, any business relationship with the university or with any organization or individual whose objectives or interest may be adverse to university interests. The following guidelines are adopted to achieve this policy.

Definitions:

A faculty member shall be deemed to have a potential conflict of interest when:

- A. The faculty member is an officer, director, trustee, partner, employee or agent of, or has a 5% or greater interest in, a person or an entity involved in a transaction with or affecting the university; or
- B. The faculty member is aware that that the faculty member, his or her spouse or any of their parents, children, brothers or sisters, or relatives is an officer, director, trustee, partner, or agent of, or has a 5% or greater interest in a transaction with or affecting the university; or
- C. Without regard to A or B above, the faculty member's independent judgment is or might appear to be impaired by an existing or potential financial interest; or
- D. A faculty member supervises or participates in a decision affecting a relative of the faculty member.

Policy Statement

Before an action is taken by a faculty member with or on behalf of the university, where an actual or potential conflict of interest may exist, the faculty member will:

- A. Promptly make full disclosure to the faculty member's dean; and
- B. Refrain from acting until the faculty member has received written approval from the cognizant university officer and the university counsel that such action is appropriate. The cognizant university officer and university counsel will make reasonable efforts to resolve the matter expeditiously.

This policy does not require faculty members to divest themselves or their relatives of outside financial interests. The policy also does not mean that two relatives may not be employed in the same unit of the university. What the policy does mean is that faculty members may not allow outside financial interests or relations with relatives to influence, or appear to influence, their actions and decisions as university employees.

Procedures

1. The faculty member's dean will coordinate the faculty member's conflict of interest concerns with the university officer responsible for the action and the university counsel.
2. The university counsel will be responsible for consistently interpreting the university Conflict of Interest Policy.
3. If a faculty member is uncertain as to whether or not a given transaction is deemed to have a potential conflict of interest, the faculty member will, through the faculty member's dean, seek advice in writing from the university officer responsible for such transaction.
4. Each faculty member shall provide the faculty member's dean with a written list of all business, charitable and other relationships, with a short description of the nature of each, for which there is reason to believe that the transaction might be with or affecting the university. The dean shall provide a copy of the statement to the university officer to whom the dean reports.
5. Any faculty member who is aggrieved by the decision of the cognizant university officer and the university counsel may appeal the decision to the Personnel Committee of the Faculty Senate (see Article IV, Section 8 of Faculty Senate By-Laws), which shall forward its recommendations to the Faculty Senate and the president.

Notes

1. Dates of official enactment and amendments:

Adopted by the Board of Trustees on March 11, 1986.

Updated by the Board of Trustees on May 13, 2008

2. History:

The May 13, 2008 amendments updated the references to persons and units to conform to current practice.

3. Cross References/Appendix:

Board of Trustees Policy # 01.35.01, Conflict of Interest – Trustees and Hospital
Govenors

Board of Trustees Policy # 04.16.01, Conflict of Interest – All Employees

Board of Trustees Policy # 04.16.03, Gifts and Conflict of Interest – All
Employees

Faculty Senate By-Laws