

## Committee on Equity, Diversity and Inclusion

### Conflict of Interest Policy<sup>1</sup>

Adopted June 5, 2018

Reviewed and approved as presented by EDI on September 9, 2024.

In a university, the term “conflict of interest” refers to financial or other personal considerations that may compromise, or appear to compromise, a faculty member’s professional judgment in administration, management, instruction, research, or other professional activities. Committee members should always keep this potential conflict in mind and take appropriate action when a conflict of interest arises. Conflicts may arise because the committee member is in the same unit (Department, Institute, School, or academic group at a comparable level) or may have had personal and/or professional relationships with one or more parties or units concerned in the committee’s deliberations. Bearing in mind that the most informed committee discussions are the most useful, possible actions include simply informing the Chair or the Chair and Committee members, absenting oneself from parts of a discussion and/or from voting, and full recusal.

There are additional circumstances in which abstention from voting, or absence from part of a meeting or deliberation, or even total recusal may be necessary. The need for recusal, or actions short of recusal, may arise from the nature of the committee’s areas of jurisdiction, or from the circumstances of a particular individual, case, or from a problem dealt with in the course of the committee’s work. A committee member should consult with the Committee Chair about the proper course of action if in doubt. The decision to recuse oneself, however, need not be accompanied by any explanation.

It should be kept in mind that an individual with a conflict or apparent conflict may have knowledge about the issue under consideration, and that it is important not to deprive the committee or other body of that expertise. Accordingly, the minimum level of recusal consistent with avoiding conflicts or apparent conflicts is preferred. Even in cases of the most severe conflicts, it may still be appropriate for an individual to present to the committee their knowledge and opinions about the subject under consideration before withdrawing from further participation. It should also be noted that representing and/or belonging to a body (*e.g.*, a Department) is not usually a conflict per se.

- 1) The Committee member has, or has had, a family relationship (*e.g.* current or former significant other, partner, or spouse, or child, or sibling, or parent) should consider recusal with an individual concerned in the topic under deliberation or that is up for a vote.<sup>2</sup>
- 2) The Committee member has, or has had, a sexual/romantic relationship with the individual(s) concerned.
- 3) The Committee member has a personal interest, financial or otherwise, in the matter under deliberation.
- 4) The Committee member is aware of any prejudice, pro or contra, which would impair their judgment in the matter under discussion. [NB: open and honest intellectual disagreement is not cause for recusal.]
- 5) The Committee member believes that their recusal is necessary to preserve the integrity of the Committee’s deliberations.
- 6) The Committee member, serving as representative of the Senate on a non-Senate committee, judges that their presence or actions may be at odds with their responsibilities as a Senate member.<sup>3</sup>
- 7) The Committee member has opined or otherwise offered a formal recommendation on the issue under consideration in a capacity other than that as a member of the committee.<sup>4</sup>

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<sup>1</sup> Adapted from UC Berkeley’s Conflict of Interest Template for Committees of the Berkeley Division of the Academic Senate, Committee on Rules and Elections, Approved: October 13, 2006

<sup>2</sup> *E.g.* A Committee member might recuse from a vote to approve a program in which their partner is a faculty member.

<sup>3</sup> *E.g.* A Committee member recognizes that their interests, as a member of an academic program that will be affected by the decision, conflict with the position the Senate would take on the decision.

<sup>4</sup> *E.g.* A Committee member voted to approve a program as a member of the faculty proposing the program.