

May 4, 2006

**THE UNIVERSITY OF MICHIGAN**  
School of Social Work

**CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT POLICY**

**A. *Identification of Potential Conflicts of Interest and Commitment***

Potential conflicts of interest and commitment are inevitable where faculty are engaged, as they ought to be, with actors and institutions outside the University. Nor are these potential conflicts necessarily problematic. Rather, the University allows and encourages faculty to engage in outside activities and relationships that enhance the University's mission. It is nevertheless important that faculty disclose any potential conflicts of interest or commitment as soon as they arise so that they can be evaluated and, if necessary, managed or eliminated.

**1. Potential Conflicts of Interest**

A potential conflict of interest arises when external ties might appear to bias a faculty member's judgment in performing his or her University obligations (See SPG 201.65-1.)

Examples of potential conflicts of interest could include, but are not limited to, the following:

- Seeing private clients in the SSW office or using the clinical suite for private practice.
- Using University resources such as copying flyers for an organization where you are a member.
- Hiring a spouse or child to work on a project over which they have financial responsibility
- Referring a student to an agency where the spouse of the referring faculty or staff has a financial interest.
- Accepting substantial gifts from students or staff or from people or institutions that contract with the University and the faculty member is involved in the decisions related to that contract. It is *always* a conflict of interest for a faculty member to accept a gift, regardless of value, if the person or organization intends to create a *quid pro quo* arrangement.

**2. Potential Conflicts of Commitment**

A potential conflict of commitment arises when a faculty member engages in external activities or assumes external commitments that might appear to compromise his

or her ability to fulfill the responsibilities of his or her University position (See SPG 201.65-1.) The existence of a potential conflict of commitment must be evaluated in light of the minimum time and effort requirements applicable to the faculty member in question.

All faculty, including visiting and clinical faculty, with at least half-time University appointments owe their primary professional commitment to the University. This includes regular, clinical, research, lecturer, adjunct, or visiting faculty. Other part-time faculty, including adjunct faculty, likewise owe the University time and effort commitments commensurate with their appointments. For these faculty members to meet minimum time and effort commitments within the School of Social Work, they must allocate 100% of their fraction appointment to teaching activities and activities that further the University's mission. To meet minimum time and effort commitments within the School of Social Work, these faculty members are expected to abide by the workload guidelines and policies regarding faculty workload expectations articulated in the School of Social Work Faculty Handbook. (See *60: Policies and Procedures Relating to Workload Expectations*.)

Even where obligations to the University are met, a faculty member may not engage in activities that compete with the University or that otherwise diminish or undermine the University's mission. However, in keeping with *SPG 601.1: Freedom of Speech and Artistic Expression*: "It is the right of the University community (including students, faculty, staff, and administrators), speakers, artists, and others invited by members of the University community to set forth their views and opinions at the University."

There are circumstances in which a faculty member's experience is relevant to expression of public opinion. In these cases (except where illegal or when it misrepresents the individual's authority), a faculty member may indicate their university affiliation in written correspondence as long as the correspondence includes a statement that they are not speaking on behalf of the university but only as an individual.

With these principles in mind, examples of potential conflicts of commitment could include, but are not limited to, the following:

- Inability to meet with a committee, teach in a given week, or attend SSW events because of a commitment to another organization such as a church, community agency, etc, and is compensated for this activity.
- A faculty member writes a grant proposal and is compensated for this activity by the agency, while another faculty member submits a competing proposal through the University.
- Faculty members may not, for compensation, devote effort to preparing course materials for use exclusively at another university or exclusively for use in "internet teaching" outside the university.
- Faculty members may not use university resources (including electronic mail accounts) to support or oppose a political candidate or the support or defeat of a ballot initiative (Michigan Campaign Finance Act, section MCL 169.257).

It is recognized that that involvement in research projects and professional activities outside the University are often an important part of scholarly activities. Some outside activities enhance one's scholarly and professional reputation and might be

validly counted as part of one's expected work as a faculty member in the School of Social Work. Such activities may include work with professional or disciplinary associations; serving as editors or reviewers of professional journals; involvement with research-related advisory groups and panels or committees sponsored by organizations such as NIH or NIMH; serving on State or local government sponsored task groups or policy advisory bodies.

It should be emphasized that any excessive involvement in outside activities can constitute a conflict of commitment, even for the examples above. Faculty taking on exceptional duties say on a policy advisory group or as journal editor in chief, should consult with the Dean. Such exceptional circumstances may require approval from the Dean with mutual agreement about time commitments and how these responsibilities will (or will not) affect the faculty member's teaching, research and service obligations to the School of Social Work.

## ***B. Disclosure, Evaluation, and Management of Potential Conflicts of Interest and Commitment***

### **1. Disclosure of Potential Conflicts**

In general, each faculty member must promptly disclose potential conflicts of interest or commitment to the Associate Dean for Faculty & Academic Affairs who is the designated COI/COC manager in the School of Social Work.

Disclosure need not be made where there is no violation of the general approaches outlined above, but disclosure should be made whenever there is any question whether the incident falls within the generally permitted *de minimus* situations described above.

Such disclosure must occur as they arise. E-mail will suffice under most circumstances. If there are recurring or long-term commitments, disclosure must occur at the beginning of each academic year.

While disclosure will not be typically required under the following circumstances, it is possible that conflict may arise, and if the potential exists, should be disclosed. This list is not exhaustive.

- A faculty member may generally accept speaker fees and honoraria for book chapters or royalties. However, if this activity requires a substantial amount of time, a potential conflict of commitment may arise and should be disclosed if the activity is not a part of the expected faculty roles and responsibilities.
- The fact that a faculty member has a clinical practice need not be disclosed. However, conflicts may arise if, for example, the client is someone whom you evaluate as part of your University work.
- A faculty member serving as a consultant for a University sponsored project.
- Pro bono services to the community and to the profession generally fall within the realm of service and need not be disclosed as long as they do not interfere with fulfilling the obligations to the University.

Part time faculty members need disclose only commitments that have the potential for interfering with their minimum obligations to the University.

## 2. Management of Potential Conflicts

Upon disclosure of a potential conflict of interest or commitment, the Associate Dean for Faculty & Academic Affairs will evaluate the extent of the potential conflict to determine whether it is necessary to manage or eliminate it. The Associate Dean for Faculty & Academic Affairs may ask the faculty member to provide additional information or documentation if necessary.

In some circumstances, evaluation of the potential conflict will require consultation with and processing by central administration offices. For example, centralized processing is necessary in the following circumstances:

- Where the disclosure involves sponsored research or technology transfer -- by the Office of the Vice President for Research
- Where there may be a conflict between two academic units -- by the Provost's Office
- Where the disclosure involves a purchase of goods or services -- by Purchasing

In response to a disclosure of a potential conflict, the Associate Dean for Faculty & Academic Affairs may, after consulting with the faculty member, determine that no action is necessary. In other cases, the decision may be that it is sufficient to document the disclosure and no further management is required. If the Associate Dean for Faculty & Academic Affairs determines that management of the potential conflict is necessary, however, he/she will develop a conflict management plan in consultation with the faculty member. That plan may include, but is not limited to:

- Disclosing the potential conflict to appropriate sources inside and/or outside the University
- Reducing the faculty member's appointment to accommodate the outside interest or activity
- Modifying or limiting the faculty member's appointment to accommodate the outside interest or activity
- Securing the faculty member's agreement to modify or suspend outside activity, use of University resources, or other activities that create the potential conflict
- Prohibiting certain outside activity as inconsistent with the faculty member's obligations to the University.

## 3. Record-Keeping and Issues of Confidentiality and Privacy

The Associate Dean for Faculty & Academic Affairs will keep a record of action on disclosures made under this policy, to help develop a consistent practice of treating like cases alike. He/she will make all reasonable efforts to preserve the privacy and confidentiality of personal information revealed as part of this process; to that end, all records that include personal information about named individuals will be kept in a

secure file accessible only to the Associate Dean for Faculty & Academic Affairs and the Dean of the School of Social Work.

In some circumstances, the University is required to disclose potential conflicts to people within or outside the University. For example, if a conflict exists within the context of a federally sponsored project, the University is required both to disclose the existence of that conflict (without providing identifying information) to the federal government and to indicate whether it has managed that conflict. Also, the University may be legally required to disclose information in response to requests made under the Michigan Freedom of Information Act (FOIA). Should any other individual have a legitimate educational or business reason to access the confidential records, whether in the context of a federally sponsored project, a FOIA request, or otherwise, the Associate Dean for Faculty & Academic Affairs or the Dean may authorize access to the file, provide copies, or provide oral or written summaries. Where possible, the individual to whom the Associate Dean for Faculty & Academic Affairs or Dean authorizes disclosure will be required to maintain at least the same level of confidentiality as provided for the original information.

All written and electronic personal records related to the implementation of this policy will be purged or destroyed seven-years after the date of implementation.

Failure of the Associate Dean for Faculty & Academic Affairs or the Dean to control access to conflict documentation or information as required under this policy, or the destruction or purging of personal information as noted, will be reported to the Provost.

### **C. *Dispute Resolution***

A faculty member may dispute any decision made in response to the disclosure or non-disclosure of a potential conflict of interest or commitment to the School of Social Work Executive Committee. If the faculty member disagrees with the resolution of the Executive Committee, an appeal may be made to the Dean. Such appeal should be in writing and with specifics and details. The Executive Committee and the Dean may at their discretion, request meetings with the disputing parties prior to reaching a final decision. Following exhaustion of these unit-specific procedures, the faculty member may dispute any action or decision under this policy in accordance with applicable School and University procedures. These procedures are detailed in the School of Social Work Faculty Handbook: 730: Grievance Procedures. Sponsored research/tech transfer must be handled in accordance with the processes adopted by the OVPR Conflict of Interest Review committee.

### **D. *Education and Training***

Faculty are responsible for knowing and abiding by the School of Social Work and University applicable policies and procedures. Failure to adhere to applicable policies and procedures related to COI or COC may result in disciplinary or other administrative action.

This policy will be provided to new faculty at the time they are hired, and when they begin work at the University. At that time, the Associate Dean for Faculty & Academic Affairs will discuss the policy with the faculty member.

This policy will be circulated each Fall to all returning faculty members, including visiting, clinical, and adjunct faculty. Whenever there is a reason to think it necessary, the Associate Dean for Faculty & Academic Affairs will remind the faculty as a whole, or individual faculty members, of the requirements of the policy.

#### ***E. Violations***

Any failure to comply with SPG 201.65-1, its procedures, or this implementing policy may lead to disciplinary action, up to and including termination of appointment in accordance with applicable disciplinary procedures. Possible violations that may lead to disciplinary action include, but are not limited to, the following: failure to disclose fully a potential conflict; failure to comply fully with a required conflict management plan; failure to maintain the confidentiality of conflict documentation and information; and failure to complete any required training or education regarding the policy. In the event of a violation, existing School of Social Work and University governing faculty misconduct procedures will apply.

#### ***F. Policy Review and Revision***

The Associate Dean for Faculty & Academic Affairs will annually review all actions taken under this policy and make recommendations to the Dean and the School of Social Work Executive Committee regarding any needed revisions to the policy or any need for increased education. Any revisions in policy or practices will require the approval of the Governing Faculty. The Dean will submit any substantive changes that materially revise the policy to the Office of the Provost and Executive Vice President for Academic Affairs for further review and approval and then to the President for formal adoption. A current version of the School of Social Work policy should be on file with the Provost's Office at all times.

This policy applies to all faculty in the School of Social Work including both full- and part-time faculty, whether classified as regular, clinical, research, lecturer, adjunct, or visiting faculty.

#### ***G. Governing Policies***

This policy implements *Standard Practice Guide ("SPG") 201.65-1, Conflicts of Interest and Conflicts of Commitment*, incorporates SPG 201.65-1 in its entirety, and includes all elements required under that SPG. Implementation of SPG 201.65-1 within the School of Social Work requires compliance with other University policies and procedures, including all Regents' Bylaws and SPGs, as well as with any relevant external rules of professional conduct and applicable law. Relevant policies, procedures, rules, and law include (but are not limited to) the following:

- Regents' Bylaw 2.16, regarding gifts to University employees;

- Regents' Bylaw 5.12, regarding outside employment of University faculty;
- Regents' Bylaw 5.13, regarding governmental elected or appointed service;
- Regents' Bylaw 5.14, regarding leaves of absence;
- SPG 201.23, regarding appointment of individuals with close personal or external business relationships;
- SPG 201.65, regarding employment outside the University;
- SPG 201.85, regarding special stipends for work performed for other University units, the payment of honoraria, and the payment of travel expenses;
- SPG 500.01, 601.03-2, and 601.11, in particular to the extent that they address appropriate use of University resources, such as the libraries, office space, computers, secretarial and administrative support staff, and supplies;
- Office of Vice President for Research (OVPR) Policy on Conflict of Interest in Sponsored Research and Technology Transfer Agreements; and
- Michigan Compiled Laws § 15.321 et seq., regarding contracts of public employees with their employers.

In the event of any inconsistency between this policy and other University or external requirements, those other requirements will prevail. In interpreting this policy the Dean and the Associate Dean should be attentive to preserve the principle of academic freedom of speech and thought. In addition, policy administrators will make every reasonable effort to preserve confidentiality and protect the privacy of all parties in the course of investigating and managing a potential conflict of interest or commitment.

*Approved by the Governing Faculty May 4, 2006*  
*Minor edits per feedback from Provost's Office August 18, 2006*