Policy on Conflict of Interest for Commissioners, Evaluators, Evaluation Team Members, Consultants, Administrative Staff, and Other Agency Representatives


Background

The Accrediting Commission seeks to assure that those who engage in accreditation activities must make every effort to protect the integrity of accrediting processes and outcomes. The intent of the Commission is to:

- maintain the credibility of the accreditation process and confidence in its decisions;
- assure that decisions are made with fairness and impartiality;
- avoid assurances that allegations of undue influence; relationships which might bias deliberations, decisions, or actions; and situations which could inhibit an individual’s capacity to make objective decisions are minimized;
- make all of its decisions in an atmosphere which avoids even the appearance of conflict of interest; and
- provide the means to disclose any existing or apparent conflict of interest.

Policy

The Commission relies on the personal and professional integrity of individuals to guard against conflict of interest, or the appearance of conflict of interest, by refusing any assignment where the potential for conflict of interest exists.

A conflict of interest is any circumstance in which an individual’s capacity to make an impartial and unbiased decision may be affected because of a prior, current, or anticipated institutional/district/system affiliation or other significant relationship(s) with an accredited institution/district/system or with an institution seeking initial accreditation, candidacy, or reaccreditation.

The Commission seeks to assure that its decisions on institutions and on all other matters before the Commission are based solely on professional judgment and an objective application of its Eligibility Requirements, Accreditation Standards, and policies. Accordingly, the Commission takes all necessary measures to assure that conflicts of interest and the appearance of conflicts of interest on the part of Commissioners, evaluation team members, consultants, administrative staff, or other agency representatives are avoided.

The Commission expects that all individuals associated with the Commission, whether as Commissioners, evaluation team members, consultants, administrative staff or other agency representatives, will display personal and professional integrity and guard against conflicts of interest, or the appearance of conflicts of interest, by adhering to this Policy and by refusing any assignment where the potential for conflict of interest exists.
Policy Elements

4. Each Commissioner, evaluator, evaluation team member, consultant, member of the Commission administrative staff, and other agency representative is asked to review Conflict of Interest this Policy for Commissioners, Evaluators, Consultants, Administrative Staff, and Other Agency Representatives, and consider potential conflicts of interest in his/her proposed assignments.

The following interactions with an institution/district/system have been determined to be of the type that constitute a conflict of interest or the appearance thereof: Any individuals representing the Commission, who have had contact with an institution/district/system of the types listed below, normally within the last five years: will not participate in the evaluation of that institution.

a. any current or prior employment at the institution/district/system being evaluated;
b. candidacy for employment at the institution/district/system being evaluated;
c. any current or prior service as a paid consultant or other business relationship with the institution/district/system being evaluated;
d. any written agreement with an institution/district/system that may create a conflict or the appearance of a conflict of interest with the institution/district/system;
e. personal or financial interest in the ownership or operation of the institution/district/system;
f. close personal or familial relationships with a member of the institution/district/system;
g. other personal or professional connections that would create either a conflict or the appearance of a conflict of interest; or
h. receipt of any remuneration, honoraria, honorary degrees, honors or other awards from the institution/district/system.

Notwithstanding the definition of a conflict of interest provided in this policy and in the above list of types of defining what is considered to be a conflicts or potential conflicts of interest, a conflict of interest arising from one of these types of relationships described above does not go into perpetuity, but normally expires five years after the relationship ends. Nevertheless, the individual is expected to ask him/herself whether the existence of such relationship would in any way interfere with his/her objectivity, and, if the answer is in the affirmative, he/she is expected to refuse the assignment or recuse him/herself from the deliberations related to the case that caused the conflict of interest.

The following connections interactions with an institution/district/system have been determined to be of the type that do not constitute a conflict of interest or the appearance thereof: It is recognized that it is the nature of the academy to engender collegial, professional relationships among and between members of institutions. Those professional and collegial relationships are generally considered innocuous. Examples of relationships that do not create a conflict or the appearance of a conflict of interest include:

a. attending meetings or cultural events on a campus;
b. having infrequent social contact with members of institutions/districts/systems;
c. making a presentation at an institution on a one-time, unpaid basis, with no sustained relationship with the institution; or
d. fulfilling a professional assignment with members of an institution on an issue not related to the institution’s accreditation.

Evaluation Team Members

4. The Commission will not knowingly invite or assign participation in the evaluation of an institution anyone who has a conflict of interest or the appearance thereof. Team members are required to confirm in writing that they have reviewed this Policy when they are invited to serve on a Team.

Institutions being evaluated should review the prospective evaluation team members for potential conflict of interest. The Commission President should be notified immediately if there are conflicts of interest or any concerns that there might be conflicts of interest.

5. During the period in which the visit is occurring and Commission action is pending, evaluation team chairs and team members are expected to refrain from any paid relationship of the above listed situations of potential conflicts of interest with an institution for which they have been an evaluation team member evaluator.

Commissioners

A Commissioner is expected to recuse him/herself from any deliberation or vote on decisions regarding individual institutions where any of the conflicts of interest listed above conditions exist. A Commissioner who served on the most recent evaluation team of the an institution being considered must recuse him/herself. Any such potential conflict of interest shall be reported to the Commission in advance of the deliberation and action and shall be recorded in the Commission minutes.

A Commissioner whose connections with the institution/district/system are limited solely to connections of this nature a professional and collegial relationships nature need not disclose them or recuse him/herself.

The purpose of this list is to reduce the burden on the Commission to disclose every relationship for discussion by the Commission. A Commissioner who is uncertain regarding a possible conflict of interest may recuse him/herself, in which case there is no requirement to disclose the nature of the contact(s) for review by the Commission. Alternatively, the Commissioner may disclose the nature of the contact potential conflict of interest for review by the Commission. The Commission shall then determine in all such cases by majority vote whether the connections situation raises a conflict of interest or the appearance of conflict of interest. Commissioners should be especially sensitive to the newly emerging possibilities of conflict of interest created by inter-institutional collaborations such as distance education or international education projects. If the Commission determines that the situation raises a conflict, the affected Commissioner will be recused from the deliberations of the case that caused the conflict.

In the case where a Commissioner or the Commission President believes that a Commissioner may have a conflict of interest or the appearance of conflict of interest that the Commissioner has not acted upon, that other Commissioner or the Commission President should bring the conflict of interest or the appearance of conflict of interest to the attention of the Commissioner and give him/her an opportunity to recuse him/herself from the deliberations of the case that caused the conflict. If the matter is not resolved, the
other Commissioner or the Commission President may bring the matter to the attention of the full Commission, which will then consider the matter and determine by majority vote on whether the situation raises a conflict of interest or the appearance of conflict of interest. If the Commission determines that the situation raises a conflict, the affected Commissioner will be recused from the deliberations of the case that caused the conflict.

Commission decisions regarding any issue raised relating to conflict of interest shall be noted in the minutes.

At no time during their appointment as Commissioners, should Commissioners consult with institutions on matters of accreditation for compensation.

**Commission Staff and Consultants**

During the period of Commission employment, Commission staff members, including consultants, are expected to refrain from connections and relationships with candidate or member institutions which could represent a conflict of interest. In the case where a Commissioner or another Commission staff believes that a Commission staff member may have a conflict of interest or the appearance of conflict of interest that the staff member has not acted upon, that Commissioner or the other Commission staff should bring the conflict of interest or the appearance of conflict of interest to the attention of the Commission President. The Commission President will determine whether the situation raises a conflict of interest or the appearance of conflict of interest. If the Commission President determines that the situation raises a conflict, Commission staff will be removed from the assignment that caused the conflict.

Commission staff may not engage in private consulting or employment with, nor accept honoraria, or honorary degrees from ACCJC member institutions. Commission staff may engage in such arrangements with outside organizations or institutions other than ACCJC members institutions only with the approval of the Commission President. The Commission President may engage in such arrangements only with the approval of the Commission Chair.