

3344-11-04 Conflict of interest.

While faculty are expected to act according to the highest standards of professional ethics, conflicts of interest may arise to varying degrees in numerous situations. Traditional safeguards and the good conscience of individual faculty members may be relied upon to maintain high ethical standards, yet in the areas of faculty activity described in this rule, the overall perception of total fairness is deemed so important that specific safeguards are given:

(A) Nepotism.

No person shall initiate or participate in any decision involving a direct benefit (e.g., initial appointment, continuance of non-tenured appointment, promotion, tenure, salary increment, leave of absence) to a member of their immediate family (here defined as spouse, parent, child, or sibling). Where such a relationship exists, the provost shall approve a procedure that shall eliminate such related person from any role in direct benefit decisions affecting the other related person. The president shall replace the provost in the function described in this rule if the provost is involved in a direct benefit decision affecting a member of the provost's immediate family.

(B) Other relationships.

Conflicts of interest may arise in other situations which do not involve a relationship involving an immediate family member identified in paragraph (A) of this rule. Such situations could include, but are not limited to members of the extended family, an ex-spouse, or a current (or ex-) partner, or a current (or ex-) fiancé(e). Other examples could include a financial relationship in which financial concerns are present. Individuals in these situations should inform the provost and the provost shall make the final determination of the individual's ability to participate in the decision-making process. The president shall replace the provost in the function described in this rule if the provost is the involved person.

(C) Faculty awards and internal research grants.

No faculty member seeking, or having been nominated for, internal research grants or any other award in recognition of excellence or outstanding performance shall participate in any deliberations or decisions made by the evaluating committee during the academic year in question. Agreement to serve on such an evaluating committee shall be construed as agreement not to receive direct benefits from decisions made by the committee.

(D) Personnel actions.

(1) No faculty member seeking, or having been nominated for, tenure and/or promotion shall participate in any deliberations or decisions made by the same peer review committee (or personnel action committee), college peer review committee, university peer review committee or university personnel committee during the academic year in question. Agreement to serve on such a committee shall be construed as agreement not to receive direct benefit from decisions made by the committee.

(2) No faculty member shall participate in the discussion and/or vote in a given personnel action both at the university personnel committee (UPC) level or university peer review committee (UPRC) level and at either the college or departmental peer review committee (PRC) level. If the entire faculty of a college constitutes its PRC, the conflict of interest provision would be invoked only when a UPC member or a UPRC member has been delegated a substantial role other than as a voting member of the body in the evaluation process at an earlier stage. The faculty member shall choose at which level to participate.

(E) Dual status as a student and faculty member.

No faculty member at Cleveland state university may enroll in any Cleveland state university course in which credit will be awarded toward the degree program in which that faculty member serves. No

student at Cleveland state university may serve as instructor of record in any Cleveland state university course in the degree program in which that student is enrolled.

(F) Dual status as a faculty member and administrator.

Faculty members who also hold administrative positions including president, provost, vice provost, dean, associate dean, assistant dean, department chair, school director or any other administrative position that automatically takes them out of the bargaining unit shall not participate in departmental-level votes.

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Certification

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