**Conflict of Interest Guidelines specific to Tenure and Promotion Committees**

(*Excerpts from the COI subcommittee Final Report, June 2020, pages 1,2,3,5 and 7)*

**Guidelines for Conflict of Interest Concerning Faculty Members in Departmental, Faculty and University Committees (final committee revision June 2020) (Page one)**

* This document addresses committees that have some element of decision making power over hiring, career progression, and merit evaluations of faculty members. While specific instances are explicitly defined here, the document is intended to serve as a guideline for all committees which make decisions on faculty members’ careers.
* This document recognizes that, in many cases, appropriately constituted committees of scholars can and should proceed with the collegial evaluation of fellow scholars. In all cases, full disclosure of existing and potential conflicts of interest (COI) is required, but many situations can proceed when the COI is deemed not to compromise the integrity of the committee. The decision to proceed in these situation is determined by majority vote of the committee, as outlined below.
* In no situation should a committee contain two members who are or have been in a marital, familial, sexual or financial/business relationship.
* In no situation should an individual who is or has been in a marital, familial, sexual or financial/business relationship with an individual under consideration/evaluation participate in the evaluation of this individual. In competitive processes (e.g. hiring, chair search), the committee member in conflict is recused from all stages of deliberations while the candidate in question is under consideration. In non-competitive processes (e.g. DTPC, FTPC, APR), the committee member in conflict is recused from the discussion of the file for the candidate in question, but continues to serve on the committee for other files

1. **Departmental Tenure and Promotion Committees / Faculty Tenure and Promotion Committees (Pages 2 and 3)**

A committee member is considered to be in conflict of interest with the candidate if:

* Either the committee member or the candidate is the PI of a currently funded research initiative that includes the other.
* The candidate and committee member currently have a joint funding application under review.
* The candidate and committee member are close collaborators on research initiative, regardless of funding.
* The candidate and committee member have co-published in the last six years, or currently have a co-authored publication under review.
* The candidate or committee member was the Masters, PhD, other terminal degree or postdoctoral supervisor of the other.

A committee member may challenge a determination of conflict of interest on the basis of co-authorship or collaboration during the last six years on the basis that the co-authorship/ collaboration did not involve significant active collaboration. In this situation, it will be up to the committee to determine if the committee should proceed with the member (see Appendix A, Operational Guidelines). Significant active collaboration is to be interpreted in the context of disciplinary norms. A certain level of collaboration among department members is expected, and does not necessarily preclude a committee member’s ability to make a fair decision. COI Subcommittee Final Report, June 2020 Page 3

A committee member is **not** considered to be in conflict of interest with the candidate on the basis of the following:

* The candidate and committee member had an unsuccessful joint funding application in the past.
* The candidate and committee member are or have been part of the same research program or project but neither is/was the PI.
* The candidate and committee member have co-published or been part of the same funded grant application more than six years ago.
* The candidate or committee member was on the graduate advisory committee of the other

**Appendix A: Operational guidelines for managing conflict of interest (Page 5)**

In situations where an actual or potential conflict of interest exists, faculty members are to disclose the nature of the conflict to the Chair of the committee. If the Chair is in agreement that a clear conflict exists, the committee member will be replaced. The Chair will communicate this decision to the committee. Depending on the nature of the conflict of interest, the Chair may keep the reasons for excusing the committee member confidential.

In situations where a potential conflict of interest exists, the committee is to be informed of the nature of the conflict. The member who is potentially in conflict may answer questions as to the nature and extent of the conflict if required, but will not be present when the committee votes (via secret ballot) if the member shall serve. A majority vote of the committee is required to retain the committee member. Committee decisions on conflict of interest should be documented in writing by the committee chair.

In situations where the committee chair is in actual or potential conflict, the Chair will appoint an alternate to serve in his/her stead. If a committee decides a potential conflict does not warrant removal of the Chair as member, the Chair will return to his/her original role.

B. **DTPC/FTPC (Page 7)**

Policy 77:

*The DTPC shall be chaired by the department Chair and shall include four to six tenured faculty members elected by the tenured and probationary faculty of the department. The Chair and elected members shall be voting members of the DTPC. Normally, a majority of the DTPC's voting members should be full professors; it is desirable that each DTPC include both*

*men and women. In addition, the Dean may appoint a non-voting advisor to the DTPC.*

*And*

*The FTPC shall be chaired by the Faculty Dean and shall include at least five tenured faculty members broadly representative of Faculty program areas and elected by the tenured and probationary members of the Faculty. FTPC members may not serve simultaneously on a DTPC in the same Faculty. A majority of the FTPC's elected members shall be full professors; it is desirable that each FTPC include both men and women.*

*And*

*Prior to consideration of a case, a candidate may challenge in writing any member or members of a DTPC or FTPC for bias, apprehension of bias or perceived conflict of interest. The committee, excluding the member challenged, shall decide whether the challenge is well-founded. If so, the challenged member shall not attend those portions of committee meetings dealing with the specific case. If the committee decides that a challenge is not well-founded, the challenged member shall participate, but the challenge becomes part of the record for any subsequent consideration or appeal.*

Once the DTPC and FTPC are established and the candidate files are made available, committee members must disclose conflict of interest or potential conflict of interest situations to the committee chair. Potential conflict of interest situations are to be discussed by the committee without the member who is potentially in conflict present, and the committee will decide by secret ballot if the potential conflict of interest warrants treatment as an actual conflict of interest. If the committee decides that the potential conflict is not significant, no further consideration is necessary.

DTPC members do not participate in, or are present for the discussion or vote on tenure and/or promotion candidate files for which they are in conflict of interest. If the recusal of one or more members on a file leaves the committee with fewer than four members, the Chair, in consultation with the Dean, shall appoint one or more voting members of similar subject matter expertise and equal or higher rank as the recused member for the purpose of deliberations on that file The candidate retains the right to challenge a replacement DTPC member in accordance with Policy 77.

FTPC members do not participate in, or are present for the discussion or vote on tenure and/or promotion candidate files for which they are in conflict of interest. If the recusal of one or more members on a file leaves the committee with fewer than five members or with less than a majority of full professors, the Dean, in consultation with the Provost, shall appoint one or more voting members of similar subject matter expertise and equal or higher rank as the recused member for the purpose of deliberations on that file. The candidate retains the right to challenge a replacement FTPC member in accordance with Policy 77.