

<b>Faculty Handbook - 7. Faculty Conduct Policy .....</b>	<b>93</b>
<b>7.2.2 Types of Misconduct.....</b>	<b>96</b>
<b>7.2.2.1 Conflicts of Interest <u>and Commitment</u>.....</b>	<b>96</b>
<b>7.2.2.1.1 Consenting Relationships.....</b>	<b>96</b>
<b>7.2.2.1.2 Family Relationships - Nepotism .....</b>	<b>96</b>
<b>7.2.2.1.3 <u>Procurement</u> Outside Activities .....</b>	<b>97</b>

## 7.2.2 Types of Misconduct

The following sections describe general categories of misbehavior. The fact that a particular behavior is not specifically mentioned does not mean that faculty cannot be sanctioned if the behavior falls within the general definition of adequate cause indicated above.

### 7.2.2.1 Conflicts of Interest and Commitment

PLEASE NOTE: A new university Conflict of Interest and Commitment Policy went into effect on July 1, 2011. See Policy Library. Conflicts of interest include conflicts arising out of personal relationships, family relationships, and those arising out of activities outside of work. Iowa State University encourages active participation of faculty in external activities that promote the university's mission, enhance professional skills, expand knowledge, and/or contribute to public service. At the same time, the university expects all employees to conscientiously guard against possible adverse effects of their activities on the performance of their university duties and the reputation of the university. Iowa State University requires the disclosure, review/approval, and management of external activities or financial interests with the potential to interfere with one or more of the following:

- **Performance of Duties:** University employees are expected to devote sufficient time and attention to their university duties to perform them conscientiously. An external activity with the potential to interfere with the employee's university duties is known as a conflict of commitment.
- **Objectivity:** University employees are expected to be objective in the decisions they make while performing their university responsibilities. Financial or other personal considerations with the potential to compromise an employee's objectivity are known as conflicts of interest.
- **Appropriate Use of State Resources:** State law prohibits the use of state resources, including the university name and trademarks, for personal benefit when such use is detrimental to the state or university.

Activities or financial interests with the potential to lead to such adverse effects are termed "conflicts." The university policy that provides a broad framework for understanding, disclosing and managing conflicts is the Conflicts of Interest and Commitment in the Policy Library (COIC Policy). All university employees are required to comply with the COIC Policy and the Procedures, Applications, and Guidance established for disclosure, approval, and management of conflicts of interest and commitment. The COIC Policy complies with federal and state law and Board of Regent policies and rules regarding all forms of conflicts.

[Details of procedures for disclosing and managing specific types of conflicts are provided in the Conflicts of Interest and Commitment Policy and the Procedures, Applications, and Guidance document. Included are guidelines related to:](#)

- [Financial conflicts of interest \(financial interests in, management roles in and consulting for external entities, as well as ownership of patents, patent applications and royalty rights\)](#)
- [Professional Activity Leave](#)
- [Service to government and professional associations](#)

### **7.2.2.1.1 Consenting Relationships.**

Consenting relationships that are of concern to Iowa State University are those intimate relationships to which both parties have consented, but where a reporting or evaluative relationship exists between the parties. When a relationship between a faculty member and a student is not confined to that of intellectual guide and academic counselor, it is the responsibility of the faculty member to take appropriate actions to avoid any conflict or apparent conflict of interest between the personal and academic concerns. Likewise, when such a relationship exists between faculty members or when it involves their role as supervisor, it is the responsibility of each faculty member to take appropriate actions to avoid any conflict or apparent conflict of interest.

Because of the reporting and evaluative nature of the relationship and the uneven power inherent in such a relationship, such relationships may become exploitative. Further, other individuals in proximity to the consenting relationship may suffer as a result of the reporting or evaluative aspects of the consenting relationship. Although consenting relationships may be viewed as private, real or perceived preferential treatment at the expense of others is in violation of an environment that seeks to foster a community for learning and scholarship. Because of these reporting and evaluation relationships and the uneven power inherent in such relationships, it will be very difficult to avoid subsequent charges of sexual harassment.

A faculty member must not participate in the supervision, instruction, or evaluation of a student, staff member, or colleague with whom a romantic or sexual relationship exists or has existed. The faculty member must take appropriate actions to end the supervisory, instructional, or reporting relationship, thereby removing the possibility of a conflict of interest. Failure to do so shall be viewed as misconduct. See [Consenting Relationships Policy in the Policy Library](#).

### **7.2.2.1.2 Family Relationships - Nepotism**

The State of Iowa Board of Regents policy prohibits persons responsible for the employment of staff members from recommending for employment anyone related to them by blood or marriage as follows: parent, child, brother, sister, first cousin, uncle, aunt, nephew, niece, spouse, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, step-parent, step-child. This restriction applies to all employees except those persons receiving a compensation of less than \$600 per year.

Faculty may not vote or formally participate in decisions to appoint, set salary, tenure, promote, or determine working conditions when the candidate is their spouse, domestic partner, or child. Nor

are they permitted to supervise the academic work of their spouses, domestic partners, or children unless specific permission has been granted by the department chair, and a plan for oversight has been instituted to assure objective evaluation of the work. Generally, someone other than the faculty member should evaluate the work of such family members. See [Board of Regents Policy Manual chapter 4.11](#).

### **7.2.2.1.3 ~~Procurement~~Outside Activities**

~~PLEASE NOTE: A new university Conflict of Interest and Commitment Policy went into effect on July 1, 2011. See Policy Library.~~

~~Faculty of Iowa State University are subject to conflict of interest laws of Chapter 68B of the Code of Iowa, as well as the University's policies on **conflict of interest** (an external activity, significant financial interest or management role that has the potential to negatively impact objectivity in the execution of the university duties) as well as **conflict of commitment** (an external activity with the potential to reduce the time and attention an employee can devote to his/her university responsibilities, and thus negatively impact his/her performance of assigned university duties). <http://policy.iastate.edu/policy/>. Faculty and close family members may not sell goods or services to the University unless in conformity with Board of Regents Policy. (FH Section 8.3.7.) Iowa law also forbids the acceptance of gifts from persons in [certain](#) circumstances, which may indicate improper influence. See [Gratuities and Gifts, Procurement in the Policy Library](#). ~~Iowa State University Policy requires prior approval of certain outside activities.~~~~

Approved by the Faculty Senate on 3/6/2012; approved by the president and provost on 4/10/2012