

Guidelines for Determining Conflicts of Interest in Faculty Review Processes

Rationale

Peer reviewers assess faculty undergoing evaluation for preliminary review, promotion and/or tenure, advancement, or post tenure review for objective evidence of excellence in their performance of position responsibilities and scholarship or creative activity. Reviewers must ensure that their participation in a faculty review in no way undermines the objectivity of the review process. To maintain objectivity in these review processes, candidates and peer reviewers must declare any conflict of interest between candidates and faculty reviewers that might create real or apparent bias.

Iowa State University's policy on "Conflicts of Interest and Commitment" states that "any external activity, significant financial interest, or management role that has the potential to negatively impact objectivity in the execution of university duties is a conflict of interest." Conflict of interest is present when an individual's financial, academic, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting or interfering with an individual's professional judgment and objectivity in evaluating a case. This includes close, personal relationships as well as professional relationships (e.g., former advisees, partners in external activities or financial interests). A close, personal relationship is any relationship that establishes a significant personal connection between faculty such that a reviewer's judgment may be impaired and they may be unable to act fairly, independently, and objectively.

In some cases, a reviewer's personal interests might benefit from their participation in the review process. Reviewers are encouraged to be proactive, declare any potential conflict, and be forthcoming in making any relationship known, consistent with university policy and these guidelines. If the conflict of interest is not addressed appropriately, it may lead to the reviewer being removed from the review process, the process being disrupted, and/or trust in the process being undermined.

The purpose of this document is to define a **process** for determining what constitutes conflicts of interest for individuals participating in a candidate's peer review. Reviews are inclusive of preliminary review, promotion, tenure, and/or advancement review, and post tenure review at the department, college, or university levels.

A. ISU Faculty Participation in ISU Faculty Reviews

Which situations or circumstances constitute the existence of a conflict of interest?

- A reviewer is the present or past partner/spouse or family member of a candidate.
- A reviewer has served as graduate advisor, co-advisor, or post-doctoral mentor for a candidate.
- A reviewer has had a past or ongoing documented appeal, grievance, or formal complaint against a candidate or other significant past conflict, defined as a serious disagreement about a matter of importance to the faculty involved.
- A candidate has had a past or ongoing documented appeal, grievance, or formal complaint against a reviewer.

Which situations or circumstances may constitute the existence of a conflict of interest?

- A reviewer has had a grant or published a paper with a candidate within the past 4 years.
- A reviewer has authored or collaborated with a candidate within the past 4 years.
- A reviewer has a business or professional relationship with a candidate outside of routine departmental activities.
- A reviewer's relationship with a candidate does not pass the "Reasonable Person Test", that is, a reasonable person *with all the relevant facts* would question the reviewer's impartiality towards the candidate ([National Science Foundation, Panelist Conflict of Interest Training](#)).
- If the potential COI would disqualify an external reviewer, then an internal reviewer with that relationship with the candidate should also recuse themselves from the discussion.

If any of the aforementioned situations or circumstances exist or other related matters that may constitute a conflict of interest, the potential conflict must be declared and brought to the attention of the committee chair and committee members in the interest of transparency. Proactive consultation with the Dean's Office is advised before taking any action to exclude or enact changes in the review process.

Process

Once a review committee is named, but prior to the review of any candidate materials, the department chair/school director (or dean) will confer with the review committee chair to determine if any committee member has a conflict of interest with any of the candidates. The *Faculty Handbook* section on Promotion and Tenure Committee (FH 5.2.4.2.3) states,

Any member of the promotion and tenure review committee who has a conflict of interest with respect to a candidate shall not participate in the consideration of that individual or have access to review materials. The committee chair is responsible for making, and justifying in writing, the final decision regarding conflicts of interest.

The P&T committee chair should be proactive in surveying the group, so that they can address any potential COI early in the process. If a reviewer at the department- or college-level has a

relationship with a candidate under consideration that may result in a conflict of interest, they must declare the nature of the conflict of interest before any committee discussion takes place. They must note the specific nature of the potential conflict of interest in a brief written statement to the promotion and tenure (P&T) committee chair. If the P&T committee chair determines that the process would be compromised by the participation of the individual with a potential conflict of interest, the P&T committee chair is advised to proactively consult with the Dean's Office to explain the situation or circumstance. Through collaboration with the Dean's Office, the department chair/school director may affirm that a conflict of interest exists. If a conflict of interest exists, that faculty member must recuse themselves and not be present for any discussion or voting on that specific case. The Dean's Office will work with the department chair/school director and P&T committee chair on next steps (e.g., appointing a substitute, documenting the concern).

Though the review committee chair is responsible for making the final decision regarding conflict of interest and documenting this in writing to the department chair/school director (or dean), they are encouraged to proactively consult with the Dean's Office before taking any action. Similarly, if the review committee chair themselves are viewed as having a conflict of interest, then the committee chair and department chair/school director are encouraged to consult with the Dean's Office as soon as possible. This process MUST occur PRIOR to the review of any candidate materials. The department chair/school director bears responsibility for ensuring that individuals with a conflict of interest refrain from serving on departmental review committees and/or advocate in any other significant way for or against a candidate.

In rare instances, exceptions to conflicts of interest may be warranted. These situations or circumstances will be documented in consultation with the Dean's Office.

B. External Reviewer Participation in ISU Faculty Reviews

When selecting an external reviewer to assess a candidate's case for promotion, tenure, or advancement, the department must ensure that there is no conflict of interest, real or perceived, between the external reviewer and candidate. The *Faculty Handbook* section on Letters of External Peer Evaluation from Professionals in the Field, outside the Institution (FH 5.3.3.1.1) clearly states,

[a] maximum of six (6) letters should be solicited from appropriate professionals in the field and chosen for their ability to evaluate the candidate's activities and accomplishments impartially. They should generally be tenured professors at peer institutions or individuals of equivalent stature outside of academe who are widely recognized in the field. These individuals should be independent of the faculty member being reviewed. Co-principal investigators, dissertation/thesis advisors, co-authors, or others with similarly close association should be excluded.

Which situations or circumstances constitute the existence of a conflict of interest?

- A reviewer is the present or past partner/spouse or family member of the candidate.
- A reviewer has served as graduate advisor, co-advisor, or post-doctoral mentor for the candidate.
- A reviewer has been identified previously by the candidate as having a conflict of interest through the candidate's written communication to the chair of the committee.
- A reviewer's relationship with the candidate does not pass the "Reasonable Person Test," that is, a reasonable person *with all the relevant facts* would question the reviewer's impartiality towards the candidate ([National Science Foundation, Panelist Conflict of Interest Training](#)).

Which situations or circumstances *may* constitute the existence of a conflict of interest?

- A reviewer is a co-author of any works of scholarship with the candidate within the last 4 years.
- A reviewer is the co-owner of any works of scholarship with candidate within the last 4 years.
- A reviewer is a co-investigator or consultant on a funded proposal with the candidate within the last 4 years

As previously noted, other situations or circumstances may constitute a conflict of interest and committee members are encouraged to declare the potential conflict and bring these matters to the attention of the committee chair in the interest of transparency. It is important to evaluate whether a conflict of interest exists.

Process

The department chair/school director is responsible for ensuring that individuals selected as external reviewers do not have a conflict of interest.

Once a review committee is named, the review committee chair will confer with the department chair/school director to determine if any external reviewer to be invited has a conflict of interest with a candidate. It is best for this to be done **prior** to the invitation and then reviewed subsequently, since not every instance of conflict of interest will be evident in advance. Departmental invitations to external reviewers must include a request to the reviewer to disclose any conflict of interest they may have with the candidate. The [university template for the log of external reviewers](#) (Tab 5 of dossier) includes a check box to confirm that a reviewer does not have a conflict of interest.

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