

Structure and Operations Committee

Proposed amendment to University Senate By-Laws to Create Section 1.p. Conflict of interest

April 13, 2026

University Senate By-Laws SEC. 1. Organization and Procedure

p. Conflicts

(i) Definitions.

“Immediate family” means spouse or domestic partner, and dependent children.

“Family” means

(a) immediate family or

(b) among those whose financial interests are known to the Senator or non-Senator committee member, any grown children, grandchildren, parents, and grandparents; or

(c) any trust, organization, or enterprise over which the Senator or non-Senator committee member, alone or together with members of their family, exercise a controlling or significant interest.

“Affected committee activity” means the Faculty Affairs and Academic Freedom Committee when it is hearing grievances, all activity of the Honors and Prizes Committee, the Elections Commission when it is hearing appeals, and the Executive Committee when it is participating in searches for university offices, including Provost, President, and Trustee.

(ii) No Senator shall vote or participate in debate in any plenary meeting or committee meeting on any question in which they have or any member of their immediate family has a personal or pecuniary interest not common to other members of the Senate or other members of their constituency. No non-Senator committee member shall vote or participate in debate in any committee meeting on any question in which they have or any member of their immediate family has a personal or pecuniary interest not common to other members of the University community. However, this rule does not prohibit a Senator or committee member from voting for themselves or for a family member for an office or position for which two or more members of the Senate or the committee are generally eligible.

(iii) No committee member may participate in affected committee activity if any of the following conditions holds:

- (a) Any of the named individuals is themselves.
- (b) Any of the named individuals is a member of their family.
- (c) Any of the named individuals has a relationship to them, e.g., close personal friendship, that would cause a reasonable person familiar with the relationship to question the committee member's impartiality or judgment.
- (d) Any of the named individuals is a current student in one of the committee member's classes.
- (e) Any of the named individuals is an instructor, teaching assistant, or grader in a class in which the committee member is currently enrolled for credit.
- (f) Any of the named individuals is the committee member's thesis advisor or thesis student ("thesis" includes PhD, Masters, and undergraduate theses), current or past.
- (g) Any of the named individuals participated with the committee member as a co-author on a book, article, report or paper in the past 48 months.
- (h) Any of the named individuals co-edited a journal, compendium or conference proceedings with the committee member in the past 48 months.
- (i) Any of the named individuals is business partner or professional partner of the committee member, or someone with whom the committee member is seeking to have a business, financial, or other contractual relationship.
- (k) Any of the named individuals is the committee member's supervisor, direct or indirect, or someone whom the committee member directly supervises.

(iv) When a Senator or non-Senator committee member has a conflict as described above, they shall disclose it to the person chairing the plenary or committee meeting. In the case of a committee, they shall leave the meeting while the matter is being debated or voted on. The committee minutes shall record the time at which they left and the time at which they returned. Because plenary sessions of the Senate are public, a Senator with a conflict of interest shall not be required to leave the session. The minutes of the plenary shall record that the member disclosed a conflict of interest and did not participate in the debate or voting.

If the person chairing a plenary meeting has a conflict of interest on a matter, they shall vacate the chair while that matter is being considered. The next most senior Senate officer who is present shall then take the chair unless they refuse or recuse themselves. For this purpose, the Senate officers in order of seniority are the President, the Chair of the Executive Committee, the Vice Chair of the Executive

Committee, and the Provost. If none of these Senate officers is present and willing to serve, the person chairing the plenary meeting shall designate some other Senator, who is assumed to receive the Senate's approval by unanimous consent unless at least one Senator nominates another person. In that case, the designation by the person chairing the plenary shall be considered a nomination and an election shall be held, with the person receiving the greatest number of votes taking the chair temporarily.

If the person chairing a committee meeting has a conflict of interest on a matter, they shall vacate the chair while that matter is being considered. The next most senior committee officer who is present shall then take the chair unless they refuse or recuse themselves. For this purpose, the committee officers in order of seniority are any co-chair and any vice-chair. If none of these committee officers is present and willing to serve, the person chairing the committee meeting shall designate some other committee member, who is assumed to receive the committee's approval by unanimous consent unless at least one committee member nominates another person. In that case, the designation by the person chairing the plenary shall be considered a nomination and an election shall be held, with the person receiving the greatest number of votes taking the chair temporarily.

(v) Committees may maintain and adopt their own conflict of interest policies. In the event of a conflict between this section 1.p. and a committee conflict of interest policy, this section shall govern. No committee may adopt a conflict of interest policy that is less strict than this conflict of interest policy.

(vi) Violations of this policy may be punished by censure or removal from some or all committees permanently or for some period of time, or both.

(vii) A person who believes a Senator or non-Senator committee member has violated this conflict of interest policy or a valid committee conflict of interest policy may report that alleged violation to the chair or a co-chair of the relevant committee, the chair of the Executive Committee, or the vice chair of the Executive Committee. The reporting person may choose any of those named officers. All such allegations shall be treated as confidential, including the name of the person making the allegation.

(viii) For violations of this policy or a relevant committee policy that occur within a committee, the chair of the committee shall have primary responsibility for enforcement. The chair of the committee may resolve the report informally, resolve it formally within the committee, or in extraordinary cases, refer it to the Chair of the Executive Committee. If the chair decides to resolve it formally within the committee, the committee shall decide either that no violation has occurred, that a violation has occurred but no further action is appropriate, that a violation has occurred and the violator should be censured, or that a violation has occurred and the violator should be removed from the committee for the remainder of the academic year. The latter two actions (censure or removal) require a 2/3 vote of the committee members present and voting. The disciplinary meeting shall be confidential but if the result is censure or removal, that decision (and no more than the decision) shall be public. The member accused of violating the policy may submit a written statement before the meeting but may not attend the meeting.

For violations of this policy that occur within a plenary meeting, violations that are referred from a committee, and all other violations, the Chair of the Executive Committee shall have the primary responsibility for administration. These alleged violations of the policy shall be adjudicated according to procedures described in Roberts Rules of Order, Newly Revised, most recent edition. (For the twelfth edition, these procedures are in Section 63, Investigation and Trial.)

(ix) Nothing in this section 1.p. shall exempt Senators and non-Senator committee members from complying with all other university rules and policies on conflict of interest. Nothing in this section 1.p. shall prohibit a Senator or non-Senator committee member from recusing themselves in a matter because in their opinion participating would cause a conflict of interest or the appearance of a conflict of interest, even if that matter is not directly covered by this section 1.p. or a relevant committee policy.