



CONFLICT OF INTEREST POLICY REGARDING FAMILY MEMBERS

(Initially drafted 6/3/04; last revised 8/26/19)

It is the policy of Muhlenberg College to employ individuals who can best achieve the College mission. Muhlenberg College does not prohibit the employment of relatives within the College, even when those relatives work in the same organizational units (academic or administrative department). However, Muhlenberg College administrators, faculty and staff will not participate in institutional decisions involving direct benefits such as appointment, retention, promotion, salary determination, leaves of absence, stipends or awards to members of their immediate families, whether those members of their immediate families are in the same or different organizational units.

All College employees are expected to use good judgment to avoid conflicts of interest* and the appearance of conflicts of interest. Should an employee question whether a family-member employment situation would be a conflict of interest, the VP for Human Resources and the appropriate VP, Dean or Provost should be consulted. Family members who work in the same organizational unit shall complete a document that lists aspects of their job that could represent a conflict of interest with respect to their relative(s). Relatives of that person shall recuse themselves from institutional decisions involving direct benefits to that relative or relatives. The list and the statement of recusal shall be reviewed by the VP for Human Resources and the appropriate VP, Dean or Provost and appended to the parties' personnel files. Should family members change positions within the College, the document and statement of recusal shall be updated to reflect their new positions.

Due care will be taken to ensure that no person is excluded from positions of responsibility or authority, or denied opportunities for professional advancement at Muhlenberg College simply because a family member is also employed by Muhlenberg. In the event that the reporting structure involving family members is problematic, the Provost and/or the President may create an alternate reporting structure. In the eventuality that the President is in such a position, an alternate reporting structure may be created by the Chair of the Board of Trustees.

In order to protect both faculty and students from real or apparent conflicts of interest, students will avoid enrolling in classes taught by their spouse, domestic partner, parent or other related person wherever possible. Students may pursue other available alternatives (such as courses taught by non-family members or LVAIC cross-registration) to avoid instruction by family members. However, in small departments or specialized programs or courses, this avoidance may not always be possible. In any case in which a faculty member plans to teach a class in which a related person is enrolled, the faculty member shall confer with the Dean of Academic Life prior to the start of the semester. Should the Dean agree that alternatives have been exhausted and an exception is warranted, another member of the department will be asked to oversee the evaluation process of the student. The purpose of this oversight is to protect both the faculty member and student from the appearance of bias and to maintain the integrity of the academic experience. Such oversight would include reviewing the work of the student being evaluated and comparable work by one or more other students in the class.

Faculty members are not to serve as the main academic adviser to a student who is a spouse, domestic partner, parent or other related person. Likewise, faculty are not to work one-on-one with related students (for example, in situations such as an honors thesis, independent study, practicum, mentoring, or an internship). Any exceptions to this policy must similarly be requested of the Dean of Academic Life, in advance.

*From the College's Conflict of Interest Policy, adopted by the Board of Trustees, March 2003:

All decisions of the Officers of the College and of the other persons who have substantial influence over College affairs are to be made solely on the basis of a desire to promote the best interests of the College. The integrity of the College must be protected and advanced at all times.

Consequently, each Officer and other person with substantial influence over College affairs is obliged (1) to disclose any known conflict of interest and to avoid participating in any decision or advocating any subject matter before the College's Board of Trustees or other decision maker in which the Officer or other person has a conflict of interest; and annually (2) to disclose any possible personal, familial, business or other relationship that reasonably could give rise to a conflict involving the College; and (3) to acknowledge by his or her signature that he or she is in accordance with the letter and spirit of this policy.

SAMPLE

Memorandum of Understanding

To: *Family Member 1*
 Family Member 2

From: VP, Human Resources

Date: *Date*

Due to *Family Member 2's* employment as *Title* effective *Date*, it is important to define appropriate relationships which will be applicable to *Family Member 1* and *Family Member 2* so long as both remain employees of Muhlenberg College.

The regulations and responsibilities specified in the Muhlenberg College Handbooks and Policies including but not limited to conflicts of interest and standards of professional conduct will apply to both family members. However, because of the circumstances regarding the reporting structure (with *Family Member 1* holding a position that typically evaluates that of *Family Member 2*) the following agreement will also apply:

- *Neither family member will participate in decisions related to the other family member's employment status, compensation, performance, and/or any other confidential employment matter.*

Name (Family Member 1)
Title

Name (Family Member 2)
Title

Department Head Name
Head of *Particular* Department

VP HR Name
Vice President, Human Resources