M E M O R A N D U M

TO: Professor T. Newman, President Faculty Senate

Cc: Professor R. Miller, President-Elect Faculty Senate
Mr. Robert Rieder, Campus Counsel

FROM: Vistasp M. Karbhari, Provost and Executive Vice President for Academic Affairs

SUBJECT: Senate Resolution 11-12-04: "Conflict of Interest Amendment to the
Faculty Handbook"

DATE: February 10, 2012

I am in support of the intent of the resolution, as are the Deans of the Colleges.   A Conflict of
Interest does need to be reported and resolved and it is important that we create an
environment where conflicts are addressed upfront. I would like to thank the Senate for
raising this issue.

In going through the resolution, however, specific questions did come up that we believe
should be clarified and discussed prior to implementation to avoid further complication or
inadvertent effects. I am listing these below and the Deans and I would welcome an
opportunity to have a discussion with you at your convenience
   a) While disclosure of a potential conflict is an important step, the disclosure in itself to
      the direct supervisor does not resolve the conflict. It would be important to develop a
      course of action for management of the conflict itself. Both Dean Caron St. John and
      Dean Shankar Mahalingam have been giving significant thought to the general issues
      of conflict of interest and management of conflicts and I would urge that Senate
      leadership meet with them to discuss some of their ideas and concerns as well.
   b) It is not clear as to who is being referred to in the second paragraph as "in such a
      position." Is it the faculty member or the administrator whose family member is in
      someone's class?
   c) For the purposes of this issue what is the extent of definition of family. The handbook
      under Appendix I defines family as "as spouse, domestic partner, children, parents,
      parents-in-law, siblings, and other relatives." The use of the phrase "other relatives"
      could be fairly ambiguous.
   d) What is the language that would be proposed to be used and where would this be
      placed in Appendix I?