



## **CONFLICT OF INTEREST**

### **Section 1: General**

- a. Peer evaluators and Commissioners provide a vital service to the Commissions. The quality of the Commissions and the integrity of its actions are dependent upon the diligence, good faith, and integrity of its volunteers. This policy summarizes the fiduciary duty and conflict of interest standards that govern service for the Commissions on Elementary and Secondary Schools. Strict adherence to these standards will assure the continued independence, integrity and highest reputation of the Commissions.
- b. This policy articulates the code of the Commissions on Elementary and Secondary Schools by which the Commissions ensures the integrity and credibility of its accreditation processes and actions and its Code of Good Practice in the accreditation. This policy is designed to ensure fairness and impartiality in decision-making and to avoid actual, perceived, or potential conflicts or even the appearance of conflicts of interest in all aspects of the Commissions' work.
- c. All individuals participating in the Commissions' accreditation process, including but not limited to peer evaluators, Commissioners, consultants, members of Appeals Panels, Advisory Committee members, members of the Commissions' staff, and anyone serving as a representative of the Commissions have an obligation to avoid real, perceived, or potential conflicts of interest in carrying out their responsibilities to the Commissions.
- d. All Commissioners and volunteer peer evaluators will exercise their best efforts to comply with these guidelines. However, failure to comply with these guidelines does not invalidate Commissions actions nor constitute grounds for liability of the individual peer evaluator, individual Commissioner, the Commissions itself, or staff, unless applicable law so requires.

**Section 2: Definition:** A conflict of interest is any relationship with an institution accredited by or a candidate for accreditation by the Commission on Elementary Schools and/or Commission on Secondary Schools that could interfere with the ability of the individual to exercise objectivity in the accreditation process. A perceived or potential conflict of interest is any such relationship that could be perceived or potentially be conceived as interfering with the individual's ability to exercise objectivity in the work of the Commissions. Circumstances that might constitute a real, perceived, or potential conflict of interest regarding an accredited or candidate institution include, but are not limited to situations in which an individual:

- a. Within the last ten years, is or has been employed by the institution that is accredited or is a candidate for accreditation by the Commissions on Elementary Schools and Secondary Schools, or has a close relative (spouse, parent, child, or sibling) who is so employed;
- b. Within the last ten years, is or has been a consultant to the institution, or has a close relative who is, or has been, such a consultant;
- c. Within the last ten years, has or has had a monetary or personal interest in the outcome of the accreditation decision regarding the institution;
- d. Within the last ten years, has or has had a close personal relationship with an individual or individuals involved with the institution.

**Section 3: Conflict of Interest Policy for Members of the Commissions on Elementary and Secondary Schools and Its Advisory Committees.** A member of the Commission on Elementary

Schools or Commission on Secondary Schools or any of its advisory committees with a real, perceived, or potential conflict of interest regarding an accredited institution or candidate for accreditation:

- a. Shall recuse herself/himself from all deliberations and decision making regarding the institution. The minutes of the meeting shall reflect the members who recuse themselves from the deliberations and decision making.
- b. Shall recuse herself/himself from all deliberations and decision making regarding an institution for which s/he served as a member of the visiting team, the chair of the visiting team, and/or a paid consultant for the institution.
- d. May not apply for employment with the Middle States Association or the Commission on Secondary Schools while serving as a Commissioner.
- e. May not serve on visiting teams or participate in deliberations and decision-making about the accreditation of an institution for which the member has served as a consultant for any purpose within the last ten years.

**Section 4: Conflict of Interest Policies for the Staff of the Commissions on Elementary and Secondary Schools.** A member of the staff of the Commissions on Elementary and Secondary Schools with a real, perceived, or potential conflict of interest with any MSA-CESS accredited institution or candidate for accreditation or a related agency shall consult with the President about any duties and responsibilities related to that institution. The purpose of this consultation is to ensure that there is no conflict of interest or improper influence on the work or decision-making processes of Commissions stemming from that relationship. It is the responsibility of the employee, in all cases, to disclose and assist with determining whether or not an outside relationship does in fact constitute a conflict of interest.

- a. A member of the Commissions' staff will not be assigned as the accreditation liaison for any MSA-CESS accredited institutions or candidates for accreditation from which the staff member has graduated or by whom the staff member has been employed within the last ten years. In assigning accreditation liaison responsibilities, the President also will consider whether the staff member has close personal friends or family members associated with an institution that would give the staff member access to privileged information that is not available to others involved in the accreditation process.
- b. A member of the Commissions' staff who applies for employment with an institution for which s/he is the accreditation liaison, must immediately relinquish responsibility for all accreditation activities involving that institution. No staff member may serve as the accreditation liaison for an institution at which s/he has applied for employment within the last five years.
- c. A member of the Commissions' staff is prohibited from serving as a paid consultant to any educational institution within the national and international regions in which MSA-CESS accredits schools and other educational institutions.
- d. A member of the Commissions' staff is prohibited from serving as the chair of a visiting team to the school of a current Commissioner.

**Section 5: Conflict of Interest Policies for Chairs and Members of Visiting Teams.** No person may serve as a member or chair of a Commission on Elementary Schools and/or Commission on Secondary Schools visiting team to an accredited institution or a candidate for accreditation with which the person has a real, perceived, or potential conflict of interest.

- a. No person may serve as a member or chair of a Commission on Elementary Schools and/or Commission on Secondary Schools visiting team to an institution from which s/he has graduated or which is within the same school/school system in which s/he is employed. The President shall endeavor to avoid such assignments and shall immediately investigate any allegations brought to his/her attention.

**Section 6: Conflict of Interest Statements.** All individuals participating in the Commissions' accreditation process, including but not limited to on-site visitors, Commissioners, consultants, and Advisory Committee members, members of the Commissions' staff, and anyone serving as a representative of the Commissions will sign a conflict of interest statement.

- a. All members of the Commission on Elementary Schools and the Commission on Secondary Schools and advisory committees shall sign a Conflict of Interest Statement prior to participating in any meeting or function at which they participate in making accreditation recommendations and/or decisions.
- b. All members of the Commissions on Elementary and Secondary Schools' staff will sign a Conflict of Interest Statement at least once annually.
- c. Chairs and members of visiting teams shall sign such a Conflict of Interest Statement each time they accept an invitation to serve on a visiting team.
- d. All Conflict of Interest statements will be kept on file in the Commissions' offices for a period of one year.