



Policy on Conflicts of Interest and Commitment

For Trustees*

I. Introduction

This policy establishes a disclosure system whereby potential conflict situations will be identified upon the initial appointment of a Trustee, committee member, employee or other agent and thereafter, at least once a year on a prescribed form (the "Disclosure Statement," a form of which is available in Appendix B).

Such a system promotes an understanding of the situations that may give rise to conflicts and raises the issue at least annually as a reminder of each individual's responsibilities.

Ideally, this Policy will promote an affirmative awareness of these topics, and the Disclosure Statement will be a vehicle by which actual and potential conflicts can be appropriately identified and resolved through early and open communication and discussion. In this spirit, and because conflicts do not necessarily manifest themselves at scheduled times, potential conflict situations and new relationships and activities are expected to be disclosed promptly as they arise, in addition to being set forth in the annual Disclosure Statements.

II. The Policy

The Policy covers two related, but distinct conflicts – conflicts of interest and conflicts of commitment.

Conflicts of Interest:

In determining whether a potential conflict of interest exists, the fact that the situation could subject ACPEinc to criticism, embarrassment, or litigation should be considered.

A conflict of interest may also involve a situation where a Trustee's outside activities are inconsistent with his/her responsibilities to the ACPEinc.

Conflicts of Commitment:

Trustees should be sensitive to situations where Outside Activities may reasonably appear to present a conflict of commitment and err on the side of disclosure in these instances. In general, any service on any board – for-profit, non-profit, advisory, honorary, or otherwise – will constitute an outside activity, and all efforts must be made so that such service does not materially interfere with the Trustee’s responsibilities and loyalty to ACPEinc.

Although Outside Activities will generally be allowed, certain activities are subject to limits. While participation in Outside Activities does not necessarily require prior written approval, the following Outside Activities do require prior written approval before any such participation begins: Any service on any board – for-profit, non-profit, advisory, honorary, or otherwise – will constitute an Outside Activity. A conflict-of-interest or the appearance of a conflict-of-interest can occur beyond providing services to a board, for example, if a Trustee had been employed at an institution or program within the last five years or if the Trustee had a close professional or personal relationship with the faculty or administration of an institution or program being considered for accreditation. Organizational affiliation that may create a conflict-of-interest or appearance of conflict-of-interest must be brought to the attention of the Board.

When a Trustee, committee member, employee or other agent engages in Outside Activities, he/she is expected to disclose them in the manner set forth below.

III. Practical Implementation of This Policy:

1. Disclosure Responsibilities Relating to Conflicts

a. Nature and Timing of Disclosure

Under this Policy, each Trustee is required to:

- when initially appointed, and annually thereafter, acknowledge in writing that he/she has reviewed this Policy and is complying with it, in letter and in spirit;
- when initially appointed, and annually thereafter, complete the attached Disclosure Statement; and

- disclose actual or potential conflicts of interest or of commitment at any time when the Trustee becomes aware of them.

b. Report of Situations as They Arise

Whether it is a potential conflict of interest or a conflict of commitment:

- when a Trustee is required by this Policy to report a situation as it arises, the Trustee shall make this disclosure to the Chair of the Board of Trustees or the President.

As indicated above, this obligation to report situations as they arise is in addition to the annual completion of a Disclosure Statement.

2. Conflict Resolution

With respect to Trustees, the resolution of any conflict or perceived conflict will be determined by the Board of Trustees in consultation with outside counsel when required. The Board may render a final decision whether a Trustee should recuse himself/herself from any accrediting deliberations. If there is some doubt as to whether the issue raises to the level of a conflict-of interest or the appearance of a conflict-of-interest, then the Trustee may not take part in any discussion or vote of accreditation.

*** Adapted from Harvard University Policy on Conflicts of Interest and Commitment for Senior Officers and Administrators**

Adopted by Board of Trustees: 16 March 2010, 8 April 2017

Appendix A

“Conflict of Commitment” arises when a Trustee, committee member, employee or other agent undertakes Outside Activities that interfere with the Trustee’s primary obligations and commitments to ACPEinc.

“Conflict of Interest” may arise when one of the above-name individuals, his/her Family Member, or an entity with which the Trustee or Family Member is Associated:

- has an existing or potential financial or other external interest that impairs or might reasonably appear to impair his or her independence of judgment in the discharge of his/her responsibilities to ACPEinc; or
- may receive personally a material financial or other benefit from the use of disclosure of information confidential to ACPEinc.

“Family Member” means a person living in the same household as a Trustee who is also the Trustee’s spouse, partner, parent, sibling, child, or other relative.

“Outside Activities” include leadership participation in professional activities. In general, any service on any board – for-profit, non-profit, advisory, honorary, or otherwise – will constitute Outside Activity.

*** Adapted from Harvard University Policy on Conflicts of Interest and Commitment for Senior Officers and Administrator**

Adopted by Board of Trustees: 16 March 2010; 8 April 2017

Appendix B

Conflict of Interest and Conflict of Commitment Disclosure Statement for Trustees

Name: _____ Telephone _____

Please refer to Appendix A of the ACPEinc. Policy on Conflicts of Interest and Commitment for Trustees (the "Policy") for the meanings of any capitalized terms that are not defined in this Disclosure Statement.

1. I serve as a director, trustee, or officer to the entity (ies) listed below. Include both for-profit and non-profit entities, as well as entities to which you serve in an advisory or honorary capacity, and the capacity in which you serve.

Name of Entity

Title

2. In addition to the above, the following relationships, transaction or situations should be disclosed in accordance with the Policy:

Potential Conflicts of Interest:

Potential Conflicts of Commitment:

Other:

3. Are you engaged in, or have you been engaged in, any activity that might reasonably be perceived as presenting a conflict of interest or conflict of commitment under this Policy. If "yes," please explain below.

_____ Yes

_____ No

By signing below, I acknowledge that I have received and reviewed the ACPEinc Policy on Conflicts of Interest and Commitment for Trustees. I further acknowledge that I am in compliance with the Policy, both in letter and in spirit, and that the disclosures made above are full and complete as of the date I sign this form. I understand that it is my responsibility to report promptly any new situation that potentially implicates the Policy.

Name: _____

Signed _____

Date: _____

*** Adapted from Harvard University Policy on Conflicts of Interest and Commitment for Senior Officers and Administrators**

Adopted by the Board of Trustees: 16 March 2010; 8 April 2017