



## **Conflict of Interest Policy – Learner Assessment For all SMHS Students**

Section: 2 and 3

Policy number: 2.3 and 3.2

Responsible Office: Student Affairs and Admissions

Issued: 11.05.15

Latest Review: 12.12.24 (Bylaws Committee)

Latest Approval: 07.2023

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### **POLICY STATEMENT**

A faculty member shall not assess the performance of a student or participate in decision-making about a student's status or advancement/promotion when a conflict of interest (COI) exists involving the faculty member and the student.

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### **REASON for POLICY**

The purpose of this policy is to identify COI involving students and faculty in order to determine whether a faculty member may be eligible to assess student performance. This policy provides examples of conflicts of interest, establishes standards of conduct for faculty who are responsible for student assessment, provides a mechanism for students and faculty members to report COI in student assessment, and describes how conflicts of interest are to be adjudicated.

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### **SCOPE of POLICY**

This policy applies to:

√Deans, Directors, and Department Heads

√Faculty

√Managers and supervisors

√Staff

√Students

Others: This policy applies to all faculty members who have responsibilities for student assessment.

Faculty members have a duty to bring forward any conflicts of interest.

### **WEB SITE REFERENCES**

Policy Web Site:

<http://www.med.und.edu/policies/index.cfm>

Responsible Office:

<http://www.med.und.edu/student-affairs-admissions/>

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DEFINITIONS	
Conflict of Interest (COI)	A conflict of interest exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of (1) compromising a faculty or staff member's judgment; (2) biasing the nature or direction of scholarly research; (3) influencing a faculty or staff member's decision or behavior with respect to teaching and student affairs, appointments and promotions, uses of University resources, interactions with human subjects, or other matters of interest to the University; or (4) resulting in a personal, family member's, or close personal associate's gain or advancement at the expense of the University. For purposes of subsection (4), family members include parents, siblings, spouse, or intimate partner, children, or dependent relatives.
FC	Faculty Council
Directors/ Program Directors	UND SMHS Program Director:  Medical Students-Associate Dean for Student Affairs and Admissions  Health Sciences-Department Chair  Clinical and Translational Graduate Program Director  Undergraduate Students- Senior Associate Dean Education, Medical Accreditation and Faculty Affairs
SMHS	School of Medicine and Health Sciences
Academic Counseling	For the purpose of this policy, academic counseling shall refer to the process of provision of assistance and guidance in resolving difficulties in the areas of academics (both cognition and/or behavioral). This does not refer to the situation of how academics affect potential career choices.
Learner Assessment	For the purposes of this policy, assessment shall refer to summative assessment.
Career Counseling	For the purpose of this policy, career counseling shall refer to the process of provision of assistance and guidance in resolving questions/concerns regarding career planning and preparation.
Personal Counseling	For the purpose of this policy, personal counseling shall refer to individual counseling to address the student's personal wellness, emotional, and physical health goals.

RELATED INFORMATION	
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Learner Mistreatment Policy	<a href="https://med.und.edu/about/policies/_files/docs/3.12-2.5-learner-mistreatment-2024.pdf">https://med.und.edu/about/policies/_files/docs/3.12-2.5-learner-mistreatment-2024.pdf</a>
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## CONTACTS

General questions about this policy can be answered by your department's administrative office. Specific questions should be directed to the following:

Subject	Contact	Telephone/FAX	Email contact
Policy clarification	Student Affairs	777.4221/777.4942	<a href="mailto:saa@und.edu">saa@und.edu</a>
Policy format	Dean's Office	777.2514	<a href="mailto:SMHSdean@und.edu">SMHSdean@und.edu</a>

## PROCEDURES

- I) A given faculty member shall not provide assessment of a student when there is a COI. Students must also refrain from evaluating an instructor with whom they have a COI, either positively or negatively. Students and faculty have a responsibility to report conflicts as soon as they become known. Wherever necessary an alternative educational opportunity will be made available to the student.
  - A) Any student who identifies a COI with a faculty member shall make the conflict known to someone who has the ability to act on the issue. However, if the student is unsure who they should report this to, they should consult the SMHS Associate Dean for Student Affairs and Admissions.
    - i. For health sciences students the fieldwork/clinical coordinator or the department chair may be the designated contact persons.
    - ii. For medical students, the course director or the campus dean may be the designated contact persons.
  - B) Any faculty member who identifies a COI with a student shall make the conflict known to the person who oversees their teaching duties.
    - i. For health sciences faculty this may be the fieldwork/clinical coordinator or the program chair.
    - ii. For medical program faculty this may be the course director or the campus dean.
- II) Examples of conflicts of interest between students and faculty may include but not be limited to:
  - A) The student has a personal relationship with the faculty member.
  - B) The student has a financial relationship with the faculty member.
  - C) The student is receiving medical or mental healthcare from the faculty member.
- III) When a COI is raised, the program or course director along with the student will need to agree on the decision of whether or not there is a COI and whether or not the identified faculty member

may assess the student. In the case where agreements cannot be reached, the faculty member will not assess the student.

IV) Considerations for **medical students only**:

- A) Faculty as Academic Counselors: Faculty members who serve as academic counselor to students will refrain from assessing students. This assures that the student can obtain academic counseling from individuals who have no role in making assessment or promotion decisions about them.
- B) Faculty/Residents as Health Care Providers: Health care providers (physical or mental health) shall refrain from assessing or being involved in promotion discussions and decisions about students who are currently their patient or have been in the past. In that situation, the student will be provided another preceptor or an alternative educational experience. The health care provider shall recuse themselves from assessment and promotion discussions and decisions.

V. Considerations for physician assistant students:

- A) Principal faculty, the program director, and the medical director cannot participate as healthcare providers for students in the physician assistant program, except for emergency situations.
- B) The principal faculty, program director, and medical director should refrain from assessing or being involved in promotion discussions and decisions about students who have been patients in the past. If a COI situation occurs, the student will be provided another advisor/preceptor/fieldwork supervisor/clinical instructor or an alternative educational experience. The health care provider with a COI shall not be involved in assessment, promotion discussions, and decisions about the student.

VI. Considerations for other health sciences students:

- A) Faculty/Residents as Health Care Providers: Health care providers (physical or mental health) shall not assess or be involved in promotion discussions and decisions about students who are currently their patient or have been in the past. If a COI situation occurs, the student will be provided another advisor/preceptor/fieldwork supervisor/clinical instructor or an alternative educational experience. The health care provider with a COI shall not be involved in assessment and promotion discussions and decisions about the student.

RESPONSIBILITIES	
Faculty members	Bring forward any and all potential or actual COI
Responsible individual from the Program (person with the authority within the program in which the conflict occurred to address the issues)	Work with the appropriate individuals to decide if there is an COI and if present, develop a plan to address the COI.
Students	Bring forward any and all potential or actual COI as specified above

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