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**Indiana University School of Education Policy on  
Conflicts of Commitment**  
(Approved by Faculty Affairs Committee, 2/20/2007;  
Revised 3/1/2021)

**Preamble**

This Policy on Conflicts of Commitment sets forth two basic principles to all outside activities:

- (1) All School of Education Academic Appointees\* are permitted and encouraged to engage in outside activities to the extent that they do not interfere with such appointee's School of Education responsibilities.
- (2) Academic Appointees may not use University or School of Education resources in the performance of non-university activities without obtaining appropriate permission and providing for compensation. "School of Education" activities are defined as activities that are undertaken directly to fulfill one's research, teaching, or service responsibilities within the School of Education.

**Definitions**

Conflict of *Commitment* is similar to Conflict of *Interest*.

*Conflict of Interest* is when School of Education Academic Appointees engage in outside activities in which they use University or School of Education resources without obtaining adequate permission or providing for adequate compensation. The apparent or actual result is that these appointees are being compensated by two sources for the same work.

*Conflict of Commitment* is when School of Education Academic Appointees engage in outside activities to which they devote time and energy without obtaining adequate permission and or providing for adequate compensation. The apparent or actual result is that these outside activities interfere with appointees' School of Education responsibilities to devote 4/5ths of their time to School of Education activities: i.e., those undertaken to directly fulfill one's research, teaching, or service responsibilities.

**Examples of Potential Conflicts of Commitment**

1. *National Service*: Assuming a position of high responsibility and high visibility in a professional organization. These are opportunities and activities that the School of Education encourages appointees to pursue, because they increase the visibility of the School of Education and promote its stated mission. These positions, however, also have a cost to the School of Education and its students when the appointee's travel schedule disrupts class times and students have less of that individual's time and attention.

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2. *Large Research Program:* Having a high visibility research program that garners many invitations to present and speak at conferences, meetings, and other professional venues. It is in the interest of the School of Education to have such people on the faculty. Yet again there is a cost when the appointee's travel schedule disrupts class times and students have less of that individual's time and attention.
3. *International Grants:* International grants are wonderful opportunities for School of Education faculty, however, when their coordination, conference, and scholarly demands limit faculty time for class and students in such a way that office hours are not kept, classes are missed, and other teaching responsibilities are not met, then a Conflict of Commitment might ensue.

### Avoiding Apparent or Actual Conflicts of Commitment

The best policy for this situation is a flexible one in which each case is handled by the individual, her or his chair, and perhaps the Associate Dean for Research & Development. Those involved need to weigh the benefits and losses to the university and decide what is fair. It is in the best interest of the School of Education to have high visibility faculty members; it is in the best interest of high visibility faculty members to find ways to give back to the School of Education from their outside endeavors. It is the purpose of this policy to make School of Education Academic Appointees aware of the potential for Conflicts of Commitment, their responsibility for bringing their situations to the attention of their chairs, and on a case-by-case basis come to an equitable agreement that ensures that the appointee may pursue opportunities and the School of Education is fairly compensated.

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Minimally, it is expected that faculty will discuss potential conflicts of commitment with their respective department chairs and, if necessary, the Dean's Office so that the extent of the potential interference with teaching, service, and research can be mitigated. Potential conflicts of commitment include those that are likely to take the faculty member out of class or require the faculty to miss more than one day a week on average.

The reference above to "full-time faculty" reflects the conclusion that School policy need not provide that part-time faculty be permitted at least one day each week to engage in professional activities outside the School, because School and University policy do not, and should not, place any limit on the time that part-time faculty spend on outside activities. Part-time faculty, however, are subject to the other principles of the Policy.

**Section I** School of Education Academic Appointees may engage in activities outside of the School, provided that those activities do not interfere with such appointees' performance of their School responsibilities or otherwise constitute a conflict of commitment or interest.

**Section II** No School of Education Academic Appointee shall use School or University resources in the performance of non-School activities without

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the permission of the department chairperson or the Office of the Dean and without compensating the School.

- Section III** Full-time faculty shall be permitted to spend one day each week on professional activities other than School or University activities, provided that those activities do not otherwise constitute a conflict of commitment or interest.
- Section IV** An Academic Appointee's compliance with this section or with any other School or University or department policy on conflicts of commitment shall not be determined on the basis of income earned from outside activities or the percentage of such appointee's University compensation that such income constitute, unless required by law.
- Section V** Each Department Chair within the School shall negotiate potential conflicts of commitment with respective faculty in accordance with these policies and procedures implementing this Policy and specifying the School and University responsibilities of the full-time academic appointees, taking into account the norms and expectations of the disciplines and professions involved. Department chairs shall inform the Deans of the School of any conflicts of commitment and measures taken to cover any necessary loss of teaching, service, or research within the Department. Such negotiations shall not be inconsistent with this policy.
- Section VI** Enforcement of this Policy on Conflicts of Commitment is the ultimate responsibility of the President and the Board of Trustees, who may delegate that responsibility to other School or University officials pursuant to this policy and policies enacted by individual departments. Principal responsibility for implementation and enforcement of this Policy shall reside with the Office of the ~~University~~ Dean of the School of Education, which may seek advice from relevant campus officials or committees with authority for conflicts matters.
- Section VII** Violations of this policy and its implementing procedures, including the failure to comply with prescribed procedures for managing or resolving conflicts of commitment will be dealt with in accordance with applicable School or University policies and procedures.
- Section VIII** Appeals from administrative decisions concerning conflicts of commitment are subject to applicable School or University policies and procedures concerning review of administrative decisions.

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**DRAFT EMAIL INFORMING SoE FACULTY ABOUT  
CONFLICT OF COMMITMENT POLICY**

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**Subject Line:** ~~IF IN DOUBT, CHECK IT OUT~~

**Heading:** ~~SoE Policy on Conflict of Commitment:~~

Faculty Members,

The School of Education has recently created a policy for addressing conflicts of commitment. *Conflict of commitment* is distinct from *conflict of interest*; their differences are explained below.

**Definitions of Conflict of Interest and Conflict of Commitment**

*Conflict of Interest* occurs when one has financial interests that could affect validity of what one claims, especially in research. For example: (a) if a faculty member's research on assessment is funded by a testing company and the research uses tests sold by that company; or (b) a faculty member owns all or part of a company that is being hired by IU to do work on a project run by the faculty member, there is a potential conflict of interest.

*Conflict of Commitment* occurs when one is doing something that is keeping that person from doing what they are paid to do. Academic appointees may devote 1/5 of their time to outside activities related to research, professional service, consulting. Conflict of commitment is when the apparent or actual result is that these outside activities interfere with their responsibilities to devote 4/5ths of their time to School of Education activities. For example: (a) if a faculty member is consulting so much that he or she cannot meet classes; or (b) if a faculty member serves on advisory boards that have little to do with education and uses that as an excuse for not having time to serve on policy council committees.

**If in Doubt, Check it Out: Policy on Conflicts of Commitment**

Any departmental procedures must be consistent with this policy, including the requirements that full time faculty be permitted to engage in professional activities outside of the School for one day each week and that compliance with this or other policies relating to conflicts of commitment be measured without reference to compensation.

The best policy for this situation is a flexible one in which each case is handled by the individual, her or his chair, and perhaps the Associate Dean for Research &

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~~Development. Those involved need to weigh the benefits and losses to the university and decide what is fair. It is in the best interest of the School of Education to have high-visibility faculty, it is in the best interest of high-visibility faculty to find ways to give back to the School of Education from their outside endeavors. It is the purpose of this policy to make School of Education Academic Appointees aware of the potential for Conflicts of Commitment, their responsibility for bringing their situations to the attention of their chairs, and on a case-by-case basis come to an equitable agreement that ensures that the appointee may pursue opportunities and the School of Education is fairly compensated.~~

~~If you feel like you have the potential for a conflict of commitment, discuss it with your department chair. Our advice is: **If in doubt, check it out.**~~

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~~\* "Academic Appointees" shall have the meaning set forth in the University's Academic Handbook at <http://www.indiana.edu/~deanfac/acadhbk/>~~

## About This Policy

**Effective Dates:**

06-01-2004

**Responsible University Administrator:**

Vice President for Human Resources

**Policy Contact:**[IU Human Resources](#)[askHR@iu.edu](mailto:askHR@iu.edu)

## Scope

This policy applies to all Staff and Temporary employees of Indiana University, whether part-time or full-time.

## Policy Statement

1. It is the policy of Indiana University that its employees conduct the affairs of the university in accordance with the highest legal, ethical and moral standards.
2. It is the policy of Indiana University that employees are expected to devote their university work activities to official functions of the university, and to use university resources only in the interest of the university. An employee may not commit university resources to activities not in the interest of the university.
3. It is the policy of Indiana University that employees should not allow external activities to impede the fulfillment of university responsibilities.
4. Nothing in this policy shall be construed to permit any activity that is prohibited by law.
5. There are federal and state laws regarding the reporting of suspected illegal activity, including federal whistleblower laws.
  - a. Indiana state law
    - i. [Indiana Code \(IC 35-44.1-1-3, Ghost Employment\)](#) indicates that ghost employment can result in civil and criminal action against the supervisor and employee, as a Class D felony. Examples of when ghost employment occurs under state law:
      - a. A supervisor fails to assign an employee duties or assigns to an employee any duties not related to the operation of the university.
      - b. An employee knows that he or she has not been assigned any duties or assigned duties not related to the operation of the university and accepts compensation or property from the university.
      - c. Any person who permits the payment of compensation or property in violation of this law is jointly liable.

## Reason For Policy

1. The participation of employees in external activities that enhance their professional skills and constitute public service can be beneficial to Indiana University as well as the individual employee. External activities provide an opportunity to discover and pass on knowledge, with the formation of alliances that enhance the university's academic and research missions.
2. Employees are encouraged to participate and provide leadership in professional organizations, panels, committees, and other broadly defined public and professional service opportunities. These interactions can enhance relationships with a wide variety of governmental, business and not-for-profit entities that enhance the university's academic and research missions.

3. External activities can lead to conflicts of commitment with regard to an employee's university responsibilities, along with the misuse of university resources. As such, this policy is intended to serve as a guide for recognizing and managing employee conflicts of commitment, and whenever possible, to prevent even the appearance of conflicts of commitment.

## Procedure

1. University employees are expected to devote their university work activities to official functions of the university. Employees may engage in external activities provided that such activities do not detract from the performance of their university duties and responsibilities; for nonexempt Staff this also means that external activities must be performed outside of the employee's work time. With supervisory approval and in accordance with university policies, employees may take paid time off or a leave without pay to engage in external activities.
2. External activities not related to university responsibilities shall take place outside of the employee's designated work activities or during periods of authorized leave. External activities for which paid or unpaid leave should be used include, but are not limited to:
  - a. Providing non-university related services to another entity, including a corporation, business, association, government agency or not-for-profit organization, as an officer, director, owner, agent, consultant, or employee
  - b. Providing services as a voluntary or paid expert witness in any civil or criminal case
  - c. Providing private lessons in art, music or any field of study
  - d. Providing private counseling for financial aid, career development, and academic considerations
  - e. Providing services as an editor or reviewer for professional journals, unless authorized by the employee's supervisor
3. Employees shall not accept any compensation from another agency or entity or individual for work performed in the course of their employment at the university, except under very limited circumstances such as payments from government or not-for-profit entities for participation on advisory committees or review panels.
4. Employees shall not use any resource (facilities, supplies, equipment or other resources) for external activities that has a material cost to the university.
5. Except as approved in advance by the employee's unit head and the Advanced Research and Technology Institute's [Office of Licensing and Trademarks](#), employees shall not use the university's name or trademark in such a manner to suggest institutional endorsement or support of an outside activity or non-university product or service, nor use university business cards or stationery in such a manner to suggest institutional endorsement or support of an outside activity or non-university product or service.
6. Employees shall make clear, when engaging in external activities, that they are acting and speaking in their individual capacity and not as representatives or agents of the university.
7. Employees shall not disclose any non-public or confidential information concerning the university's operations, employees, or students, except that this provision shall not affect any person's right to report suspected illegal activity under applicable law.
8. Employee responsibilities
  - a. Employees shall comply with the provisions of this policy.
  - b. Employees shall report any known or suspected violation of this policy to the associated unit head.
  - c. If there is any question whatsoever about an external activity representing a conflict of commitment or interfering with the fulfillment of university responsibilities, then the employee should consult with his or her supervisor for directions. If the employee's supervisor is not available within a reasonable period of time, then the employee should contact the associated unit head for directions.
9. Unit head responsibilities
  - a. Unit heads and supervisors shall ensure that all new employees are informed of this policy.
  - b. Unit heads and supervisors shall ensure that all current employees are reminded of this policy on a periodic basis, but no less frequently than every two years.

- c. Unit heads and supervisors shall ensure there is appropriate monitoring and oversight to ensure that an employee's university responsibilities are fulfilled and that university resources are used only in the interests of the university.
- d. Supervisors shall monitor employee work activities for compliance with this policy and related Indiana state laws; Unit heads shall ensure that this supervisory responsibility is an expectation assigned to supervisors.
- e. Unit heads and supervisors shall take diligent efforts to maintain confidentiality of reports, remedies and sanctions, to the extent allowed by university policies and state laws.
- f. Unit heads and supervisors shall establish and maintain a work environment that encourages employees to ask questions about real or potential conflicts of commitment.
- g. If the unit head has any question whatsoever about an external activity representing a conflict of commitment or interfering with the fulfillment of university responsibilities, then he or she should consult with the next higher level of university management.

## Definitions

1. *Conflicts of commitment* occur when the time or effort that an employee devotes to external activities interferes with the employee's fulfillment of assigned university responsibilities, or when an employee makes unauthorized use of university resources in the course of an external activity.
2. *External activity* means involvement with any person, trust, organization, enterprise, government agency, or other entity that is not an entity associated with or under the control of Indiana University. (Associated entities include the IU Foundation, ARTI, and physician practice plans.) University appointment or assignment of an employee to an external board or committee does not constitute an "external activity" for the employee. External activity for the purpose of this policy also does not mean to reference family activities or authorized professional development activities.
3. *Unit head* means the applicable dean, vice chancellor, chancellor, provost, associate or assistant vice president, vice president, or president, who has executive management responsibilities for supervising the employee.
4. *University* means Indiana University.
5. *University responsibilities* are defined as the responsibilities of a university employee to perform university activities as defined by university management, contract, or collective bargaining agreement.

## Sanctions

1. This policy references an [Indiana Code \(IC 35-44.1-1-3\)](#), which makes it a criminal offense to assign non-university work to another employee or for a university employee to accept compensation for the performance of non-university work. It also is a criminal offense not to assign an employee any duties for any period of work time.
2. Violations of university policies, including the failure to avoid a conflict of commitment in accordance with this policy, will be dealt with in accordance with applicable university policies and procedures; which may include disciplinary actions up to and including termination from the university.
3. Unit head decisions regarding a reported conflict of commitment may be appealed to the next higher unit head, in accordance with the university's normal problem-grievance resolution procedures.
4. Refer to the personnel policies for the associated employee group.

## Related Information

[IU Policy on Financial Conflicts of Interest in Research Employees engaged in research programs](#) may also be subject to the university's policy regarding financial conflicts of interest. Employees should consult the campus Sponsored Research office or campus Academic Affairs office with any questions.

[Policy on Conflicts of Interest Employees should avoid potential conflicts of interest, or otherwise disclose them for review and resolution by their unit head in accordance with the university's policy on Conflicts of Interest for Staff and Temporary employees.](#)

[IU Purchasing Policies Employees shall not use their purchasing authority for personal gain.](#)



Brochure: Managing Interests and Commitments