

**IRVINE DIVISION OF THE ACADEMIC SENATE
RECUSAL POLICY
PRIVILEGE AND TENURE COMMITTEE***

In the university, the term “conflict of interest” refers to financial or other personal considerations that may compromise a faculty member’s professional judgment. In carrying out their work, Senate council/committee members are expected to rely on their academic expertise, experience, and judgment; professional agreements or differences of opinion are not by themselves a basis for recusal.

The Committee on Privilege and Tenure has jurisdiction over three categories of cases:

1. grievance cases, where a Senate faculty member claims injury through the violation of their rights and privileges;
2. disciplinary cases, where a Senate faculty member is accused of having violated the Faculty Code of Conduct; and
3. early termination cases, where a Senate or non-Senate faculty member challenges whether there is good cause for their early termination.

Given the jurisdiction of the Committee on Privilege and Tenure, service on CPT can present “conflict of interest” situations. Conflicts can arise because the committee member might be in the same unit (defined in this document as institute, department, research group, or other comparable academic group) as one of the parties in the complaint, or given the close academic community that exists at the University, may have had personal and/or professional relationships with one or more parties in the complaint. These conflicts have the potential to bias, directly or indirectly, CPT’s investigations, hearings, and decisions. CPT members must always keep this potential in mind and recuse themselves where a conflict of interest arises.

Policy

CPT members must recuse themselves from investigations, hearings, deliberations, and decisions in the following circumstances:

- 1) The CPT member has, or has had, a family relationship with one of the parties involved in the complaint, such as that of a current or former significant other, partner, spouse, child, sibling, or parent.
- 2) The CPT member is a member of a unit (“unit” defined as institute, department, research group, or other comparable academic group) with which one of the parties involved in the complaint have had or currently have an association.
- 3) The CPT member has been a collaborator in research (e.g., co-principal investigator or co-author) and/or teaching (e.g., co-teaching of courses) with one or more parties in the complaint within the last five years.
- 4) The CPT member has a personal or professional financial interest in one of the units that may be impacted by the outcome of the investigation and hearing.
- 5) The CPT member has participated in any aspect of the complaint (e.g., been a member of the unit involved in the case; has deliberated or participated in aspects of the case at another level of review).

Prior to formal acceptance and investigation by CPT of any complaint, the committee will raise the recusal policy and members will discuss the policy in relation to their continued

participation.

If a member of the Committee on Privilege and Tenure is uncertain regarding recusal, or believes recusal is necessary to preserve the real or perceived integrity of the committee's process, they may disclose the potential grounds for their or another member's recusal to the CPT Chair. The Chair may then determine whether the member should recuse themselves, or the Chair may seek the advice of other committee members in making this determination. The Chair or members - in order to ensure that there are no perceived or actual conflicts of interest and to preserve the integrity of CPT - may suggest that a member abstain from voting when a conflict of interest or perception of potential bias exists. The Chair should consult the whole committee regarding potential grounds for their own recusal. In making its determination regarding recusal in grey areas, the committee will take into account the fact that, by design, each member brings valuable and unique expertise to the committee as a whole. A member's ultimate decision to recuse themselves will be automatically accepted by the Committee on Privilege and Tenure.

* This policy extends the Irvine Academic Senate's recusal policy.

Approved by the Committee on Privilege and Tenure: November 10, 2015