



Policy Title: **FEPAC Conflict of Interest and Disclosure Policy**

Approved By: FEPAC Commission

Document History: Policy Implementation Date: August 9, 2003

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Related Commission Document: Code of Conduct Policy
FEPAC Confidentiality and Non-Disclosure Agreement

References:

Responsible Official: Operations, Policy and Procedure Committee

POLICY SUMMARY

FEPAC depends upon its staff, Commissioners, and the voluntary service of its site-visit representatives and consultants to achieve its goals as an accreditor. It is the Commission's policy that the acceptance of any money, property, gifts, favors, or services that might be reasonably perceived by others to influence the discharge of one's duties on behalf of the Commission is strictly prohibited. The Commission recognizes that those serving on its behalf may have personal, business, and professional interests, some of which may have the potential to create actual or possible conflicts with the best interests of FEPAC. FEPAC does not necessarily view the existence of these interests as an impediment to participation in FEPAC activities, but it does require that they be disclosed and managed as outlined herein.

DEFINITIONS

Immediate family member: a person's parents, spouse or partner, sibling(s), child, or stepchildren.

Significant financial interest: an equity interest that exceeds \$5,000 in value or 5% ownership.

Commission Representative: a FEPAC employee, Commissioner, volunteer, consultant, or person acting in any capacity as the FEPAC's designated representative.

Actual or Perceived Conflicts of Interest

Commission Representatives share a duty to conduct accreditation activities and themselves with the utmost integrity and are expected to act in the best interests of FEPAC, to disclose and resolve any actual or potential conflicts of interest in advance, and to avoid even the appearance of any such conflict. A "conflict of interest" occurs when private/personal interest, such as a personal or financial relationship, either interferes or appears to interfere with the interests of the Commission or objectivity of a Commission Representative to carry out their duties. Commission Representatives are to be proactive in the recognition of those relationships or interactions that may be perceived to call professionalism into question and have a duty to immediately disclose any conflicts of interest, or potential conflicts of interest, to FEPAC's Accreditation and Outreach Manager. **Actual or perceived**

conflicts of interest that are more than 10 years old are not regarded by this Commission as a conflict, and do not need to be reported as such.

A conflict of interest may arise when a Commission Representative or immediate family member:

1. Engages in activities that compete with, or appear to compete with, the interests of the Commission;
2. Allows Commission decisions be influenced, or appear to be influenced, by personal or family interests or close personal relationships with an individual or individuals involved with the institution or program;
3. Uses Commission property, information, or resources for personal benefit or the benefit of others;
4. Hires, supervises, or has a direct or indirect line of reporting within the Commission to a family member or someone with whom there is a romantic relationship;
5. Maintains outside employment or relationships that negatively affect their ability to fulfill FEPAC responsibilities;
6. Receives a personal or financial benefit from, have a financial interest in, provide services to, or work for a student, program, employer, contractor, or company that does or seeks to do business with the Commission;
7. Is or has been employed by, enrolled in, or graduated from the institution that houses the program that is seeking, or already holds, FEPAC accreditation;
8. Is or has been a consultant to the program or the institution that houses the program, regardless of compensation;
9. Has a monetary or personal interest in the outcome of the accreditation decision regarding the program;
10. Becomes aware of any development in their life or in the life of an immediate family member that may compromise the integrity of the Commission and the fulfillment of its duties as an accreditor.
11. Has a pre-existing relationship or becomes related, married, or involved in a romantic or intimate relationship with another Commission Representative, or an employee or representative of a stakeholder program that is subject to Commission oversight.

The above guidelines should help Commission Representatives recognize and avoid potential conflicts of interest. It is important to note that conflicts of interest are not restricted to these guidelines. Conflicts of interest are common and having one is not always a violation of this Code. However, failing to disclose an actual or potential conflict of interest is a violation. All Commission Representatives are under a continuous affirmative duty to promptly disclose actual or possible conflicts of interest – both regarding themselves and other Commission Representatives - to FEPAC’s Accreditation and Outreach Manager or to the Chairperson of the Commission.

Filing a Conflict-of-Interest Statement

Before any formal engagement by the Commission and at least annually thereafter all Commission Representatives¹ shall file a Conflict-of-Interest Form (COI Form) with FEPAC’s Accreditation and Outreach Manager or designee for review.

Any information provided in a COI Form will be marked and treated as confidential.

Duty to Disclose

Commission Representatives are under a continuous affirmative duty to disclose actual or possible conflicts of interests. Whenever a Commission Representative becomes aware of an actual or possible conflict of interest, he or she shall promptly disclose the relevant facts and circumstances to FEPAC’s Accreditation and Outreach Manager (or the Chair of the Commission) and file an updated COI Form.

¹ Any COI Form submitted by FEPAC’s Accreditation and Outreach Manager shall be reviewed by the Chair of the Commission.

FEPAC Management of Conflict of Interest

Any conflict of interest disclosed by a Commission Representative will be considered an actual conflict of interest for the purposes of management and will not warrant further assessment by the Accreditation and Outreach Manager (or the Chair of the Commission). Upon disclosure, the Commission Representative would immediately be removed from the discussion space (virtual or physical), assessment (e.g., site-visits) and voting on any actions related to the disclosed conflict of interest. This typically occurs when a Commissioner has a conflict of interest with a specific program involved in active Commission action (e.g., annual report review, probation, application for accreditation, substantive change). In this circumstance, the Commissioner would recuse themselves from a specific discussion or vote on a specific topic that may be perceived to create a possible conflict of interest for the individual. However, depending on the nature of the conflict, recusal may be appropriate from more substantive discussions including, but not limited to, updates/modifications on standards or policies.

A Commission Representative who has brought a possible conflict-of-interest to the attention to the Accreditation and Outreach Manager (or the Chair of the Commission) but is unsure if it constitutes an actual conflict of interest, may request review by the Commission and/or Accreditation and Outreach Manager. Upon review, if it does not appear to constitute an issue of sufficient magnitude to warrant further action by the Commission, the Commission Representative will be so informed in writing by FEPAC's Accreditation and Outreach Manager (or the Chair of the Commission).

A Commission Representative who has failed to disclose a conflict-of-interest that appears to be of sufficient magnitude to warrant further action will be so informed in writing by FEPAC's Accreditation and Outreach Manager (or the Chair of the Commission). The matter will be promptly referred to the Executive Committee of the Commission for further review and disposition. The impacted Commission Representative will have the opportunity to fully present his or her view of the situation (by letter, teleconference, or other agreed upon means) to the Executive Committee of the Commission. If that body determines (by a simple majority vote) that the disclosure poses a conflict of interest or could create a substantial perception of a conflict of interest, it shall direct the disclosing individual to withdraw from the impacted Commission activities giving rise to the conflict at issue. In certain circumstances, the individual may need only to recuse himself or herself from a specific discussion or vote on a specific topic that may be perceived to create a possible conflict of interest for the individual.

Failure to Comply

Failure to fully comply with this *Conflict of Interest and Disclosure Policy*, or instructions issued by the Executive Committee of the Commission, may be considered cause for administrative action up to and including termination as a Commission Representative.

Revision History

Date Revised	Summary of Revisions	Approved By