



# Conflicts of Interest Policy

## American Educational Research Association

### Adopted by Council, January 27, 2008

#### Introduction

The following conflicts of interest policy adopted by the American Educational Research Association (AERA) guides the handling of conflicts of interest or potential conflicts of interest when members of the Association are serving in decision-making positions for the Association. A conflict of interest relates to those circumstances where individuals may benefit themselves, others, or institutions or organizations with which they have an affiliation or might make decisions where their objectivity is affected by biasing circumstances (positively or negatively) in performing their service or duties. This policy does not apply to elected officers making appointments to committees, task forces, or other such entities that serve the Association. Such appointments are informed by the AERA Guidelines for Appointments adopted by Council on January 27, 2008.

AERA has adopted as overall guidance the conflict of interest definition set forth by The National Academies:

The term “conflict of interest” means any financial or other interest which conflicts with the service of the individual because it (1) could significantly impair the individual’s objectivity or (2) could create an unfair advantage for any person or organization. (June, 2003)

In establishing this general policy, the Association sets forth circumstances that require AERA members to refrain or recuse themselves from participation and circumstances where AERA members need to consider whether the nature of their relationship creates the actuality or appearance of a conflict. Discretionary areas are circumstances where individuals need to decide whether it would be prudent for them and for the Association if they withdrew from service or limited their participation to avert concerns about conflicts.

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*Executive Director’s Note.* In June 2006, the Council of the American Educational Research Association adopted a Conflicts of Interest Policy for Awards Selection. At that time the policy was adopted on an interim basis, and Council recommended that a task force be appointed to articulate a more general conflicts of interest policy to guide the Association. A Task Force on Conflicts of Interest was appointed in fall 2006 with the following charge: “The task force will examine and recommend a conflicts of interest policy for AERA. The task force will identify areas where conflicts of interest policy should guide deliberation and decision making of individuals, committees, and other boards and bodies within AERA. The task force will review all existing conflict procedures and develop, articulate, and integrate a set of ethical standards, criteria, and procedures for addressing conflicts of interest or the appearance of conflicts of interest that can be widely used by the Association in situations in which conflicts of interest may arise.”

The Task Force undertook its work during 2007, with interim reports and drafts considered by AERA Council. A final draft policy was submitted to Council for consideration at its 2008 midwinter meeting and approved on January 27, 2008. The Conflicts of Interest Policy for Awards Selection was incorporated into the general policy (see Appendix A).

In seeking to foster a culture of sensitivity about conflicts of interest in the activities of the Association, AERA Council called for wide dissemination of the Conflicts of Interest Policy. This policy is directed to AERA members and staff when serving the Association in its work. It should be informative for all members about the significance of conflict rules as part of professional conduct and for members and nonmembers interested in understanding the standards of conduct that this Association brings to its work.

The AERA conflicts of interest policy is a general one that incorporates policies which are specific applications on conflicts of interest that guide actions within the organization. Under this general policy, Council may also from time to time adopt other specific policies to clarify the expectations of the Association for those involved in service as individuals or as part of a committee, task force, council, or board. Current AERA conflicts of interest policies that guide the AERA Award Selection Committees (Appendix A), AERA Publications Committee for the editor search process (Appendix B), and Books Editorial Board (Appendix C) are examples of specific applications of this general policy.

#### Scope of Policy

The scope of this policy relates to decisions that involve the allocation or withholding of benefits to others or oneself or may otherwise compromise serving the Association. It covers AERA officers, Council, committees or task forces, and appointed positions (e.g., editor). It pertains to such service as reviewing and selecting proposals for participation at the Annual Meeting, reviewing proposals for all forms of grant and fellowship support, selecting lecturers or other honorific appointments that confer a tangible benefit or signal merit within the field of education research or in the Association (including the selection or confirmation of AERA Fellows), nominating persons for elective office, reviewing manuscripts for publication in journals or in book volumes, serving as editor or in an editorial role in making decisions on manuscripts for publication, making appointive decisions for editorships, or reviewing book manuscripts for potential publication by AERA. It also includes the three aforementioned areas where conflicts policies have been established by AERA—serving

on award selection committees, reviewing candidates for editor appointments, and serving on the Books Editorial Board.

The above list is not intended to be exhaustive of all the AERA functions where conflict rules may apply but aims to outline the types of service where a conflict or the appearance of conflict triggers the policy and its intended scope. In areas where a constituted AERA body or those serving AERA have questions or ambiguity, those involved in such situations are asked to consult with the Chair of the AERA Ethics Committee or the AERA Executive Director. In situations needing additional consultation, the AERA President also can advise and make a determination.

The purpose of this policy is to make clear the expectations of the Association regarding conflicts of interest rules, what is required, and where discretionary judgment can be applied. The conflicts of interest policy applies to those serving the Association in elective or appointive positions and to the AERA staff. Conflicts of Interest include the conferring or withholding of benefits not just to individuals but also to institutions or organizations with which individuals have an affiliation that might be selected to work on behalf of the Association or otherwise have a relationship or connection to AERA. They also include situations where AERA members could themselves personally benefit from such service. The conflicts policy is intended both to guide conduct and to alert those serving the Association about situations that might cause conflicts of interest so they can anticipate these situations and take appropriate actions in advance or when they arise.

### **Circumstances Where Service May Benefit Others**

1. *Required Circumstances.* The following conditions require individuals to withdraw or recuse themselves from service that involves decisions related to other individuals or institutions. They include persons who are:
  - a. current or former chair of a dissertation committee or current or former student of a chair of a dissertation committee;
  - b. family member, spouse, or partner;
  - c. anyone with whom one has a current business or financial relationship (e.g., business partner, employer, employee);
  - d. research collaborator or co-author who is currently in that relationship or has been within the last five years; or
  - e. anyone working at the same institution or having accepted a position at the same institution.
2. *Discretionary Circumstances.* Other conditions *may* lead individuals to determine that they have conflicts or potential conflicts of interest that require withdrawal or recusal from service and to act on that determination if they believe that service could affect the fairness of the selection or decision-making process. Under such circumstances, individuals make those situations known and withdraw from participation.

### **Circumstances Where Service May Benefit Self**

#### *Avoidance of Personal Gain*

1. The required circumstances for withdrawal or recusal from service (outlined above) not only eliminate or reduce the occurrence of potential bias in the provision of benefits to

others but also eliminate or reduce the possibility of personal gain by averting the actuality or appearance of an individual's serving the interests of other individuals or institutions to which they are closely connected. Recusal or withdrawal from service as outlined above contributes to the avoidance of personal gain.

2. Under all circumstances, individuals do not use or otherwise seek to gain from information or material received in a confidential context (e.g., knowledge obtained from reviewing a manuscript or serving on a proposal review panel), unless they have authorization to do so or until that information is otherwise made publicly available.
3. Under all circumstances, individuals do not share information or engage in special treatment of or arrangements with other individuals, organizations, or institutions that could bias outcomes or lead to others' being beholden to them.

### **Circumstances Where Dual Role May Compromise Serving the Association**

It is understood that AERA members may have simultaneous service or commitments that professionally relate to the work or service they perform for the Association. There are circumstances where those serving the Association need to address their dual roles and (a) recuse themselves from participation, or (b) make known their dual interest so that other disinterested parties can determine the appropriate level of participation, if any. The Chair of the AERA Ethics Committee, the AERA Executive Director, or the AERA President may serve in this role for AERA, alone or in cooperation. There are two types of dual roles that can present a conflict and need to be disclosed.

1. *Financial Interest.* Those serving the Association may be involved in a decision or action that could involve a financial benefit to an organization or institution where they have an investment, financial interest, or compensation arrangement or are considering such an arrangement. In general, persons should recuse themselves where financial or business arrangements with an institution, organization, or entity may affect decisions, judgments, or guidance to AERA. In some circumstances when the relationship or benefit is remote, disclosure to an AERA disinterested party may be sufficient to determine whether recusal is needed.
2. *Positional Interests.* Those serving the Association may have a duty of loyalty to other organizations or institutions (e.g., service on another organization's council or board) that undertake work closely related to the work or purposes of the Association. There is ordinarily no conflict of interest in such service and often such arrangements serve a common end or goal. It is the responsibility of members serving AERA to make known such positions when issues are being considered that could bias or be perceived as biasing advice, counsel, or decisions; assist the other entity in making its decisions; or divert opportunities or resources away from AERA. Those who have dual roles should be aware of the potential for such conflicts. In situations of uncertainty, individuals in these circumstances should consult with a disinterested AERA party.

## Implementation Procedures

1. The conflicts of interest policy is to be widely publicized and readily accessible to AERA members. The Code of Ethics (to be reviewed for possible revision subsequent to Council's adoption of the conflicts of interest policy) may include general ethical guidance on conflicts of interest beyond just serving the Association.
2. Those elected or appointed to positions in the Association will be informed of the conflict rules and acknowledge their acceptance of the policy as part of their acceptance of the position or appointment.
3. All AERA bodies that allocate benefits or make decisions that can have positive consequences for some and not for others are expected to observe recusal rules and seek

clarification from the AERA Ethics Committee or the Executive Director in cases of ambiguity. With bodies that require fuller procedures than can be accounted for by the general policy, the Executive Director or the President should be so informed.

4. Individuals in elective, appointed, or staff positions who may be faced with a potential conflict of interest or appearance of conflict of interest should take appropriate steps to recuse themselves from the activity or action and should either ask an alternate to serve in that role (a chair asking a chair-elect, an editor asking an associate editor) or inform those who otherwise would be responsible for making an alternate appointment (a staff program director informing the executive director or an associate editor informing an editor).

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## APPENDIX A

### *Conflicts of Interest Policy for Awards Selection American Educational Research Association Adopted by Council, June 30, 2006*

#### Introduction

The following policy was adopted by the American Educational Research Association (AERA) to guide the handling of conflicts of interest for award committees and other entities in the selection of awards. This policy applies to all AERA award selection committees, Division award selection committees, SIG award selection committees, and certain AERA committees that confer awards. The Association has similar policies governing other deliberating bodies that provide opportunities, benefits, or awards to others, including procedures that guide the Publications Committee, the Books Editorial Board, and advisory committees for fellowships and grants (e.g., the Governing Board for the AERA Grants Program). The purpose of these policies is to avert to the extent possible biasing circumstances, or the appearance of biasing circumstances, in the selection of AERA awardees.

#### Ethical Standards

1. *Award Eligibility.* Members of award selection committees are not eligible to be candidates for that award during their terms of service.
2. *Required Circumstances.* Certain biasing or potentially biasing relationships to an award nominee require committee members to withdraw from service on award selection committees. They include:
  - a. current or former chair or current or former student of a chair;
  - b. family member, spouse, or partner;
  - c. anyone with whom one has a current business or financial relationship (e.g., business partner, employer, employee);
  - d. research collaborator or co-author who is currently in that relationship or has been within the last five years; or
  - e. anyone working at the same institution or having accepted a position at the same institution.

3. *Elective Circumstances.* Members of award selection committees *may* for other reasons determine that they have conflicts or potential conflicts that require elimination from service and then act on that determination if they believe that service could affect the fairness of the selection process.

#### Implementation Procedures

1. The conflict of interest standards and implementation procedures for award committee service should be widely publicized and readily accessible to AERA members.
2. AERA presidents, presidents-elect, division vice presidents, chairs of SIGs, and others appointing members of award selection committees should make potential committee members aware of these ethical standards and the implementation procedures.
3. Alternates should be appointed by or readily accessible to those appointing members of selection committees so that substitute appointments can be readily made if any committee member or members need to step down from service.
  - a. In the case of AERA-wide awards, the President-Elect should appoint award selection committee members in advance of the selection process during the ongoing year and advise incoming committee members that they are alternates for accelerated service for an additional year if a vacancy arises due to a conflict of interest in the year before the commencement of service.
  - b. In the case of AERA committee awards, selection should be made by a subcommittee so that the chair of the committee can select other members of the committee as alternates if a vacancy arises due to a conflict.
  - c. Division vice presidents and SIG chairs should be prepared to appoint alternates expeditiously if a vacancy arises due to a conflict.

4. Upon completion of the nomination process, committee members need to make known whether they can continue service on the award selection committee or whether they are in a circumstance that mandates withdrawal from service.
5. If vacancies occur on award selection committees due to withdrawal of members from service, those vacancies should be filled promptly by those in a position to fill such vacancies on committees.
6. Any award selection chair or committee member with questions or ambiguous circumstances or who finds the full implementation disruptive should seek the advice of the Executive Director, who will, where necessary, consult with the President on this policy and its implementation.

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## APPENDIX B

### *Conflicts of Interest Policy for Publications Committee Excerpt from the Publications Manual, April 2005 Edition All Policies in Manual Previously Adopted by Council*

#### **Conflicts of Interest**

##### *Committee Deliberations*

The Publications Committee observes conflict of interest rules in its deliberations. In the consideration of editor candidates, members of the Committee recuse themselves if a familial or personal relationship or institutional affiliation creates a biasing conflict. The conflict of interest guidelines are as follows (Publications Committee, August 2004):

Committee members will not participate in evaluation of applications from their own institutions. Members will also not evaluate applications in cases where they have co-published articles or volumes with applicants, or in cases where they are currently collaborating with applicants in directing projects jointly or have done so within the past five years. A member will also not evaluate an application if he or she chaired the doctoral committee of that candidate. Any committee member may additionally declare a conflict based on any positive or negative judgments that the committee member determines are

sufficiently strong to be biasing. Committee members with conflict of interest will not be included in Committee discussions of applications where these conflicts arise. Committee members may be present during stages of decision making when ranking of applications occurs but may not participate in ranking those applications or comment on the ranking of those applicants.

##### *Benefiting From Position*

Members of the Publications Committee may not be seen as being in a position to profit from the use of confidential information to which they have had access because of their service on the Committee. Thus, should privileged information regarding a particular article or publication (e.g., the discussion of a grievance, or the review of a controversial editorial decision) come before the Committee, members of the Committee shall not speak or write directly in an independent capacity (e.g., by publishing a critique) about the article or publication in question. (Publications Committee, April 1995)

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## APPENDIX C

### *Conflicts of Interest Policy for AERA Books Program and Books Editorial Board Adopted by Board May 2005 and Council January 27, 2008*

Members of the Books Editorial Board are precluded from submitting book projects for consideration by the Books Editorial Board and also from being an author on a book project submitted to or accepted by the Board for publication by AERA. This policy ensures that the AERA Book Publications Program operates without Board members' benefiting from their roles on the Board or appearing to do so.

This policy extends to all books under consideration by or in production for AERA publication. These conflict rules govern Board members' involvement in any AERA book, and they also preclude the resignation of a Board member in order to submit a proposal for consideration of a possible project during what would have otherwise been her or his term as a Board member. The reason for precluding resignation in order to allow the submission of a proposal flows from the basic rule that no member of a Board or deliberative body should benefit from service or from an attenuation of service and that the possibilities of real or perceived undue influence of the remaining Board members would constitute a conflict.

One exception to the conflict rule presents itself: The AERA has in place a right of first refusal for potential book projects emanating from AERA projects, activities, or initiatives undertaken on behalf of

the Association. It is understood that members of the Books Editorial Board may be in that situation with respect to prior or ongoing work. In most instances such projects may be known in advance as intending to produce books, and AERA presidents making appointments to the Board are asked to avert such appointments and the conflict between competing principles under which the Books Program operates (i.e., conflict rules and the right of first refusal).

In the rare event that such a conflict of principles might present itself without prior knowledge by any of the parties, the spirit and intent of the conflicts of interest policy is to mitigate the appearance or reality of a conflict. Accordingly, in considering such volumes, the Books Editorial Board would not be involved in the review of proposals and subsequent review of volumes. Instead, the Chair of the Books Editorial Board and the Executive Director would handle the review of book proposals and of subsequent manuscripts through the use of ad hoc expert reviewers. In the event that both of these individuals have such a conflict, the Chair of the Publications Committee would be asked to preside over the ad hoc review. The Books Editorial Board would be kept informed about the status of the project, but the Board would not participate in the review or recommendation of such volumes or in any other deliberation.