

**AMERICAN COLLEGE HEALTH ASSOCIATION (ACHA)
BOARD OF DIRECTORS
POLICY AND PROCEDURE
(BOD P/P)**

BOD P/P Number:	2002-1	Date Established: February 2, 2002	
		Date Revised: April 26, 2022	
Reference:	BOD Meeting	Term:	1 Year
			2 Years
		X	Indefinite

BOD P/P Title:	VOLUNTEER LEADERSHIP CONFLICT OF INTEREST POLICY AND DISCLOSURE
----------------	--

BOD Authority:	ACHA Bylaws, Article VIII, Section 1.
----------------	---------------------------------------

Purpose:	To establish an Association policy regarding conflicts of interest and a procedure for disclosing conflicts of interest by ACHA volunteer leaders.
----------	--

Policy:	It shall be required that all individuals who are volunteer leaders of ACHA, as described in the attached <i>ACHA Volunteer Leadership Conflict of Interest Policy</i> under “Covered Officials”, adhere to the disclosure requirements set forth in the aforementioned policy.
---------	---

Procedure:	<p>The ACHA CEO shall administer the program for Conflict of Interest Disclosure from within the executive office of ACHA.</p> <p>“Covered Officials” as described in the aforementioned policy document shall be required to submit information online using a secure cloud-based web form accessible via the ACHA website/Leadership Orientation/ACHA Primer: Conflicts of Interest web page or via other appropriate software.</p> <p>Every effort shall be taken by ACHA executive office staff to protect the privacy of information submitted by “Covered Officials” in compliance with disclosure requirements. Disclosed information shall only be shared with members of the ACHA Board of Directors (BOD), or Executive Committee (EC) members on their behalf, for review in accordance with the policy. This disclosed information shall be shared with Board members (or EC members) on a controlled basis with no further dissemination permitted. Printed disclosure documents (if any) that are shared with Board or EC members shall be physically returned to the ACHA executive office for safeguarding and/or destruction when no longer needed. Files and content created from the web forms shall be maintained only within the ACHA executive office and not shared externally.</p> <p>By exception: Conflict of Interest disclosures may need to be shared with external oversight entities (such as auditors and continuing education accrediting organizations) that might require access to such information in connection with their oversight activities; or, upon being compelled by court order or other competent legal authority to disclose the information.</p> <p>The ACHA CEO shall take such steps as necessary (as directed by the</p>
------------	---

	<p>BOD or EC) regarding any disclosed relationship(s) that the Board (or EC) deems to be problematic for the Association.</p> <p>Attachment: <i>ACHA Volunteer Leadership Conflict of Interest Policy</i></p>
--	---

Resources:	National Office	Volunteer
Human:	CEO Executive Assistant/BOD Liaison	All Volunteer Leaders, Board of Directors
Financial:		
Other:		



ACHA VOLUNTEER LEADERSHIP

CONFLICT OF INTEREST POLICY

INTRODUCTION

When ACHA volunteer leaders are acting in their official capacities, their actions and decisions should be based on what they honestly and reasonably believe to be in the best interests of ACHA. Legally and ethically, this is what is expected of each volunteer leader. It is also what is expected by ACHA members and other constituencies. If the judgment of an ACHA official is influenced by an outside interest, ACHA may suffer harm directly from an ill-advised decision. But ACHA can be harmed equally, if not more so, by the creation of a perception among members and others of inappropriate decision-making. Especially for a nonprofit organization, reputation can be an invaluable asset. Therefore, even if a volunteer leader believes that he or she can exercise independent judgment despite a conflict, and even if the official in fact does so, the perception that another interest or relationship may inappropriately influence their judgment can be injurious to ACHA.¹

DEFINITION OF “CONFLICT OF INTEREST”

A conflict of interest exists when a volunteer leader has a direct or indirect² business, professional, or personal situation or relationship that might influence, or that might be perceived to influence, the judgment or actions of the leader when serving ACHA. Conflicts of interest may arise under numerous scenarios, including *but not limited to*:

1. Receiving compensation (e.g., salary, consulting fees, speaking or writing honoraria, etc.) from a company offering healthcare, medical, or education related products or services. (This excludes salary received from the volunteer leader’s college or university of employment.)
2. Doing business with ACHA or having a relationship (including ownership of more than 5% of the voting stock) with any company or organization doing business or wishing to do business with ACHA.
3. Serving as an officer or director of another nonprofit association in the areas of healthcare, medicine, or education.

¹ It should be emphasized that conflicts of interest are not inherently illegal or unethical, nor should they be interpreted as reflecting upon the integrity of any ACHA official. Further, it is not the purpose of a conflict of interest policy to prevent volunteer leaders from having business or other relationships. Rather, it is the manner in which a conflict is addressed which determines the propriety of the situation.

² E.g., through a close family member or a business associate.

DISCLOSURE

The most fundamental concept in the area of conflicts of interest is disclosure. Those ACHA volunteer leaders subject to this Conflict of Interest Policy must disclose all conflicts as defined above. It should be noted that the definition of conflict of interest adopted in this Policy includes any relationship that *might* influence or that might be *perceived* to influence the actions or decisions of an ACHA official. Therefore, even if one believes that a relationship or other circumstance will not affect one's judgment or conduct, if it could do so, or if it reasonably could be perceived as having an improper influence, then it should be disclosed. Those volunteer leaders covered by this Policy will have the burden of defending any decision not to disclose, and therefore should err on the side of disclosure.

Disclosure shall be made on at least an annual basis using a secure cloud-based web form located on the ACHA website. Disclosed information will be shared with the ACHA Board of Directors, which may take such further action as it deems appropriate. In addition, any relationship or circumstance that is created, or arises in the interim, should be disclosed to the President and CEO of ACHA as soon as possible, and they will then notify the Board.

Finally, all those covered by this Policy have an obligation to bring to the attention of ACHA any conflict or perceived conflict of any other ACHA official also subject to this Policy.

COVERED OFFICIALS

The following volunteer leadership officials are subject to the ACHA Conflict of Interest Policy:

- (a) ACHA Officers (President, President-Elect, Immediate Past President, Vice-President, and Treasurer)
- (b) ACHA Board of Directors (Board Members)
- (c) ACHA Chairpersons and Co-Chairpersons for the following:
 - Association Liaisons, Board Advisors, Board Advisory Committees, Coalitions, Standing Committees, and Task Forces
- (d) ACHA Annual Meeting Program Planning Committee Members
- (e) ACHA Section Presiding Officers (Section Chairs)
- (f) The Editor (or Executive Editors) of the *Journal of American College Health*

EFFECT OF A CONFLICT OR PERCEIVED CONFLICT

Once a conflict of interest arises, in addition to disclosure, persons with the conflict should use their best judgment as to whether and to what extent they should recuse themselves from deliberations, voting, decision-making, and other participation with respect to the matter at issue, and whether they should resign from an office or position. In making this determination, the best interests of ACHA should be the sole criteria. The Board of Directors may require full or limited recusal or other measures, including resignation from an ACHA office or position.

VIOLATION OF THIS POLICY

Violations of this Policy may be considered as ethical violations consistent with ACHA's *General Statement of Ethical Principles and Guidelines*, which may result in the imposition of sanctions under procedures outlined in ACHA's *Sanctions Procedure* guidelines.