

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

BOD P/P Number:	2012-1	Date Established: February 10, 2012	
		Date Revised: February 25, 2020 September 21, 2020	
		Date Reviewed: February 25, 2020 September 21, 2022	
Reference:	BOD Meeting	Term:	1 Year
			2 Years
		X	Indefinite

BOD P/P Title:	GUIDELINES FOR INTERACTIONS WITH COMPANIES
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BOD Authority:	ACHA Bylaws, Article VIII, Section 1.
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Purpose:	To set forth clear operating guidelines concerning the Association's interactions with companies.
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Policy:	<p><i>This policy and procedure rescinds former Board of Directors Policy and Procedure 1999-1: Guidelines for Corporate Relationships (dated January 9, 1999); and, Board of Directors Policy and Procedure 1999-2: Guidelines for federal and Foundation Grant Relationships (dated January 9, 1999), and supersedes the provisions therein.</i></p> <p>In interacting with companies, the Association shall:</p> <ul style="list-style-type: none"> • Sustain neutrality regarding a company's products or services; • Minimize actual and perceived conflicts of interest; • Ensure that interactions meet high ethical standards; • Foster transparency concerning those interactions; and, • Preserve the integrity of the Association.
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Procedure:	<p>All members and ACHA staff employees shall adhere to the attached <i>Guidelines for Interactions with Companies</i> when undertaking any action involving a company on behalf of, or in connection with the Association or its activities.</p> <p>Attachment: <i>Guidelines for Interactions with Companies</i></p>
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Resources:	National Office	Volunteer
Human:	CEO All staff employees	President All members
Financial:		
Other:		

American College Health Association Guidelines for Interactions with Companies

Preamble

In the summer of 2010, the American College Health Association (ACHA) President appointed The External Funding Task Force composed of a Chair, two Board of Directors members, the Chair of the ACHA Ethics Committee, and the chair of each section (or their designee) with a two year deadline and charged it to:

Review and evaluate from business, legal and ethical perspectives the continued potential and appropriateness for incorporating external funding (corporate, federal or foundation) into the ACHA strategic plan and operations.

As an outcome produce draft policies and procedures that could guide the organization in the future.

The Task Force has reviewed current policies (1999-1 and 1999-2) and recommended that they be rescinded. They have reviewed ACHA Vision/Mission and Strategic Plan, literature on the subject, guidelines of both non-profit organizations/associations, accrediting organizations, and companies. They have reviewed, from a business perspective, the impact on the Association. Through a consensus process they propose that the following Guidelines for Interactions with Companies* be adopted as official policy for ACHA. It is recommended that these Guidelines be considered and approved by the Board of Directors of each ACHA Affiliate.

* The guidelines were developed along the framework of guidelines adopted by the Council of Medical Specialty Societies (CMSS) in March 2011.

ACHA Guidelines for Interactions with Companies

Background

The American College Health Association (ACHA) plays an important role in reaching out to college health professionals, their institutions, those it serves, and other groups. ACHA's members engage in high quality health and wellness practice. ACHA offers educational opportunities that help foster exchange of new and current information relative to the health and wellness of college communities in the effective delivery of a range of services. The Association develops resources that guide members in college health and provides a forum for presenting new skills and developments. Companies also strive to help patients live longer and healthier lives. However, it is readily acknowledged that Companies invest resources to bring new drugs, devices, therapies, and services to the patient or the market, and must ensure return on investment to maximize value for owners/shareholders. Therefore, as an underlying motive, competitive advantage cannot be dismissed.

ACHA's members, colleagues and students count on the Association to be authoritative, independent voices in the world of college health and wellness. Public confidence in ACHA's objectivity is critical to carrying out its mission. The Association acknowledges that the public relies on this neutrality to minimize actual and perceived conflicts of interest and to ensure its interactions with Companies meet high ethical standards. ACHA's interactions with Companies may include, but are not limited to, receiving charitable contributions, receiving funds in support of specific activities, and conducting a range of business transactions. In all of these interactions, ACHA is committed to acting with integrity and transparency.

ACHA is a 501(c)(3) non-profit organization committed to providing advocacy, education, communications, products, and services, as well as promoting research and culturally competent practices to enhance its members' ability to advance the health of all students and the campus community.

Definitions

The following terms are defined for purposes of these Guidelines. ACHA recognizes that some of these terms may be used or defined differently by others. They are explicitly defined here in terms of ACHA's interactions with for-profit Companies in order to create a common vocabulary for the principles set forth in these guidelines.

Advertising: Advertising is a Business Transaction in which a Company pays a fee to ACHA in exchange for ACHA's publication of a promotional announcement that highlights the Company or the Company's products or services. For purposes of these Guidelines, Advertiser refers to a Company that purchases Advertising.

ACHA: Shall mean the American College Health Association

Business Transaction: A Business Transaction is an interaction between ACHA and a Company, in which a Company pays a fee to ACHA in exchange for an ACHA item, service, or product. Examples of Business Transactions include Company payment of fees associated with sustaining membership dues, advertising in ACHA digital platforms or publications, registrations for ACHA meetings, exhibit space rentals, and mailing list rentals.

Charitable Contribution: A Charitable Contribution is a gift, including an in-kind gift, given by a Company to a qualified tax-exempt organization for use in furthering the organization's charitable purposes and in accordance with applicable tax rules and legal standards.

Company: A Company is a for-profit entity (including individuals) that develops, produces, markets, or distributes products, medical devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions; or to promote wellness. This includes for-profit entities that provide administrative products and/or services used in student health.¹

Continuing Education (CE): Continuing Education (CE) consists of educational activities for which the learner may receive CE credit (e.g., Accreditation Council for Continuing Medical Education (ACCME), American Nurses Credentialing Center (ANCC), American Psychological Association (APA), National Commission for Health Education Credentialing (NCHEC), National Board of Certified Counselors (NBCC), National Association of Social Workers (NASW), American Academy of Family Physicians (AAFP), and Accreditation Council for Pharmacy Education (ACPE)). CE activities serve to maintain, develop, or increase the knowledge, skills, and professional performance and relationships that an individual uses to provide services for patients, the public, or their profession.

¹ Adapted from CMSS Code for Interactions with Companies, 2015 (definition of "Company"). Consistent with CMSS statement that "a Society may choose to adopt a broader definition of "Company" if doing so would better address the Society's interactions", the definition is broadened to also include for-profit entities that develop, produce, market, or distribute products and services that promote wellness, and for-profit entities that provide administrative products and/or services used in student health.

Corporate Sponsorship: A Corporate Sponsorship is an arrangement in which a Company provides monetary or in-kind support to fully or partially fund an ACHA product, service, or event, and is then acknowledged in connection with the product, service or event. For purposes of these Guidelines, “Corporate Sponsor” refers to a Company that provides a Corporate Sponsorship.

Direct Financial Relationship: A Direct Financial Relationship is a relationship between an individual and a Company that results in wages, consulting fees, honoraria, or other compensation (in cash, in stock or stock options, or in kind) from that Company, whether paid to the individual or to another entity at the direction of the individual, for the individual’s services or expertise to that Company. s

Educational Activity: An educational event which is based upon identified needs, has a purpose or objectives, and is evaluated to assure the needs are met.

Educational Grant for a CE Activity: An Educational Grant for a CE Activity is a monetary sum awarded by a Company for the purpose of supporting a specific educational or scientific activity developed and offered by ACHA for CE credit.

Educational Grant for a Non-CE Activity: An Educational Grant for a Non-CE Activity is a monetary sum awarded by a Company for the purpose of supporting a specific educational or scientific activity developed and offered by ACHA that does not carry CE credit.

Chief Officer (CEO): The Chief Staff Executive employed by contract with ACHA, with such authority and responsibilities as set forth in the ACHA Bylaws.

Grant: A monetary award that is given to fund the conduct of an educational activity or research.

Guideline: As used in this document shall mean any ACHA systematically developed statement (e.g. guideline, recommendation, standard, or white paper) to assist College Health professionals in appropriately fulfilling their responsibilities and organizational mission.

Journal: The Journal of American College Health is a peer-reviewed journal owned and published by Taylor and Francis Group, LLC in cooperation with ACHA. The ACHA Board of Directors nominates one individual to serve three year, renewable, terms as Executive Editor and the publisher appoints them to determine and control the content of the Journal.

National Office Staff: Shall mean any and all paid, at-will staff employees of ACHA; hired, supervised, and responsible to the ACHA Executive Director.

Research Grant: A monetary award that is given to fund the conduct of research.

Volunteer Leaders: At a minimum, and for purposes of these Guidelines, the Volunteer Leaders are those ACHA members who, by nature of their position are required to disclose potential conflicts of interest in accordance with BOD Policy 2002-1 (Volunteer Leadership Conflict of Interest Policy and Disclosure).

Principles for Interaction

1. Independence

1.1. ACHA commits that its educational activities, programs, products, services, and advocacy positions are independent of direct Company influence.

1.2. ACHA shall separate its decisions regarding Business Transactions, Charitable Contributions, Corporate Sponsorships, Educational Grants, and Research Grants from its programmatic decisions.

1.3. ACHA's Board of Directors shall be responsible for guiding the Association's interactions with Companies.

1.4. During his or her term of service, all Volunteer Leaders shall comply with the requirements set forth in ACHA's *Board Policy and Procedure 2002-1: Volunteer Leadership Conflict of Interest Policy and Disclosure*.

1.5. Neither the CEO, nor any staff employee of the ACHA National Office, shall have a Direct Financial Relationship with a Company that has, or undertakes Business Transactions with ACHA.

1.6. ACHA shall use written agreements with Companies for Charitable Contributions, Corporate Sponsorships, Educational Grants, and Research Grants that clearly articulate the principles of independence and transparency, spelling out what the funds are for, the amount received, and the separate roles of the Company and ACHA. Such agreements shall demonstrate that the transaction is at "arms length," establish clear parameters for the use of funds, and affirm the independence of the Association.

2. Transparency

2.1. ACHA shall make its conflict of interest policy and disclosure requirements available to its members. ACHA shall document the ongoing execution of that policy annually within the minutes of its Board of Directors or Executive Committee meetings.

2.2. ACHA shall disclose any and all Company support of its programs, products, services or events, making this information available to its members and the public.

3. Charitable Contributions

3.1. Charitable Contributions in furtherance of ACHA's purposes shall be considered and may be accepted or referred to the American College Health Foundation (ACHF).

3.2. Charitable Contributions may only be utilized in a manner that is aligned with ACHA's mission and strategic plan.

3.3. No Charitable Contributions will be considered where the Company expects to influence ACHA's programs or advocacy positions, or where the Company restrictions would influence ACHA's programs or advocacy positions.

3.4. ACHA shall adhere to applicable tax rules and legal standards for acceptance of Charitable Contributions and management of institutional funds.

3.5. Reasonable restrictions by the Company on the purposes for which Charitable Contributions will be used shall be acceptable. Reasonable Company requirements for reporting on the uses of the donated funds shall also be acceptable.

3.6. ACHA shall adopt practices for consistent and appropriate recognition of donors.

4. Corporate Sponsorships

4.1. ACHA shall not accept sponsorships from Companies in or related to the alcohol, tobacco, or firearms industries. Acceptance of any other type of Corporate Sponsorship shall be at the sole discretion of ACHA's CEO.

4.2. For educational activities, ACHA shall only accept Corporate Sponsorship for pre-determined opportunities offered to all.

4.3. ACHA shall make reasonable efforts to seek multiple Corporate Sponsors. The Corporate Sponsors shall be identified by name and logo (where permitted) only.

5. Association Meetings and Other Educational Events

5.1. ACHA Educational Programming and Content

5.1.1. ACHA shall comply with ACCME, ANCC, and other accrediting agencies policies and procedures, including identifying, disclosing, and mitigating perceived or actual conflicts of interest for the purposes of credit-bearing education.

5.1.2. ACHA shall make reasonable efforts to achieve a balanced portfolio of general support for any Educational Activity.

5.1.3. ACHA shall appoint planning committees for educational activities offering CE credit composed of regular, emeritus, and/or student members to select the objectives, content, faculty, and format of Educational Activities in a manner that is consistent with its mission and in compliance with its Bylaws.

5.1.4. ACHA shall seek to prevent commercial bias or influence on the content of -- or any promotion of products or services during -- any of its educational activities offering CE credit.

5.1.5. ACHA shall prohibit company presenters from using any Company-controlled or produced presentation materials, and from using slides with Company branding during educational activities offering CE credit.

5.1.6. ACHA shall require presenters to give a balanced view of alternative approaches or therapeutic options and will encourage presenters to use generic terms/names in place of product trade names during educational activities offering CE credit.

5.1.7. Company Informational and Educational Meetings (e.g. user groups, social events, or product promotions) shall be independent of the Association and its annual meeting or other educational event. For in-person events, ACHA may release unused meeting space back to the venue for independent use by Companies for the purposes of their informational or educational meetings. If such activities are intended for select meeting attendees on an invitation-only basis, they shall not be listed or acknowledged in ACHA program materials or signage. If such activities are open to all meeting attendees, acknowledgment in ACHA program materials and signage shall be at the discretion of ACHA national office staff and identified as an “industry sponsored” event. Meeting space for such activities shall not conflict with educational sessions or other major events (as determined by the ACHA CEO) of the ACHA educational event. Meeting space shall not be released to Companies in or related to the alcohol, tobacco, or firearms industries.

5.1.8. ACHA may make available, during in-person or virtual events, opportunities for Industry Presentations. Any such presentation will be clearly identified as an “industry sponsored” event and shall not conflict with educational sessions or other major events (as determined by the ACHA CEO). Industry Presentations shall not be made available to Companies in or related to the alcohol, tobacco, or firearms industries. Acceptance of Industry Presentations shall be at the sole discretion of the ACHA CEO.

5.2. Exhibits

5.2.1. ACHA will require all exhibitors to comply with applicable laws, regulations, and Association guidance through written agreement to ensure that exhibit hall remains separate from any CE related activity.

5.2.2. ACHA shall make reasonable efforts to ensure that volunteer leaders do not participate in Company promotional/marketing events held in the exhibit space.

6. Grants

6.1. ACHA shall not permit Companies to select (or influence the selection of) recipients of Grants.

6.2. ACHA shall appoint independent committees to select recipients of Grants based on peer review of grant applications.

6.3. ACHA shall not require recipients of Grants to meet with Company supporters.

6.4. ACHA shall not permit Companies that support Grants to receive intellectual property rights or royalties arising out of the grant-funded work.

6.5. ACHA shall not permit Companies that support Grants to control or influence manuscripts that arise from the grant.

7. Guidelines

7.1. ACHA shall develop Guidelines through a rigorous independent and transparent process void of any Company influence. The development process should be clearly articulated as a preamble to any new or revised guideline. The absence of Company influence in the development process of ACHA Guidelines shall be visible and clearly articulated on the ACHA website that provides public or member access to such documents.

7.2. ACHA shall not permit direct Company support of the development of Guidelines or Guideline revisions.

7.3. In the development of Guidelines, ACHA shall always seek to exclude individuals who have Direct Financial Relationships with Companies that are directly related to the subject matter of those Guidelines. Such relationships shall be deemed as conflicts of interest which shall disqualify the member from the Guideline development process.

7.4. ACHA shall require that Guideline recommendations be subject to comprehensive review, with final approval resting with the Board of Directors.

7.5. Guideline development members shall only speak about the Guideline or its development consistent with ACHA *Board Policy and Procedure 2003-1 Spokesperson & Stationery/Logo Use*.

8. Journal

8.1. ACHA shall hold itself editorially independent from the *Journal of American College Health*, which is owned and published by Taylor & Francis Group, LLC in cooperation with ACHA. While nominated by ACHA, the JACH Executive Editor shall be selected, appointed, and independently responsible to the publisher.

8.2. ACHA shall require annually submitted Conflict of Interest Disclosures from the JACH Executive Editor.

9. Other Principles

9.2. ACHA shall not participate in any licensing agreement that is inconsistent with its mission.

9.3. ACHA shall not endorse, nor imply endorsement for, any Company, or any Company's products or services.