

Resolution on Adherence to Conduct and Conflict of Interest

Whereas, the Faculty Senate recognizes that there exists a statute namely, Florida Statute Chapter 112, Part III, known as the Code of Ethics for Public Officers and Employees which mandates the Policy on Professional Conduct and Conflicts of Interest,

Be it resolved that the Faculty Senate endorses the development and promulgation of examples that elaborate guidelines interpreting the specific aspects of actual and potential Conflicts of Interest and the management of such, and encourages the appropriate University entities to disseminate such guidelines to the university community.

Be it also resolved that the Faculty Senate endorses the examples in the March 5, 2007 statement of the Graduate Council (attached below) regarding conduct of personal relations between university employees and employers, and employees and students as an example of such promulgation.

Statement of the Graduate Council –

Clarification and Guidance for Faculty on Conflict of Interest in Personal Relations with Students

Conflicts of interest may also arise in the conduct of personal relations between university employees and between university employees and students. Employees are expected to treat students and fellow colleagues with courtesy and to respect their rights, including, but not limited to, academic freedom and freedom from coercion or the imposition of a *quid pro quo* relationship. The potential for conflict of interest in personal relations between employees and between employees and students is grounded in the distinctly unequal power in certain relationships, such as between a director and a subordinate employee or between a thesis advisor and a graduate student. It is often the case that the subordinate in a work or school relationship of this type will feel that they cannot say no to a request by the individual having the evaluative role or the more authoritative position. The individual with the predominant or controlling position in such relationships should be aware of this fact and of the potential for abuse of this unequal authority and control.

Employees and students must realize that even consensual amorous relationships may lead to sexual harassment, other breaches of professional obligations, or charges of sexual harassment or ethics complaints. This is particularly true where the relationship is one of unequal power (i.e., where one of the individuals in the relationship has a professional responsibility toward the other, such as in the context of instruction, advisement or supervision). No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member or when academic work is being supervised by the faculty member or when that faculty member has or *is likely to have* academic responsibility over that student at any time during that student's tenure at UCF. No person in a supervisory position shall have

romantic or sexual relationships with anyone that he or she evaluates. Romantic partners, including spouses, will be separated for purposes of evaluation and direct supervision.

A faculty member may not involve university students or other employees in the faculty member's external activities if such involvement is coerced or presented as a *quid pro quo*. Additionally, if it is another employee who is being involved in an external activity of this sort, then that involvement in the external activity must not conflict with the employee's required commitment of time to the university. This proscription is especially relevant to employees in their relationships with students and with employees over whom they have a supervisory or evaluative role.

As with conflicts of interest based on private and commercial interests, conflicts of interest based on relationships are necessarily fact-specific. Therefore, the university has not attempted to provide an exhaustive list of fixed rules on the potential for conflicts of interest created by such relationships. Individuals who have questions about how this policy applies to a particular situation should seek advice from the Office of the Provost or the Office of the General Counsel.

Below are examples of activities that constitute ***actual conflicts of interest*** that are inconsistent with University policy.

*A student's grades or progress towards a degree are conditioned on participation in a personal relationship, such as a romantic relationship, with an employee.
[Note that this conduct may also constitute sexual harassment.]*

A student's grades or progress towards a degree are conditioned on participation in a personal activity of the faculty member evaluating the student's progress, such as assisting the faculty member with babysitting activities, running personal errands, etc.

A supervisor engages in a romantic or sexual relationship with another individual (student or employee) over whom he or she has evaluative responsibility.

Below are examples of situations that constitute ***potential conflicts of interest*** in that they may develop into actual conflicts of interest inconsistent with University policy. Situations that raise the potential for conflicts of interest should be monitored to address any conflicts that might arise during the activity.

A supervising faculty member asks a student with whom the faculty member has a professional friendship for a personal favor, such as house-sitting during the faculty member's absence.

Student enrolls in an academic program in which student's parent (or other immediate family member) is a faculty member.

Where there is doubt in the mind of any individual about a potential conflict of interest, the individual should raise the issue with his/her supervisor and/or the Office of the

Provost. More information can be obtained from the [General Counsel's Web site](#). In-unit faculty should also refer to Article 19 of the [UCF BOT-UFF Collective Bargaining Agreement](#).