

Resolution 2007-2008-1 Faculty Conduct and Conflicts of Interest

Whereas, faculty of the University must behave in a professional manner and avoid conflicts of interest in fulfilling their professional obligations, and

Whereas, all faculty are subject to the requirements of Florida Statutes Chapter 112, Part III, known as the Code of Ethics for Public Officers and Employees.

Be it resolved that the Faculty Senate endorses the following statement from the Undergraduate Policy and Curriculum Committee and the Graduate Council:

A conflict of interest occurs when there is a divergence between an individual's private, personal relationships or interests and his/her professional obligations to the university such that an independent observer would reasonably question whether the individual's professional actions or decisions are determined or influenced by considerations of personal benefit, gain, or advantage. Where there is an actual conflict of interest, the employee will be asked to resolve the conflicting activity.

A potential for conflict of interest exists where there are personal relationships or interests which reasonably could create a divergence between those interests and professional obligations but which have not yet (and may not) do so. Thus, a *potential conflict of interest* is where there is a reasonable possibility of an actual conflict of interest arising. In the event of a potential conflict of interest, a monitoring plan may be devised to manage the possibility of conflict or the activity may be altered in some way to prevent a conflict from occurring.

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 student. It is often the case that subordinates 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.

Where there is doubt in the mind of any individual about a potential conflict of interest, the individual should raise the issue with his or her supervisor and the Office of Academic Affairs. In-unit faculty should also refer to Article 19 of the [UCF BOT-UFF Collective Bargaining Agreement](#).

Approved by the Faculty Senate on September 27, 2007.