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## Policy Information

**Effective Date:**

December 6, 2007

**Last Revised Date:**

January, 2020

**Policy Number:**

HR-102

**Reference:**

University Staff Manual 5-103

**Responsible Unit:**

Human Resources

**Email:**

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## Purpose and Summary

The University has an interest in ensuring that academic, employment, and business matters are decided on objective bases. At an institution such as the University of Arizona, a variety of personal and romantic relationships may exist among employees, University agents, students, and third parties. The University establishes this personnel policy to address conflicts of interest arising from interpersonal relationships not otherwise covered by existing policies or law. The intent of this policy is to direct employees to disclose relationships that have created or may create conflicts of interest and to give the University an opportunity to manage and reconcile any such conflicts, if possible. Employees who violate this policy may be subject to disciplinary action; however, because this policy is designed to encourage employees to disclose personal relationships that may give rise to or have given rise to conflicts of interest, an alleged violation of this policy may not be a basis upon which employees may file grievances against one another.

# Scope

## Relationships Subject to This Policy

### **Relationships with Students Outside the Instructional, Supervisory, or Evaluative Context:**

Romantic or sexual relationships between employees and students when the employees do not have a direct instructional, supervisory, or evaluative responsibility with respect to the student are not *per se* prohibited. They may, however, result in a conflict of interest, particularly when the employee and student are in the same unit or in units that are allied. In such situations, employees shall remove themselves from any decisions that may reward or penalize students with whom they are or have been romantically or sexually involved.

### **Relationships with Students within the Instructional, Supervisory, Disciplinary, or**

**Evaluative Context:** No University employee shall engage in a romantic or sexual relationship with a student who is enrolled in that employee's course, or whom the employee supervises or whose work they evaluate, or over whom the employee exercises any administrative or disciplinary authority. An employee violates this policy and their obligation to the student, to other students, to colleagues, and to the University when such employee participates in decisions that may reward or penalize a student with whom the employee has, or has had at any time, a romantic or sexual relationship.

**Relationships with Employees and Students in Other Contexts:** No University employee shall engage in a romantic or sexual relationship with another employee when one of those employees supervises or evaluates the other employee. No employee may supervise another employee or student with whom that employee lives, whether or not the individuals are engaged in a romantic or sexual relationship. When an employee is involved in a relationship with another employee or student whom they supervise, teach, or evaluates, such that a conflict of interest arises, as defined herein, then that relationship shall be subject to the "Disclosure and Management of Conflicts" provisions of this policy.

## Definitions

**"Conflict of interest"** means when the University's interest in securing objective performance of instructional, evaluative, supervisory, or other responsibilities conflicts with the personal interest in the outcome of the individual carrying out such responsibilities. Such conflicts of interest arise when an employee is involved in a sexual or romantic relationship with a student or another University employee whom they supervise, teach, or evaluates; when an employee lives with another employee or student whom they supervise, teach, or evaluates, whether or not those individuals are involved in a sexual or romantic relationship; or when an employee is involved in any relationship with another employee or student whom they supervise, teach, or evaluates, such that the University's interest in securing objective performance of instructional, evaluative, supervisory, or other responsibilities conflicts with the personal interest in the outcome of the individual carrying out such responsibilities.

**"Employee"** means an individual who is employed by the Arizona Board of Regents under classifications "faculty," "classified staff," "university staff," or "academic, administrative, or service professional," as those terms are defined in the University Handbook for Appointed Personnel, Arizona Board of Regents' Policy Manual, University Staff Manual, and Classified Staff Human Resources Policy Manual; student employees who have authority to impose discipline upon other students; graduate students with supervisory or teaching responsibilities, including instructors,

whether the individual is paid or unpaid; or any individual who represents or acts on behalf of the University and whose actions may bind the University. For purposes of this policy, "Employee" shall include all agents of the University.

**"Student"** means any person, whether graduate, undergraduate, or non-degree-seeking, registered or enrolled in one or more regularly scheduled classes or credit-bearing instruction or certification at the University, including a faculty member or employee so registered or enrolled.

**"Supervisor or Employee with Supervisory Responsibility"** means all employees who exercise responsibility for assigning work to another, evaluate the performance of another, or otherwise make decisions that affect the terms and conditions of another's employment at the University.

## **Policy**

### **Disclosure and Management of Conflicts**

If a romantic, sexual, or other personal relationship develops between employees in supervisory and subordinate roles, or if an employee determines that a student with whom they have had at any time a romantic, sexual, or other relationship that has created or could create a conflict of interest is enrolled in that employee's class or must be supervised or evaluated by such employee, or if a personal relationship between an employee and another employee or a student exists such that a conflict of interest or potential conflict of interest exists, the supervisory employee shall disclose the relationship to their immediate supervisor. The supervisory employee also must submit a written plan to their immediate supervisor to eliminate any conflicts of interest or potential conflicts of interest to the immediate supervisor's satisfaction. If the immediate supervisor deems the plan unsatisfactory, then the supervisory employee may submit the plan to the next administrative level for review and acceptance or rejection. The plan may include altering supervisory or reporting lines; moving a student to another section of the same class; appointing a different individual to serve on a thesis, dissertation, or evaluative committee; moving a supervisor or other individual to another position of the same or comparable status and duties; or establishing alternative means of evaluation of academic or work performance.

Supervisors to whom conflict elimination plans have been submitted shall review any plan and work with the employee(s) and/or student(s) to develop a plan that will eliminate the conflict and shall assist in implementing the plan. Prior to implementation of any conflict elimination plan under this policy, the immediate supervisor must approve the plan and ensure that it is consistent with proper functioning and management of the unit and the University.

In cases in which an employee and their supervisor become involved in a romantic, sexual, or other relationship that results in a conflict of interest under this policy, and where a conflict elimination plan is not or cannot be developed, either employee or both employees may be subject to termination. If a termination occurs under this paragraph, it shall not be recorded as a disciplinary discharge.

Any disclosures made or plans developed will be treated as personnel information, subject to the confidentiality provisions of ABOR Policy 6-912.

### **Consequence of Violation of This Policy**

Violation of this policy by an employee is misconduct subject to disciplinary action, up to and including discharge or termination of a contract or agreement, in accordance with the University

Handbook for Appointed Personnel, the Arizona Board of Regents Policy Manual, the Classified Staff Human Resources Policy Manual, and other rules, regulations, and statutes governing University business operations.

## **Related Information\***

Arizona Board of Regents Policy 6-912. Access to or Disclosure of Personnel Records or Information  
[2]

## **Revision History\***

12/01/2023: Updated responsible unit email address.

06/06/2023: Pronouns changed to gender neutral.

01/21/2020: Policy revised.

12/06/2007: New Policy.

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### **Source**

**URL:**<https://policy.arizona.edu/ethics-and-conduct/management-personal-conflicts-interest-university-arizona>

### **Links**

[1] <mailto:hradmin@email.arizona.edu> [2] <https://public.powerdms.com/ABOR/documents/1499363>