



## Conflicts of Interest in Student-Faculty Relationships

**University Policy No.:** AC1200

**Classification:** Academic and Students

**Approving Authority:** Board of Governors

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### Purpose

- 1.00 The University of Victoria is committed to ensuring a research and learning environment in which those in its community have the right to equitable conditions and treatment. In particular, it is important to ensure fair methods of evaluation and to eliminate any conflicts of interest or perceived or actual bias arising out of personal relationships, including between faculty members and students. At the same time, there can be no unfair restrictions on the educational, research and employment opportunities for students, nor on the reasonable freedom of association and interaction which is part of a healthy learning environment. This policy is intended to balance these objectives and clarify the responsibilities of persons dealing with conflicts of interest or allegations of bias in student-faculty relationships.

### Definitions

- 2.00 For the purposes of this policy:

“**student**” means anyone enrolled, or applying to be enrolled, in a course or program offered by the university.

“**instructor**” means anyone with an appointment at University of Victoria who is engaging in teaching, research, student evaluation, or student supervision (as supervisor, co-supervisor or as a member of a supervisory committee or as invigilator or tutor).

### Scope

- 3.00 While all members of the university community must avoid conflicts of interest or bias or, where they are unavoidable, declare them in accordance with relevant policy or collective agreement provisions, this policy applies specifically to students and instructors in the context of teaching, research, student evaluation or student supervision, including invigilation and tutoring.

### Policy

#### What is a Conflict of Interest?

- 4.00 Conflicts of interest and bias may be actual, potential, or perceived.
- 4.01 An actual conflict of interest is where a person’s relationship is in conflict with that person’s obligations to the university, or to a member of the university community in the context of teaching, research, student evaluation, or student supervision.

- 4.02 A potential conflict is where a person's relationship has not yet conflicted with their obligations to the university or a member of the university community, but might reasonably be expected to.
- 4.03 A perceived conflict is where a person appears to have, in the opinion of a reasonably informed observer, a personal interest that puts into question the independence, impartiality, and objectivity that this person is expected to exercise in performing their university duties and responsibilities.
- 5.00 The mere existence of an actual, potential, or perceived conflict of interest does not necessarily imply wrongdoing on anyone's part. Nonetheless, conflicts of interest and situations that give rise to conflicts of interest must be recognized, disclosed, and assessed.
- 6.00 A conflict of interest may arise in situations in which there is a reasonable apprehension that a particular relationship between an instructor and a student may confer upon one of them an unfair advantage or subject one of them to an unfair disadvantage. Such relationships include, but are not limited to:
- (a) close family relationships such as those between spouses or spousal equivalents, parents and children, siblings, in-laws, or grandparents and grandchildren;
  - (b) amorous, intimate and/or sexual relationships; and
  - (c) relationships between persons with dependent or interdependent economic interests.
- 7.00 A conflict of interest may arise in any situation where one person in a relationship defined in s. 6.00 is in a position to make decisions or take actions that affect the other person in the relationship. Such situations may include, but are not limited to:
- (a) the decision to admit a student to a program;
  - (b) the provision of instruction or supervision;
  - (c) the evaluation of a student;
  - (d) the awarding of prizes, scholarships, financial assistance, and other benefits; and
  - (e) the award of teaching or research assistantships or other remunerative employment, either within the university or using funds administered by the university;
  - (f) co-supervising a student or being part of a supervisory committee while in a relationship defined in s. 6.00 with a co-supervisor or committee member, which is undisclosed to the student being supervised.

### What are the Risks?

- 8.00 Although this policy does not prohibit the kinds of relationships noted in s. 6.00, the university expects that any such relationship be avoided or treated appropriately, giving due consideration to the balance of trust, power and dependency in the relationship, and how those and other factors may create real or perceived situations of bias, unfair treatment, discrimination, or harassment.
- 8.01 The unequal power inherent in instructor-student relationships where conflict of interest exists which are amorous, intimate, and/or sexual may heighten the vulnerability of the student. Students may have difficulty communicating freely that they do not consent to such a relationship, or that they want the relationship to end, because of a concern over the impact such a communication may have on their academic progress or career prospects. Furthermore, consent is negated if it was induced by conduct that constitutes an abuse of the relationship of trust, power, or authority between an instructor and a student. The university strongly discourages all instructors from commencing or continuing any amorous, intimate, and/or sexual relationship with a student because the student's ability to give effective consent may be compromised.
- 8.02 Instructors who become romantically or sexually involved with a student may leave themselves open to allegations of sexual harassment. Even relationships that appear to be consensual may constitute sexual harassment if one person's behaviour is felt as unwelcome by the other.

### How are Conflicts to be Dealt With?

- 9.00 It is the responsibility of Undergraduate and Graduate Advisors, Chairs, Directors, and Deans to ensure compliance with this policy. The Dean of the Faculty of Graduate Studies or designate is to be advised of matters arising under this policy in relation to graduate students.
- 10.00 It is incumbent upon instructors to avoid situations in which a conflict of interest may arise and to deal promptly with any conflict of interest that does arise.
- 11.00 Where a conflict of interest, as defined above, arises, the instructor must notify the relevant Chair, Director, or Dean.
- 12.00 Other persons who apprehend a conflict of interest may also bring the matter to the attention of the appropriate Chair, Director, or Dean.
- 13.00 Where an actual, potential, or perceived conflict of interest arises, one or more of the following methods must be used to avoid or resolve such conflict.
- 13.01 The instructor will decline or immediately terminate a supervisory, teaching, evaluative, or decision-making role in which a conflict of interest arises, unless the Chair, Director, or Dean is of the view that this will create undue hardship for the student.
- (a) In the case of termination of a graduate student supervisory relationship, the Graduate Advisor will normally supervise the student until an appropriate replacement can be found.

Original financial arrangements in support of the student will continue for a period determined by the Dean of Graduate Studies.

- (b) In the case of conflict between a member of the supervisory committee and student, including a failure to disclose a close personal relationship with another committee member under s. 7.00 (f), the Dean of Graduate Studies or designate will determine an appropriate resolution to the conflict.
- (c) Where a Graduate Advisor is in conflict with respect to a student or decision being made, a member of the unit's Graduate Studies Committee or any Regular Member of the Faculty of Graduate Studies who is not in conflict shall be appointed by the Chair/Director or Dean of the academic unit as Acting Graduate Advisor in that case.

13.02 In situations where the conflicts of interest involves teaching, supervision, or evaluation and where alternative courses or supervision exist that are reasonable and appropriate to the student's program, the student will utilize those alternatives.

13.03 Where no reasonable and appropriate alternative exists, the Chair, Director, or Dean shall ensure that a fair and unbiased mechanism of evaluation is put in place. This will normally require that another suitably qualified evaluator review all material submitted for evaluation, review the grades assigned, and report whether those grades are reasonable.

13.04 Where third parties are concerned about a perceived conflict of interest, the instructor, Chair, Director, or Dean may inform them that the conflict has been dealt with pursuant to this policy. Such a step is for the protection of the student, the instructor, and the university.

14.00 Any person concerned about a conflict of interest:

- a) may bring the matter to the attention of the appropriate Undergraduate or Graduate Advisor, Chair, Director, or Dean; and
- b) shall be notified of the outcome.

15.00 Instructors will not accept additional remuneration for tutoring a student enrolled in one of the courses being taught by the Instructor.

#### Support

16.00 Any student who has a concern about discrimination, harassment, or sexualized violence (whether or not it arises from a romantic or sexual relationship) may seek support from the university under the [Sexualized Violence Prevention and Response Policy \(GV245\)](#) or the [Discrimination and Harassment Policy \(GV0205\)](#). Students are encouraged to contact the Equity and Human Rights Office for information and support options.

- 17.00 Instructors who experience harassment or inappropriate behaviour from a student may seek support from the resources listed above, or through their Chair, Director, or Dean and/or their union representative, where applicable.

Compliance with this Policy

- 18.00 Failure to comply with this policy – including failure to disclose a conflict of interest as required under section 11.00 – is a disciplinary offence and may be sanctioned under the applicable collective agreement or university policy.

**Authorities and Officers**

- 19.00 The following is a list of authorities and officers for this policy:

- i) Approving Authority: Board of Governors
- ii) Designated Executive Officer: Vice-President Academic and Provost
- iii) Procedural Authority: Board of Governors
- iv) Procedural Officer: Vice-President Academic and Provost

**Related Policies and Documents**

[Collective Agreements](#)

[Discrimination and Harassment Policy \(GV0205\)](#)

[Sexualized Violence Prevention and Response Policy \(GV0245\)](#)

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