

Conflict of Interest: Sexual or Romantic Relationships with Students

The University adopted its current policy on July 1, 2014; technical revisions were added on September 4, 2015.

In a nutshell, the current policy asserts that sexual/romantic relationships between faculty and students—the policy does not distinguish between graduate and undergraduate—“can” involve “an abuse of power, compromised judgment and impaired objectivity” in evaluating the student’s work. It also “may” constitute a conflict of interest, if the faculty member engages in a sexual/romantic relationship “with students enrolled in their classes or otherwise subject to their direct supervision or evaluation”; this conflict of interest, moreover, “can” occur even when the relationship is consensual.

Therefore, faculty should never initiate or acquiesce to a sexual or romantic relationship with any student who is enrolled in a course taught by the faculty member, or who is under his/her supervision. Should such a relationship occur, a faculty member “who fails make prompt appropriate arrangements” creates a conflict of interest.

“Appropriate arrangement” means “an action reasonably calculated to remove or substantially mitigate a conflict or a potential conflict of interest or abuse of power,” such as “appointing a different faculty member to serve on a thesis, dissertation, or other evaluative committee; establishing alternative means of evaluation of academic or work performance.”

Outside the instructional context, faculty should avoid sexual or romantic relationships with students in the same or academically allied units; if such a relationship should emerge, the faculty member should recuse him/herself from any decision that might penalize or reward the student.

Regarding enforcement: a student may file a complaint alleging violation of this policy within 365 days “of the end of the supervisory or evaluative relationship.” Third parties may also file complaints within 30 days. In the case of student complaints, the arbiter will make a decision on “no less than a preponderance of evidence that the sexual or romantic relationship occurred.” In cases initiated by third parties, the standard is “clear and convincing evidence.” Consent “does not obviate a conflict of interest.”

You can find the full policy here:

<http://policies.uoregon.edu/conflicts-interest-and-abuses-power-sexual-or-romantic-relationships-students>

This policy is currently under review. I’ve seen a copy, which is much firmer in its condemnation of sexual or romantic relationships between faculty and students. But it also under policy review, and will likely change before it is presented to the University Senate for public deliberation.