

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES	Section: 3
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Policy: FACULTY RIGHTS & RESPONSIBILITIES	

This policy will replace the following existing DSU policies, which will be deleted upon the approval of this draft: 3-6, 3-13, 3-29, 3-36, and 3-34 (*already deleted*).

Section 1: FACULTY RIGHTS

- I. Academic Freedom
- II. Faculty Rights
- III. Faculty Staffing Advisory Committee
- IV. Authority of the Faculty Senate

Section 2: FACULTY RESPONSIBILITIES

- I. Duties
- II. Professional Responsibilities / Standard of Conduct
- III. Conflicts of Interest
- IV. Dual-Role Relationships

Addendum: Faculty Handbook

Section 1: FACULTY RIGHTS

I. Academic Freedom

- A. Academic freedom is a specialized right afforded to all higher education faculty members in the areas of teaching, creative activities related to their appointments, and scholarly research / publication. All members of the faculty members, full-time and part-time, probationary and non-probationary, are equally entitled to the right of academic freedom.
- B. According to the United States Supreme Court, "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die." Dixie State University specifically endorses the American Association of University Professors 1940 Statement on Academic Freedom¹, portions of which read:

¹ The AAUP 1940 "Statement of Principles on Academic Freedom and Tenure," retrieved from <http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm> on December 10, 2012.

- i. “Institutions of higher education are conducted for the common good and not to further the interest of either the individual [faculty member] or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to” teaching, research, and creative endeavors. “Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the” [faculty member] “in teaching and of the student to freedom in learning. Academic freedom carries with it duties correlative with rights².”
- ii. Faculty members “are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.³”
- iii. “Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject” and “avoid persistently intruding material which has no relation to their subjects.”⁴
- iv. “College and university [faculty members] are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution”⁵.

C. Dixie State University supports the 2005 American Council on Education statement endorsed by the American Association of Universities and many other higher education associations.

- i. “Colleges and universities should welcome intellectual pluralism and the free exchange of ideas. Such a commitment will inevitably encourage debate over complex and difficult issues about which individuals will disagree. Such discussions should be held in an environment characterized by openness, tolerance and civility.... The validity of academic ideas, theories, arguments, and views should be measured against the intellectual standards of relevant academic and professional disciplines. ~~Application of these intellectual standards does not mean that all ideas have equal merit. The responsibility to judge the merit of competing academic ideas rests with colleges and universities and is determined by reference to the standards of the academic profession~~⁶.”

² “Statement of Principles,” with replacement of the word “teacher” with “faculty member” and addition of creative endeavors.

³ “Statement of Principles.”

⁴ Ibid.

⁵ “Statement of Principles,” with replacement of the word “teacher” with “faculty member.”

⁶ The “Statement on Academic Rights and Responsibilities” retrieved from <http://www.aau.edu/WorkArea/DownloadAsset.aspx?id=6774>, December 10, 2012.

D. The principle of academic freedom does not prohibit academic departments or programs from developing curricular standards, approved materials lists, guidelines for course content, pedagogical strategies, or other requirements designed to most effectively meet course goals, objectives, or student learning outcomes. Faculty are, in fact, obligated to teach courses in reasonable conformity to approved course descriptions, content, student learning outcomes, and program objectives.

E. Other limits to academic freedom include restrictions imposed by any and all applicable Federal regulations, state laws, and University policies, as well as compliance with institutional requirements for review and approval of research involving human or animal subjects.

II. Faculty Rights: All members of the faculty as defined in the Faculty Categories policy are equally endowed with the following rights unless otherwise specified in this or another policy:

- A. Members of the faculty retain all legal rights and privileges afforded to them by the constitutions of the United States and the State of Utah. Faculty members will not be subject to punishment or reprisal for the legal exercise of such rights and privileges.
- B. Faculty members have the right to a safe work environment, free from harassment, discrimination or violence. In addition, faculty members have the right to a work environment with adequate equipment for them to perform their assigned duties, insofar as institutional funding limitations permit.
- C. Faculty members have the right to be evaluated within a consistent and equitable process as defined in the Faculty & Academic Administrator Evaluation policy (3-9) and other applicable policies. Full-time faculty members have the right to participate in regular evaluation of academic administrators.
- D. Faculty members have the right to due process and peer judgment as outlined in this policy in any disciplinary matter involving the possibility of sanctions.
- E. Faculty members have the right to financial remuneration commensurate with their discipline, rank, duties, and performance according to the Faculty Salary Policy.
- F. Faculty members have the right to participate in programs to improve their skills and develop their talents as teachers and scholars through department and school programs and some full-time faculty can receive assistance in such efforts as defined in the Faculty Professional Development policy (3-9).
- G. Faculty members, as employees, have the right to institutional support, including legal assistance and/or representation, in defending any litigation resulting from an act or omission that occurs during the performance of an employee's duties, within the scope of employment, unless the employee acted or failed to act through fraud, deceit, or willful misconduct; in disobedience to applicable extant laws, regulations, or policies; or as limited by U.C.A. Title 63G, Chapter 7, Governmental Immunity Act of Utah, § 202.
- H. Faculty members have the right to be considered professionals competent to observe and judge all aspects of a student's academic performance, including demonstrated knowledge, technical and interpersonal skills, attitudes and professional character, and ability to master the required

curriculum unless specific faculty actions delineated through the faculty evaluation, Faculty Discipline, and/or Faculty Termination (3-5) policies contradict this assumption.

- I. As appropriate to appointment, rank, and status, faculty members have the right to vote on faculty retention, promotion, tenure, and appeals; and to elect representatives to institutional and divisional committees and other entities as outlined in specific policies.
- J. Full-time faculty members have the right to participate in the formation of an annually defined individual role statements including clear, enumerated, and evaluable teaching and non-teaching responsibilities that are consistent with University and Utah Board of Regents workload statements.
- K. Faculty, as organized into programs and departments, have the right to participate in faculty appointments, establishment of educational standards for faculty appointments in that discipline, and the selection of department chairs. Standards for faculty involvement should be decided at the school level in a manner that shares the opportunities for input equitably across all tenure-track and tenured faculty unless otherwise determined by policy.
- L. Faculty as organized into divisions, schools, colleges, or other academic units have the right to participate in the selection of deans and/or be consulted regarding any proposed academic reorganization. Search committees formed for the purposes of hiring a dean should include members representing school departments. Any proposed academic reorganization requires faculty approval through the Faculty Senate.
- M. The faculty as a whole has the right to a meaningful role in the governance of the institution, including the formation and revision of policies.
- N. The faculty as a whole has the primary right to create, control, and assess degree, program, and course curricula, graduation requirements, and course content and materials within established Regents, University, and accreditation body regulations, policies, and criteria, and to approve and recommend students for graduation.
- O. The faculty as a whole has the right to set academic standards and administer academic discipline, except as the faculty as a whole or within departments see fit to delegate that right.
- P. The faculty as a whole has the right to serve as advisors to University administrators on matters involving institutional planning processes, the budget process, the distribution and implementation of faculty workload, and the development of new and replacement faculty positions. Faculty must be kept informed of this information on a semi-annual basis either through direct communication or through the Faculty Senate.
- Q. Priorities for faculty hiring will be based on the University's strategic plan and relevant data. Such priorities will be communicated to the faculty through Faculty Senate at least once a year.

Comment [WB1]: Vague. Can be open to a lot of different interpretation.

III. Authority of the Faculty Senate

- A. Insofar as all tenured or tenure-track, full-time faculty have full membership in and voting rights to elect representatives to its executive body, the Faculty Senate is delegated the authority to act as the mechanism for shared institutional governance, including the power to represent the

Comment [E2]: Dean: Omit Section 1 – II Q. Not a right. Just a statement and is vague at best. I have trouble understanding its meaning.

FS: This is a right if it is declared as such. This seems an important guarantee to faculty that decisions regarding faculty hiring will not be arbitrary or capricious, and that faculty who are involved with academic programs and know the needs of those programs will be involved in the decision-making process.

faculty as a whole in all matters of policy and represents the faculty with voting rights on Academic Council, University Council, and other University committees. This requirement does not prohibit the Faculty Senate from extending membership and/or voting rights to other individuals. However, at a minimum, all probationary and post-probationary faculty members who have ongoing full-time appointments must be awarded full membership and voting rights to elect representatives without further requirements or the Authority of the Faculty Senate section of this policy will be considered void.

- i. The Faculty Senate's role in policy matters is consultative, although the Faculty Senate may propose new policies and policy revisions according to the Policy Creation, Revision, and Approval Process policy (3-1).
 - ii. The Faculty Senate may choose to offer a formal recommendation on any proposed new policy or policy revision. If no formal recommendation is received, the consent or agreement of the Faculty Senate is assumed.
 - iii. Faculty Senate will have a minimum of two representation representatives with full voting rights on at least two councils that have formal approval of new and revised policies. These representatives will be the Faculty Senate President and President-Elect unless they delegate the responsibility to other elected faculty representatives.
 1. Academic Council.
 2. University Council.
 - iv. A number of University committees and councils are required to include faculty representatives. A complete list of those committees and council is found in the Faculty Senate Constitution & Bylaws (Policy 302).
- B. The Faculty Senate is also delegated to consider non-policy matters of professional faculty welfare and make recommendations to administrative officers of the University.
- i. Nothing in this delegation of authority impacts the role of faculty in the Academic Structure and its supervisory and reporting responsibilities.
 - ii. Nothing in this delegation of authority will prohibit individual faculty members from speaking out in support of or against a Faculty Senate action.
- C. The Faculty Senate is an advisory board to the administrative officers of the University. The Faculty Senate may create its own procedures and standing and ad hoc committees, but will not create any University policy without proper approvals. (See Policy Creation, Revision, and Approval Process Policy (3-1).
- D. In order to provide transparency in faculty workload, the Faculty Senate will review the annual workload and reassignments report provided by the Vice-President of Academic Services in order to assess internal equity and application of external standards. The Faculty Senate will provide feedback to the Vice-President and Deans Council regarding the University's workload system each year.

- E. ~~In most cases,~~ Faculty Senate committees will also be considered institutional committees, and listed as such in order for those assignments to be considered as part of a faculty member's duties.
- i. Specific committees concerned with faculty matters, including academics and faculty employment, are considered Faculty Senate Committees, although in some cases the chair and/or members may be appointed jointly by the Faculty Senate Executive Committee and the Vice-President of Academic Services.
 - ii. Such committees generally include, but are not limited to, Academic Appeals, Academic Integrity committees and boards, Faculty Excellence, Faculty Hearing Board, Faculty Professional Development, General Education, Honors Program, New Faculty Experience, Undergraduate Research, University Curriculum, and all committees involved with Policy 3-7 Faculty Reviews. The Faculty Senate Constitution & Bylaws (Policy 302) includes a complete list and information about each of these committees which is updated annually with the approval of Faculty Senate and Academic Council.
- F. The Faculty Senate Constitution & Bylaws is subject to approval by the University Academic Council and Board of Trustees. The Faculty Senate has the right to develop its own internal procedures and guidelines.
- G. The Faculty Senate is empowered in specific University policies to develop procedures for electing representatives to institutional committees. However, if the Faculty Senate does not hold fair and open elections in a timely manner, the authority to hold such elections will be assumed by the University Academic Council.

Section 2: FACULTY RESPONSIBILITIES

The Responsibilities section of the Faculty Code focuses on rules in the form of professional responsibilities and conflict of interest procedures. Violations of these rules are sanctionable under this code. Conduct not included in the Responsibilities and Conflict of Interest portions of this code is not subject to disciplinary action under this code, although employee discipline measures based on other policies, including but not limited to Faculty Reviews (3-7), Faculty Termination (3-5), Evaluation of Faculty & Academic Administrators (3-8), Discrimination/Sexual Harassment (3-30), and Student Rights & Responsibilities Code (5-33) may be implemented and/or matters may be referred to outside agencies as the University deems appropriate.

Comment [WB3]: Might need to be careful here. If a P&T board deems someone not fulfilling their responsibilities and votes against t tenure, this policy says they can't use this against them.

I. Duties

- A. Each member of the faculty has a role in supporting and fulfilling the mission of the University, and full-time faculty members are expected to devote working time appropriate to their professional responsibilities as detailed in each faculty member's annual role statement.
- B. Annually and typically before the end of Spring Semester, each faculty member, in conjunction with his/her supervisor(s), will create or update a role statement outlining the duties and goals for

the next academic year and which must receive the approval of the appropriate Dean. Faculty will be annually evaluated on their accomplishments based on the previously agreed upon role statement. More information about the role statement can be found in 3-7 Faculty Reviews.

- C. Faculty workload will consist of both instructional and other duties, assigned or elected, which may include but not be limited to holding office hours per policy; serving on committees; student advisement; participating in department, division, institutional, and state-wide meetings and training sessions; curriculum development; program review; course, program, department, and institutional assessment activities; accreditation activities; commencement ceremonies; maintaining professional competencies; and being available to students and colleagues to conduct University business. (See Faculty Workload policy, 3-10)

II. Professional Responsibilities / Standards of Conduct

Decisions and judgments related to a faculty member's competence and performance will be based specifically on the following responsibilities and standards of conduct as appropriate to the individual's appointment and role statement and consistent with relevant department criteria.

A. Faculty members must:

- i. Work in conjunction with faculty and staff colleagues to fulfill the mission of DSU as determined by their role statement.
- ii. Abide by all University policies, Board of Regents policies, and State and Federal laws and regulations.
- iii. Understand and act in accordance with the limits of academic freedom as described in Section 1 of this policy, including respecting and supporting the academic freedom of all members of the University community and of the University itself.
- iv. Demonstrate professional standards of behavior, including collegiality and the open exchange of ideas through civil discourse.
- v. Strive to achieve the purpose of the University when serving in administrative posts or on committees, with due consideration for other persons involved.
- vi. Participate in the appointments and rigorous peer review, evaluation, and discipline of fellow faculty, including the annual review and retention, promotion, and final probationary review processes, as described in 3-7 Faculty Reviews and 3-8 Faculty Evaluation.
- vii. ~~Engage-Attend and participate~~ in department meetings, and, as appropriate, contribute to program goals and objectives, develop curriculum, work on program development, and undertake assessment activities.
- viii. Fulfill or exceed the expectations agreed upon in the annual role statement, including teaching, service, and scholarship as required in the Faculty Reviews policy (3-8), and submission of portfolios and other documentation as required in the that policy.

- ix. Use University resources ethically for approved purposes.
- x. Be available to teach classes as assigned within a disciplinary, programmatic, or department class schedule responsive to student needs, including weekday, evening, and weekend classes as assigned in the annual role statement.
- xi. Make available a reasonable number of office hours for student consultation or otherwise assure their accessibility to students. Faculty office hours should generally be scheduled at convenient times for students and will be posted on the faculty member's office door during all semester in which s/he teaches classes.
- xii. Provide a level of availability and interaction with administrators, departments, and faculty and staff colleagues sufficient to conduct University business.
- xiii. Maintain competency and currency in their discipline(s) of appointment, including acknowledgement of the accepted and potentially varied body of knowledge pertinent to course content and contemporary pedagogical strategies and techniques.
- xiv. Engage in substantial teaching preparation appropriate to the approved learning outcomes and program objectives in assigned courses.
- xv. Ensure that the content and rigor of each course is consistent with benchmarked academic, university, college, school, program, department, and accreditation standards.
- xvi. Meet all scheduled classes and uphold standards for instructional contact time, promptly according to the published class schedule, for the full class period, and ending at the appropriate time, unless arrangement has been made to substitute meaningful learning activities with the approval of the Unit head; arrange for a qualified substitute instructor for expected absences from class, and inform the department chair of all absences.
- xvii. Require students to perform a meaningful, graded learning activity during the scheduled final examination period for each course, unless valid pedagogical reasons exist for alternate evaluative measures. A course activity must be held during the final exam period if necessitated by DSU and external student contact/credit hour requirements (see policy 3-4I Curriculum Approval and Revision). Exceptions must be approved by the appropriate department chair or dean. During the final exam period, faculty members are prohibited from scheduling any class activity, including exams or meetings, outside the final exam period scheduled for that class.
- xviii. Avoid discrimination, harassment, or prejudicial treatment of students, faculty, staff, or participants because of race / ethnicity, color, national origin, age, religion, gender, sexual orientation, gender identity / expression, pregnancy, disability, protected veteran status, or otherwise as provided by law.
- xix. Hold themselves and students to the highest scholarly and ethical standards, including those of academic integrity.

B. In specific matters of instruction and management of University learning environments, faculty members must:

- i. Provide, at the beginning of the semester or term, students with a syllabus as specified in the Faculty Handbook; the syllabus must contain the general content of the course and what will be required of students, including the specific means and standards by which student learning, knowledge, performance, and/or skills will be determined, which must be relevant to the legitimate academic purposes of the course.
- ii. Respect students' rights as adults engaged in educational pursuits, and encourage student development while safeguarding students' academic freedom and respecting students' right to freedom of thought, feeling, conviction, inquiry, and expression.
- iii. Manage the classroom or learning environment to provide an academic environment and climate conducive to teaching, learning, and thinking so that it is free from discrimination, harassment, sexual harassment, or prejudicial treatment.
 1. Instructors in DSU classes have the right and responsibility to manage the classroom / learning environment to ensure an appropriate atmosphere for academic work, including prohibiting individuals not registered in the course from attending except by invitation of the instructor as part of an academic activity.
 2. Instructors have the right and responsibility to temporarily dismiss and/or remove a student from the classroom/learning environment for that day if that student disrupts teaching-learning activities. The instructor also has the right and responsibility to involve campus public safety personnel as desired or warranted.
 - a. An instructor who removes a student for disruptive behavior or causes said student to be removed must thoroughly document the incident and make every effort to inform his/her department chair and dean as soon as possible before the end of the workday if possible and no later than five (5) days from the day when the student was removed from the classroom.
 - b. An instructor may submit a complaint to the Dean of Students about a student whose conduct is disruptive and/or in violation of the Student Conduct section of the Student Rights & Responsibilities Code (Policy 5-33, Section 2) as specified in that policy.
 3. If a student's behavior continues to disrupt teaching-learning activities from the classroom/learning environment after being removed at least once, or if the student's behavior disrupts the environment to the extent that other students' ability to accomplish course objectives is compromised, the instructor may request the dean to direct the Registrar's Office to permanently remove the student from the course. The faculty member must act in accordance with all DSU policies and other applicable laws and regulations in taking this action.
 - a. A faculty member who requests the removal of a student from a course must submit a written report to his/her department chair and dean, including

documentation of the causes and actions prior to the removal of the student and no later than two weeks from a disruptive incident.

- b. Any such action requires that the instructor contemporaneously submit a conduct or academic integrity complaint under the provisions of the Student Code.
 - iv. Evaluate student work and performance promptly, conscientiously, without prejudice or favoritism, and consistent with the criteria stated in the syllabus, including providing timely and meaningful feedback appropriate to the discipline. Faculty members are generally expected to return work to students after a grading period of typically no more than two (2) weeks, although larger or more in-depth projects may extend that schedule.
 - v. Uphold the principle of academic integrity in all instances, including adherence to the principles and processes specified in the Academic Integrity section of the Student Rights & Responsibilities Code.
 - vi. Ensure that personal research and student research under their supervision is properly approved by the Institutional Research Board.
 - vii. Make reasonable scheduling, content, and legislated accommodations for students as specifically outlined in the Accommodations policy as well as other DSU policies and State and Federal laws and regulations.
 - viii. Create, manage, and retain accurate student records according to the Academic Records Management policy.
 - 1. Faculty members must document that each student attends at least one course meeting each semester and submit the name(s) of student(s) who do not attend at least one course meeting to the Registrar's Office by the published deadline in order to facilitate administrative drops in compliance with Federal, state, and institutional regulations, guidelines, and policies.
 - 2. Faculty members must submit semester midterm and final grades for all students as required by policy 5-14 Student Records and each semester's published deadlines. Faculty members are encouraged to provide a record of their final semester grades to their department chairs for recordkeeping purposes.
 - ix. Maintain the confidentiality of student academic records according to FERPA, and must not reveal matters related in explicit confidence by a student except as required by policy or law or as permitted by FERPA. Faculty members are prohibited from storing student academic records on an unsecured website and are encouraged to use the University's learning management system as the location of all student information stored online.
- C. In addition, faculty members must not:
- i. Misuse the classroom and class time for activities or discussion unrelated to the approved course content and objectives.

- ii. Exploit or coerce students. This includes asking students to perform services unrelated to the legitimate academic requirements of a course unless the student is not coerced and is adequately compensated for such activities.
- iii. Plagiarizing or failing to acknowledge student work.
- iv. Seek gifts or favors from students, or accept gifts or favors if there is a reason to believe such gift or favor is designed to secure an advantage.
- v. Act in any way as an official spokesperson of the University unless explicitly authorized to do so. Faculty members may represent themselves, but may not represent the institution unless specifically directed to do so by a dean or higher level University administrator.

III. Conflicts of Interest

- A. Dixie State University is committed to conducting its affairs according to the highest ethical principles, including compliance with all laws, regulations, statutes, and policies designed to promote and ensure high ethical standards.
- B. In this and other DSU policies, the term “employees” includes all members of the faculty as defined in 3-3 Faculty Categories.
- C. The University expects full-time employees, including faculty, to apportion sufficient time and primary employment toward fulfilling their professional responsibilities to the University. Employees who work part-time are required to devote the percentage of their professional responsibilities reflected in their level of employment.
- D. Just as the University has responsibilities toward its employees, by accepting or continuing employment at the University, all employees have an affirmative duty to comply with the standards of ethical conduct described in this policy, in various employee handbooks, and in Federal and state regulations, laws, and administrative guidelines.
- E. This policy is not intended to deny any employee opportunities available to all other citizens of the state to acquire private economic or other interests insofar as this does not interfere with the full and faithful discharge of his/her University duties or disadvantage the University in any way. No outside professional or other service, activity, or enterprise that might interfere with his or her primary responsibility to the University should be undertaken by an employee.
- F. For the purposes of this policy, a conflict of interest or the potential for a conflict of interest exists when a University employee owes a professional obligation to the University which is, may be, or may appear to be comprised by the pursuit of outside interests, including a divergence between private or external professional interests and professional obligations to the University such that an independent observer might reasonably question whether the individual’s professional actions, performance, or decisions are impacted.
- G. For purposes of this policy, the interests of members of an employee’s immediate household, including spouse and dependent children, may also create the need for disclosure and/or actions to mitigate an employee’s conflict of interest.
- H. Types of conflicts of interest that may exist include:

- i. Financial conflict of interest: When an employee or a member of his/her immediate family has received or receives compensation or other payment for services, equity interests, or intellectual property rights that do or may conflict with the interests of the University; its students, faculty, or staff; or the State of Utah. If an employee is in a position to influence a University direction or decision or to use University resources in such a way that may lead to the personal financial gain of the individual or of his/her immediate family or designee, a financial conflict of interest exists.
 - ii. Conflict of time/commitment: When personal or professional activities external to the University position or appointment exceed reasonable time limits and adversely impact the employee's professional responsibilities. A conflict of time/commitment can exist whether or not an employee receives financial gain or remuneration for external or non-assigned activities.
 - iii. Conflict of allegiance: When an employee's loyalty and devotion is divided between outside personal or professional obligations or activities and responsibilities to the University such that the appearance or potential for bias or compromise to an individual employee's objectivity, professional judgment or integrity, and/or ability to perform his/her responsibilities to the University is created.
- I. Statutes and regulations prohibit institutional employees from operating in situations where private and personal financial interests and/or employment create or may create a conflict of interest with the employee's institutional duties.
- J. To fulfill the requirements of the Utah Public Officers' and Employees' Ethics Act (Utah Code Title 67 Chapter 16 §1 – 15), all employees are required to disclose certain conflicts of interest, including disclosure to the state Attorney General's Office.
- i. A DSU employee who believes there is, may be, or may seem to be an actual or potential conflict of interest as defined above has an affirmative duty to submit the required written disclosure documentation to his/her supervisor and the DSU Office of Risk Management at the following times:
 - 1. When receiving an offer of employment from the University.
 - 2. In advance of an event or occurrence presenting or producing a conflict, a potential conflict, or the appearance of a conflict.
 - 3. Annually if a conflict or potential conflict has been deemed to exist, whether or not a management plan has been implemented.
 - ii. The Risk Management Office is responsible for maintaining disclosure records and management plans and for submitting documentation to state agencies as required.
- K. After disclosure, conflicts of interest are managed by the institution and the employee through a written conflict of interest management plan in order to eliminate, mitigate, or minimize the impact of the conflict.
- i. A conflict management plan typically requires regular oversight by the employee's supervisor.

- L. If the institution and the faculty member cannot come to agreement on a written conflict of interest management plan, the University may implement what it considers to be a fair and equitable conflict of interest management plan. If the faculty member disagrees with any portion of that plan, including the determination of a conflict of interest as unacceptable, s/he may appeal to the Faculty Hearing Board. If the faculty member chooses not to comply with a conflict of interest determination of that board or of the University President, the University may move an employee to another assignment in order to remove or mitigate the conflict of interest, it may issue an appropriate sanction under the terms of this policy, and/or it may institute termination procedures.
- M. Nothing in this policy restricts state or other authorities from taking criminal or civil action against an employee who violates the conflict of interest policy and/or does not comply with an established conflict management plan. Nothing in this policy prevents other individuals or entities from bringing suit against an employee who violated the conflict of interest policy. In such cases, the employee may not be entitled to the protections of governmental immunity.

IV. Dual-Role Relationships

- a. A faculty member may not engage in a dual-role relationship with a student that is likely to distract from student development, impair the faculty member's objectivity, and/or lead to actual or perceived favoritism on the part of the faculty member, except in specific circumstances listed below.
 - i. Common dual-role relationships may include any form of sexual or close personal relationship with a current student; accepting a teaching (or grading) role with respect to a member of one's immediate family, a close friend, or an individual who is also a client, patient, or business partner; excessive socializing with students outside of class, either individually or as a group; lending money to or borrowing money from students; giving gifts to or accepting gifts from students; and introducing a course requirement that students participate in a political or religious activity advocated by the instructor.
 - ii. Even if a faculty member believes that s/he is maintaining objectivity in situations such as these, the perception of favoritism can be as educationally detrimental as actual favoritism or unfairness.
 - iii. If, despite efforts to the contrary, a faculty member does become involved in a dual-relationship with a student, it is the responsibility of the faculty member to notify his or her department chair and dean in writing of the situation as soon as possible so that alternative arrangements can be made for supervision or evaluation of the student.
 - iv. In the event that a dual-role relationship is unavoidable (for example, if the parent of a student is the only available instructor of a course required in the student's major), the faculty member must submit written notification to the appropriate department chair and dean, who will work with the Vice President of Academic Services and the faculty member to ensure the mitigation of any potential harm to the student or to other students, including alleviating any perception of bias or favoritism to the extent possible.

Addendum

- I. Faculty Handbook <http://www.dixie.edu/reg/faculty/files/2014-2015-DSU-Faculty-Handbook.pdf>.