

UNDUE FAVORITISM POLICY

(Available on-line at <http://studentconduct.uncg.edu/policy/>)

Approved by UNCG Board of Trustees February 9, 1995

This policy was accurate as of the date printed. For the most current revisions to this policy refer to the Web site referenced above.

I. Rationale

Undue favoritism in the conferral of any University benefit, reward or privilege (e.g. admission, grades, employment, promotion, salary increases, preferential job assignments, etc.), is a conflict of interest with an employee's obligation to exercise fairness and professional judgment in the conduct of University business. Undue favoritism based on race, religion, sex, or other legally prohibited factors may also violate state and federal anti-discrimination laws. Additionally, undue favoritism fosters lack of respect, distrust, and other morale problems which undermine professionalism and hinder fulfillment of the University's mission. This same rationale applies to students who occupy positions of authority in student government or other University recognized organizations.

II. Statement of Policy

It is the University's policy that undue favoritism constitutes misconduct justifying disciplinary action up to and including dismissal or expulsion.

Intimate consensual relationships between supervisors and their subordinates and between faculty members and their students are discouraged since such relationships often lead to undue favoritism or the perception by others of undue favoritism¹. Analogous with nepotism, such relationships are improper when they influence or could reasonably be expected to influence decisions or actions in University-related matters.

III. Applicability

This policy applies to all applicants for employment and admission to University programs, and to all officers and employees of the University, students, and persons who serve the University as its agents and are under control of the University.

IV. Definitions

A. Undue Favoritism - Generally

Undue favoritism is the conferral of any University related benefit, privilege or reward based on factors other than individual merit and qualifications.

B. Undue Favoritism Based on Legally Prohibited Criteria

Undue favoritism based on legally prohibited criteria is the unwarranted consideration of race, color, sex, religion, national origin, age, or disability in a decision or action which confers a University related benefit, privilege, or reward.

¹ Such relationships may also violate the Policy of the Board of Governors of The University of North Carolina concerning Relationships Between Students and Employees, which may be found at http://www.uncg.edu/cha/UNIVERSITY_COUNSEL/POLICIES_PROCEDURES/IMP-REL/B06_Imprelpol.html.

V. Examples

A. Undue Favoritism - Generally

In general, undue favoritism as defined in this policy occurs when a person who, by virtue of his or her position with the University, has authority to grant or deny University related benefits, but abandons professional judgment and confers those benefits on certain individuals because of some special relationship rather than on the basis of University related merit or qualifications. For example, a unit manager who gives certain subordinate employees preferential job assignments, overtime opportunities and more flexible leave and work schedules because those employees also work for the manager in a non-University related business owned and operated by the manager would be in violation of this policy.

B. Undue Favoritism Based on Legally Prohibited Criteria

As defined here, undue favoritism based on legally prohibited criteria violates this policy when one person with a degree of authority over others favors a person or group because of some factor related to race, color, sex, religion, national origin, age, or disability. For example, a faculty member who consistently offers private tutelage to female students, but not to male students, is engaged in undue favoritism based on sex. Such facts present a classic case of sex discrimination in violation of federal and state laws.

The possibility also exists for undue favoritism to occur in the academic setting when a faculty member has an intimate relationship with a student he or she currently teaches or supervises. A similar possibility exists when a manager or unit head has a romantic liaison with an employee of that unit. Though the relationship between two consenting adults in these circumstances would normally be merely a private matter, the unequal status of the parties in the employment or academic setting provides opportunities for one in a position of authority to favor or advance the other's University-related interests. Undue favoritism, as defined here, can also arise when a student in the course of University employment or in an activity of a student organization considers legally prohibited criteria in authorizing a University related award or penalty affecting another student. Even where such influence is not exercised, the appearance of favoritism may lead those not so advantaged to doubt the integrity of the normal processes available for advancement.

* The UNC Board of Governors *Policy Concerning Improper Relationships* prohibits any employee from supervising or teaching any student with whom the employee has an amorous relationship or to whom the employee is related by blood or marriage.

VI. Complaints

Complaints regarding alleged violations of this policy may be pursued in the same manner as any other grievance. Complaints against students should be pursued under the *Student Code of Conduct*. Complaints by students against faculty or staff should be made under the *Grievance Procedures for Students*. Employees wishing to pursue grievances concerning other staff or faculty should refer to the *Grievances and Appeals Policy for SPA Personnel*, the *Personnel Policies for Designated Employment Exempt from the State Personnel Act*, or the *Faculty Grievance Committee Procedures*, depending upon the employment status of the complainant.