

Conflict of Interest

Tisch School of the Arts
Conflict of Interest in Faculty-Student Collaborative Relationships

The educational relationship between student and teacher is the foundation upon which the Tisch School of the Arts succeeds in its mission. It is the intention of these guidelines to codify processes for managing circumstances which might compromise that educational relationship. Faculty should avoid any circumstance which could cast doubt or the appearance of doubt upon the faculty member's ability to act with only proper considerations impacting upon the student's or university's pedagogic interest.

Since the Tisch School of the Arts is involved in the preparation of students for careers in the performing arts, and other related arts and crafts, and since many faculty members are drawn from the world of professional artists and crafts personnel, and are encouraged to remain active as such, a primary field for concern is business relationships established between students and faculty in the professional industries. On occasion, the professional business interests and skills of a faculty member and a student may coincide. The School has an interest in making certain that faculty not take unfair advantage of positions within the School when engaging in collaborative professional business relationships with students.

Guideline

Conflict of interest relates to situations in which financial or other personal considerations may compromise or involve the potential for compromise or have the appearance of compromising a faculty member's ability to meet university duties or responsibilities, in particular, the mentoring and support of young artists.

As a general policy, the School does not favor faculty entering into business agreements and collaborations which have as their objective financial award or professional advancement outside the university with students enrolled or matriculated in the School. The School's concern is that such extramural arrangements could or could appear to interfere with a faculty member's impartiality with respect to a student under the faculty member's tutelage, either during the existence of the arrangement or at a later time during the student's matriculation in the School. The School, nevertheless, recognizes that there may be occasions when it will be mutually beneficial for a student and faculty member to enter into a collaborative business arrangement. It is the policy of the School that a student and faculty member may do so, provided there has been disclosure, review and counseling as provided in these guidelines, and further provided that the student is not currently enrolled in coursework under the direction of the involved faculty member. A student will not be permitted to enter a professional business relationship with a faculty member whose course the student is currently enrolled. A faculty member may not enter a professional business relationship with a student currently enrolled in his/her course. Further, the work product or results of any business relationship between a student and a faculty member may not be offered to meet any course or degree requirements of the School.

Any individual faculty member or student, who has any question about whether a particular activity or relationship is permitted, should seek clarification from their department chair or the Office of the Dean.

Procedure

1. Prior to entering into any agreement between a faculty member and a student who is enrolled or matriculated in the School, both parties must disclose their intent to the chair of the department in which the student is enrolled or matriculated and must provide the chair with a draft agreement or written description of the proposed terms for review.
2. The chair will review the proposed agreement for the purpose of identifying any issues with respect to the faculty/student relationship. If the chair believes that the proposed agreement creates any likelihood that the student's academic program in the School may be affected currently or in the future by entering into the proposed agreement, the chair shall refer the matter to an advisory committee, to be appointed by the dean and consisting of five faculty members, at least three of whom shall be members of the department. The advisory committee shall review the matter and make a recommendation to the chair. The recommendation of the advisory committee may include a recommendation for periodic review or assessment of the academic consequences of the proposed arrangement, in the event the proposed arrangement is finalized. The chair shall forward the recommendation of the advisory committee and the chair's own recommendation in the matter to the dean.
3. The Dean shall advise the student and faculty member of the recommendations of the advisory committee and the chair. The Dean shall also counsel the student regarding potential future consequences of the collaboration with respect to the student's academic program in the School.
4. All professional and collaboration agreements, deal memos or business contracts between students and faculty which have been reviewed in accordance with this policy shall be maintained on file in the Office of the Dean for so long as the student involved is enrolled or matriculated in the School, and for seven years thereafter.
5. If, upon conclusion of a business collaboration, a matriculated student wishes to renew curricular course work with an instructor with whom he has had a collaborative business relationship, he should petition the Office of the Dean for counsel and approval.
6. All parties to a professional agreement or business contract are encouraged to seek appropriate legal advice and counsel from their personal legal counsel.
7. Nothing in the procedure of disclosure should be construed as approval of the specific terms of the business contract or agreement between the parties involved. The objective of the procedure of disclosure is solely to separate professional business agreements from the academic environment and to provide an opportunity for review and appropriate academic counseling.