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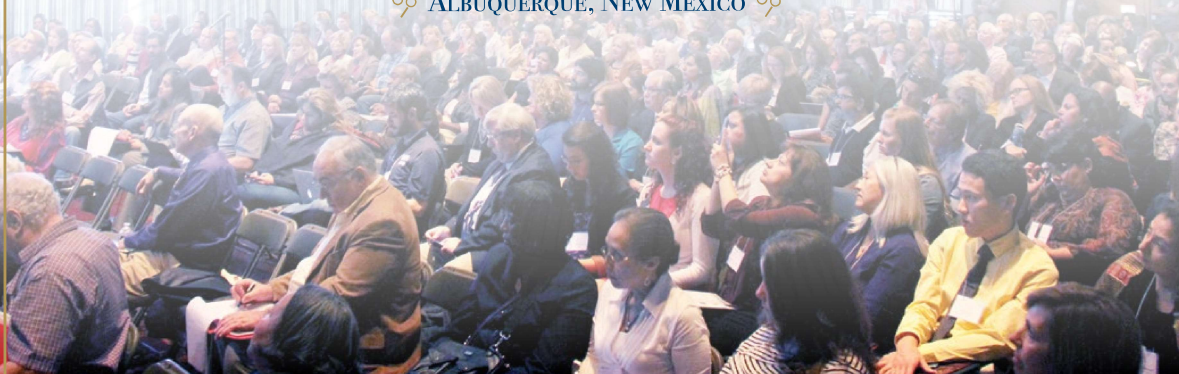# 8th Annual Mentoring

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Conflicts of Interest and Boundary Setting for Growth in Faculty-to-Faculty Mentoring (+ Poster Presentation)

In higher education, mentoring is often structured as a relationship between a tenured, senior faculty member and an untenured, junior faculty member to ease the mentee's transition to the organization and to the tripartite faculty responsibilities of teaching, research, and service. Conflicts of interest emerge if the mentor, who has been serving as confidant and guide, participates in the promotion and tenure assessment of the mentee. Is any information shared by the mentee during mentoring considered confidential? Relevant research and mentorship documents will be analyzed to determine if this conflict of interest is acknowledged and if strategies for setting appropriate boundaries have been implemented. The case of university librarianship will be explored; parallels exist in other occupations. The presenter will draw on her 30 years of experience as an academic librarian and her 20 years of mentoring.

At universities in the United States, faculty-to-faculty mentoring is often structured as a relationship between a tenured, senior faculty member and an untenured, junior faculty member to ease the mentee's transition to the organization and the profession. Mentors serve as a resource as the mentee strives to achieve in teaching, research or creativity, and service. A significant role faculty mentors play is to assist mentees in understanding the criteria and processes for earning promotion and tenure. Intentional mentors (Johnson, 2002) endeavor to build a trusting, confidential relationship, a safe space, in which aspirations, efforts, hurdles, and successes can be discussed as the mentee progresses toward promotion and tenure.

Tenure was defined by the American Association of University Professors (2015) in its 1940 Statement of Principles on Academic Freedom and Tenure as protecting a faculty member's freedom to teach, to research, and to engage in extramural activities, as well as providing sufficient economic security to make the academic profession attractive to men and women of ability. Tenure is granted through a higher education institution's formal affirmative decision, after confidential, objective review by faculty colleagues of the candidate's qualifications under stated criteria (Euben, 2002). Approximately 49% of higher education institutions in the United States have tenure systems, ranging from almost 100% of public doctoral institutions to a low of 1% at private for-profit institutions (U.S. Department of Education, 2015).

One of the benefits of participating in a mentorship, a mentoring relationship, is that mentees who are diligent are more likely to earn tenure. Johnson (2007) summarizing the research, highlighted some of the most salient mentoring outcomes for junior faculty: stronger commitment to a career in academe; higher rates of achieving tenure and promotion; more effective teaching and university service; stronger record of scholarly productivity (grants and publications); better adjustment to the department, the institution, and the job; greater sense of ownership in and commitment to their institution; higher rates of retention; and higher rates of job and career satisfaction. Recent studies confirm these findings, including a study of early career psychology faculty members that found mentorship was positively related to mentees' more effective teaching activities (Troisi, Leder, Stiegler-Balfour, Fleck, & Good, 2015).

Conflicts of interest can arise during mentoring. Davis (2001) provides an authoritative examination of the concept of conflict of interest arising in the professions:

> A conflict of interest is a situation in which some person P (whether an individual or corporate body) stands in a certain relation to one or more decisions. On the standard view, P has a conflict of interest if, and only if, (1) P is in a relationship with another requiring P to exercise judgment in the other's behalf and (2) P has a (special) interest tending to interfere with the proper exercise of judgment in that relationship (p. 8).

Davis (2001) continued by explaining that the relationship must be fiduciary; it must involve one person trusting (or, at least, being entitled to trust) another to exercise judgment in his or her service. Interest is defined as any influence, loyalty, concern, emotion, or other feature of a situation tending to make P's judgment in that situation less reliable than it would normally be, without rendering P incompetent. Conflicts of interest arise and threaten integrity; there is a risk that one's decisions may be unduly influenced by considerations that should be irrelevant (Lo & Field, 2009).

There are three categories of possible ethical responses to conflict of interest if the conflict cannot be avoided: escaping, disclosing, or managing (e.g., Davis, 2001; Lo & Field, 2009). One may escape the conflict of interest by redefining the underlying relationship or by divesting oneself of the interest creating the conflict (Davis, 2001). A faculty member whose spouse is also a faculty member in the department may recuse himself from discussing whether his spouse should be awarded one of the limited summer teaching assignments. One may disclose the conflict to those relying on one's judgment. Disclosure, if sufficiently thorough and understood, prevents deception and gives those relying on P's judgment the opportunity to give informed consent, to replace P instead of continuing to rely on P, to adjust reliance in some less radical way (e.g., by seeking a second opinion), or to redefine the relationship (e.g., by requiring recusal for a certain range of decisions) (Davis, 2001). Unlike escape, disclosure does not end the conflict of interest; disclosure merely avoids betrayal of trust, opening the way for other responses. The faculty member, who is known to be married to a fellow department member, has disclosed the relationship and can provide his opinions about the range of courses to offer in the summer in a way that clearly associates him with his opinions, enabling the other department members and chair to decide whether or not to consider his opinions.

Or one may manage the conflict of interest. While not eliminating the conflict of interest, managing is a partial realigning of interests to make it likely that benefits will more than repay the costs (Davis, 2001). The faculty member, an international expert in her field, might manage the conflict by offering that if it is in the best interests of students, the department, and university that she does teach every summer, that enrollment data be carefully maintained and if her course enrollment drops then her summer teaching would be reevaluated.

Faculty mentors are advised to establish appropriate boundaries with their mentees and to be vigilant to the possibility of harm or exploitation to the mentee (Johnson, 2007). Dual roles Johnson (2007) identified as being of particular concern in faculty-to-faculty mentorships are serving simultaneously as a mentor to a junior faculty member and serving on a departmental or university-wide promotion and tenure committee, on an awards committee, or on a committee responsible for faculty funding. Johnson (2007) urged faculty to make their role with the mentee clear to all involved (i.e., disclosing the relationship) so that they may be excused from decisions bearing on their mentee (i.e., escaping) or allowed to participate with informed consent of those involved (i.e., managing). Faculty mentors are also to inform their mentees of such conflicts (i.e. disclosing the conflict) and of their plans for resolving the conflict without any harm to the faculty member (i.e., managing).

Research Methodology and Results

To explore in more detail actual faculty-to-faculty mentoring programs I decided to focus on mentoring programs for academic librarians at higher education institutions in the United States granting at least the baccalaureate. Academic librarians do hold faculty status, are on tenure-track, and earn promotion and tenure. For library faculty the equivalent of teaching is librarianship; library faculty teach information research and analysis skills; select, organize, and preserve information resources; and develop technologies and innovative practices to enhance information access. Libraries offer mentoring programs for library faculty as one method to increase library faculty retention, research, and publication. Strothmann and Ohler (2011) conducted an online survey of academic librarians and found that 22.2% of the librarians reported their academic library offered a formal mentoring program and 12.8% reported their college or university offered a formal mentoring program. Smigielski, Laning, and Daniels (2014) surveyed members of the Association of Research Libraries directors' listserv and found that library faculty were offered a mentoring program at 83.3% of institutions where librarians were eligible for tenure and at 66.7% of institutions where librarians were not eligible for tenure.

I examined the mentoring practices of libraries at 10 higher education institutions to explore two basic questions: Do libraries that offer mentoring programs make explicit whether the mentoring relationship is confidential? Have libraries developed mentoring policies informed by conflict of interest concerns so that mentors do not participate in their mentees' promotion and tenure decisions?

I searched www.google.com to identify a sample of academic libraries offering faculty mentorship opportunities that met three criteria: the higher education institutions offered at least the bachelor's degree; the librarians had faculty status, with tenure and promotion; and the libraries were from each major region of the United States. (I included the University of Maryland (2009) because although its library faculty members were not eligible for tenure, they may earn permanent status no later than the sixth year of continuous employment.) I searched for, retrieved, and analyzed the accessible library and university mentoring program information and library and university promotion and tenure guidelines. I assessed the confidentiality of mentee-mentor communication by determining whether the existence and scope of confidentiality was delineated in the documents. I examined mentoring and promotion and tenure documents for the explicit phrase conflict of interest related to library or departmental mentor participation in their mentee's promotion and tenure assessment. The participation of library or departmental mentors in providing information (either oral or written) to the promotion and tenure committee assessing their mentees and in voting on their mentees' promotion and tenure cases was also scored.

This research protocol was designed to obtain a sample of library and university statements related to faculty-to-faculty mentoring, any confidentiality of the relationship, and conflicts of interest related to any mentor role in promotion and tenure assessment. It was not designed to gain a complete picture of any institution's practices; to do so one would need to survey individuals associated with each institution. The academic libraries examined represent a convenience sample, so the results may not be representative or generalizable. Only libraries and institutions providing information about their mentoring programs and their promotion and tenure guidelines in a way publicly accessible by www.google.com were selected. The degree of detail provided in the descriptions of mentoring opportunities varied among institutions. Some details may have been behind an employee intranet, accessible only to those affiliated with the institution. I examined Websites and Web-mounted written documents of each library and institution; there may be practices and traditions that also guide behavior.

At eight of the 10 institutions the mentoring relationship was to be treated as confidential, at one institution it was stated explicitly that information exchanged during mentoring is not confidential legally, and at one institution there was no reference to confidentiality in mentoring (see Table 1). At institutions at which mentoring was to be treated as confidential, the scope of confidentiality varied. In some mentoring documents it was stated simply and directly that

exchanges are confidential. At the University of Kentucky Libraries (2015) was the requirement, "Maintain confidentiality of issues discussed with mentee" ("Responsibilities for Mentors," para. 3). The Guidelines for UIC Library Mentoring Program at the University of Illinois at Chicago

(2005) stated, "The mentoring relationship may lead to one party's raising issues that are confidential by their very nature and should be treated as such by both parties" (para. 1).

Table 1: Mentor Role in Promotion and Tenure (P & T) Assessment

University Library	Mentoring confidential	Limits stated in mentoring or P & T documents			Role	
		Mentoring or P & T	Mentoring	P & T	Inform Committee	Vote
Indiana Univ	O	No	No	No	O	O
Rutgers Univ	Yes	Yes	Yes	No	No	No
Univ of Arkansas	Yes	Yes	No	Yes	Yes	O
Univ of Colorado Boulder	Yes[a]	Yes[a]	Yes[a]	No	Yes[a]	Yes[a]
Univ of Florida	Yes	Yes	No	Yes	Yes	O
Univ of Illinois at Chicago	Yes	Yes	Yes	Yes	Yes	No
Univ of Kentucky	Yes	Yes	Yes	No	No	No
Univ of Maryland	Yes	No	No	No	O	O
Washington State Univ	No	Yes[a]	No	Yes[a]	Yes[a]	O
Western Illinois Univ	Yes	Yes	Yes	No	No	No

Note. O = not mentioned. [a] = varies by department, not stated in library documents.

At some institutions it was recommended that mentors and mentees treat information exchanged as confidential, and mentors and mentees were also encouraged to discuss any limits to confidentiality. For example, the Rutgers University Libraries Mentoring Task Force (2006)

stated in its "Mentoring Program Report," "Information exchanged within the course of the mentee/mentor relationship is confidential" (p. 4) and "Discuss ground rules at your first meeting. Discuss and agree about confidentiality of the information shared with and by the new faculty member" (p. 15). The Mentoring Agreement at the University of Florida Smathers Libraries (n.d.) addressed confidentiality in its fourth provision: "Our agreement for handling confidentiality (everything discussed between us is considered confidential or only things that are specified during our discussions)." At Western Illinois University (n.d.) the New Faculty Mentor Program document stated, "…all exchanges…are subject to the expectations of professional confidentiality. Although this confidentiality is legally limited, subjects discussed as part of the mentoring relationship should NOT be shared with others without written permission from the new faculty member" (p. 6).

Notably at only one institution, Washington State University, was it stated that mentor-mentee conversations were not bound legally by confidentiality. In A Guide to Washington State University's Policies and Procedures for Evaluating Tenure-track Faculty Members author Vice Provost McSweeney (2010) advised, "You should also note that the relationship between you and your mentor is not protected by privilege or confidentiality should legal problems arise" (para. 35).

Conflict of interest was used explicitly in referring to the role of mentors in their mentees' promotion and tenure assessment at only one institution, the University of Florida, at which evaluation letters from faculty internal to the institution were sought. The University of Florida Smathers Libraries (n.d.) Career Development Handbook stated that for tenure assessments three of the eight required letters of evaluation needed to be from inside the university. There was no reference in library documents about mentors writing letters for the mentees' dossiers. And while the University of Florida (2015) Guidelines stated that "No college or equivalent academic unit mentoring program shall require any written assessments by the mentor" (p. 12), it did advise "University reviewers [to] consider conflict of interest when assessing the weight given to a letter of evaluation….Letters from individuals who have or have had a personal, professional, or mentoring relationship with the candidate could create a conflict of interest" and therefore to consider "whether the individual stands to benefit from the success of the candidate, either professionally or personally" (p. 9).

Since only one institution stated explicitly that any involvement of mentors in mentees' promotion and tenure assessments could constitute a conflict of interest, I examined mentoring documents and promotion and tenure guidelines at the 10 institutions to determine if limits were placed on mentors' participation in mentees' promotion and tenure assessments. At three institutions mentors were not to provide information, either oral or written, to the committees assessing mentees' for promotion and tenure, while at five institutions mentors could provide information to the committees. At four institutions it was stated mentors were not permitted to vote on their mentees' cases, while at one institution mentors were permitted to vote. At two institutions I did not find any statements in the documents examined establishing what the mentors' role, or limits to that role, might be in their mentees' assessments, and at three additional institutions I could not find statements either permitting or not permitting library faculty mentors to vote on their mentees' cases.

At one institution mentors' multiple roles were explicitly mentioned and recommendations were made to departments to develop strategies for managing the issue. At the University of Colorado Boulder a university mentoring task force

recommended, "The issue of confidentiality should be addressed in departmental plans, as should strategies for dealing with 'dual commitments' of senior faculty serving as mentors, and potential evaluators of junior faculty for tenure and promotion. This should help alleviate the anxiety frequently experienced by junior faculty on this subject" (Barlow, 2008, p. 6).

At five institutions mentors could provide the promotion and tenure committee with information about their mentees. At the University of Illinois at Chicago mentors may be interviewed by the promotion and tenure committee (University of Illinois at Chicago, Library Faculty Mentoring Task Force, 2005). At the University of Arkansas if the promotion and tenure assessment committee did receive letters of reference from mentors, the letters were to be placed not in the mentees' dossier, but in an appendix, "Except for letters from impartial outside reviewers (Evaluative Criteria III,B,8,g), letters from mentors and colleagues, as well as letters solicited by the candidate or submitted by the candidate as unsolicited, should be placed in an appendix" (University of Arkansas, Office of the Provost and Vice Chancellor for Academic Affairs, 2014, para. 8).

At three institutions the mentoring documents did state clearly that mentors were not to participate in their mentees' promotion and tenure assessments. At the University of Kentucky Libraries (2015) was the statement, "Mentors serving on the Promotion and Tenure Committee are recused from all discussion about the mentee and do not vote on the mentee's case" ("Responsibilities for Mentors," para. 4). At Western Illinois University (n.d.) the New Faculty Mentor Program manual stated, "Faculty mentors will not be from the same discipline in order to avoid linking a new faculty with a future tenure/promotion committee member" (p. 2) and "The mentor is NOT expected to formally evaluate the new faculty member or his/her work; rather, the mentor may help the new faculty identify and interpret feedback on his or her performance. Strive to avoid judgmental and evaluative comments" (p. 6). And on the formal written Mentor-New Faculty Member Agreement that both parties were to sign, mentors were to agree "To avoid any form of performance evaluation of my the new faculty member" (Western Illinois University, New Faculty Mentor Program, n.d., p. 8). At the Rutgers University Libraries (n.d.) it was stated in "Faculty Mentoring Program," "Mentors will not be paired with individuals who report directly to them or are in the same peer unit" (para. 6). This deliberate specification of mentor-mentee assignment was perhaps to address an earlier Rutgers University Libraries Mentoring Task Force recommendation that "…mentors do not participate in Appointments and Promotions Committee (A&P) review of individuals with whom they were paired" (2006, p. 3).

At only one institution, the University of Illinois at Chicago, did both some mentoring documents and some promotion and tenure guidelines address the boundaries of the mentors' role in promotion and tenure assessment. At the University of Illinois at Chicago mentors could be interviewed to gain information germane to the mentees' assessment but could not serve on the promotion and tenure committee reviewing their mentees: "Mentors and liaisons may be interviewed by the mentee's librarianship review committees but may not serve on them" (University of Illinois at Chicago, Library Faculty Mentoring Task Force, 2005, para. 6). This language was paralleled in a promotion document by the University of Illinois at Chicago Library Promotion and Tenure Committee (2009) that stated, "Neither a candidate's liaison nor mentor may be on his/her Evaluation of Librarianship Committee, but may be interviewed" (p. 2). However, the University of Illinois at Chicago University Library Procedures for Appointment, Promotion, Tenure, and Non-Retention (2012), more accessible since it was linked to from the Library Faculty Research Webpage, did not reference mentors.

Discussion and Recommendations

This examination of library and university mentoring program documents and promotion and tenure guidelines provides insights into the written information or advice provided to mentors and mentees. Confidentiality was addressed directly in the documents, while institutional documents were less likely to discuss any conflicts of interest or limits to the mentors' role in the mentees' promotion and tenure assessments. Documents at only one institution stated explicitly that any involvement of mentors in mentees' promotion and tenure assessments could constitute a conflict of interest, and advised reviewers to weigh any evaluative letters received from the candidates' mentors. Three of the 10 institutions stated mentors were neither to communicate with the promotion and tenure committee about their mentee nor to vote. At one other institution mentors were not to vote but could provide information to the mentees' promotion and tenure committee. At only one institution were the limits stated in both the mentoring and the promotion and tenure documents. At this institution it was easier to discern the boundaries of mentorships since one could learn from either mentoring or promotion and tenure documents the mentor role in mentee's promotion and tenure assessment.

Conflicts of interest do exist in faculty-to-faculty mentoring due to the multiple roles mentors have related to mentees and due to each mentor's special interest in the mentee succeeding as a full member of the academy. In order for growth to occur, the intentional mentor works to set appropriate boundaries. Several boundary setting strategies include (a) recusing oneself from the promotion and tenure assessment of one's mentee, (b) mentoring agreements that include confidentiality clauses and explications, and (c) discussions between mentor and mentee clarifying confidentiality meanings and practices, including conditions under which disclosure is required.

Intentional, ethical mentors can use a conflict of interest argument in establishing reasons for not participating in any activities assessing the mentee such as writing an evaluative letter, disclosing confidential mentee information during the promotion and tenure meeting, or voting on the mentee's case. Relevant codes of professional ethics may be cited. Intentional mentors can advocate for change. Mentors may choose to raise conflict of interest concerns within their departments, colleges, and institutions and may wish to consult their institution's legal counsel.

Confidentiality is the foundation of an honest, trusting, and meaningful faculty-to-faculty mentorship. Written confidentiality agreements are not sufficient; it is recommended that mentors initiate discussion with mentees during the first meeting and throughout the mentorship about the meaning of confidentiality from the mentors' own perspective and to ask probing questions to ascertain the mentees' understanding and practice of confidentiality. Mentees should be informed of the conditions under which information must be disclosed to third parties, such as if harassment, discrimination, or other activity that violates law or policy is revealed, or if harm is threatened to self or others.

Intentional mentors anticipate potential conflicts of interest. If institutional policies do not permit mentors to recuse themselves from their mentees' promotion and tenure assessment, mentors should disclose to their mentees at the beginning of the mentorship the extent to which they will be participating in the mentees' promotion and tenure assessment. Mentors can assist their mentees in finding an additional mentor to whom the mentees may disclose personal issues. For without confidentiality mentees may not be willing to disclose their personal difficulties or their deepest concerns about succeeding in their chosen profession. The second mentor could be selected from among the senior faculty who are not eligible to participate in the promotion and tenure assessment of the mentee, for example, from another department or college of the institution or from another institution.

It is, ultimately, the mentees' responsibility to succeed in teaching (or librarianship), research or creativity, and service and to highlight their accomplishments in building their promotion and tenure cases. Mentors can guide mentees throughout the mentoring process to pursue relevant activities, to develop their abilities, and to demonstrate achievement in each of the tripartite faculty responsibilities of teaching, research, and service. Intentional mentors refer to departmental, college, and university procedures as mentees develop their dossiers and can critique the dossiers for strengths and weaknesses prior to the promotion and tenure assessment. With mutually agreed upon understandings of confidentiality and of any boundaries of the mentorship, mentoring can support junior faculty as they assume their new roles as educators, researchers, and members of the university and the profession.

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