

Policy on Interpersonal Relationships among Faculty, Staff, and Students

I. Purpose.

It is the policy of the University that current and prospective faculty, staff, and students shall be selected, evaluated, and supervised on the basis of individual merit and without reference to any other factors unrelated to professional qualifications and performance. Toward that end, the following shall apply to all faculty, staff, and students within the UNC System to address interpersonal relationships that may unduly affect the academic career of students or the employment of faculty, staff, or students. While this policy sets out the minimum standards for addressing and managing such relationships, constituent institutions are permitted to adopt policies that contain such additional restrictions as they deem necessary to the extent allowed by law.¹

II. Definitions

A. "Evaluate or supervise" means to assess, determine, or influence an individual's academic or professional performance, progress, or potential, or their entitlement to or eligibility for any institutionally conferred right, benefit, or opportunity; or, to oversee, manage, or direct the individual's academic, professional, or other institutionally prescribed activities.

B. "Related persons" means anyone whose relationship is so closely identified with another person in either an academic or employment setting that the relationship suggests a conflict of interest. "Related person" includes:

1. Spouse or Domestic Partner
2. Parent or Child
3. Grandparent or Grandchild
4. Sibling
6. Guardian or Ward
7. Aunt/Uncle and Niece/Nephew
8. First Cousins

The prohibited conduct in this policy applicable to related persons shall continue after the termination of the relationship (e.g., divorce) until such time as the constituent institution determines that there is no effect upon, or perception of, impartiality.

C. "Romantic relationship" means a relationship not identified as marriage or domestic partnership where the parties involved are consenting adults in a sexual or in a romantic (or intimate) relationship, regardless of whether or not the relationship has been consummated sexually.

D. "Employment decision" means a decision regarding the search, selection, or appointment of an individual to employment; establishing the terms and conditions of employment or benefits;

determining job classification/compensation or benefits of employment; evaluating work performance; voting or otherwise participating in processes for reappointment, promotion, tenure, or post-tenure review; issuing disciplinary action; or any other action that assesses, determines, or influences an individual's work performance or career progress (e.g., work assignments, allocation of space, etc.).

III. Prohibited Conduct

A. Improper Relationships with Students. At a minimum, constituent institution policies must ensure that:

1. University employees are prohibited from evaluating or supervising, either directly or indirectly, any enrolled student of the institution with whom they have or had a romantic relationship or any enrolled student of the institution who is a related person as defined in this policy.
2. University employees are prohibited from engaging in a romantic relationship with any enrolled student of the institution, other than his or her spouse, who is a minor under the age of eighteen.²

B. Employment Decisions. At a minimum, constituent institution policies must ensure that:

1. An employee may not supervise, evaluate, or have authority for employment decisions over a person with whom they have or had a romantic relationship or who is a related person as defined in this policy. The prohibited conduct in this policy applicable to related persons shall continue after the termination of the relationship (e.g., divorce) until such time as the constituent institution determines that there is no effect upon, or perception of, impartiality.
2. With respect to proposed employment decisions that would result in the concurrent service of related persons within the same academic department or employing unit, a person related to an incumbent employee may not be employed if the professional qualifications of other candidates for the available position are demonstrably superior to those of the related person or persons involved in a romantic relationship as defined in this policy.
3. With respect to the concurrent service within the same academic department or employing unit at a constituent institution involving related persons or individuals who have had or have a romantic relationship, neither related person or individual shall be permitted individually or as a member of a committee to participate in or otherwise influence an employment decision for the other related person or individual person (including promotion, job classification/compensation, tenure, reappointment, and post tenure review). The prohibited conduct in this policy applicable to related persons shall continue after the termination of the relationship (e.g., divorce) until such time as the constituent institution determines that there is no effect upon, or perception of, impartiality.

4. It shall also be a violation of the constituent institution policy for an employee to influence or attempt to influence those involved in employment decisions regarding the related person or persons involved in a romantic relationship as defined in this policy.

IV. Procedures, Remedies, and Reporting

A. Constituent institutions must establish procedures for identifying, addressing, and managing interpersonal relationships in the selection, evaluation, and supervision of students, faculty, and staff when such situations are unavoidable (e.g., faculty member promoted into a position that would oversee faculty member's spouse; related person teaches the only section of a course required for a student's degree, etc.). Appropriate processes may include, but are not limited to, the development, implementation, and monitoring of conflict management plans to address the conflict (e.g., reassignment of supervision, advising, grading/assessing, or other such decision-making authority over the subordinate individual, etc.).

B. An employee shall disclose all actual or potential conflicts of interest created by a romantic or familial relationship as defined in this policy to their employer. Constituent Institution policies shall define a procedure for such disclosures of any actual or potential conflicts of interest in order to avoid a potential violation of this policy.

C. Remedies for any prohibited conduct may include, but are not limited to, discipline, discharge, or related corrective action dependent upon the nature and circumstances of the violation.

D. Each chancellor, or their designee, shall report annually to their board of trustees concerning all specific cases during the preceding year in which violations of this policy were identified and how they were addressed.

V. Related Policy Considerations

These prohibitions addressed by this policy are not intended to address other academic and employment situations regarding unlawful or prohibited harassment and discrimination under applicable constituent institution or University policy or regulation.

VI. Other Matters.

A. **Effective Date.** The provisions of this policy shall be applicable prospectively only, with reference to appointments made or conflicts that arise after the adoption date of the policy.

B. **Relation to State Laws.** This policy is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern the activities of public officials.

C. **Regulations and Guidelines.** This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted by the president.

*Supersedes and replaces the prior UNC Policy 300.4.1, "Improper Relationships Between Students and Employees" and supersedes and replaces UNC Policy 300.4.2, "Employment of Related Persons",

combining the two prior policies into one comprehensive policy on Interpersonal Relationships among Faculty, Staff, and Students.

¹ With respect to University employees who are subject to the North Carolina Human Resources Act, applicable restrictions concerning the concurrent service of related persons shall be those adopted by the Office of State Human Resources.

² At the North Carolina School of Science and Mathematics, and the University of North Carolina School of the Arts, it is prohibited conduct for any employee to engage in a romantic relationship or in sexual activity with any enrolled student, except their spouse or domestic partner.