**University Policy 101.25, Familial Relationships between Students and Faculty Members or Other University Employees (Nepotism)**

Executive Summary:

All University employees are prohibited from participating in the evaluation or supervision of a student with whom there is a Familial Relationship. Failure to disclose a Familial Relationship prior to participating in the evaluation or supervision of a related student will result in disciplinary action.

**I. Scope**

This Policy describes the responsibilities of members of the faculty and other employees of UNC Charlotte with respect to the evaluation and supervision of any UNC Charlotte student with whom they have a Familial Relationship. It applies to all full- and part-time faculty and staff, including but not limited to graduate and undergraduate assistants (“University employees”).

**II. Definitions**

1. **Evaluate or Supervise**: To assess, determine, or influence (a) a student’s academic performance, progress, or potential or (b) a student’s entitlement to or eligibility for any institutionally conferred right, benefit, or opportunity; or to oversee, manage, or direct a student’s academic or other institutional activities.
2. **Familial Relationship**: A relationship between two related persons, whether the relationship is former or current. For the purposes of this Policy, “related” includes the following relationships:
3. Parent and child;
4. Siblings;
5. Grandparent and grandchild;
6. Parent’s sibling and sibling’s child;
7. First cousins;
8. Step-parent and step-child;
9. Step-siblings;
10. Married persons;
11. Parent-in-law and child-in-law;
12. Siblings-in-law;
13. Guardian and ward;
14. Anyone living in the same household or whose relationship is so closely identified with another as to suggest a conflict.

**III. Policy**

**A. Prohibited Familial Relationships Between University Employees and Students**

Evaluation or supervision of a student by a University employee with whom that student has a Familial Relationship is a conflict of interest that can create the possibility or perception of favoritism. It is therefore misconduct for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student with whom they have a Familial Relationship, unless such relationship is disclosed and managed pursuant to this Policy. Failure to disclose a Familial Relationship prior to participating in the evaluation or supervision of the related student will result in disciplinary action.

Examples of evaluative/supervisory situations implicated by this Policy include, but are not limited to: faculty involvement in the evaluation of a student’s academic performance; service on committees for academic awards and prizes for which the student may be considered; thesis supervision; and supervision of research and teaching assistants.

**B. Reporting Requirements**

1. Duty to Self-Disclose

The existence of a Familial Relationship must be self-disclosed by University employees to their supervisor, including the University employee’s Department Chair or Dean, as applicable, prior to participation in the evaluation or supervision of the student.

1. Duty to Report Suspected Policy Violations

Any University employee who is aware of a possible violation of this Policy is required to report the matter to the direct supervisor of the University employee alleged to be in violation of the Policy, or to the Office of the Provost. Any other person who is aware of a possible violation of this Policy may also report the matter to the Office of the Provost.

**IV. Implementation Procedures**

**A. Actions Following Receipt of Report**

The existence of or potential for a situation that implicates this Policy must be promptly reported in accordance with Section III.B above. The direct supervisor of a University employee in a reported Familial Relationship that implicates this Policy must take immediate and effective action to ensure that:

1. the University employee will no longer participate in the evaluation or supervision of the related student;
2. there will be un-conflicted evaluation or supervision of the student without compromising the student's progress toward the completion of their academic program; and
3. if appropriate, a conflict management plan is implemented.

Deans must be kept fully informed by Department Chairs with respect to actions taken in response to Familial Relationships implicated by this Policy.

If a report reveals the existence of a Familial Relationship that potentially violates this Policy and was not promptly disclosed, the situation will be reviewed pursuant to Section IV.B below.

**B. Familial Relationship Review Procedure**

1. Upon receipt of a complaint or following self-disclosure by a University employee that occurs after the University employee held an evaluative or supervisory relationship over a student with whom they have or allegedly have a Familial Relationship, the supervisor shall notify the Office of the Provost. Further notice of the complaint or late self-disclosure should be limited to those who, in the interests of fair treatment and elimination of the conflict of interest, have an immediate need to know.
2. The supervisor, in collaboration with the Provost (or designee), will conduct a preliminary inquiry to identify whether the facts, as alleged, would constitute a violation of this Policy or whether there is sufficient evidence of a violation of this Policy to warrant further review.
3. The supervisor may interview the person who reported the matter, the University employee, the student concerned, and any other person believed to have relevant information. The supervisor may designate an investigator to conduct the inquiry. The supervisor (or designated investigator) may also obtain any University record deemed necessary to the inquiry and may request from relevant parties or other sources any documents or other information which will be of assistance. The inquiry should:
	1. Afford the University employee a full opportunity to respond to the allegations;
	2. Determine whether the reported Familial Relationship exists in fact and has created an inappropriate conflict of interest;
	3. Determine whether the University employee has failed in their responsibility under this Policy to self-report;
	4. Explore and assist with options to end any inappropriate conflict of interest, including the transfer of responsibility for evaluating, supervising, or advising the student; and
	5. Review the appropriateness of any academic or other applicable decisions made by the University employee that may have been made when a conflict of interest existed.
4. After having considered the evidence collected and the report (if any) of a designated investigator, the supervisor will prepare a written Preliminary Report to the Provost (or designee), which will summarize the facts and recommend whether the facts, as established, applying a preponderance of the evidence standard, support a finding that this Policy has been violated. The Preliminary Report will also recommend appropriate remedial action, including appropriate disciplinary action and/or a conflict management plan that minimizes the disruption for the student. The University employee will be provided a reasonable opportunity to review and comment in writing upon the Preliminary Report.
5. After considering such response to the Preliminary Report as the University employee may choose to make, the Provost (or designee) will reach a final decision on whether this Policy has been violated. The Provost (or designee) may:
	1. Determine that the facts as alleged, even if substantiated, would not constitute a Policy violation or that there is insufficient evidence to establish a Policy violation and, in either event, dismiss the complaint (see Section IV.E, concerning the disposition of records in such cases); or
	2. Conclude, using the procedures specified above, that the matter can be satisfactorily resolved through informal means, such as the implementation of a conflict management plan; or
	3. Conclude that this Policy has been violated and (for faculty and Academic Affairs employees) impose disciplinary sanctions or (for other University employees) recommend to the applicable Vice Chancellor the imposition of specific disciplinary sanctions. In determining whether disciplinary sanctions are appropriate, the Provost (or designee) will consider such matters as the nature and length of the conflict of interest, the number and significance of decisions made by the University employee during which the conflict existed, the University employee’s cooperation with the review, and evidence concerning the University employee’s willful violation and disregard of this Policy.

**C. Conflict Management Plan**

If appropriate, following disclosure of a Familial Relationship that creates or has the potential to create a potential or actual conflict of interest, the University employee’s supervisor will oversee the development and monitoring of a conflict management plan to avoid a violation of this Policy. Any such conflict management plan must be reported to the Provost (or designee), who will consult with any relevant Vice Chancellors or Deans as needed, for review and approval prior to implementation. Conflict management plans should prioritize the student and avoid any unnecessary disruption to the student’s academic progress.

**D. Violations of Policy**

Violations of this Policy, including failure to adhere to an approved conflict management plan, will result in disciplinary action, up to and including termination of employment. Sanctions will be imposed in accordance with the disciplinary procedure applicable to the University employee's category of employment.

**E. Records Retention**

Except for those actions which result in the imposition of a sanction for violation of this Policy, no record of reports submitted under Section III.B of this Policy will be kept as part of any University employee's official personnel file. However, all such records shall be maintained in accordance with the University’s records retention and disposition schedule, as set forth in [University Policy 605.3, Retention, Disposition, and Security of University Records](https://legal.uncc.edu/policies/up-605.3).

**F. Promoting Awareness of Policy**Awareness of this Policy will be promoted through publication in the [Faculty Handbook](https://provost.uncc.edu/faculty-resources-government/handbooks) and distribution in faculty, staff, and teaching assistant orientation sessions.

**Revision History**:

Initially approved ---, 2021

**Authority**: Chancellor

**Responsible Office**: Academic Affairs

**Related Resources**:

* [Faculty Handbook](https://facultyhandbooks.uncc.edu/)
* [UNC Board of Governors Policy 300.4.1, Improper Relationships Between Students and Employees](https://www.northcarolina.edu/apps/policy/doc.php?type=pdf&id=120)
* [University Policy 605.3, Retention, Disposition, and Security of University Records](https://legal.uncc.edu/policies/up-605.3)