

# UNIVERSITY OF WISCONSIN – STEVENS POINT CONSENSUAL AND FAMILIAL RELATIONSHIP POLICY

## **DEFINITIONS**

As used in this policy statement:

### **Instructor**

"Instructor" means all those who teach at UWSP, including faculty, coaches, teaching academic staff, and graduate students with teaching responsibilities.

### **Sexual Relations**

A person engages in "sexual relations" when the person causes contact with any body part of any person with the intent to arouse or gratify the sexual desire of any person. The term "person" includes not only the one doing the contacting but also the one being contacted. "Contact" means intentional touching, either directly or through clothing.

### **Familial Relationship**

The term "familial relationship" means an evaluative relationship with one's spouse, child, parent, sibling, or anyone qualifying as a "dependent" under the Internal Revenue Code.

## **INTRODUCTION AND BACKGROUND**

The University of Wisconsin-Stevens Point has only limited authority to regulate the private lives of its employees and students. The University has even less interest in formalizing regulations concerning the private lives of its employees and students, except insofar as the University has a duty to protect the rights of employees and students and to define professional/ethical standards for its employees.

The University also recognizes that all individuals entering into consensual relationships must accept responsibility for their actions. Nonetheless, certain consensual relationships are of concern to the University.

Consensual relationships of concern to the University of Wisconsin-Stevens Point are those sexual relationships in which the parties appear to have consented, but where there is a definite power differential between the parties and where there is the appearance of bias on the part of an instructor or supervisor.

Codes of ethics for most professional associations forbid improper professional-client relationships. University policy and general ethical principles preclude professional individuals from evaluating the work or academic performance, or from making hiring, salary or similar financial decisions concerning family members. The same principles apply to romantic/sexual relationships, and require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate, or prospective employee.

## **RELATIONSHIPS AND CORRESPONDING REGULATIONS**

### **Consensual Sexual Relationships with a Student in One's Class**

These relationships with a non-spousal student in an instructor's class are not permitted. Violation of this regulation will subject an instructor to appropriate disciplinary action by the Provost/Vice Chancellor, including, but not limited to, reprimand, suspension, or dismissal. The University feels that the instructor/student relationship is one where a great fiduciary duty is imposed upon the instructor (one which is equivalent to doctor/patient or attorney/client) and where this prohibition is as appropriate as the prohibition imposed in other professions.

### **Consensual Sexual Relationships with a Student Not in One's Class**

These relationships are often problematic and should be avoided. The potential conflict of interest, bias, power differential, and appearance of impropriety problems are obvious. Further, there is the possibility that the student may subsequently enroll in the instructor's class, resulting in the difficult choice of putting the relationship on hold or facing disciplinary action.

### **Consensual Sexual Relationships with an Employee under One's Supervision**

These relationships are of concern to the University (and all other employers) because of conflict of interest and abuse of power differential problems. If such a situation develops, the supervisor should work with his or her supervisor to remedy the problem (e.g. by having one or both of the couple transferred.).

### **Familial Relationships**

The situation where one is in an evaluative position (such as a supervisor or instructor) with a family member is to be avoided if at all possible. The supervisor or instructor must consult with his or her dean/chair/supervisor before accepting such a responsibility. Together they should act to avoid the situation (e.g. by transferring an employee, having a student take another section of a course or take the course by independent study, correspondence, etc.).

Passed by UWSP Faculty Senate on February 17, 1993

Revised on February 17, 1999