

EXECUTIVE SUMMARY:

Policy 301 *Nepotism and Personal Relationships* and Policy 114 *Conflict of Interest and Commitment*

Date:	November 30, 2024
Sponsor:	Marilyn Meyer
Steward(s):	Drew Burke
Policy Process:	Regular
Policy Action:	New, Revision—Limited Scope
Policy Office Editor:	Miranda Christensen
Embedded Attorney:	Cathy Jordan

Issues/Concerns (including fiscal, legal, and compliance impact):

Creating an independent policy for nepotism and personal relationships (romantic or sexual) is essential to comply with Utah and federal law and maintain professionalism, fairness, and a respectful workplace.

Nepotism and personal relationships between employees, particularly those involving power imbalances, can create conflicts of interest, perceptions of favoritism, and legal risks such as harassment or retaliation claims if the relationship ends poorly.

Currently, there is broad language on activities related to relatives, family members, and household members in Policy 114 *Conflict of Interest and Commitment*. However, a new policy is needed to provide more clarity and detail on how to address these situations proactively, ensuring relationships do not affect the learning environment, disrupt the workplace, or impact morale. The new policy will encourage transparency and set boundaries to protect all parties involved, including staff, faculty, and students, who might feel uncomfortable or excluded.

The University can prevent misunderstandings, promote inclusivity, and maintain a fair learning and work environment by addressing potential issues early.

Suggested Changes:

The new policy, Policy 301, will establish guidelines to

- Ensure employment activities and opportunities (e.g., recruitment, hiring, promotion, compensation, reporting relationships, and evaluation) are based on objective criteria and merit rather than family or personal relationships.

- Ensure academic activities, programs, and opportunities are based on objective criteria and merit rather than family or personal relationships.
- Address personal relationships (romantic or sexual) between supervisors and direct reports, as well as faculty and students, to avoid the perception of or actual undue influence, coercion, favoritism, or bias due to a perceived or actual power imbalance or position of influence.
- Direct sexual harassment and retaliation claims to Policy 162 *Title IX Sexual Harassment* and Policy 165 *Discrimination, Harassment, and Affirmative Action* as appropriate. For conduct not rising to a policy violation under those policies, reported incidents will be moved to Policy 371 *Performance Management and Development for Full-Time Staff Employees* (for staff), or Policy 635 *Faculty Rights and Professional Responsibilities* (for faculty).
- Resolve concerns, reports, and complaints when an employee or student enters a nepotistic or personal relationship.

The only change that will be made to Policy 114 in this revision will be a limited-scope change to remove section 4.3, which will be integrated into Policy 301.

Requested Approval from President's Council: Entrance to Stage 1

Proposed Drafting Committee: Drew Burke, Victoria Lyons, Ashley Wilson, Cathy Jordan

Target Date for Stage 1 Draft to Enter Stage 2: TBD

Target Date for Board of Trustees Review: TBD
