

- An employee keeping any of the activities listed above or similar ones a secret from the employer.

These breaches of trust have some things in common:

- The employee has used his/her institutional role for his or her own advantage;
- The activity engaged in is not an approved part of the employee's institutional role;
- There could be negative repercussions for the institution as a result of the employee's actions;
- The employer could reasonably question the trustworthiness of the employee as a result of the behaviour.

When some or all of the elements listed above are present in a dual relationship, a breach of trust could be found. It is the responsibility of employees to ensure that relationships with students remain focused on educational and institutional, rather than personal, goals.

Where can I get more information?

The following policies are found online at www.viu.ca/policies:

- *Conflicts of Interest Related to Employees and Students*, Policy 21.06
- *Ethics in Teaching: Principles and Expectations*, Policy 31.12

The *Statement on Consensual Relations between Employees and Students*, found online at www.viu.ca/humanrights/consensualrelations, provides further information for employees on the institution's position on employee/student sexual relationships.

Employees who are unsure whether they are in a conflict of interest, or who are facing an ethical dilemma related to a dual relationship with a student, are encouraged to discuss the issue with their supervisor.

For more brochures, contact:

Human Resources Office | 250-740-6284
Human Rights Office | 250-740-6430

Visit Our Website

www.viu.ca/humanrights



PREVENT RESPOND REPORT PREVENT RESPOND REPORT

Managing Dual Relationships with Students

An Employee Guide

This brochure provides employees with information on institutional policies that apply to dual relationships with students, outlines the responsibilities of employees and where further information on the subject can be acquired.

Managing Dual Relationships with Students

What is a dual relationship with a student?

A dual relationship exists when a Vancouver Island University (VIU) employee (e.g., instructor, advisor, counsellor, or admissions clerk) has an institutional as well as a personal relationship (e.g., familial, marital, or business) with a VIU student. It is normal, encouraged and even celebrated when people who are important in employee's lives decide to attend Vancouver Island University. In order for it to be a positive experience for everyone it is important for employees to be aware of the ethical issues that must be managed.

Ethical Concerns

While Policy 31.12, *Ethics in Teaching: Principles and Expectations* focuses on teaching it can provide guidance to all employee groups. The policy articulates the following guidelines:

- It is the responsibility of the employee to keep relationships with students focused on educational and academic goals and/or requirements.
- An employee should not enter into a dual-role relationship with a student which would likely to detract from the student's development or lead to actual or perceived favouritism.
- The conflict of interest inherent in some dual relationships; for instance, when a child or relative attends the institution, can often be addressed satisfactorily through institutional measures to eliminate any teaching, grading or evaluative component of the relationship.
- Some dual relationships are inherently unethical. Examples include any form of sexual or intimate relationship with a current student; lending or borrowing money from students; giving or accepting gifts of significant value from students.
- It is the employee's responsibility to avoid entering dual relationships that are inherently unethical.

Conflict of Interest

Vancouver Island University also has Policy 21.06, *Conflicts of Interest Related to Employees and Students* that provides employees with guidance regarding their responsibilities when a dual relationship exists.

A conflict of interest exists when an employee has decision-making power or a share of this power (e.g., as an instructor, or supervisor or as a member of a committee) and the opportunity to advance or protect his/her own interest or the

interest of others with whom s/he has a close relationship. Examples of a conflict of interest are:

- a daughter enrolling in a course taught by a parent,
- a niece applying for admission to a program where her aunt or uncle manages the admission process,
- an instructor taking part in faculty deliberations regarding a student award for which their spouse is being considered, or
- an employee hiring a close friend as a work-op student.

Relationships that constitute a conflict of interest include (but are not limited to),

- close family relationships such as those between spouses or spousal equivalents, parents and children, siblings, in-laws, grandparents and grandchildren, or any other person residing in the employee's home;
- sexual relationships;
- relationships between persons whose economic interests are closely interrelated.

Employees who are in a conflict of interest are required to report the conflict to their supervisor (normally the appropriate dean, director, or regional campus principal) in writing or by e-mail, explaining the situation and the nature of the conflict. The obligation is on the employee, as the person with the conflict of interest, to report that conflict. Failure to report a conflict is a serious matter and a breach of trust.

Breach of Trust

In labour law, it is recognized that an employer has the right to discipline or dismiss an employee who breaches their trust. Many dual relationships with students are not breaches of trust, as long as the issues related to conflict of interest are appropriately addressed. There are circumstances where a dual relationship with a student could constitute a breach of trust. Following are some examples:

- An employee developing or attempting to develop a sexual relationship with a student while working directly with him or her as an instructor, counselor, advisor, etc.;
- An employee using students from a class s/he teaches to work in his/her personal commercial venture for course credit;
- An employee buying consumer goods, such as a new car, and accepting a student's offer to make the purchase at cost from his or her parent's business;