I. SCOPE

When individuals involved in a consensual romantic or sexual relationship are in positions of unequal power at the University, or closely work together, there is the potential for a conflict of interest, favoritism, and exploitation. In order to protect the integrity of the university academic and work environment, this policy outlines limitations on consensual romantic, sexual or intimate relationships (collectively referenced as “consensual relationships”) between faculty, staff and students at the University.

II. POLICY

The University has established this Policy in an effort to ensure that the University’s educational and work environment is based on professional relationships in an atmosphere of mutual respect and trust. In particular, as an academic institution, the well-being and safety of our students is a primary concern. This concern will be paramount in administering this policy.
A. CONSENSUAL RELATIONSHIPS WITH STUDENTS

The University’s educational mission is dependent on professional relationships between students and the faculty and staff members employed by the University. Consensual relationships can compromise the integrity of these professional relationships and negatively impact the educational environment.

The University prohibits faculty or staff members from soliciting or having consensual relationships with any graduate or undergraduate student whose academic work, teaching, residence life, athletics, employment, or conduct they are directly or indirectly responsible for supervising or evaluating, or for whom there is the reasonable likelihood of future supervision or evaluation (collectively referenced as “prohibited conduct with students”). This prohibition extends to all persons in a supervisory or evaluative position over students. In the case of undergraduates this includes but is not limited to advisors, coaches, and graduate student teaching assistants, teaching fellows, and instructors. In the case of graduate students, this includes but is not limited to post-doctoral fellows in a laboratory, thesis committee members, and members of a department’s graduate committee. If a consensual relationship exists prior to the onset of supervision or evaluation, or develops while in an evaluative or supervisory position, the relationship must be immediately disclosed to the faculty or staff member’s supervisor, department chair, Dean, or, where appropriate, higher administrative authority, and the faculty or staff member must remove himself/herself from all supervisory, evaluative, and/or formal advisory roles with respect to the student. The supervisor, department chair, Dean or higher administrative authority must also develop and monitor a management plan to transition supervisory authority. Engaging in prohibited conduct with students, even if self-reported, can also lead to disciplinary action. Disciplinary action is likely to be more severe if prohibited conduct with students is not self-reported or when there is a delay in reporting.

Even when consensual relationships between faculty or staff members and students do not involve prohibited conduct, such relationships are strongly discouraged. Consensual relationships between students and faculty/staff often raise concerns about the nature of consent because the parties are in positions of unequal power at the University. Faculty and staff are cautioned to refrain from such relationships as these present a clear potential for conflicts of interest and may lead to other problems. These relationships allow the exercise (or create the perception) of favoritism, bias, and exploitation of students. They may negatively affect the opportunities and evaluations of other students and damage the reputation of one or both parties in the relationship. Such relationships can create the appearance of impropriety and negatively affect the educational environment.

When any consensual relationship – including those in which there is no supervision or evaluation of students -- substantially interferes with the educational environment or otherwise violates our sexual misconduct policies, the faculty or staff member involved in the relationship will be subject to
disciplinary action. In particular, the University is likely to take disciplinary action when supervision or evaluation is involved or when there is a repeated course of conduct, even if the consensual relationship(s) involved no supervision or evaluation.

Persons in violation of this policy are subject to a range in sanctions, depending on the facts and circumstances and the application of other policies, such as the sexual misconduct policy. Faculty or staff may forfeit the legal and monetary protections of the University's indemnification policy in the event of any legal action that results from such relationships. See Policy 07-06-06, Faculty and Staff Indemnification.

B. CONSENSUAL RELATIONSHIPS BETWEEN EMPLOYEES

Generally speaking, consensual relationships between co-workers who work closely together or between a supervisor and subordinate can be extremely risky and are usually ill-advised. Consensual workplace relationships can give rise to claims of favoritism, complaints of a hostile environment or sexual misconduct, and may otherwise create significant disruptions and distractions within the workplace. Furthermore, when consensual workplace relationships end, the risk of disruption in the workplace and sexual misconduct claims being asserted increases.

For these reasons, the University prohibits supervisors (including faculty members) from beginning (regardless of who initiated the relationship) or attempting to initiate a consensual relationship with an employee (including faculty members) under the supervisor’s area of responsibility (collectively referenced as “prohibited supervisor conduct”). If a consensual relationship exists prior to the onset of supervisory authority, or one develops while in an evaluative or supervisory position, the relationship must be immediately disclosed by the supervisor to the appropriate administrator (department chair, dean, director) over the department/unit, and a management plan must be developed and implemented to address supervisory authority and to otherwise assure objective evaluation and supervision. Engaging in prohibited supervisor conduct, even if self-reported, can also lead to disciplinary action. Disciplinary action is likely to be more severe if prohibited supervisor conduct is not self-reported or when there is a delay in reporting.

While beginning or initiating a consensual relationship between co-workers who work closely together is not prohibited, it is discouraged and the University reserves the right to intervene if the relationship disrupts the working environment or violates the University’s sexual misconduct policy. This Policy does not prohibit or discourage consensual relationships between employees who do not work closely together and who do not have a supervisory relationship with each other. However, any conduct which violates the University’s Sexual Misconduct Policy or other Policies remains prohibited and will be the basis of disciplinary action.
Persons in violation of this policy may be subject to a range in sanctions, depending on the facts and circumstances and the application of other policies, such as the sexual misconduct policy. Supervisors who violate this policy also may forfeit the legal and monetary protections of the University’s staff indemnification policy in the event of legal action that results from the violation. See Policy 07-06-06, Faculty and Staff Indemnification.

III. DEFINITIONS

**Faculty Member:** refers to anyone appointed by the University as a teacher, researcher, or academic administrator, including graduate and undergraduate students so appointed.

**Intimate:** meaning sexual and/or romantic.

IV. REFERENCES

Policy 07-06-06, Faculty and Staff Indemnification

Policy 07-06-04, Sexual Misconduct