



2.2.11 Policy on Consensual Relationships Between Employees and Students

Policy

The integrity of the educational process depends on the maintenance of professional relationships between employees and students. This is especially true when an employee occupies a position of authority over a student. Employees must recognize and respect the ethical and professional boundaries that necessarily exist in these relationships.

Consensual relationships between employees and students can create conflicts of interest and/or appearances of impropriety or bias that impair the integrity of academic, employment or other decisions. Consensual relationships can be disruptive to the educational and work environment and can result in a real or perceived abuse of power by the employee in the position of authority. In addition, relationships that begin as consensual can later change and give rise to claims of sexual harassment or other misconduct.

Accordingly, no employee shall occupy a position of authority over a student with whom the employee has or has had a consensual relationship. Similarly, no employee shall enter into a consensual relationship with a student if the employee occupies a position of authority over the student. Moreover, any consensual relationship between an employee and any student under age 18 is prohibited. These prohibitions similarly apply to consensual relationships between university volunteers and students, and to activities on-campus or off-campus.

Even where the employee is not in a position of authority over the student, the university strongly discourages consensual relationships between employees and students. Employees and students should be aware that entering into a consensual relationship will limit the employee's ability to teach and mentor, direct work, provide references, employ and advance the academic and/or professional career of a student involved with him or her in the consensual relationship. Individual schools or departments may adopt more restrictive standards than those of this policy.

Definitions

- A "consensual relationship" is a mutually acceptable dating, romantic, and/or sexual relationship or encounter and includes engaging in any consensual sexual activity.
- An "employee" includes any full-time or part-time faculty member, administrator or staff member of the university.

- A “position of authority” is any situation in which the employee is responsible for or participates in the teaching, advising, evaluation, supervision, coaching, or other academic or work-related assessments, references or decisions of any nature regarding the student; or any situation in which the employee exercises or attempts to exercise influence over university-related decisions regarding the student, such as decisions regarding the student’s academics, employment, housing, financial aid, or participation in any university activities.
- A “student” is any person who is taking courses or otherwise enrolled at the university, either full-time or part-time, or any person who is not officially enrolled for a particular term but who is on a leave of absence or otherwise has not officially withdrawn from the university.
- A “volunteer” is a person who is not an employee of the university but who performs services for the university for public service, religious or humanitarian objectives without any promise, expectation or receipt of compensation.

Non-Compliance with Policy

If, notwithstanding this policy, an employee occupies a position of authority over a student with whom the employee has or has had a consensual relationship, the employee must immediately disclose the relationship to his or her supervisor, dean, vice president, or Human Resources so that the employee’s position of authority over the student can be immediately terminated. Any doubt or question about whether disclosure is required must be resolved in favor of disclosure. The employee is expected to cooperate in efforts to terminate the employee’s position of authority over the student.

In extraordinary circumstances, exceptions to this policy may be approved by the appropriate dean or vice president, with the concurrence of Human Resources, in those situations where the employee proactively discloses the consensual relationship, appropriate steps are implemented to manage any conflicts of interest, and the dean or vice president determines that granting the exception does not undermine the rationale for this policy as described in the first two paragraphs of this policy.

Alleged violations of this policy should be promptly reported to the supervisor of the employee involved, the appropriate dean or vice president, or Human Resources. The university will investigate the alleged violation in a prompt, thorough and professional manner. If the conclusion of the investigation is that a violation of this policy occurred, the university will initiate corrective action as appropriate under the circumstances. Corrective action may range from verbal or written warnings up to and including termination. If termination of a faculty member is contemplated, the applicable rules governing dismissal for serious cause will be followed.

(April 30, 2012)