



POLICY & PROCEDURE DOCUMENT

NUMBER: 1.101~~2~~³

DIVISION: Academic Affairs

TITLE: Consensual Relations Between Faculty and Students

DATE: August 15, 2006

REVISED: March 21, 2011, September 19, 2016, **September 21, 2016**

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I. Purpose and Scope

Consensual relations (e.g. dating, sexual) between students and faculty members **with whom they also have an academic, advisory, supervisory, or evaluative relationship** are fraught with the potential for exploitation, and therefore are ~~discouraged~~ **strongly discouraged**. The respect and trust accorded a professor by a student as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. **Further, these relationships might be less consensual than the individual whose position confers power or authority believes.** Even when both parties initially have consented, the development of a dating and/or sexual relationship renders both the faculty member and the institution vulnerable to possible later allegations of sexual misconduct (e.g. sexual harassment, sexual assault) due to the significant power differential that exists between faculty members and students.

Pre-existing consensual relationships (e.g., marital or Other Qualified Dependents as defined by HR policy xxxx) are not expressly prohibited but are subject to the reporting requirements in Section III and may present a conflict of interest.

II. Policy

In their work-related relationships with students, members of the faculty are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias. ~~When a dating and/or sexual relationship exists or has existed, effective steps should be taken to ensure unbiased evaluation or supervision of the student.~~

If a ^A consensual relationship ~~has existed or develops~~ between a faculty member and a student **whom the faculty member evaluates, advises, or supervises, ~~the evaluative, advisory, or supervisory relationship must cease immediately~~ **is expressly prohibited** **strongly discouraged**.**

~~The instructor should not thereafter have undirected responsibility for advising, supervising, evaluating, or grading the consensual relationship partner's performance.~~

This policy should not be construed to supersede any existing, applicable federal or state statutes.

Consensual and non-consensual relationships are addressed in the University's Discrimination and Harassment Policy (0.204V), and Title IX Sexual Misconduct/Assault Policy (0.207V).

III. Procedure

~~In order for these changes to be made and ratified appropriately,~~ In the event that a consensual relationship does exist or develops between a faculty member and a student **whom the faculty member evaluates, advises, or supervises**, the faculty member must **immediately** disclose the consensual relationship to his or her immediate superior (normally the department head/chair or college dean); **and** make arrangements to **immediately** end advising, supervising, evaluating, or grading responsibilities for the consensual partner.

Failure to act in accordance with this procedure will result in personnel and/or disciplinary action. Confidentiality regarding consensual relationships will be maintained in so far as possible.

For pre-existing consensual relationships as defined in Section I, alternatives to advising, evaluation, or supervision must be pursued if at all possible.

IV. Related Policies

Policy 0.204V Discrimination and Harassment
Policy 0.207V Title IX – Sexual Misconduct/Assault

V. Reason for Revision

March 2011

Paragraph concerning existing statutes added

September 2016

Policy updated in accordance with Policy 0.204X Discrimination and Harassment, Policy 0.207V Title IX-Sexual Misconduct/Assault, and includes amendments recommended by the University Senate in Section I. and Section II.

Policy updated to address additional concerns brought forward by faculty and administrators.