

Policy 5-107: Consensual Relationships

I. Purpose

This policy identifies which consensual relationships are prohibited and what actions should be taken to resolve such situations.

II. References

[Policy 5-001](#), Employee Definitions

[Policy 5-105](#), Employment or Supervision of Immediate Family

[Policy 5-111](#), Corrective Action and Termination Policy for Staff

[Policy 5-203](#), Employment Grievances

[Policy 6-400](#), Student Code

[Policy 6-316](#), Code of Faculty Responsibility

III. Definitions

A. Participant

1. As used in this policy, participant means a person, other than a student or employee, who is participating or attempting to participate in, or is receiving or is an applicant for the benefits of, any program, service or activity conducted under the sponsorship or auspices of the university, including but not limited to applicants for admission, applicants for employment, patients, clients, spectators, visitors, and volunteers.

B. Relevant employee definitions are defined in [Policy 5-001](#).

IV. Policy

A. Consensual Relationships

1. When a faculty member has any direct professional responsibility for evaluating a student's academic performance or professional future, such as assigning grades, evaluating clinical performance, serving on the student's graduate committee or awarding scholarships, a romantic or sexual relationship between the faculty member and student, even a mutually consenting one, will be considered a violation of this policy and to be a cause for discipline unless the situation is remedied by reassigning performance evaluations, reporting responsibilities, or grade assignments to other qualified individuals, and by notifying the faculty member's department head. Faculty who engage in such consensual relationships and do not take steps to resolve the conflict of interest may be subject to the filing of a complaint .
2. Additionally, when a supervisor has any direct supervisory authority over an employee and is at the same time involved in a sexual or romantic relationship with that employee, unless the corrective measures noted above are taken, the supervisor is in violation of this policy and may be disciplined.

[Note: Parts V-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]

V. Contacts

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice): [Director of Equal Opportunity and Affirmative Action](#)
- B. Policy Officer: Chief Human Resources Officer

- C. These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:

"A 'Policy Officer' will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "

"The Policy Officer will identify an 'Owner' for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... . [and] bears the responsibility for determining -requirements of particular Policies... ." University Rule 1-001-III-B & E

VI. History

Renumbering: Renumbered as Policy 5-107 effective 9/15/2008, formerly known as PPM 2-6A

Revision History:

Current Version: Revision 2

Effective Dates: February 14, 2017 to present

Editorially revised: October 11, 2011 (Editorial changes were made to this document to reflect the changes in employee as set forth in [Policy 5-100](#))

Earlier Versions:

Revision 1: effective dates March 17, 2004 to February 13, 2017

Revision 0: effective dates July 18, 1994 to March 16, 2004

OUTDATED REFER TO POLICY 1-020