

Chapter: Human Resources

Modification No. 002Subject: **Consensual Relationships**

- I. The College's mission is supported by professionalism in student-faculty relationships and in supervisor-supervisee relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Taking note of the respect and trust accorded a faculty member by a student and a supervisor by a supervisee, all College employees recognize that they are presumed to make decisions regarding their relationships with students and supervisees that will not compromise this atmosphere of mutual trust and respect. Employees should be aware of the possibility that an apparent consensual amorous relationship with a student or supervisee may be interpreted or may appear (either now or at a later date) as nonconsensual and, therefore, sexual harassment. Further, an apparent consensual relationship may give to third parties the appearance of unfair bias or favoritism on the part of the faculty member or supervisor towards the student or supervisee.

Accordingly, it is the policy of the Board of Trustees that its employees shall not maintain, engage in or undertake an amorous relationship or permit one to develop with a student who is enrolled in the employee's class or supervisee who is subject to that person's supervision or where an evaluative relationship exists, even when both parties appear to have consented to the relationship. As an example, this policy includes the position that faculty members shall not engage in a romantic social relationship with students who are enrolled in their class; similarly, supervisors are expected to refrain from dating persons they supervise or evaluate, directly or indirectly.

- II. The mere fact that an amorous or romantic relationship exists between two persons either one of which may be an employee of the College or is a student at the College, in and of itself, is not addressed by this policy nor is there any specific or implied prohibition of such relationships. It is only when such relationships occur in the context of the special obligations and power of faculty-student relations (where the student is currently in a class taught by the faculty member) or a supervisor-supervisee relationship that the concerns addressed by this policy apply, including concerns regarding appearance or real conflicts of interest and potential for claims of sexual harassment against the College and others.
- III. The Board of Trustees does recognize that consensual amorous relationships may exist prior to the time a student is assigned to a faculty member, as a member of that person's class or is placed in a situation where the employee must supervise or evaluate the student. It is also recognized that such a relationship may exist between co-employees prior to the time when one of those employees becomes the supervisor of the other. Special provisions shall be made to appropriately accommodate such situations so long as these relationships are timely disclosed by the faculty member or supervisor involved and the purpose of the policy to avoid conflicts of interest and the appearance of conflicts of interest is accomplished.
- IV. Education is a key element of this policy. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the College's Consensual Relationships Policy. Any mandatory education requirements will be announced and posted on the College's website. The

President is authorized to provide institutional leadership and guidance for developing education programs to promote awareness about hate/violence. Some goals to be achieved through education are: (a) ensuring that all individuals are aware of their rights; (b) notifying individuals of conduct that is proscribed; (c) informing employees, contractors, and students about the proper way to recognize and address complaints involving a violation of this policy; (d) preventing issues that this Policy addresses; and (e) identifying the necessary steps for preventing its recurrence and addressing its effects.

- V. The President is authorized to establish procedures to implement this policy with respect to College employees.

Board Approval: January 26, 2004; February 25, 2013.

Chapter: Human Resources

Modification No. 001Subject: **Consensual Relationships**

I. General

- A. It is the policy of the College that its employees shall not maintain, engage in or undertake an amorous relationship or permit one to develop with a student or supervisee who is enrolled in the person's class or is subject to that person's supervision or evaluation, even when both parties appear to have consented to the relationship.
- B. This procedure does not address or prohibit an amorous or romantic relationship between two persons either one of which may be a member of the faculty, an employee of the College or a student at the College, so long as there is not a faculty-student relationship (where the student is currently in a class taught by the faculty member) or a supervisor-supervisee relationship between them. Where there exists such a faculty-student or supervisor-employee relationship, this procedure shall apply in order to address, among other concerns, concerns regarding apparent and real conflicts of interest and potential for claims of sexual harassment against the College and others.
- C. The College does recognize that consensual amorous relationships may exist prior to the time a student is assigned to a faculty member's class or is placed in a situation where an employee must supervise or evaluate the student. It is also recognized that such a relationship may exist between co-employees prior to the time when one of those employees becomes the supervisor of the other. This procedure addresses such situations to permit these relationships to continue but to adjust the faculty-student or supervisor-supervisee relationship to avoid conflicts of interest.
- D. For purposes of this procedure, an amorous relationship is a recent romantic relationship if it is ongoing or has been in existence at any time within the six months immediately preceding the assignment of the student or supervisee to the employee. An amorous relationship that existed more than six months in the past and is no longer in existence is not subject to this procedure. Examples of amorous relationships addressed and affected by this procedure include but are not limited to:
1) A faculty member engaging in a romantic social relationship with a student who is enrolled in a class taught by that faculty member, and; 2)
A supervisor engaging in a romantic social relationship with an employee who works for the supervisor and is supervised by the supervisor for purposes of performance evaluations and work assignments.

II. Procedures

Where the employee has, or has had a recent amorous relationship with the student or supervisee, the following procedures shall be followed:

- A. If possible, the student should be counseled and advised in his or her course selections to avoid course sections taught by an instructor with whom the student has or has had a recent consensual amorous relationship. Efforts should likewise be made to place a subordinate under the supervision of another supervisor where the supervisor has or has had a recent consensual amorous relationship with the subordinate.
- B. In the event it is not possible for the student to avoid the class taught by the faculty member or for the supervisee to avoid the supervision of the supervisor, the faculty member shall advise his or her department chair and dean and the supervisor shall advise his or her supervisor of the present or recent consensual amorous relationship and the following steps shall be taken:
 - 1. The department chair shall appoint another member of the faculty to evaluate the student's written work, such as essays, research papers, essay tests, care plans, etc.
 - 2. The department chair shall appoint another member of the faculty to evaluate the student's non-written work or performance such as artistic performances, teaching practice or clinical practice.
 - 3. When an appropriate instructor is not available to evaluate the student's work, the department chair will conduct the evaluation.
 - 4. A student should not be assigned to a faculty advisor or counselor with whom the student has or has had a recent consensual amorous relationship. The faculty advisor/counselor should request that the student be reassigned.
 - 5. A supervisor will request that his or her supervisor evaluate the supervisee employee and if such evaluation is not available, he or she will request that a supervisor of a related department evaluate the employee.
 - 6. The supervisor will recuse himself or herself from discussion or consideration of the employee for promotion, hiring or determination of salary.
- C. A College employee who fails to follow the policy set forth in subparagraph B above, and does not withdraw from participation in activities or decisions which may reward or penalize a student or supervisee with whom the employee has or has had a recent consensual amorous relationship in accordance with this policy, will be in violation of this policy and subject to disciplinary action.
- D. Persons who are married, or were married, are included within the definition of those persons having, or who have had, a consensual amorous relationship.

- E. Any person may file a written complaint alleging violations of this policy regarding consensual relationships. A complainant may file this complaint with a Supervisor of the Faculty member or Supervisor employee involved within 180 days after the date the alleged violation occurred or, if the complaint alleges sexual harassment, with the Director of the Office of Equity and Diversity on a form to be provided by the Office of Equity and Diversity. If the complainant wishes to claim sexual harassment, the Complainant must file the complaint with the Office of Equity and Diversity within ten days of making a separate written complaint in another form or within 180 days after the date the alleged violation occurred, whichever first occurs, or waive all claims of sexual harassment. The complaint shall set forth the name, address, and telephone number of the complainant, the facts of the alleged violation, the date(s) of the alleged violation, the name or names of the charged individual(s), the requested remedy, and any further information the complainant believes relevant to the matter

Administrative Approval: January 26, 2004.