

POLICY TITLE: WORKPLACE CONSENSUAL RELATIONSHIPS

I. Purpose

The purpose of this policy is to address concerns where a consensual relationship exists between a Faculty member and his or her student or a supervisor and his or her subordinate. The type of consensual relationship addressed by this policy is one of a romantic or sexual nature.

II. Scope

This policy applies to all College employees, including temporary and interim employees, volunteers, as well as Board members. This policy also applies to independent contractors who have a direct supervisory relationship to any College employees.

III. Definitions

- A. Consensual relationship: One entered into willingly by both parties, free of any coercion.
- B. Romantic relationship: One characterized by displaying or expressing erotic love or strong affection.
- C. Sexual relationship: One involving sexual contact of any degree.
- D. Direct Supervision: Is defined as a direct line of authority no matter how far removed (an employee who reports to a Manager who reports to a Director who reports to the Vice President is in a direct line of authority to the Vice President).
- E. Line of authority: As indicated on the chart of organization

IV. General

Consensual Workplace Relationships:

Faculty, staff, and supervisors are expected to be fully aware of their professional responsibilities in consensual workplace relationships, and avoid apparent or actual conflict of interest, favoritism, or bias. Romantic and sexual relationships between a faculty member and his or her student or between supervisors and his or her subordinates are full of the potential for exploitation. The respect and trust accorded a faculty member by his or her student or a supervisor by his or her subordinate, as well

as the power exercised in an academic or evaluative role, makes voluntary consent by the student or subordinate suspect, even when both parties initially have expressed consent. The development of a romantic or sexual relationship renders the faculty member or supervisor and the College vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students, and between supervisors and subordinates under their direct supervision; and vulnerable to charges of sex discrimination if the faculty member or supervisor affords unwarranted favorable treatment to the student or subordinate. As such, romantic and sexual relationships between faculty and his or her student (i.e. there is some current academic nexus between the faculty member and student, or such a nexus has existed within the preceding four months), and between a supervisor and his or her subordinate under their direct supervision are prohibited and must be avoided. Violation of this policy is considered professional misconduct and may be grounds for discipline, up to and including termination.

If a romantic and/or sexual relationship already exists or develops between faculty member and his or her students; or between supervisors and his or her subordinates under their direct supervision, there must be prompt disclosure of the relationship. The faculty member or supervisor should provide written notification to Human Resources. For relationships in existence as of the effective date of this policy, disclosure must occur within thirty (30) days of this effective date. Relationships that develop after the effective date of this policy must be disclosed immediately. Failure to comply with these disclosure requirements constitutes a violation of policy and may be grounds for discipline, up to and including termination.

Upon receipt of the written disclosure College leadership will determine the best course of action to eliminate the conflict of interest. This will most often consist of making alternative arrangements for supervision of the subordinate or education of the student. Employees who disclose relationships in conformance with this policy will not be subject to discipline based on the existence of a consensual relationship.

V. Responsibility

The College's Department of Human Resources is responsible for the oversight of this policy.

VI. Waiver

The Board may waive this policy by resolution of the Board through a recommendation of the President.

Adopted: January 21, 2003, *Amended 2/16/2010*