

Title/Subject: **CONSENSUAL RELATIONSHIPS**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: July 1, 2003

Contact for More Information: Faculty Personnel Services; Human Resources

Board Policy Administrative Policy Procedure Guideline

POLICY:

All members of the university community must be governed in their relationships with others by the very highest standards of integrity. It is the policy of Central Michigan University to prohibit any of its employees from exercising authority over other persons with whom the employee has, or has had, a romantic and/or sexual relationship. In such circumstances, both the University and the employee in the position of authority are vulnerable to charges of inappropriate, if not illegal, behavior. It shall be the responsibility of the employee in the position of authority to disclose promptly to the university any romantic and/or sexual relationship with a student or employee so that an alternate authority arrangement over such individual may be made.

PREFACE:

These guidelines are established in accordance with the foregoing University policy, adopted July 1, 2003.

INTRODUCTION (RATIONALE and PURPOSE):

This policy covers relations between persons who occupy positions of differing authority. Central Michigan University policy prohibits any employee from exercising authority over employees and/or students with whom the employee has, or has had, a romantic and/or sexual relationship. While such relationships are not categorically prohibited, full disclosure of such relationships is necessary to ensure that alternative authority relationships are devised guaranteeing that no exercise of authority at the workplace can take place between individuals in a romantic and/or sexual relationship. Consensual romantic and/or sexual relationships between persons with differing levels of authority raise questions about the integrity of professional decisions and true consent to the relationship. A conflict of interest may easily occur. Even where no authority difference exists, such a relationship with a student or employee may raise serious questions as to the basic nature of the relationship and the consent thereto offered by either party.

GUIDELINES:

1. This policy applies to faculty and staff in their relationships with students; e.g., where a student is in an educational experience in which the faculty/staff member has the authority to assign or recommend grades or to influence future employment opportunities, or a faculty/staff member has any input into the evaluation of a student's work performance, promotion, demotion or other personnel action. For purposes of these guidelines, faculty includes regular faculty, adjunct faculty and graduate assistants.
 - a. Authority over students by faculty includes, but is not limited to, teaching, advising, supervision of research, formal mentoring, supervision of student employment and exercising substantial responsibility for

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- grades, honors, and degrees or making recommendations involving future education or employment. A faculty member will be treated as having such direct authority in other circumstances as well; e.g., when serving on thesis, dissertation, or scholarship awards committees, or in matters of admissions and advisement.
- b. The same circumstances that may apply to the faculty-student relationship also govern staff, where applicable, in their relationships with students. Staff members who are in a position to supervise and/or evaluate students are in a similar authority relationship.
 2. This policy also applies to faculty and staff in their relationships with one another where authority differentials exist; e.g., in supervisor – supervisee relations, circumstances involving personnel decisions or recommendations, or potential employment.
 3. This policy governs relationships between persons not married to one another. Married couples are governed by the existing nepotism policy. The conflict of interest policy applies to all employees.
 4. Faculty and students must report the nature of the relationship, and subsequent termination of the relationship, covered by this policy to the dean of their college. All other employees must similarly report to the Director, Employee Relations in Human Resources. These persons, in turn, must coordinate with the appropriate chair, academic administrator and/or supervisor so that the aspect of authority attendant to the relationship is addressed in a manner designed to fit the situation. A timely change of authority will be the outcome in most cases. However, based on the specific circumstances of the relationship; e.g., duration of the relationship, passage of time since the relationship ended, another result may be fashioned.
 5. Faculty, staff and students, supervisors and supervisees, entering into a romantic or sexual relationship with one another where no professional authority differential exists should be aware that authority differentials might change. One should avoid situations that may become problematic.
 6. All employees in positions of authority over other members of the campus community are advised to be aware of the possibility that an apparent consensual relationship with a student or an employee in a position of lesser authority may be interpreted (either at the inception of the relationship or at a later date) as non-consensual and, therefore, as inappropriate behavior.
 7. In the case of an allegation of inappropriate behavior, the university, in general, will be unsympathetic to a defense of consent where the very nature of the relationship establishes that an authority differential exists.
 8. Failure to comply with disclosure requirements constitutes a violation of policy and therefore may become grounds for discipline.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy and or its content. This document supersedes all previous policies, procedures or guidelines relative to this subject.