

## **3.1.5 Consenting Relationships Policy**

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### **POLICY STATEMENT**

The University of St. Thomas is committed to maintaining an academic and work environment in which the principles of mutual respect, professional ethics, fairness, and objectivity are honored. Central to this commitment are the interactions among those in whom the University has placed its trust to uphold these principles. This trust is put at risk when faculty, administrators, staff, or students engage in consenting romantic, intimate, or sexual relationships that involve persons of unequal power, for example, faculty and student, supervisor and supervised employee, administrator and student, or anyone who holds an evaluative or decision-making role over another. Such relationships represent a special form of conflict of interest and, therefore, are prohibited.

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### **SECTION I PROHIBITIONS**

Decisions concerning grades, degrees, promotions, performance evaluations, merit increases, or awards of any kind must be made free of bias or favor. The integrity of management decisions is suspect when made by individuals who have a romantic or sexual relationship with persons who benefit from those decisions. Even the mere appearance of bias can seriously disrupt the academic or work environment for faculty, staff, and/or students.

Because of the potential for abuse, appearance of bias, and the inherent power differential, certain consenting romantic or sexual relationships are expressly prohibited at the University of St. Thomas. This prohibition applies to romantic or sexual relationship between a(n)

- (1) Faculty member (including an adjunct, instructor, or teaching assistant) and his or her student whom the faculty member teaches, advises, or serves on the student's thesis, dissertation, or scholarship awards committee
  - (2) Faculty member (including an adjunct, instructor, or teaching assistant) and any student enrolled in a degree program in the faculty member's department
  - (3) Administrator and student over whom the administrator has an evaluative, decision-making responsibility, or coaches or counsels the student
  - (4) Supervisor and employee for whom the supervisor has decision-making responsibility for personnel matters.
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### **SECTION II SCOPE AND APPLICATION**

This policy applies to all University of St. Thomas students, staff, administrators, and faculty. In the context of this policy, a *consensual relationship* involves any romantic, intimate, or sexual relationship

where one party to the relationship has an institutional responsibility for or authority over the other , or is involved in evaluation of the other party, whether the other party is an employee or student.

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### **SECTION III                    STRONGLY DISCOURAGED RELATIONSHIPS**

In addition to the prohibition stated above, the University strongly discourages romantic, intimate, or sexual relationships between a student and faculty, student and staff, or student and university administrator--whether or not one party has institutional responsibility for or authority over the other. Individuals who enter into relationships where a professional power differential exists must realize that if a charge of sexual harassment is lodged, it will be exceedingly difficult to prove mutual consent. Romantic relationships often are perceived differently by each party—especially in retrospect. One party may recall the relationship being less consensual than the individual whose position confers power or authority. Thus, parties involved in these types of relationships assume all associated risks.

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### **SECTION IV                    EXCLUSIONS**

Excluded from this policy are consensual relationships between two co-workers, faculty and staff, two faculty members, two students, or a university employee and student between whom no professional power differential exists in the workplace. However, an individual who is currently involved in a consensual romantic, intimate, or sexual relationship with another over whom he or she has an evaluative or decision-making responsibility must

- (1) Disclose the relationship to his or her dean, vice president, or executive vice president; and
  - (2) Eliminate the power differential in the relationship immediately, doing so in consultation with the appropriate academic and administrative leader and a Human Resources Department representative.
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### **SECTION V                    MANAGEMENT RESPONSE**

Faculty, staff, and students who enter into prohibited consensual relationships must be aware that they assume all associated risks. Failure to comply with this policy may lead to sanction, which could include a range of disciplinary outcomes up to and including termination of employment or, in the case of students, disciplinary action consistent with the University of St. Thomas Student Judicial Process. Individuals with concerns about risks or conflicts associated with this policy should contact one of the following offices:

For faculty or staff, contact the

- [Associate Vice President for Human Resources](#)
- [Affirmative Action Officer and Executive Advisor to the President](#)

For undergraduate students, contact the

- [Dean of Students](#) in the Division of Student Affairs
- [Vice President for Student Affairs](#)

For **graduate** students, contact the

- [Dean of the college, school, or program](#) in which you are enrolled
- [Vice President for Student Affairs](#)

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## **SECTION VI           NON-RETALIATION**

Retaliation of any kind against anyone for expressing concerns about a romantic, intimate, or sexual relationship, as defined by this policy, or for participating in an internal proceeding pursuant to this policy is prohibited. Because of the University's commitment to maintaining an academic and work environment in which the principles of mutual respect and professional ethics are preserved, students, faculty, and staff are urged to report any instance of retaliation immediately. The University will treat such matters confidentially and investigate and address them swiftly.

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## **SECTION VII           RESPONSIBILITIES**

- 1**     The Executive Vice Presidents, Vice President for Student Affairs, Associate Vice President for Human Resources, and other academic and administrative leaders are responsible for assuring the uniform and consistent application of this policy.
- 2**     The Vice President for Student Affairs and the Dean of Student are responsible for making all students aware of this policy and their associated responsibilities for complying with it. Likewise, the dean of each school and college shall distribute this policy to all graduate and professional students within his or her respective division.
- 3**     The Associate Vice President for Human Resources, Vice President for Student Affairs, and the Dean of Students, and Affirmative Action Officer and Executive Advisor to the President are responsible for investigating complaints arising under this policy.
- 4**     Faculty, staff, and administrators are responsible for comporting themselves in a manner consistent with this policy.