

UNIVERSITY OF CENTRAL ARKANSAS
BOARD POLICY

Policy Number: 515

Subject: Consensual Relationships

Date Adopted: 05/99 Revised: 12/12

Basic functions of a university are the discovery and transmission of knowledge, activities which are founded upon the free and open exchange of ideas. For productive learning and the work that supports it to occur, members of the campus community—faculty, staff and students—should pursue their responsibilities guided by a strong commitment to principles of mutual trust, respect and confidence, as well as professional codes of conduct. Relationships between faculty, staff and students may involve power differentials that can carry risks of conflict of interest, breach of trust, abuse of power, and breach of professional ethics. Trust and respect are diminished when those in “positions of authority” are perceived as abusing their power. Those who abuse their power in such a context violate a duty to the university community, undermine professionalism and hinder fulfillment of the university’s educational mission.

1. Definitions - For purposes of this policy only:

- a. “Employees” are all faculty and staff of the university.
- b. “Faculty” are all full- and part-time employees of the university who teach, graduate students with teaching responsibilities, and other instructional personnel.
- c. “Staff” are all full- and part-time employees of the university not included in the definition of faculty.
- d. “Students” are all full or part-time students of the university.
- e. A “consensual relationship” is any dating, romantic, or sexual relationship.
- f. “Position of authority” includes, but is not limited to, situations in which an individual is responsible for the evaluation or supervision of employees or students.

For purposes of this policy, it is recognized that there are occasions when individuals holding classifications of student, faculty or staff in their regular duties will fall into more than one classification due to certain situations. For example, if a staff member is enrolled in a course and a consensual relationship develops within an instructional context, the staff member will be considered a student for purposes of the requirements of this policy.

2. Guidelines

It should be understood by all members of the campus community that consensual relationships that occur in the context of educational or employment supervision and evaluation are generally deemed unwise because they present serious ethical concerns.

Employees shall not engage in consensual relationships with students whenever the employee has a “position of authority” with respect to the student in such matters as teaching or in otherwise evaluating, supervising, or advising a student as part of a school program or employment situation.

Even in instances in which the employee, especially a faculty member, has no direct professional responsibility for a student, the employee should be sensitive to the perceptions of other students that a student who has a consensual relationship with a faculty member may receive preferential treatment from the faculty member or the faculty member’s colleagues. Consensual relationships between faculty members and students occurring outside the instructional context may lead to difficulties, particularly when the faculty member and student are in the same academic unit or in units that are academically allied. The faculty member may face serious conflicts of interest and should be careful to distance himself/herself from any decisions that reward or penalize the student involved. Further, relationships that the parties view as consensual may appear to others to be exploitive.

Supervisors, whether faculty or staff, shall not engage in consensual relationships with employees when the supervisor has a “position of authority” with respect to the employee. Other faculty and staff may be affected because it places one in a position to favor or advance another’s interest and implicitly makes obtaining benefits contingent on the relationship.

3. Procedures

When a consensual relationship exists or develops between an individual having a “position of authority” with respect to another within the university, the person with the greater position shall immediately terminate the “position of authority” and report it to an appropriate supervisor. The supervisor shall make suitable arrangements for the objective evaluation of the student’s academic or employee’s job performance and for the protection of individual and university interests.

4. Noncompliance with Policy

Faculty and staff who fail to remove themselves from a “position of authority” over a student or employee with whom a consensual relationship exists will be deemed to have violated an ethical obligation to students, employees, colleagues, and the university. Credible allegations of a faculty or staff member’s failure to avoid or terminate a relationship involving a “position of authority” while in a consensual relationship obligates the immediate or other appropriate supervisor to conduct a prompt and thorough inquiry to determine whether there is any validity

to the allegation. Where it is concluded that a relationship involving a “position of authority” exists, the immediate or other appropriate supervisor shall terminate the “position of authority” and may impose sanctions against the parties involved.

5. Sanctions/Appeal

Persons in violation of this policy shall be subject to sanctions depending upon the severity of the offense ranging from verbal warnings to termination or expulsion from the university. Should it be determined that disciplinary action is appropriate, the action to be taken shall be determined, in the case of faculty, by the provost after consultation with the dean and chair; in the case of staff, by the appropriate vice president after consultation with supervisory personnel, or the president in the event a vice president or a person reporting directly to the president is involved; and in the case of students, by the appropriate vice president after consultation with the dean of students.

Persons who knowingly make false allegations that an improper relationship exists shall be subject to comparable sanctions.

The imposition of any sanction imposed under this policy is subject to review pursuant to applicable provisions of the *Faculty, Staff* and *Student Handbooks*.