

Report on Faculty Student Relationships at Peer and PAC 12 Institutions

This report should be prefaced by a caveat, since it is based on a variety of sources ranging from statements from the Office of the President or Provost, to the Board of Regents or Trustees, as well as from offices of Equal Opportunity and Affirmative Action, Equality and Inclusion, and Human Resources. Material was also taken from Manuals of Policies and Procedures, Handbooks of Procedures, Academic Handbooks, and Undergraduate Bulletins. Similarly, while some documents are undated, the others range from 1996 to 2014, when there seems to be a flurry of activity.¹

After a review of the terms chosen by Peer and PAC 12 institutions to refer to this issue, the report classifies policies from Peer and PAC 12 institutions according to whether they prohibit consensual relations in the context of supervisory activities only or not. Then, the report analyzes the apparent displacement of the focus on consent to conflict of interest and the newfound stress on the unexpected effect of these relationships on the (learning) environment. Finally, the report examines suggestions regarding alternative paradigms, such as adhering to a code of ethics, or the code of the professions.

Interestingly, the terms chosen by Peer and PAC 12 institutions differ. Peer institutions tend to prefer "Consensual Relations" (8), closely followed by "Sexual Relations" (6). "Amorous" and "Romantic Relations" came last (3). Some institutions such as the University of Wisconsin associate all three terms ("Consensual Sexual and Romantic Relations"). Others, such as Rutgers link "Romantic Relations" to sexual harassment.² PAC 12 institutions wavered between "Sexual

¹ University of Washington-Seattle (UW-Seattle), Ohio State University (OSU), Rutgers University (RU) & Stanford University updated their documents in 2014.

² Choice of terms in Peer institutions: *Consensual*: University of California-Los Angeles (UCLA), University of Connecticut (UCONN), Michigan State University (MSU), University of Illinois at Urbana Champaign (UIUC),

Relations" and "Consensual Relations" (6), over "Romantic Relations" (5). In fact, three institutions resorted to "Consensual," "Sexual" and "Romantic" interchangeably (OSU, UO, WSU). "Amorous Relations" was the least preferred.³ Thus, on average, while "Consensual" (14) and "Sexual" seem to be interchangeable (12), "Romantic" (8) is more prevalent than "Amorous" (5).

Whereas most institutions prohibit consensual relations if supervisory duties are involved, the University of Maryland does not, "in order to respect an individual's rights and freedoms."⁴ Divergence also arises regarding students not subject to direct supervision. For instance, while UCLA states that consensual relations are "unacceptable" if there is a chance of future supervision, policies from UCONN, PSU, Rutgers and UT Austin "strongly discourage" or urge faculty "to be aware of their professional responsibilities and to avoid conflict of interest, favoritism, or bias" (FSU, Undergraduate Bulletin).⁵ Along these lines, Indiana University urges faculty to distance themselves "from any decisions that may reward or penalize a student with whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty member and student are in the same academic unit or in units that are allied academically" (Academic Handbook, 2008). Finally, the Policy on Nepotism and Consensual

University of Minnesota (UMN), University of Texas at Austin (UT Austin), UW-Seattle & University of Wisconsin Madison (UW-Madison); *Sexual* Florida State University (FSU), Indiana University-Bloomington (IUB), University of Maryland (UM), Michigan State University (MSU) & Pennsylvania State University (PSU); *Amorous*, IUB, MSU & OSU; *Romantic* OSU, PSU & RU-introduced as sexual harassment.

³ Choice of terms in PAC 12 institutions: *Consensual* UCLA-in both lists Peer & PAC12, Oregon State University (OSU), Washington State University (WSU), University of Washington (UW)-same documents as Seattle & in both lists Peer & PAC12, University of California, Berkeley, (UC Berkeley) & University of Arizona (UA); *Sexual* OSU, UO, WSU, University of Southern California (USC), Stanford & University of Utah (Utah); *Amorous*, University of Colorado (UC) & Arizona State University (ASU); *Romantic* OSU, University of Oregon (UO), WSU, Stanford, Utah.

⁴ These policies seem to be tied to Title IX of the Education Amendments Act of 1972 ("Title IX"), Title VII of the Civil Rights Act of 1964 ("Title VII"), as amended, and related laws. Title IX states as follows: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Discrimination on the basis of sex (i.e. sex discrimination) may include sexual harassment, sexual assault, and sexual violence (UIUC).

⁵ Peer universities that prohibit consensual relations under supervisory capacity: UCLA, UCONN, UIUC, FSU, OSU, PSU, Rutgers, UT Austin, MSU, UW Seattle & UW-Madison, IU. See Fleming, Marka A., Amanda Harmon Cooley, Gwendolyn McFadden-Wade, "Legal Implications Surrounding University Policies Enacted to Govern the Consensual Professor-Student Relationship." Southern Law Journal 140.19 (Fall 2009): 121-40.

Relations of the University of Minnesota is more radical, since in addition to prohibiting "members of the University community from directly influencing the University employment or academic progress of a University community member with whom they have a personal relationship, [t]he policy now also prohibits relationships in which there is no direct influence, but the relationship has a negative impact on the educational or work environment" (EOAA, May 2012).⁶

With the exception of Washington State University, all PAC 12 Institutions prohibit consensual relations in a supervisory context. As the University of Maryland, Washington State University notes that its "employees, regardless of position, rank, or professional relationship, may rightfully develop consensual relationships." Nonetheless, "as a matter of sound judgment," the university urges, "faculty, graduate teaching and research assistants [to] accept responsibility to avoid any apparent or actual conflict of interest" (Executive Policy #28, Approved by Board of Regents, May 4, 2007). Finally, coinciding with the University of Minnesota, Stanford prohibits "sexual or romantic relationships [between] teachers and *undergraduate* students—even if the teacher does not teach, evaluate, or advise the student, currently or in the future (and) teachers and *any* students, when a teacher has had—or might be expected ever to have—academic responsibility over the other party" (Relationships In the Workplace and Educational Setting, 01/21/2014). In other words, while Stanford initially spells out "undergraduate students," graduate students could be read into the "*any*" student of the following clause.

Seven institutions probe the inherent imbalance of power in consensual relationships.⁷

Eleven universities dwell on the actual issue of consent in these relationships,⁸ and twelve of

⁶ For another abbreviated Consensual Relationships Policy Table from the Faculty Senate of Oregon State University see <http://oregonstate.edu/senate/agen/reports/2005/06b.html>.

⁷ Peer institutions such as UM, IU, UCLA, FSU, PSU, UCONN and PAC 12 institutions such as UW explore the asymmetric nature of the relationship.

⁸ Peer institutions such as UCLA, UM, UCONN, PSU, Rutgers, and PAC 12 institutions such as Stanford, UC, WSU, UW, OSU & UW-Madison focus on whether or not the relationship is consensual.

them question the implicit conflict of interest in consensual relationships.⁹ UCLA's policy illustrates these points as it argues that consensual relationships "pose a potential conflict of interest . . . when one individual has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of the other." It notes that the unequal standing among the partners allows for "an abuse of power, coercion, exploitation, favoritism, or unfair treatment of others" (Office of the President, 2004). Similarly, PSU's policy states that, "Given the fundamentally asymmetric nature of the relationship where one party has the power to give grades, thesis advice, evaluations, recommendations, promotions, salary increases or performance evaluations, the apparent consensual nature of the relationship is inherently suspect" (University Policy AD85). Along these lines, Rutgers adds that, "These types of sexual relationships are especially vulnerable to exploitation" (Policies and Procedures, 2014). Finally, UCLA's policy concedes, "even a romantic relationship that begins as consensual may evolve into a situation that leads to a charge of sexual harassment that violates University policy" (Office of the President, 2004), and Rutgers' policy echoes the warning: "the attempts of a teacher to show a romantic interest in a student may constitute sexual harassment" (Policies and Procedures, 2014).¹⁰

In addition to the issues of consent and conflict of interest, eleven institutions focus on the (unintended) effects of consensual relationships on the (learning) environment.¹¹ For instance, the Academic Handbook of Indiana University asserts, "other students and faculty may be affected

⁹ Peer institutions UT Austin, PSU, MSU, UM (Maryland), FSU, IUCU, UCLA, and PAC 12 institutions: OSU, WSU, UW, UW (Wisconsin) explore possible Conflicts of Interest.

¹⁰ The 2005 Ohio State University "Task Force Examining the Policy on Consensual Relationships Report and Recommendations" notes that, "professionals who work with undergraduates frequently identify the decision to engage in a consensual sexual relationship, including between a student holding a staff position and another student, as a recurring moral dilemma" <http://hr.osu.edu/public/documents/policy/resources/115report.pdf?t=2014812135825>.

¹¹ Peer institutions IU, UCLA, MSU, UMN, UCONN, UM (Maryland), and PAC 12 UC, Stanford, OSU, UO, WSU, focus on the environment.

by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors" (2008). Policy at the University of Colorado reaffirms the warning, "others may be adversely affected by such behavior because it places the faculty member or supervisor in a position to favor or advance one student's or employee's interest at the expense of others and implicitly makes obtaining preferences contingent upon romantic or sexual favors" (<http://www.cu.edu/ope/efficiency-and-effectiveness/presidents-task-force-efficiency/aps-5015-conflict-interest-cases>). From another angle, policy of the University of Minnesota underscores possible liabilities, "consensual sexual or romantic relationships may give rise to third-party claims of sexual harassment based on allegations that real or perceived favoritism, or a resulting change in the employment or academic environment, unreasonably interferes with the third party's employment or education by creating an environment that is intimidating, hostile, or offensive" (EOAA).¹² Finally, Washington SU's policy mentions potential "risks to the faculty member, student, supervisor, subordinate, third parties, and unit morale" (Executive Policy # 28, 2007).

UCLA and PSU analyze the unintended effects of consensual relations on the core mission of the institution, since "students and particular members of the University community must be insulated from influences or activities that can interfere with learning consistent with the goals and ideals of the University" (UCLA, Office of the President, 2004). Similarly, Penn State's policy notes that, "perceptions of conflicts of interest or unfair treatment of others . . . undermine the atmosphere of trust essential to the educational process or the employment relationship"

¹² Echoed by Stanford, [consensual relations may] "Have unintended, adverse effects on the climate of an academic or work environment, which may be impaired for others, either during the relationship or after a break-up" (Relationships In the Workplace and Educational Setting, 01/21/2014).

(University Policy AD85). From another angle, Stanford's policy underscores the danger of such relationships, since they "undermine the real or perceived integrity of the supervision or evaluation" (Relationships in the Workplace and Educational Setting, 2014).

In order to curb the incidence of consensual relationships a number of institutions advise faculty to consider the implied ethical issues, and note that consensual, sexual, romantic and amorous relationships are forbidden in the professions.¹³ For example, the University of Maryland "urges members of the campus community to consider the ethical questions" that arise as a result of such relationships given that their inherently unequal power "casts doubt on whether they can be truly consensual." Moreover, the document suggests the need to resorting to "professional codes of conduct (such as those of physicians and psychologists), which prohibit sexual relationships in the context of the profession" (Office of the Provost and Office of Legal Affairs, 2013). Indiana University's policy addresses the issue head on, "The University's educational mission is promoted by professionalism in faculty/ student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission" (Academic Handbook, 2008).

In sum, there seems to be a sustained institutional effort to update policies from curbing to prohibiting consensual relations. Institutions focus on the nature of consent in consensual relations within a supervisory context, and question the asymmetrical nature of power and the implicit conflict of interest. More recently, policies analyze the effect of consensual relationships on the

¹³ For the Code of Ethics of the National Association of Social Workers, which prohibits any sort of sexual relationships with clients, see <http://www.socialworkers.org/pubs/code/code.asp>. For the Code of Ethics of the American Medical Association, and specifically, "Opinion 3.08 - Sexual Harassment and Exploitation between Medical Supervisors and Trainees," see <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion308.page>. For the statement on Professional Ethics of the American Association of University Professors (AAUP) see up.org/report/statement-professional-ethics.

environment, and determine that they undermine the trust and objectivity expected in the learning experience. In other words, rather than simply underscoring the need to think about the ethical implications of these relationships, institutions are adamantly re-appropriating the professionalism that is at the core of the learning experience, which is the actual mission of the university.

Respectfully submitted,

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ASU – FACULTY SENATE: CONSENSUAL RELATIONSHIPS POLICY TABLE			
ABOR – Approved University Peer List			
University	Prohibits Y/N	Summary	Quote from Policy
*UCLA *(also PAC 12)	Not unless	<p>There is instructional, evaluative, or advisory authority.</p> <p>Unacceptable if faculty ... has, or should reasonably expect to have academic responsibility in the future.</p>	<p>"A CONSENSUAL RELATIONSHIP ... is defined as one in which two individuals are involved by mutual consent in a romantic, physically intimate, and /or sexual relationship. These relationships pose a potential conflict of interest in the employment or educational context when one individual has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of the other. A consensual relationship may lead to an abuse of power, coercion, exploitation, favoritism, or unfair treatment of others. Even a romantic relationship that begins as consensual may evolve into a situation that leads to a charge of sexual harassment that violates University policy."</p> <p>"The academic success of students is central to the University's educational mission. The unequal institutional power inherent between students and particular members of the University community must be insulated from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Accordingly, consensual relationships of the following nature are prohibited:</p> <p>A. Between a senior manager and any student, when the relationship arises in the context of the manager's responsibilities</p> <p>B. Between a coach, professional counselor, teaching assistant, lecturer, or other individual ... who is in a position of instructional, evaluative, or advisory authority over students, and any student for whom the coach, professional counselor, teaching assistant, lecturer, or other individual has direct instructional, evaluative, or advisory authority.</p> <p>Consensual relationships between faculty and students not covered by this policy are governed by the Faculty Code of Conduct, which states that it is unacceptable faculty conduct, subject to disciplinary action, for a faculty member to enter into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory) for any student with whom a faculty member has a romantic or sexual relationship." (Office of the President, 2004)</p>

<p>UCONN U of Connecticut</p>	<p>Not unless Strongly dis-couraged</p>	<p>faculty exercises direct or significant academic, supervisory, or evaluative authority or influence. If not</p>	<p>Prohibited Between employee and student: Consensual romantic, dating, or sexual relationships between any employee and any student over whom that employee exercises direct or otherwise significant academic, supervisory, or evaluative authority or influence are prohibited at all State Universities and Colleges.</p> <p>Strongly Discouraged Between employee and student: Romantic, dating or sexual relationships between employees and students over whom said employee does not have supervisory or evaluative authority are strongly discouraged. Such relationships are not only susceptible to future conflicts of interest, but also may present the appearance of impropriety. (Board of Regents 11/21/13)</p>
<p>Florida SU FSU</p>	<p>Avoid</p>	<p>If there is a direct supervisory role</p>	<p>CONFLICTS OF INTEREST. Sexual relationships between faculty members and students where a direct supervisory or evaluative relationship exists are fraught with the potential for exploitation. The respect and trust accorded a faculty member by a student, as well as the power exercised by the faculty member in a direct supervisory or evaluative role, make voluntary consent by the student suspect. In their relationships with students, faculty members are expected to be aware of their professional responsibilities and to avoid conflict of interest, favoritism, or bias.</p> <ol style="list-style-type: none"> 1. When any direct supervisory or evaluative role exists, a consensual sexual relationship between a student and a faculty member is a conflict of interest. 2. Any situation of direct supervision or evaluation will be ended immediately when a consensual sexual relationship between a student and a faculty member exists. 3. Any such relationship must be disclosed to the faculty member's supervisor immediately. (Undergraduate Bulletin)
<p>U of Illinois at Urbana-Champaign UIUC</p>	<p>Not unless there is a supervisory role</p>	<p>Prohibits and will not tolerate sex discrimination, sexual harassment, or other sexual misconduct</p>	<p>3.3.12 B Consensual Relations in Instructional Settings In no event can social, professional, business, romantic, or other relationships be allowed to influence the grading and/or evaluation of either a student or other member of the university community. When such relationships that potentially could create conflicts of interest exist, the entire university community may expect that extra care be given to assure grading and evaluation is performed in a fair and impartial manner. Whenever such relationships exist, faculty have an ethical obligation to maintain documentation to reasonably demonstrate impartiality and objectivity in the event that a member of the university community brings a grievance under this Code. A faculty member may elect to have their Department Chair or other faculty member review the grading of a student to preclude any appearance of impropriety. Faculty members have an ethical obligation not to initiate nor enter into</p>

			<p>consensual amorous, romantic, and/or sexual relationships with students or others during the time that the faculty member is in a position to evaluate or supervise the partner in the relationship. Faculty members should be aware that there can be a perception of subtle yet powerful elements of coercion even in apparently consensual relationships, and as a result, such relationships are particularly vulnerable to charges of sexual harassment. Individuals entering into consensual relationships when there is a power differential among the parties must be aware that: A) the reasons for entering, maintaining, or terminating such a relationship may be perceived as a function of the power differential; B) where power differentials exist, even in a seemingly consensual relationship, there are limited after-the-fact defenses against charges of sexual harassment; and C) it is almost always the case that the individual with the power or status advantage in the relationship will bear the burden of accountability. If an allegation of sexual harassment is made, it will be investigated in accord with established University procedures for handling sexual harassment complaints. The policy can be found at 1.1.1 Equal Opportunity/Affirmative Action Policy.</p>
<p>Indiana U- Bloomington IUB</p>	<p>Yes Un- profession al Un- acceptabl e Violation of Code of Ethics Distance</p>	<p>a supervisory role. No - recommends distancing oneself. Professional- ism Unprofessional behavior. It places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining</p>	<p>The University's educational mission is promoted by professionalism in faculty/ student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Faculty members exercise power over students... All amorous or sexual relationships between faculty members and students are unacceptable when the faculty member has any professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamental asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as a violation of this Code of Academic Ethics if faculty members engage in amorous or sexual relations with students for whom they have professional responsibility, as defined in number 1 or 2 below, even when both parties have consented or appear to have consented to the relationship.</p> <p>1. Relationships in the Instructional Context. A faculty member shall not have an amorous or sexual relationship, consensual or otherwise, with a student who is enrolled in a course being taught by the faculty member or whose performance is being supervised or evaluated by the faculty member.</p> <p>2. Relationships outside the Instructional Context. A faculty member should be careful to distance himself or herself from any decisions that may reward or penalize a student with</p>

		benefits contingent on amorous or sexual favors.	whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty member and student are in the same academic unit or in units that are allied academically. Academic Handbook, 2008
U of Maryland UM	No Discourages	Potential conflicts of interest in those with supervisory and/or evaluative responsibilities. Professional codes of conduct prohibit sexual relationships within the context of one's profession. Consent undermined by unequal power	University policy does not prohibit consensual sexual relationships between faculty and students or supervisors and employees. The University recognizes that the issues relating to such a prohibition are complex, and raise concerns about an individual's rights and freedoms. The University, however, has issued a Statement on Sexual Relationships and Professional Conduct which urges all members of the campus community to consider the ethical questions that arise as a result of such relationships. Individuals should understand that the element of unequal power inherent in such relationships casts doubt on whether they can be truly consensual. Many professional codes of conduct (for example, for physicians and psychologists) prohibit sexual relationships that occur within the context of one's profession. These types of relationships in the classroom or office raise questions of conflict of interest, and complaints of favoritism. The University recommends that individuals in such relationships voluntarily change the professional relationship... When such relationships come to the University's attention, it may act to remove the conflict. Office of the Provost and Office of Legal Affairs University of Maryland, 2013
Michigan SU MSU	No Unless supervisory	Conflict of Interest Discouraged	An Amorous Or Sexual Relationship between a student and a faculty member, a graduate teaching assistant or another University employee who has educational responsibility for that student may impair or undermine the ongoing trust needed for effective teaching, learning and professional development. Because of the faculty member, graduate assistant or other employee's authority or power over the student, inherently conflicting interests and perceptions of unfair advantage arise [when assuming] educational responsibility for a student with whom the faculty member, graduate teaching assistant or other employee has engaged in amorous or sexual relations. Therefore, (they) shall not assume or maintain educational responsibility for a student with whom (they have) engaged in amorous or sexual relations, even if such relations were consensual. ... (The faculty member) shall immediately disclose the amorous or sexual relationship to the relevant unit administrator, who shall promptly arrange other oversight for the student. Board of Trustees, November 8, 1996.

U of Minnesota UMN	Yes	Because it has a negative impact on the educational or work environment.	<p><u>Policy on nepotism and consensual relations</u> was updated in May 2012, and prohibits members of the University community from directly influencing the University employment or academic progress of a University community member with whom they have a personal relationship. The policy now also prohibits relationships in which there is no direct influence, but the relationship has a negative impact on the educational or work environment.</p> <p><i>"Individuals should also be aware that consensual sexual or romantic relationships may give rise to third-party claims of sexual harassment based on allegations that real or perceived favoritism, or a resulting change in the employment or academic environment, unreasonably interferes with the third party's employment or education by creating an environment that is intimidating, hostile, or offensive. <u>Equal Opportunity and Affirmative Action.</u></i></p>
Ohio S OSU	No	Unless there is a supervisory role	<p>Teachers (faculty, instructors, staff, GAs, undergraduate TAs) are prohibited from engaging in romantic and/or sexual relationships with students in their classes.</p> <p>Faculty, staff, or instructors, as well as faculty from other universities or individuals from industry are prohibited from engaging in romantic and/or sexual relationships with students upon whose thesis, dissertation, program, or candidacy exam committees they sit; or over whom they exercise significant academic or career determining authority.</p> <p>Same for coaches, advisors, physicians, counselors, supervisors Cites power differential and institutional power. Recommends acceptable alternative arrangements Ohio SU Office of Human Resources, 2014</p>
Penn SU PSU	No	Strongly discouraged. Potential for sexual harassment.	<p>CONSENSUAL RELATIONSHIPS Romantic and/or sexual relationships between faculty and students, staff and students or supervisors and subordinate employees are strongly discouraged. Such relationships have the potential for adverse consequences, including the filing of charges of sexual harassment. Given the fundamentally asymmetric nature of the relationship where one party has the power to give grades, thesis advice, evaluations, recommendations,</p>

		<p>Assymmetric nature, makes consent suspect.</p> <p>Perception of conflict of interest or unfair treatment to others.</p>	<p>promotions, salary increases or performance evaluations, the apparent consensual nature of the relationship is inherently suspect.</p> <p>Even when both parties have consented to the relationship, there may be perceptions of conflicts of interest or unfair treatment of others. Such perceptions undermine the atmosphere of trust essential to the educational process or the employment relationship. Under such circumstances, the person in the position of supervision or academic responsibility must report the relationship to his or her immediate supervisor. University Policy AD85)</p>
Rutgers	No	<p>Strongly discourages, vulnerable to exploitation, sexual harassment & conflict of interest</p>	<p>SEXUAL HARASSMENT AND ROMANTIC RELATIONSHIPS</p> <p>Sexual relationships that occur in the student-teacher context or in the context of employment supervision or evaluation present special problems. These types of sexual relationships are especially vulnerable to exploitation due to the difference in power and the respect and trust that are often present between a teacher and a student, a supervisor and a subordinate, or a senior and junior colleague in the same unit. As a result of this power differential, a student or a subordinate's "voluntary" participation in a sexual relationship with an individual in a position of power or authority does not alone demonstrate that the conduct was welcome.</p> <p>The attempts of a teacher to show a romantic interest in a student may constitute sexual harassment. ...</p> <p>Therefore, the university strongly discourages sexual relationships between individuals where there is an imbalance of power where one individual is in a position to make decisions which may affect the educational opportunities or career of the other.... Any individual with supervisory or educational responsibility for an employee, faculty member or student must inform his or her immediate supervisor of the consensual relationship, so that the university can take action to make changes that eliminate the conflict of interest. ... Failure to give proper notice to the appropriate supervisor may result in disciplinary action.</p> <p>An abuse of power may be, ... inflating a student's grade.</p>
U of Texas-Austin UTAustin	No	<p>Ethical and Professional boundaries, impropriety, exploitation</p>	<p>It is the policy of The University of Texas at Austin that employees with direct teaching, supervisory, advisory, or evaluative responsibility over other employees, students and/or student employees recognize and respect the ethical and professional boundaries that must exist in such situations. Consensual relationships....create conflicts of interest and/or appearances of impropriety that impair the integrity of academic and employment decisions. Such relationships also contain the potential for exploitation of</p>

			the subordinate employee, student or student employee and the possible professional or academic disadvantage of third parties, and can subject both the University and individuals to the risk of liability. Therefore the University strongly discourages consensual relationships between,... teachers and students... Should such a relationship develop, the teacher, supervisor or advisor has the obligation to disclose. Consensual Relationships - Handbook of Procedures, 2001 Policy Statement
*U of Washington-Seattle UW-Seattle	Not unless supervisor y duties	Unethical, Unprofessional, unfair	Consensual relationships Relationships that might be appropriate in other circumstances have inherent dangers when they occur between an employee and a supervisor. The relationships are unethical and unprofessional and are therefore prohibited by the University...No person involved in a consensual relationship shall have direct responsibility for evaluating the employment or for making decisions regarding the promotion or compensation of the other party to the relationship. If an allegation of sexual harassment occurs, the university is less sympathetic to a defense based on consent when the facts establish that a professional power differential existed within the relationship. These relationships are subject to concerns about the validity of consent, conflicts of interest and unfair treatment of employees. Human Resources 7/4/14
UW-Madison	No	Unless Supervisory Duties Risks: Power differential	It is in the interest of the U of WI system to provide clear direction and educational opportunities to the university community about the professional risks associated with consensual romantic and/or sexual relationships where a definite power differential between the parties exists. These relationships are of concern for two primary reasons: 1. Conflict of Interest: Conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between faculty and . . . students... University policy and more general ethical principles preclude individuals from evaluating the work or academic performance of other s with whom they have intimate familial relationships...Consensual relationships require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate or prospective employee. 2. Abuse of power differential: ... individuals entering in such relationships must recognize that: a. the reasons for entering such a relationship may be a function of the power differential; b. where power differentials exist, even in a seemingly consensual relationship, there are limited after-the-fact defenses against charges of sexual harassment and c. the individual with power in the relationship will bear the burden of accountability. 3. Guidelines: to make it clear that romantic and/or sexual relationships involving conflict of interest are unacceptable... and to ensure that members of the Univ community are alerted to the potential for abuse in power differential relationships, even where conflicts of interest issues are resolved, each institution shall draw its own policy- Board of Regents.

			Same in Governance pages II-307, last revised 2011.
PAC 12			
University	Prohibits Y/N	Summary	Quote from Policy
Oregon SU OSU	Yes in case of supervisory role	Perception of abuse of power, conflict of interest, loss of equality & sex to advance	<p>Oregon State University policy requires that all employees conduct themselves in a professional manner. . . Consensual sexual or romantic relationships ... may involve an University of Oregon Conflicts of Interest and Abuses of Power: Sexual or Romantic Relationships with Students policy:</p> <p>It may be a conflict of interest and abuse of power for faculty members to engage in sexual or romantic relationships with students enrolled in their classes or otherwise subject to their direct supervision or evaluation. <i>This conflict of interest and abuse of power can occur even when both parties have consented to the relationship.</i></p> <p>A sexual or romantic relationship between a faculty member and a student can involve a conflict of interest, an abuse of power, compromised judgment and impaired objectivity when the faculty member or staff member has supervisory, evaluative or other power over the student. The power differential in the relationship may even make a student's consent to a sexual or romantic relationship suspect.</p> <p>A relationship may create an apparent or actual conflict of interest that can adversely affect other members of the University community. It places the faculty member or staff member in a position to favor, or be perceived as favoring the interest of the student in the sexual or romantic relationship at the expense of third parties. Even if consensual, the relationship may be disruptive of the collegiality and mutual trust that are essential for the effective functioning of an academic unit. http://workplacereationships.uoregon.edu/conflict-of-interest-abuse-of-power/</p> <p>abuse of power. ...[S]uch romantic liaisons potentially can create a conflict of interest... [P]otential ... liability involves perceptions of a "third-party" who may feel that the only way to succeed is to engage in a sexual liaison because they feel they have lost equality in terms of assignments, promotions, etc. Senate Draft, 2008, also Office of Equality & Inclusion.</p>
U of Oregon UO	No Urges not to	Conflict of interest, abuse of power, favoritism.	<p>University policy strongly urges faculty members not to engage in sexual or romantic relationships with students. ... "No faculty member should initiate or acquiesce in a sexual or romantic relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work." "A sexual or romantic relationship between a</p>

		Disruptive of collegiality and mutual trust	<p>faculty member and student ... can involve a conflict of interest, an abuse of power, compromised judgment, and impaired objectivity ..."</p> <p>The faculty member (may) be perceived as favoring the interest of the student in the sexual or romantic relationship at the expense of third parties. Even if consensual, the relationship may be disruptive of the collegiality and mutual trust that are essential for the effective functioning of an academic unit."</p> <p>http://workplacereationships.uoregon.edu/conflict-of-interest-abuse-of-power/ 2014</p>
Washington SU WSU	No	Unless supervisory role	<p>Policy on Faculty-Student and Supervisor-Subordinate Relationships</p> <p>Washington State University employees, regardless of position, rank, or professional relationship, may rightfully develop consensual relationships. Washington State University values an environment of inclusion, trust, and respect as beneficial for learning and working. As a matter of sound judgment, faculty, graduate teaching and research assistants, ...accept responsibility to avoid any apparent or actual conflict of interest between their professional responsibilities and their personal relationships with students or those whom they supervise, evaluate, or exercise other relationships of power or authority. Romantic and/or sexual relationships between a faculty member and a student, or a supervisor and subordinate, may potentially pose risks to the faculty member, student, supervisor, subordinate, third parties, and unit morale. In such relationships voluntary consent by the student or subordinate is suspect because of the inherently unequal nature of the relationship. A romantic and/or sexual relationship between a faculty member and a student, or a supervisor and subordinate, can lead to a complaint of sexual harassment when the student or subordinate perceives he or she was exploited. In addition, other faculty members, staff members, supervisors, students, or employees may express concerns about undue access or advantage, favoritism, restricted opportunities, or unfavorable treatment as a result of the relationship. These concerns are damaging to the University whether the favoritism is real or perceived. Concerns also arise in cases where the relationship between the faculty member and student, or supervisor and subordinate, remains amicable, as well as in cases that lead to allegations of exploitation. To ensure that the advising, mentoring, evaluation and supervision of students or subordinates is conducted fairly, romantic or sexual relationships between faculty and students, and supervisors and subordinates are prohibited as set forth in this policy. WASHINGTON STATE UNIVERSITY EXECUTIVE POLICY MANUAL Executive Policy #28 Approved by Board of Regents, May 4, 2007</p>
U of Washington	No	Unless supervisory.	Consensual relationships between students and instructors may interfere with the learning relationship.

		Impact on learning relationship	<i>No faculty member, teaching assistant, research assistant, ... should vote, make recommendations, or in any other way participate in the decision of any matter which may directly affect the employment, promotion, academic status, or evaluation of a student with whom he or she has or has had a familial, sexual, or romantic relationship (University Handbook, Volume Two, Part II, Chapter 24, Section 24-33, Footnote: Faculty/Student</i>
ASU	No	Unless supervisory	No ASU employee shall participate in any key decisions or recommendations involving anyone with whom he or she is in a current amorous relationship. The “Code of Ethics” (ACD 204–01) and the “Standards of Professional Conduct for Faculty Members and Academic Professionals” (ACD 204–02) set forth standards to which faculty and academic professionals must adhere, including responsibilities to students. To protect those standards, faculty members and graduate students with teaching responsibilities shall not have an amorous relationship with any student who is currently enrolled in a course being taught by the faculty member or graduate assistant. Requirement to report. ACD revised 2011.
U of A	NO		2. No University employee shall engage in a romantic or sexual relationship with a student who is enrolled in that employee’s course, or whom the employee supervises or whose work s/he evaluates, or over whom the employee exercises any administrative or disciplinary authority. An employee violates this policy and his or her obligation to the student, to other students, to colleagues, and to the University, when such employee participates in decisions that may reward or penalize a student with whom the employee has, or has had at anytime, a romantic or sexual relationship. 3. Relationships with Employees and Students in Other Contexts. No University employee shall engage in a romantic or sexual relationship with another employee when one of those employees supervises or evaluates the other employee. No employee may supervise another employee or student with whom that employee lives, whether or not the individuals are engaged in a romantic or sexual relationship. When an employee is involved in a relationship with another employee or student whom s/he supervises, teaches or evaluates, such that a conflict of interest arises, as defined herein, then that relationship shall be subject to the disclosure and management of conflicts provisions of this policy.
U of CA-Berkeley -			Same as UCLA. All U of CA
	No		Sexual relationships between a faculty member and student, or persons in a

U of Southern CA (USC)	Dis-couraged	Unless supervisory	supervisor-supervisee position, are discouraged. They may give rise to legal concerns as well as ethical concerns and conflicts between personal and professional interests. A relationship may be voluntary in the sense that an individual is not forced to participate against his or her will, yet it may be unwelcome and therefore result in a claim of sexual harassment. ... The University does not permit ...favored or disadvantageous treatment. Faculty Handbook 2012 Section 6, Page 9 of 10
Stanford U	YES	Regardless. Potential to involve Conflict of interest, Exploitation, Favoritism, Bias.	Sexual or romantic relationships are PROHIBITED between: teachers and undergraduate students—even if the teacher does not teach, evaluate, or advise the student, currently or in the future (and) teachers and any students , when a teacher has had—or might be expected ever to have—academic responsibility over the other party. Risks: These relationships have the potential to involve: Conflict of interest, Exploitation, Favoritism, Bias. Such relationships may: <ul style="list-style-type: none"> • Erode the trust inherent in mentor-mentee relationships. • Be less consensual than the more “powerful” person believes. • Be perceived in different ways by each of the parties, especially in retrospect. • Undermine the real or perceived integrity of the supervision or evaluation. • Change over time. Complaints my surface if behavior that was once welcome becomes unwelcome. • Give rise to third-party complaints when one party appears to have an unfair advantage and/or more access to the senior individual. • Have unintended, adverse effects on the climate of an academic or work environment, which may be impaired for others, either during the relationship or after a break-up. Relationships In the Workplace and Educational Setting, 01/21/2014
U of Colorado (CU)	No	Unless supervisory role. Perception of compromised integrity, affect on others, sex to advance	Amorous relationships will sometimes develop between members of the University community, whether faculty members, students, administrators or staff. This policy requires that direct evaluative authority not be exercised in cases where amorous relationships exist or existed within the last seven years between two individuals, whether of the same or opposite sex (because) the integrity of academic or employment decisions may either be compromised or appear to be compromised. Further... unequal power greatly increases the possibility that the individual with the evaluative responsibility, typically a supervisor or a faculty member, will abuse her/his power and sexually exploit the student or employee. A relationship which began as consensual, may in retrospect be seen as something else by one or both of the parties. Moreover, others may be adversely affected by such behavior because it places the faculty member or

			<p>supervisor in a position to favor or advance one student's or employee's interest at the expense of others and implicitly makes obtaining preferences contingent upon romantic or sexual favors. http://www.cu.edu/ope/efficiency-and-effectiveness/presidents-task-force-efficiency/aps-5015-conflict-interest-cases</p>
U of Utah	Yes	If supervisory role	<p>When a faculty member has any direct professional responsibility for evaluating a student's academic performance or professional future, such as assigning grades, evaluating clinical performance, serving on the student's graduate committee or awarding scholarships, a romantic or sexual relationship between the faculty member and student, even a mutually consenting one, will be considered a violation of this policy and to be a cause for discipline under Policy and Procedures 5-210 Human Resources, 2004</p>
NAU	Yes	<p>If supervisory role.</p> <p>Affects objectivity, power imbalance, & unfair to others</p>	<p>The university prohibits any consensual amorous relationships involving a faculty member/instructor and student, or between supervisor and employee, where the faculty member/instructor or supervisor has direct authority, influence, or responsibility with regard to that student or employee. ...These situations tend to interfere or be perceived as interfering with the objectivity of the faculty member's/instructor's or supervisor's decisions with respect to the student or employee. The authoritative position of one party may create an environment that diminishes the freedom of the other to alter or terminate the relationship. Third parties may also be injured by a sexual relationship between two other parties if they are denied privileges that accrue to those who participate in the relationship. Supervisors or faculty members/instructors who engage in such consensual relations are subject to disciplinary action. Safe Working and Learning Environment Policy 07/2010</p>