

DRAFT CSU Policy

Consensual Amorous Relationships Policy

Within the University setting, faculty and supervisors exercise significant power and authority over others. Therefore, primary responsibility for maintaining high standards of conduct resides especially with those in faculty and supervisor positions. Members of the faculty and staff, including graduate assistants, are prohibited from having “Amorous Relationships” with students over whom they have “Supervisory Responsibilities”. “Supervisory Responsibilities” are defined as teaching, evaluating, tutoring, advocating, counseling and/or advising duties performed currently and directly, whether within or outside the classroom, by a faculty, staff member or graduate assistant, with respect to a student. Such responsibilities include the administration, provision or supervision of all academic, co-curricular or extra-curricular services and activities, opportunities, awards or benefits offered by or through the University or its personnel in their official capacity. Employees are prohibited from having “Amorous Relationships” with employees whom they supervise, evaluate or in any other way directly affect the terms and conditions of the others’ employment, even in cases where there is, or appears to be, mutual consent. An “Amorous Relationship” is defined as a consensual romantic, sexual or dating relationship. This definition excludes marital unions. The term also encompasses those relationships in which amorous or romantic feelings exist without physical intimacy and which, when acted upon by the faculty or staff member, exceed the reasonable boundaries of what a person of ordinary sensibilities would believe to be a collegial or professional relationship. The faculty/student and supervisor/employee relationship should not be jeopardized by question of favoritism or fairness in professional judgment. Furthermore, whether the consent by a student or employee in such relationship is indeed voluntary is suspect due to the imbalance of power and authority between the parties.

All members of the University community should be aware that initial consent to a romantic relationship does not preclude the potential for charges of conflict of interest, or for charges of sexual harassment arising from the conflict of interest, particularly when students and employees not involved in the relationship claim they have been disadvantaged by the relationship. A faculty, staff member or graduate assistant who enters into an “Amorous Relationship” with a student under his or her supervision, or a supervisor who enters into an “Amorous Relationship” with an employee under his or her supervision, must realize that if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to prove blamelessness on grounds of mutual consent.

Those who require clarification of this policy or the definition of a relational conflict of interest, or who require guidance in removing a potential conflict of interest must contact the Director of Human Resources or his/her designee. Any individual who violates this policy is subject to disciplinary action commensurate with the offense, up to and including termination.

This policy is superseded by the laws governing inability to consent based on age.

BOR Policy

A USG faculty or staff member, including a graduate teaching assistant, is prohibited from having an amorous relationship with any student who the faculty or staff member supervises, teaches, or evaluates in any way. Consistent with Policy 8.2.3, a USG employee is prohibited from having an amorous relationship with any other employee if either employee supervises, evaluates, or in any other way directly affects the terms or conditions of the other's employment. Any individual who violates this policy is subject to disciplinary action commensurate with the offense, up to and including termination.

**This is a new Board of Regents policy.*