

GUIDELINES FOR APPROPRIATE RELATIONSHIPS AMONG MEMBERS OF THE UNIVERSITY OF MARY COMMUNITY

Purpose

The University of Mary fosters an atmosphere of respect and human dignity that encourages the full realization of individual and communal potential. This effort is promoted by professionalism in the relationships that administration, faculty, staff, and students have with one another. These relationships are intended to foster the free and open exchange of ideas, productive learning, and the work that supports it. In addition, those who supervise or evaluate the work of others must be perceived to be making their decisions fairly and without favoritism.

Statement of Policy

Definitions

A consensual relationship, for purposes of this policy, is one in which two individuals are involved by mutual consent in a romantic, physically intimate, and/or sexual relationship. Consenting romantic and sexual relationships such as instructor and student, supervisor and employee, and employee and student (where there is an instructional, advisory, or an employment relationship between them) have the potential for extremely serious consequences. A consensual relationship is inappropriate when there is a power differential and one individual has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of the other.

A conflict of interest exists when an individual evaluates the work or academic performance of another with whom he or she has an intimate relationship. It is a basic ethical principle to avoid making official evaluations of relatives, family members, spouses, or other persons with whom one has an intimate relationship. Such a relationship, combined with the responsibility for evaluation, is considered a conflict of interest. When conflicts of interest exist among members of the university community there is the potential for risk to the University and the individuals.

Clarification: *This policy pertains to relationships insofar as they might create a power differential or a conflict of interest. Apart from this policy, it should be understood that the University of Mary – consistent with its Christian, Catholic, and Benedictine identity – does not condone sexual relationships outside the bonds of marriage.*

Requirements

Because of the possible difficulties associated with the power differential and because of potential conflicts of interest, the University discourages all such consensual relationships. **All consensual relationships between instructor and student are presumed to create a power differential and a conflict of interest. Each consensual relationship between instructor and student will be reviewed on its own facts by the appropriate supervisor(s) who shall take suitable action in accord with this policy.**

It is the responsibility of the individual in authority to maintain appropriate professional boundaries. Individuals in authority are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias.

However, if a consensual relationship, as defined above, exists or develops between individuals having a power differential within the University, the person with greater power shall report it to an appropriate supervisor. For example, an instructor shall report the matter immediately to the department chair, a teaching assistant or graduate assistant shall report it to the professor in charge of the course or the head coach in charge of the team, and an employee shall report it to his or her supervisor.

In each case, the administrative supervisor shall make suitable arrangements to stop the conflict of interest; to provide for the objective evaluation of the student's, employee's, or prospective employee's academic or job performance; and to protect individual and University interests. The University recognizes that a consensual relationship may exist prior to the time an individual is assigned to a supervisor. Supervisory, decision-making, oversight, evaluative, or advisory responsibilities for someone with whom there exists a consensual relationship shall not be accepted unless effective steps can be taken to eliminate any potential conflict of interest in accordance with this policy. The administrative supervisor shall make a formal report of the incident to the appropriate supervising Vice President. The report shall describe the action taken, including any actions taken to mitigate the impact of the conflict of interest, and may include a plan to prevent similar situations in the future.

Risks

All instructors, supervisors, and other employees should understand that there are substantial risks in consenting relationships where a power differential exists. Even if the conflict of interest issues are resolved, charges of sexual harassment may develop. Any relationship involving a power differential has the potential for serious consequences because the relationship may exist only as a result of the power differential. This may lead to sexual harassment charges at a later time. In the event allegations of sexual harassment are made, consent may be very difficult to prove where a power differential exists. Even relationships in which there is no direct power differential may cause difficulties because faculty or staff engaged in such a relationship may, in the future, be placed in a position of responsibility for the student's or employee's instruction or evaluation.

Approved

28 September 2020 by the President's Council

29 September 2020 by the President of the University

30 September 2020 by the Board of Trustees (EC)

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umary.edu/_resources/pdfs/dignity/Guidelines_for_Appropriate_Relationships_among_Members.pdf

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