CONSENSUAL RELATIONSHIPS

Policy Statement

The University of Southern Mississippi recognizes that special problems can arise in a consensual relationship between individuals who are employed on campus and/or attend classes on campus. This policy addresses those concerns.

Reason for Policy/Purpose

This policy is required for the effective communication of university policy regarding consensual relationships.

Who Needs to Know This Policy

All members of The University of Southern Mississippi community.

Website Address for this Policy

www.usm.edu/institutional-policies/policy-pres-aa-007

Definitions

employee  Any person employed by The University of Southern Mississippi as faculty or staff, full-time or part-time. This definition includes graduate assistants and adjunct faculty.

student  Any person enrolled full time or part-time in any academic program associated with The University of Southern Mississippi.
consensual relationship  A sexual and/or romantic relationship between two persons who voluntarily enter into such relationship.

**Policy/Procedures**

There are special problems in any romantic or sexual relationship between individuals where one party possesses direct academic, administrative, supervisory, evaluative, counseling, or extracurricular authority over the other party.

Such positions include, but are not limited to, teacher and student or assistant, supervisor and employee, senior faculty and junior faculty, mentor and trainee, advisor and advisee, counselor and client, teaching assistant and student, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents.

A unique problem occurs when a consensual relationship takes place between a teacher and a student and the student is enrolled in one of the teacher's courses, or when the student is likely to be enrolled in such a course in the future. Such relationships are of significant concern to the university because of the ethical and administrative problems they can pose.

Because of the potential for conflict of interest, exploitation, favoritism, harassment and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the teacher-student context.

There are numerous ways in which a consensual romantic or sexual relationship can create problems within the university community. For example:

- What seems to be consensual to the party in the position of authority may well be unwelcome or coercive from the perspective of the other party. Where a party has the ability to grade, advance, promote, recommend, or otherwise influence the employment or academic status of another, that person may fear that refusal will result in loss of employment or academic benefit. They may even consent to the relationship even though it is in fact unwelcome.

- There is also a serious risk that either party may exploit the other. The more senior person may be interested in the other person solely for sexual or romantic reasons, but the other person may construe that attention to be due to intellect and academic interest. There is also the risk that the person with less authority might seek out a relationship solely because of a desire to obtain some academic or employment benefit from the relationship.

- The circumstances may change, and conduct that was previously welcome may become unwelcome. Prior consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

- The relationship can cause problems for both parties and harm the academic and work environment at the university. There is the appearance, and often the reality, of a conflict
of interest on the part of both parties to the relationship. Third parties may believe that the person in authority favors the other person because of the relationship, thus creating an atmosphere of suspicion and resentment among others who think that person is obtaining undeserved benefits.

No university employee shall enter into or maintain any romantic or sexual relationships with students or with employees over whom they exercise any academic, administrative, supervisory, evaluative, counseling or extracurricular authority or influence.

Similarly, no university employee shall exercise any academic, administrative, supervisory, evaluative, counseling or extracurricular authority over any student or employee with whom that employee had previously been involved in a romantic or sexual relationship.

Teaching professionals in particular are under a special obligation to preserve the integrity of their relationships with students, and therefore are expected to maintain at all times the highest level of professionalism with students, whether or not any real or perceived authority over the student exists.

NOTE: Non-consensual relationships are addressed in the university’s sexual harassment policy. Marital and family relationships are addressed in the university’s nepotism policy.

Review

The Director of Affirmative Action and Equal Employment Opportunity is responsible for the review of this policy every four years (or whenever circumstances require immediate review).

Forms/Instructions

N/A

Appendices

N/A

Related Information

Sexual Harassment Policy: www.usm.edu/institutional-policies/policy-adma-aa-000-003

History

11/01/11: Formatted for Institutional Policies website.
02/19/13: Formatted for template. Minor editing of punctuation and word usage throughout.
Amendments: Month, Day, Year – summary of changes
Authorization

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PRES-AA-007

As the Responsible Officer, I have reviewed this policy and believe it represents the current policy.

Rebecca Woodward

Responsible Officer

Date

5/21/13