



**BOISE STATE UNIVERSITY**

University Policy 7015

## Faculty/Staff and Student Consensual Relationships

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### **Effective Date**

July 2012

### **Responsible Party**

Vice President for Student Affairs, (208) 426-1418

### **Scope and Audience**

This policy applies to all University employees and students.

### **Additional Authority**

- University Policy 7050 (Nepotism)
  - University Policy 1110 (Conflict of Interest and Commitment)
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## **1. Policy Purpose**

To establish a policy governing the supervision or evaluation of students by faculty/staff members, where a consensual relationship exists between the parties, creating a conflict of interest.

This policy addresses only consensual relationships between faculty/staff and students. Policy 7010 (Consensual Relationships) addresses consensual relationships among employees of the University. Nonconsensual relationships are addressed in University policies prohibiting sexual harassment and discrimination.

## 2. Policy Statement

The University's success in its educational mission depends on the professionalism of its faculty, staff and students. Maintaining professional relationships and mutual respect and trust between faculty/staff members and students is key to this success.

Faculty/staff members and students should recognize the risks inherent in consensual relationships between faculty/staff members and their students and their ability to avoid those risks by refraining from engaging in such relationships. The University prohibits such relationships that are of a romantic or sexual nature when a relationship of authority exists.

Faculty/staff and student consensual relationships give rise to actual or apparent conflicts of interest, favoritism, and bias thereby undermining the real or perceived integrity of the academic environment. A consensual relationship where a faculty/staff member has academic, administrative, supervisory, evaluative, or other authority or influence over a student raises concern about objectivity, fairness, and exploitation. These relationships harm others in the academic environment, and give rise to third party complaints from real or perceived instances of undue access or advantage and/or restricted opportunities. Such consensual relationships impair or otherwise undermine the ongoing trust needed for effective teaching, learning, and professional development.

Therefore, no University employee shall exercise any academic, supervisory, evaluative, or other authority or influence over a student with whom the employee has ever had a consensual relationship.

## 3. Definitions

### 3.1 Faculty/Staff and Student Consensual Relationship

- a. A mutually acceptable current or former romantic or sexual relationship between a faculty/staff member and a student; or
- b. A relationship where a faculty/staff member currently lives with or serves as landlord to a student; or
- c. A relationship where a faculty/staff member currently has a financial and/or business relationship with a student; or
- d. A marital, romantic or sexual relationship that existed at one time between a faculty/staff member and student, but that relationship no longer exists; or

- e. A relationship where a faculty/staff member formerly lived with or served as landlord to a student; or
- f. A relationship where a faculty/staff member has formerly had a financial and/or business relationship with a student; or
- g. A relationship where a faculty/staff member has a close personal relationship with a student, which rises to a level that affects the trust and confidence of the academic environment and that gives undue access, advantage, or jeopardizes the fair treatment and objectivity for effective teaching and learning.

### **3.2 Faculty/Staff Member**

Faculty/staff member means, but shall not be limited to: a full- or part-time member of the University's faculty, an instructor, lecturer, advisor, mentor, graduate assistant, coach, or individual who supervises the day-to-day living environment of students.

### **3.3 Relationship of Authority**

A relationship of authority exists when one individual in a relationship between two or more people has the power to exercise influence, or the legitimate right to make decisions, carry out actions, or direct others within the relationship.

## **4. Responsibilities and Procedures**

### **4.1 Accountability/Responsibility**

- a. If a consensual relationship exists or arises between a faculty/staff member and a student, the relationship of authority must be eliminated.
- b. If a consensual relationship arises, exists, or has existed between a faculty/staff member and a student, the faculty/staff member will bear the primary burden of accountability to report the relationship to his or her immediate supervisor and/or Human Resource Services.
  - (i.) In the event that a consensual relationship exists or has existed between a faculty/staff member and a student the unit administrator or supervisor must take prompt and appropriate action to end the relationship of authority.
  - (ii.) Appropriate actions may include but are not limited to: appointment of a qualified alternative instructor to the position of authority; transfer of the student to another

course, section, or seminar taught by a different instructor; assignment or transfer of the student to another academic advisor.

(iii.) In the event that a University employee not involved in the consensual relationship believes a consensual relationship is occurring or has occurred between a faculty/staff member and a student, the University employee shall disclose such knowledge to the relevant University unit administrator and/or Human Resource Services.

#### **4.2 Compliance with Policy**

- a. To encourage reporting of relationships governed by this policy, disclosures and actions taken shall be considered confidential, and they will be treated as protected personnel information under the public records statutes and in accordance University Policy 7060 (Employee Records) and University Policy 2250 (Student Privacy and Release of Information).
  - b. Actions in violation of this policy may constitute adequate cause for discipline up to and including dismissal.
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#### **Revision History**