HSC OP: 70.56, Consensual Relationships – Faculty and Students

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish a policy defining and discouraging consensual relationships among TTUHSC faculty and students and establishing procedures for reporting such relationships.

REVIEW: This HSC OP will be reviewed on February 1 of every even-numbered year (ENY) by the Asst. Vice President for Human Resources, the Managing Director of Equal Employment Opportunity, the Office of General Counsel, and the Executive Vice President for Finance and Administration, with recommendations for revision forwarded to the President by March 1.

POLICY/PROCEDURE:

1. Policy.
   a. Objective. The objective of TTUHSC is to provide an environment in which faculty and students may pursue their careers and studies with a maximum of productivity and enjoyment. Behavior or conduct which interferes with this goal will not be tolerated.
   b. Policy Statement. It is the policy of TTUHSC that faculty with direct teaching, training, supervisory, advisory, or evaluative responsibility over students recognize and respect the ethical and professional boundaries that must exist in such situations.

Consensual relationships between faculty and students, as defined in this policy, constitute and/or create (1) conflicts of interest; (2) unprofessional conduct; (3) breach of trust; (4) appearances of impropriety and question the validity of consent, any of which impairs the integrity of academic and employment decisions. Among other things, such relationships also may have the potential for (1) undermining the atmosphere of trust and objectivity essential to the educational process; (2) exploiting the faculty – student relationship; and (3) creating a professional or academic disadvantage to third parties.

Therefore, TTUHSC PROHIBITS consensual relationships, defined herein, between faculty and students over whom they have or may reasonably expect to have teaching, training, supervisory, advisory, or evaluation responsibility. Should such a relationship develop, the faculty member has the obligation to disclose the existence of the relationship to his or her immediate supervisors, cease the relationship, and cooperate in making alternative arrangements for teaching, training, advising, supervising, or evaluating the student involved.

   c. Scope. This policy applies to all TTUHSC faculty, whether their employment status is full-time, part-time, regular, or temporary.
   d. Definitions.

   (1) Consensual relationship is a mutually acceptable intimate, romantic and/or sexual relationship involving a TTUHSC faculty who has teaching, evaluative or advisory authority over a student who is directly trained, evaluated or advised by said faculty member.

   (2) Conflicts of interest, breach of trust, unprofessional conduct and/or an appearance of impropriety arise when faculty members with authority and the
responsibility to teach, train, evaluate, or advise students initiate, acquiesce or engage in intimate, romantic and/or sexual relationships with any such student.

e. **Reporting Responsibility.** In the event that consensual relationships exist or begin to develop, the faculty member shall immediately notify his/her immediate supervisor(s) of the relationship and cooperate with those supervisors in making appropriate arrangements to resolve the conflict of interest, breach of trust, unprofessional conduct and/or appearance of impropriety.

f. **Immediate Supervisory Responsibility.** Supervisors who are notified, or become aware, of consensual relationships shall take immediate steps to alter the conditions that create the conflict of interest, breach of trust, unprofessional conduct and/or the appearance of impropriety caused by the relationship. When possible, this may be accomplished by providing an alternative means of teaching, training, advising and/or evaluating the student involved. Whether or not alternate means can be provided, the consensual relationship must cease.

g. **Failure to Report or Cooperate.** A faculty member who enters into or persists in a consensual romantic, intimate or sexual relationship without reporting such relationship, or who fails to cease the relationship and cooperate in efforts to eliminate the conflict of interest, breach of trust, unprofessional conduct or appearance of impropriety it presents, will be subject to disciplinary action, up to and including termination.

h. **Grievance of Disciplinary Actions.** Disciplinary actions imposed for violations of this policy may be grieved or appealed by the individual who is disciplined pursuant to existing TTUHSC policies and procedures. Refer to HSC OP 70.14 and individual school Faculty Grievance Policies.

2. **Right to Change Policy.** TTUHSC reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of faculty or students.

3. See also *Regents’ Rules* 03.01 and 03.02 regarding ethical behavior and conduct.