Policy Title: Consensual Relationships			
Policy #:	PRE-HR-001		
Responsible Office:	Human Resources		
Responsible Administrator:	Vice President for Finance & Administration		
Date Reviewed:	Under Review	**Revisions Made?** Yes ___ No___	
Date of Next Review:	Under Review		

PURPOSE

To broadly identify consensual relationships and identify procedures for use by university employees and students when they feel that a relationship has moved into potential sexual harassment.

To be covered by this statement, a relationship must:

1 Appear to be consensual, and
2 Be romantic or sexual in nature, and
3 Develop between two individuals, one of whom has power or authority over the other.

A romantic or sexual relationship that is entered into by two adults when one of the participants has power or authority over the other creates the possibility that the relationship may not be truly consensual, or if consensual, may not permit a later decision by the person with less power to discontinue the relationship out of concern for the possible effect on his/her employment or educational status.

If the relationship is proven to be non-consensual or becomes non-consensual, it should be regarded as potential sexual harassment based on the unwelcome nature of the sexual conduct. Relationships that are not consensual are prohibited under the University's Discrimination and Harassment policy.

For example, consenting relationships that may result in complaints of sexual harassment or sexual favoritism and that create a conflict of interest include those between:

1 A faculty member and a student who is enrolled in the faculty member's course, who is enrolled in a program for which a course taught by the faculty member is a requirement, who is an advisee of the faculty member, or whose academic work is being supervised by the faculty member.

2 A university employee and a student if the university employee is in a position to evaluate or otherwise influence the student's education, employment, housing, or participation in athletics or any other university activity (for example, university

employee includes: graduate assistants, administrators, coaches, advisors, program directors, counselors, health center staff, and residential life staff).

1 A supervisor and an employee under the person's supervision; a division/department chair/head and a faculty member in the same division/department; an administrator and an employee in an office/department under that administrator's direction.

2 A tenured faculty member and an untenured faculty member if the tenured person participates in peer recommendations about the untenured person.

3 Not subject to the sexual harassment policy: consensual relationships between two co-workers, two university employees in different departments, two students, or a university employee and a student between whom no professional power differential exists.

AUDIENCE

Campus employees and students

DEFINITIONS

N/A

POLICY STATEMENT

A romantic or sexual relationship between a university employee and student or between a supervisor and subordinate employee raises serious ethical concerns and can create an unacceptable educational or working environment. The respect and trust accorded a university employee by a student, as well as the power exercised by a university employee in his/her academic or evaluative role, greatly diminish the student's or subordinate's actual freedom of choice should sexual favors be requested. Therefore, university employees are warned against the possible costs of participating in even an apparently consenting relationship.

The university views a romantic or sexual relationship between a university employee and student to be unethical if the employee has any professional responsibility for the student. Likewise, a romantic or sexual relationship between a supervisor and student or subordinate employee whose work is being supervised by that university employee is considered unethical.

NON-RETALIATION This policy prohibits retaliation against individuals who report concerns about consensual relationships or otherwise participate in the process under this policy. Any student or employee found to have engaged in retaliatory action or conduct will be subject to discipline, up to and including dismissal.

PROCEDURES

A university employee who enters into a consensual relationship with a student or another

employee with whom they have an academic or evaluative relationship must:

1 Disclose the relationship to his or her supervisor (division chair, dean, director, vice president, president), and
2 Terminate any situation of authority when the consensual relationship develops or exists.

Training. Human Resources will offer ongoing training/awareness sessions and other means of notifying and encouraging employees and students about where they can express concerns regarding actual or potential conflicts of interest resulting from consensual relationships.

Nothing in this process precludes any person from filing a formal grievance in accordance with our collective bargaining agreements or with the Oregon Bureau of Labor and Industries or the Equal Employment Opportunity Commission, or a court of competent jurisdiction.

FORMS

N/A

AUTHORITY

Policy authority of the President in OAR 580-022-0045; American Association of University Professors (AAUP) Statement of Professional Ethics; Western Oregon University Code of Ethics; ORS 352.

RESPONSIBILITY

The Office of Human Resources is responsible for this policy and may be contacted at 503-838-8490 or hr@wou.edu.

Alternate formats of this policy may be requested from the Office of Human Resources.