

CS 02 UNIVERSITY OF PITTSBURGH POLICY (formerly 07-14-01)

CATEGORY: PERSONNEL
SECTION: Employee Responsibilities
SUBJECT: Consensual Relationships
EFFECTIVE DATE: March 29, 2017
PAGE(S): 2

I. PURPOSE

This document establishes the policy pertaining to the University's approach to consensual romantic or sexual relationships. This policy has been established in an effort to ensure that the University's educational and work environment is based on professional relationships in an atmosphere of mutual trust and respect. When individuals involved in a consensual romantic or sexual relationship are in positions of unequal power at the University, or closely work together, there is the potential for a conflict of interest, favoritism, and exploitation. In order to protect the integrity of the University's academic and work environment, and recognizing the unpredictable nature of human relationships, this policy outlines limitations on consensual romantic, sexual or intimate relationships between faculty, staff and students at the University.

As an academic institution, the well-being and safety of our students is a primary concern and this concern will be paramount in administering this policy. Consensual relationships between faculty/staff and students that commence after the student has enrolled at the University are strongly discouraged and in certain situations, as discussed in more detail below, not permitted. Similarly, consensual relationships between faculty/staff members who work closely together are usually ill-advised and in certain situations, as discussed in more detail below, not permitted.

II. JURISDICTION

This policy applies to all members of the University community, including all post-doctoral associates and post-doctoral scholars, research associates, faculty, faculty administrators, staff, staff administrators and other University officials, whether full- or part-time.

III. DEFINITIONS

Consensual Relationship: Any intimate, romantic, sexual, or marriage relationship willingly undertaken by the parties.

Direct Supervision: Includes, but is not limited to, the following activities: academic instruction, advising, supervising, evaluating, recommending, promoting, allocating resources, employing and other employment actions including directly setting of salary, benefits or wages, or any disciplinary action.

IV. POLICY

A. CONSENSUAL RELATIONSHIPS WITH STUDENTS INVOLVING DIRECT SUPERVISION

Faculty and staff members are not permitted to engage in or solicit Consensual Relationships with students over whom they have Direct Supervision or with whom there is a reasonable likelihood of Direct Supervision.¹ In the event such a situation is imminent or develops, the faculty or staff member must disclose the existence of the Consensual Relationship immediately to his/her supervisor, department chair, dean, or, where appropriate, higher

¹ This includes but is not limited to advisors, coaches, graduate student teaching assistants, teaching fellows, instructors, post-doctoral fellows in a laboratory, thesis committee members, and members of a department's graduate committee. It includes anyone appointed by the University as a teacher, researcher, or academic administrator, including graduate and undergraduate students so appointed.

administrative authority. The supervisor will then ensure that the faculty or staff member's Direct Supervision of the student is terminated as soon as practicable or avoided. In addition, the supervisor will develop and implement a management plan with the faculty or staff member to transition supervisory authority and to otherwise assure objective evaluation and supervision and management of potential conflicts. The management plan shall be focused on maintaining an appropriate professional relationship between the parties in the academic environment.

B. CONSENSUAL RELATIONSHIPS WITH STUDENTS NOT INVOLVING DIRECT SUPERVISION

Even in the absence of Direct Supervision the University discourages faculty and staff members from soliciting or having Consensual Relationships with undergraduate and graduate students, due to the potential for a significant disruption to the academic and/or professional environment to arise. Examples of significant disruptions include, but are not limited to, faculty or staff influencing (or attempting to influence) actions or requirements related to the student because of the relationship, exploiting their professional affiliation with the University to solicit relationships with students, and bringing into the academic setting, personal issues related to relationship. Upon awareness or notification of such a disruption, the supervisor shall investigate to determine whether such a disruption has occurred. A determination that such a disruption has occurred shall constitute a violation of this policy. In addition, the supervisor will meet with the faculty or staff member to address the disruption and implement a management plan focused on maintaining an appropriate professional relationship between the parties in the academic environment.

C. CONSENSUAL RELATIONSHIPS BETWEEN EMPLOYEES

Supervisors (including faculty members) are not permitted to engage in or solicit Consensual Relationships with employees over whom they have Direct Supervision. In the event such a situation is imminent, exists or develops, the supervisor must disclose the Consensual Relationship immediately to the appropriate administrator (department chair, dean, director) responsible for the department/unit. To the extent possible, the administrator will ensure the supervisor's Direct Supervision of the employee is terminated. Regardless of the extent of continued Direct Supervision, the appropriate administrator will develop and implement a management plan with the supervisor to address any remaining supervisory authority issues and to otherwise ensure objective evaluation and supervision and to manage potential conflicts. The management plan shall be focused on maintaining an appropriate professional relationship between the parties in the work environment.

D. POLICY VIOLATION

Persons who violate this policy are subject to a range in sanctions, depending on the facts and circumstances and the application of other policies. Disclosure of the relationship, when the relationship began, and adherence to a management plan are among the circumstances that will be considered in determining whether and which sanctions are appropriate. Violations of this policy will be determined by the appropriate administrator using a preponderance of the evidence standard. A finding of a policy violation and/or disciplinary sanctions may be appealed using appeal mechanisms consistent with the process set forth in Section IV of the Sexual Misconduct Procedure. When applying the appeal mechanism to this policy, the term "Investigator" shall mean the individual who determined there was a violation. Faculty or staff may forfeit the legal and monetary protections of the University's indemnification policy in the event of any legal action that results from such relationships. See Policy 07-06-06, Faculty and Staff Indemnification.

V. REFERENCES

[Policy 07-06-06, Faculty and Staff Indemnification](#)

[Policy 06-05-01, Sexual Misconduct and Discrimination](#)

[Employment of Relatives](#)