



## POLICY

### Title: Amorous Relationships with Students

#### Policy Statement

The University's mission is best advanced through adherence by faculty and staff to the highest standards of professionalism in the discharge of their duties. Toward this end, and to foster the trust and mutual respect essential to a productive learning environment, faculty and staff must assiduously avoid the appearance or actuality of abuse of power and conflicts of interest in their interactions with students.

In most cases, social interaction between faculty or staff and students supplemental to formal instruction benefits the academic community by promoting the interchange of ideas, building mutual trust and respect, and facilitating communication. Trust and respect are, however, diminished when those in positions of authority abuse that authority or place themselves in a situation of actual or perceived conflict of interest.

All employees are expected to maintain appropriate professional boundaries in their relationship with all students. Relationships with students must maintain a central focus on student learning and development.

An amorous relationship in violation of this Policy would have a high potential (i) to create a conflict of interest because of inherent power differentials between employees and students; (ii) to jeopardize the centrality of focus on student learning and development; and (iii) to create indisputable risks to students, employees, and the broader University community. Such relationships are counterproductive to the educational process and thus would constitute unprofessional conduct.

A demonstrated failure to abide by this Policy will result in the initiation of disciplinary action against the employee engaged in the relationship.

#### Reason for the Policy

This policy establishes a professional standard applicable to relationships involving students, in support of the University's commitment to ethical behaviors, academic fairness, community values, and an environment free from sexual misconduct. The policy seeks to prevent potential harm to students, conflicts of interest, damage to academic integrity, and damage to the reputation of the University, its faculty, staff, and students.

#### Applicability of the Policy

This Policy applies to all employees and to all students, as defined below.

#### Definitions

An amorous relationship: is a romantic, sexual or dating relationship. This definition excludes marital or civil union relationships.

**Employee:** Employee includes all tenure and non-tenure-track, full-time and part-time faculty, instructors, adjuncts, as well as any visiting/volunteer faculty. Employee also includes all coaches. Coach includes any person serving as a head coach, assistant coach, graduate assistant coach, coaching intern, or volunteer coach. Employee also includes all staff members, senior administrators, and any volunteer staff.

**Employee with influence or authority over a graduate student:** Includes any faculty or staff member, whether paid or volunteer, with the ability to impact graduate student academic/career success, responsibility for making academic decisions or recommendations, who performs instructional, evaluative, administrative or supervisory, tutoring, advocacy, counseling and/or advising duties, whether within or outside the classroom with respect to a graduate student. Such responsibilities include the administration, provision, or supervision of all academic, co-curricular or extra-curricular services and activities, opportunities, awards or benefits offered by or through the University or its personnel in their official capacity.

**Professional boundaries:** are appropriate professional, moral, and ethical relationships with students that have a central focus on student learning and development in keeping with the University mission.

**Student:** Includes all students currently enrolled at the University of Vermont, whether part-time or full-time, in undergraduate or graduate education, including the Larner College of Medicine, in credit-bearing courses or programs and in non-degree/credit bearing courses or programs (including continuing and distance education). A student from another institution who is participating in UVM sanctioned or sponsored non-credit activities also is a covered. A former student of the University of Vermont is not covered by this policy if not enrolled at UVM. An individual who is primarily an Employee of the University but who is also enrolled at the University is not considered a Student under this policy.

## Procedures

### What Is Prohibited?

An Employee is prohibited from engaging in an amorous relationship with any undergraduate student, whether matriculated at UVM or enrolled as a non-degree/non-credit student, regardless of the perception of consent by both participants. An Employee also is prohibited from soliciting any undergraduate student to engage in an amorous relationship or encouraging solicitation from an undergraduate student to engage in an amorous relationship. This prohibition includes solicitation via social media or via a website or other means if it is known, or should be known, that the target of the solicitation is an undergraduate student.

An Employee is prohibited from engaging in an amorous relationship with a graduate student, including medical students, in the same department and/or graduate program as the Employee. An Employee is prohibited from engaging in an amorous relationship with a graduate student if the Employee has influence or authority over the graduate student regardless of whether the Employee and Student are in the same department or program. This policy prohibits solicitation by an Employee of a graduate student to engage in an amorous relationship if the policy would prohibit an amorous relationship with that graduate student. This prohibition includes solicitation via social media or via a website or other means if it is known, or should be known, that the target of the solicitation is a graduate or medical student the Employee has influence or authority over.

The University also prohibits amorous relationships between a graduate student (such as a graduate teaching or research assistant) and another student (graduate or undergraduate) if the graduate student has educational or supervisory responsibility over the other student.

#### Best Practices for Maintaining Professional Boundaries with Students

When interacting with students, all employees as defined above must use good judgment and maintain professional boundaries that are consistent with the legal and ethical duty of care University personnel have for students. The use of common sense while maintaining respectful, professional interactions with students should dictate what is appropriate under particular circumstances.

#### Exceptions

This policy does not prohibit amorous relationships with students where the University has determined that there is no realistic possibility of conflict of interest or abuse of authority. Such decisions will be made on a case-by-case basis in accordance with the disclosure protocol below.

#### Disclosure Protocol

If an individual has a pre-existing amorous relationship, establishes an amorous relationship, or intends to establish an amorous relationship with another individual in violation of the Policy prohibition, the faculty or staff member must promptly inform the Vice Provost for Academic Affairs and Student Success (VPAASS). In situations involving an amorous relationship between a graduate student and another student if the graduate student has educational or supervisory responsibility over the other student, the supervising graduate student is responsible for promptly informing the VPAASS. The VPAASS, will make a determination over whether there is any realistic possibility of conflict of interest or abuse of authority, or whether any further action is necessary to address conflicts and mitigate potential risks.

#### Confidentiality

Disclosed employee-student amorous relationships will be kept private except to the extent necessary to ensure that conflicts of interest and misconduct are avoided.

Sources for confidential consultation that can assist those who may seek guidance but wish to maintain confidentiality include:

- UVM Counseling & Psychiatry Services (confidential) (802) 656-3340 (for after-hours assistance, select voicemail #2).
- Student Health Center (confidential) (802) 656-3350
- Employee Assistance Program (confidential) (802) 864-3276

#### Complaint Procedure

A report of violation of this Policy may be filed by any member of the University community with the University's Office of Equal Opportunity at 802-656-3368 or via e-mail at [TitleIX@uvm.edu](mailto:TitleIX@uvm.edu) or via the online ["Bias, Discrimination, & Harassment Incident Reporting Form."](#)

A report of a violation of this Policy by a coach or Athletics staff may also be filed by any member of the University community with the Associate Director of Athletics/Senior Women's Administrator or with the Director of Athletics.

### Potential Discipline

A demonstrated violation of this Policy will result in the initiation of disciplinary action consistent with the standards and procedures of applicable policies or collective bargaining agreements. In appropriate instances, reports made under this Policy may also be investigated for possible violations of law or policy relative to sexual harassment and/or sexual misconduct.

### Contacts

<b>Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):</b>	
<b>Title(s)/Department(s):</b>	<b>Contact Information:</b>
Director, Office of Equal Opportunity	(802) 656-2909

### Forms/Flowcharts/Diagrams

- None

### Related Documents/Policies

- [Conflict of Interest and Conflict of Commitment Policy](#)
- [Discrimination, Harassment, and Sexual Misconduct Policy](#)
- [Nepotism Policy](#)

### Regulatory References/Citations

- None

### Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

### About this Policy

<b>Responsible Official:</b>	Provost and Senior Vice President	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 2.4.4	<b>Effective Date:</b>	April 4, 2022
<b>Revision History:</b>	<ul style="list-style-type: none"><li>• V. 3.0.3.1 effective December 5, 2004</li><li>• V. 2.4.2/V. 3.0.3.2 effective October 14, 2008</li><li>• V. 2.4.3 effective June 30, 2017</li></ul>		

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