



The University of Vermont

Policy V.2.4.3

Responsible Official: Provost and
Senior Vice President

Effective Date: June 30, 2017

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 by participating in amorous relationships with those for whom they have professional responsibilities.

It is therefore the policy of the University that amorous relationships between faculty or staff and students for whom they have current and direct academic or other professional responsibilities compromise the integrity of such faculty and staff and thus constitute unprofessional conduct. Such relationships are therefore prohibited. A demonstrated failure to abide by this Policy will result in the initiation of disciplinary action against the faculty or staff member engaged in the relationship.

Reason for the Policy

This policy establishes a professional standard applicable to amorous relationships involving students, in support of a quality student experience and to protect and preserve the integrity and associated reputation of the University, its faculty, staff and students.

Applicability of the Policy

This Policy applies to all persons whom the University employs, or otherwise awards faculty or other institutional appointments, to provide educational or support services to students.

Policy Elaboration

Even an apparently consensual amorous relationship breaches professional standards when the faculty or staff member involved with a student has professional responsibilities toward that student. This is the case because the power imbalance between the persons involved may diminish the student's freedom of choice in terms of entering, maintaining or terminating the relationship. In addition, such relationships present a real or apparent conflict of interest in the performance of professional responsibilities with regard to the student, which may compromise the objectivity and integrity with which professional responsibilities are discharged and educational or employment opportunities are provided. For these reasons, a faculty or staff member is prohibited from engaging in an amorous relationship with a student for whom s/he has current and direct professional responsibilities.

In recognition of interests in privacy and free association, this Policy does not prohibit amorous relationships between faculty or staff and students under other circumstances. Relationships in the latter category are nonetheless strongly discouraged due to their potential for abuse of power, conflict of interest, impact on the quality of the student experience, and significant risk of subsequent claims of sexual harassment.

The relationships that are the subject of the Policy are defined below. They include those of a sexual nature. They also encompass those in which amorous or romantic feelings exist without physical intimacy and which, when acted upon by the faculty or staff member, exceed the reasonable boundaries of what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

Note: Individual units, such as departments, may wish to adopt amorous relationship or related policies responsive to the professional or ethical standards applicable to their disciplines or endeavors. Such policies are permissible only if, and insofar as, they are consistent with this institutional Policy statement and the standards and sanctions therein contained are equally or more stringent.

Definitions

Academic or other professional responsibilities: include instructional, evaluative, administrative or supervisory, tutoring, advocacy, counseling and/or advising duties performed currently and directly, whether within or outside the classroom, by a faculty or staff member with respect to a 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.

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

Faculty and staff: are persons whom the University employs or awards institutional appointments to provide educational or support services to enrolled students. This definition encompasses students employed by the University in positions including, but not limited to, teaching assistants, tutors, and residential life staff.

Students: include all students currently enrolled, whether part-time or full-time, in undergraduate or graduate including College of Medicine credit-bearing courses or programs.

Procedures

If, notwithstanding the Policy prohibition, a faculty or staff member becomes involved in an amorous relationship with a student, s/he must promptly inform his/her supervisor to effect re-assignment or other appropriate modification of professional responsibilities (hereinafter “re-assignment”) relative to the student. Such voluntary report does not relieve the faculty or staff member from a supervisor’s initiation of disciplinary action for the Policy violation, but it may be taken into account as a mitigating factor in the imposition of any associated sanctions.

In addition, it is the responsibility of the supervisor of a faculty or staff member who is aware, or reasonably believes, that the individual is engaged in a relationship in violation of this Policy to raise the matter promptly with the individual. If the individual denies the relationship or declines to cooperate in the re-assignment of his/her professional responsibilities relative to the student, the supervisor must refer the matter for investigation as described below.

A report of violation of this Policy may be filed by any member of the University community with the administrator having supervisory responsibility for the faculty or staff member in question. Such report must be promptly referred by the administrator to the office or University official having responsibility for investigation of sexual harassment allegations under the institutional Policy on Sexual Harassment and Misconduct.

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.

If a faculty or staff member is transferred or promoted to a position, or otherwise is assigned job related duties and responsibilities where an existing relationship would violate the provisions of this Policy, the faculty or staff member must promptly inform his/her supervisor to effect re-assignment of professional responsibilities relative to the student. In such cases, and assuming a prompt report, the faculty or staff member will not be subject to disciplinary action.

Subject to applicable policies or collective bargaining agreement provisions, the supervisor will determine, in view of all relevant considerations, including available options, the nature and extent of any necessary or desirable modification of faculty or staff duties in situations subject to this Policy. Without limitation, such modifications may include re-assignment of teaching, grading, advising or counseling responsibilities; re-assignment of a student; transfer of a staff member; disqualification of a faculty or staff member from participating in reviews, evaluations or decisions affecting the student; or providing an alternative or additional layer of oversight with regard to discharge of faculty or staff duties. To ensure orderly administration of assignments and compliance with applicable bargaining agreements, it is essential that any re-assignments or other ameliorative action this Policy requires be undertaken by the supervisor of the faculty or staff member whose conduct necessitates the action, and not unilaterally by the faculty or staff member.

Forms

None

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Executive Director Affirmative Action and Equal Opportunity
(802) 656-2909

The Provost and Senior Vice President is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

Amorous Relationships - Department of Athletics Policy

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/amorous.pdf>

Conflict of Interest and Conflict of Commitment Policy

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/conflictinterest.pdf>

Sexual Harassment & Misconduct Policy

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/sexharass.pdf>

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Approved by the President June 30, 2017