

UNIVERSITY POLICY



Consensual Romantic or Sexual Relationships with Students

Responsible Office: Human Resources
Effective Date: September 16, 2024

Policy Statement

Romantic or sexual relationships that involve faculty, instructors, or supervisory employees and students pose a potential conflict of interest in the employment and educational context when one individual has, or could reasonably expect to have, responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of the other.

The purpose of this policy is to avoid actual or perceived conflicts of interest, coercion, favoritism, unfair treatment, or exploitation by limiting consensual romantic or sexual relationships between Butler students and employees (faculty and staff).

Scope

This policy applies to all full-time and part-time faculty and staff.

Definitions

Consensual romantic or sexual relationship means a relationship of a romantic, dating and/or sexual nature entered with the consent of both parties.

Supervisory or evaluative authority means the authority or power to control or influence another person's employment, academic advancement, or extracurricular participation, including but not limited to hiring, work conditions, compensation, tenure and/or promotion, discipline, admission, grades, assignments, recommendations, financial support, or participation in extracurricular programs.

Employee means all Butler University employees, including faculty (as defined in the faculty handbook), staff, graduate employees, and anyone else who teaches classes or supervises the academic work of students at Butler University. Independent contractors and volunteers are excluded from the term *Employee*.

Student means all those enrolled full-time or part-time in any program of Butler University and its various colleges. A student's status as "student" ceases at the time the student graduates or otherwise separates from their educational program.

Policy

When a consensual romantic or sexual relationship exists between an employee and an undergraduate student, the difference in power and the inherent risk of coercion is so great that no University employee (faculty and staff) may enter a consensual romantic or sexual relationship with a currently enrolled Butler University undergraduate student, regardless of whether there is a supervisory or evaluative relationship between them.

Consensual romantic or sexual relationships between a University employee and a graduate student may be permissible provided there is no supervisory or evaluative authority involved. In

circumstances wherein a supervisory or evaluative authority exists or occurs during the relationship, the disclosure process described below must be followed.

Any employee who has had a past consensual relationship with a student is prohibited from teaching, supervising, mentoring, or evaluating a student without explicit written authorization from an appropriate superior.

Procedures

Disclosure Process

Any consensual romantic or sexual relationship described in this policy that pre-exists or develops with a student must be disclosed in writing to Human Resources by the person in the position of greater power or authority. The disclosure must occur within 30 days of the start of the faculty or staff member's employment with the University, within 30 days of the assumption of a role within the University that creates a supervisory or evaluative role over the student, or within 30 days of the student's matriculation at Butler University.

A Human Resources Business Partner will consult with the Provost's Office, Dean of Students, department and/or school leadership, and Human Resources senior leadership, as necessary, to determine if a conflict exists, and if so, the appropriate action for minimizing or removing the conflict-of-interest risk.

Reporting Concerns

A student, faculty, or staff member who is or was in a consensual romantic or sexual relationship described in this policy believes that they have been negatively impacted by a consensual romantic or sexual relationship as described in this policy should contact Human Resources. Human Resources will consult with appropriate University offices as needed to refer and/or investigate the complaint.

No retaliation may be directed toward a student, faculty, or staff member who reports a good faith concern about a workplace relationship.

Violations of Policy

Anyone who violates this policy shall be subject to appropriate corrective action, including discipline up to and including termination of employment.

Policy Collaborators: *Office of General Counsel*

Contact Information: askhr@butler.edu

Appendices: *None*

History/Revisions: *One of two policies replacing the existing Consensual Relationships policy from 2007. (Separate policies for students/employees and employees/employees created.)*