

Consensual Relationships

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University Policy Number 1204

I. SCOPE

This policy applies to all faculty, staff and students of George Mason University.

II. POLICY STATEMENT

Sexual or romantic relationships between employees and students have the effect of undermining the atmosphere of trust on which the educational process depends. Positions of authority inherently carry the element of power in their relationships with Students. It is imperative that those in authority neither abuse, nor appear to abuse, this power entrusted to them. The respect and trust accorded an employee by a student, as well as the power exercised in giving praise or blame, grades, recommendations for further student and /or future employment, can greatly diminish should sexual or romantic activity be included in the relationship. Integrity can be compromised when employees evaluate the work or academic performance of students with whom they have a sexual or romantic relationship.

An employee who has a professional power relationship over a student must avoid any sexual or romantic relationships with the student. If an employee becomes involved in a sexual or romantic relationship with a student, or has had a past relationship with the student, the employee must immediately notify his or her supervisor. No employee shall exercise academic responsibility (instructional, evaluative or supervisory) for any student with whom the employee has or has had a sexual or romantic relationship.

Employees are responsible for complying with this policy regardless of who initiates the relationship. This policy applies regardless of whether both the employee and the student consent to the relationship, and whether the relationship is between individuals of the same sex or of the opposite sex.

Employees must be aware that sexual relationships with students have the potential for other adverse consequences, including the filing of a complaint alleging sexual harassment and/or retaliation under University Policy 1202 – Sexual Harassment and Misconduct. An employee who enters into a sexual relationship with a student where a professional power relationship exists must realize that if a charge of sexual harassment is subsequently lodged, a claim of mutual consent in the relationship may not be a sufficient defense.

III. DEFINITIONS

For the purposes of this policy only:

“Employee” means any paid employee of the university. This policy also applies to volunteers who teach, coach, evaluate, advise and supervise students at the university.

“Student” means all individuals who receive instruction under the auspices of George Mason University, including but not limited to:

1. persons who have registered for an educational program at the University, whether or not the student is currently enrolled (e.g., students who have enrolled at the University but have not yet registered for classes, students who decide not to enroll for a period of time, and doctoral degree candidates who are not registered);
2. participants in internships, practicum experiences, outreach, and summer programs and camps; and
3. students who are also employees of George Mason University.

“Professional Power Relationship” means a relationship between an employee and a student in which the employee may have authority to exercise decision-making authority regarding the student. Examples of a Professional Power Relationship include, but are not limited to, relationships in which the employee:

1. is in a position to make administrative or educational decisions about a student;
2. participates in an educational experience and has the authority to assign grades;
3. has any input into the evaluation of the student’s academic performance;
4. serves in matters of admission, or on scholarship awards committees;
5. has a managerial position over the student;
6. has an official academic advising relationship to the student, including as a thesis or dissertation advisor; or
7. is a coach of the student.

“Consensual Relationships” means, for purposes of this policy only, relationships of a romantic, intimate, or sexual nature, where a Professional Power Relationship exists.

IV. RESPONSIBILITIES

All academic and non-academic supervisors at all levels are responsible for implementation of this policy. Questions regarding this policy will be referred to Compliance, Diversity, and Ethics.

V. COMPLIANCE

A. An Employee entering into or engaging in a Consensual Relationship, or a current or prospective employee offered a position who will be in such a relationship should the position be accepted, shall immediately:

1. report the relationship to either the supervisor; Dean; Vice President/Provost; the hiring official; Compliance, Diversity, and Ethics; or Human Resources & Payroll Office; and
2. cooperate in actions taken to eliminate any actual or potential conflicts of interest and to mitigate adverse effects on third parties.

B. The supervisor shall treat the information confidentially and shall promptly:

1. consult with Compliance, Diversity, and Ethics; and
2. cooperate with Compliance, Diversity, and Ethics and Vice President/Provost, eliminate conflicts of interest, and mitigate adverse effects on third parties.

C. Possible actions a supervisor may take include, but are not limited to:

1. transferring one of the individuals to another position or class; or
2. transferring supervisory, decision-making, evaluative, academic or advisory responsibilities.

D. Violations of this policy may result in discipline in accordance with the Faculty Handbook, Administrative Faculty Handbook, and the policies and procedures of the Commonwealth of Virginia.

VI. EFFECTIVE DATE

This policy will become effective upon the date of approval by the Senior Vice President and Provost.

VII. FREQUENCY OF REVIEW

This policy shall be reviewed by Compliance, Diversity, and Ethics every two years, or more frequently as needed.

VIII. SIGNATURES

Approved:

_____/S_____

Senior Vice President

_____/S_____

Provost

Date approved: June 28, 2012