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## **Consensual Relationships** *(last revised June 23, 2010)*

The University is committed to the principle that its personnel shall carry out their duties in an objective and ethical fashion and in an atmosphere in which conflicts of interest are identified and managed. The University does not interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the University. However, consensual romantic or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party have the potential to interfere with these goals and policies. Therefore, consistent with its commitment to objectivity and ethical behavior, the University is required to intervene in such circumstances.

A romantic, intimate, or sexual relationship in which one individual is in a position to Exercise Authority over the other creates conflicts of interest and perceptions of undue advantage or disadvantage. When both parties have consented at the outset to a romantic, intimate, or sexual relationship, this consent does not remove grounds for a charge of conflict of interest, sexual harassment, or violation of applicable parts of Section D.9, Code of Ethical Behavior, based upon subsequent unwelcome conduct.

For the purposes of this Consensual Relationship Policy, the following definitions shall apply:

- a. "Consensual Relationship" shall mean and refer to any relationship, either past or present, which is romantic, intimate, or sexual in nature and to which both parties consent or consented. This includes marriage.
- b. "Student" shall mean and refer to any person applying to the University or currently enrolled, either full-time or part-time, in any course or academic program associated with Colorado State University.
- c. "Employee" shall mean and refer to any person currently employed by Colorado State University, either full-time or part-time, in any location and in any capacity. "Employee" shall include, but is not limited to, administrators, faculty, administrative professionals,

state classified staff, graduate assistants, student hourly employees, non-student hourly employees, non-paid staff, and student work-study employees.

- d. “Exercise(s) Authority” shall mean and refer to evaluating, providing oversight, supervising, academic advising, mentoring, coaching, counseling, providing extracurricular oversight, and/or otherwise participating in or influencing votes or decisions that may reward or penalize a Student or subordinate Employee.
- e. “Supervisor” shall mean the individual who performs the Employee’s annual evaluation.

A faculty member shall not enter into a new Consensual Relationship with a Student over whom the faculty member Exercises Authority.

An Employee shall report immediately to his or her Supervisor the following:

- a. Past or preexisting Consensual Relationships with a Student for whom the Employee is in a position to Exercise Authority. Examples include, but are not limited to, a Student research assistant, a Student in a current class, a Student intern, or a Student advisee.
- b. Past or present Consensual Relationships with a subordinate Employee over whom the supervising Employee Exercises Authority. An Employee who is the subordinate Employee in a Consensual Relationship also is encouraged to report that relationship to the Supervisor of the individual with whom he or she is involved.

Within fifteen (15) working days of receiving a report of a Consensual Relationship, the Supervisor shall consult with his or her supervisor to develop a plan to manage or eliminate conflicts of interest and mitigate adverse effects on the involved parties and other third parties. This plan shall document in writing the actions that shall be taken, including one or more of the following actions:

- a. Transferring supervisory, decision-making, evaluative, academic, and/or advisory responsibilities;
- b. Providing an additional layer of oversight to the supervisory role;
- c. Transferring one of the individuals to another position; and/or
- d. Taking any other action reasonably necessary to manage or eliminate the actual or potential conflict of interest and/or mitigate adverse effects.

Every effort should be made to preserve confidentiality, sharing names and pertinent information only with individuals directly involved in these actions and only as necessary.

If an Employee has a Consensual Relationship with another Employee who is not a subordinate, then he or she shall refrain from participating in or influencing votes or decisions that may reward or penalize that Employee (such as votes or decisions regarding tenure and/or promotion).

A violation of this policy may lead to disciplinary action, as permitted by University policy and law, up to and including termination of employment.

Retaliation against persons who report concerns about Consensual Relationships is prohibited and constitutes a violation of this Policy.