



## Policy # 53034.8

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### CONSENSUAL RELATIONSHIP POLICY BETWEEN EMPLOYEES AND STUDENTS

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**Effective Date:** April 1, 2024

**Responsible Office:** Human Resources, Title IX, University Compliance

**Division:** Operations

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#### **I. PURPOSE/OBJECTIVE**

This policy supports the mission of the University by establishing an environment free from bias, conflict, or inequitable treatment and the pursuit of academic freedom and research. Additionally, this policy serves to uphold the University's high standards of professional and ethical conduct, specifically with respect to interpersonal relationships.

Grambling State University prohibits consensual, intimate, personal, romantic or sexual relationships to ensure that students and employees are able to learn or work in an environment where they can be objectively supervised, instructed, or evaluated. The respect and trust accorded to a university employee by a student, as well as the potential power exercised by the employee, make voluntary consent by the student suspect. Even when both parties initially have consented, the development of an amorous relationship renders both the university employee and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between employees and students.

#### **II. APPLICABILITY**

This Policy describes the expectations and responsibilities of Grambling State University employees regarding amorous relationships with any Grambling State University student. It applies to all full and part-time faculty (including adjunct, special or visiting faculty) and staff ("University employees"). This Policy also describes special considerations for faculty members, public safety employees, and athletics employees regarding amorous relationships with full-time or part-time students.

#### **III. STATEMENT OF POLICY**

In cases where a consensual intimate, personal, romantic or sexual relationship exists between individuals in inherently unequal positions of authority, such relationships could have the effect of impeding the success of the work environment, academic training, or research. Moreover, because of the real or perceived power imbalance that may exist, such a relationship may also raise questions about the mutuality of consent. Such situations may cast doubt on the objectivity and fairness of the workplace, damage workplace morale, and place the University in a legally vulnerable position.

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- A. An amorous sexual relationship between faculty and/or staff and an undergraduate student is expressly prohibited.
- B. An amorous sexual relationship between faculty and/or staff and a graduate student where the faculty or staff member has power or authority over the graduate student is expressly prohibited.
- C. This policy also applies to students engaged in an employment capacity at the university. No employee shall have, engage, encourage, or pursue a consensual amorous relationship with a student where the employee has the authority or responsibility to hire, promote, discipline, evaluate, assign or direct the student. If such a relationship develops, the person in the position of greater authority must disclose the relationship immediately.
- D. Except as expressly permitted herein, and regardless of the existence of an evaluative, administrative, or supervisory relationship, faculty members and public safety employees are prohibited from engaging in amorous relationships with currently enrolled undergraduate students, and athletics employees are prohibited from engaging in amorous relationships with currently enrolled student-athletes. Faculty members must also disclose to the Title IX Office any amorous relationship with a student enrolled as a graduate/professional student in any graduate or professional program with which the faculty is affiliated.
- E. University Employees will be subject to disciplinary action for failing to promptly disclose a consensual intimate, personal, romantic or sexual relationship with a student which may include, but not be limited to, a verbal warning, written warning, suspension without pay, termination and/or other disciplinary measures in accordance with faculty, staff or student related procedures.
- F. Prompt disclosure is an effective method of adhering to this policy but does not alone ensure that the policy has not been violated. Policy violations will be determined on a case-by-case basis after considering the facts of each relationship, incident, evidence, and/or supporting documentation.

**IV. DEFINITIONS**

- 1. **Amorous relationship:** Shall include but is not limited to any personal, intimate, romantic, dating, or sexual relationship, conduct, or electronic communication to which the parties have given valid consent.
- 2. **Athletics Employee:** Any University employee or volunteer serving in the Department of Athletics. Student-athletes who are assigned departmental work on a temporary and volunteer basis are not considered athletics employees for the purposes of this Policy.
- 3. **Different status:** Any individual who has a position of greater authority, by virtue of their professional responsibilities over another individual, such as a subordinate, student, or student-athlete.
- 4. **Evaluative, administrative, or supervisory:** Related to assessment, determination or influence over (1) one's academic performance, progress or potential or (2) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity or (3) management, oversight or direction of one's academic or other institutionally prescribed activities.
- 5. **Public Safety Employee:** Any employee of the Grambling State University Police Department.

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**V. RELATIONSHIPS BETWEEN UNIVERSITY EMPLOYEES AND STUDENTS STRONGLY DISCOURAGED**

In recognition of interests in privacy and free association, this Policy does not prohibit amorous relationships between students and University Employees under all circumstances. These relationships 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.

**VI. PROHIBITED RELATIONSHIPS BETWEEN UNIVERSITY EMPLOYEES AND STUDENTS**

University Employees who engage in amorous relationships with students with whom they also have an administrative, evaluative, or supervisory relationship risk the potential for exploitation of those students. Further, an amorous relationship with a student over whom a University Employee also has an administrative, evaluative, or supervisory relationship may give rise to a potential or actual conflict of interest. It is therefore misconduct for a University Employee to engage in an amorous relationship with a student over whom the University Employee holds any instructional, research, administrative, evaluative, supervisory or other University employment responsibility or authority. Failure to disclose an existing amorous relationship prior to holding such authority will result in disciplinary action.

**VII. SPECIAL CONSIDERATIONS FOR FACULTY MEMBERS, PUBLIC SAFETY EMPLOYEES AND COACHES**

- A. Even absent any evaluative, administrative, or supervisory authority, amorous relationships between faculty members and students, between public safety employees and students, or between athletic employees and student-athletes, may lead to unanticipated conflicts of interest, since the influence and power of faculty members, public safety employees, and athletics employees often extends beyond the classroom, department, or team based on perceived favoritism.
- B. Due to the heightened risk of a real or perceived power imbalance, faculty members and public safety employees are prohibited from engaging in amorous relationships with currently enrolled undergraduate students, regardless of the existence of an evaluative, administrative, or supervisory relationship. Likewise, athletics employees are prohibited from engaging in amorous relationships with currently enrolled student-athletes.
- C. For similar reasons, faculty members must also disclose any amorous relationship with a graduate/professional student in the same department or affiliated with the same graduate or professional program, regardless of whether the faculty members have any evaluative, administrative or supervisory authority over the students.

**VIII. MISCELLANEOUS**

This policy does not confer a term of employment, nor is the language intended to establish a contract of employment, express or implied, between any employee and Grambling State University. The University reserves the right to change, amend or terminate any of its policies, provisions, terms or guidelines at any time for any reason to maintain compliance with regulations and laws in the best interest of the University.

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**IX. EXCEPTIONS**

Undergraduate student workers may have consensual relationships with university students that are not under their direct supervision or work-study assignment. Faculty members, public safety employees, and athletics employees must report a pre-existing amorous relationship implicated by Section III of this Policy prior to the student's enrollment. Amorous relationships implicated by Section III of this Policy as of the date the Policy is adopted must be reported within 30 days of its initial approval and publication.

**X. DUTY TO SELF-DISCLOSE**

The existence of an amorous relationship must be self-disclosed by University employees to the Title IX Office prior to the employee assuming any instructional, research, administrative, evaluative, supervisory or other University employment responsibility or authority regarding the student. Faculty members, public safety employees, and athletics employees must also self-disclose amorous relationships implicated by Section III of this Policy to the Title IX Office. Any such report constitutes confidential personnel information.

**XI. DUTY TO REPORT SUSPECTED POLICY VIOLATIONS**

- A. Any University employee who is aware of a possible violation of this Policy is required to report the matter to the Title IX Office. The identity of a reporting employee will be kept confidential and not disclosed except to the extent required to address a suspected policy violation. Any other person who is aware of a possible violation of this Policy may also report the matter to the Title IX Office.
- B. Grambling State University is a community in which employees are encouraged to share workplace concerns with University leadership. Additionally, Grambling's Anonymous Reporting Hotline allows anonymous and confidential reporting on matters of concern through the GSAFE APP and/or the [GSU Online Complaint Form](#) by following the General Complaint Protocol.

**XII. IMPLEMENTATION PROCEDURES**

**A. Actions Following Receipt of Report**

- **Report to Title IX:** The existence of or potential for a situation that implicates this Policy must be promptly reported by University Employees to the Title IX Office. The Title IX Office will immediately inform the supervisor of a University Employee who is possibly engaged in an amorous relationship that implicates this Policy and assist the supervisor in taking immediate and effective action to ensure that:
  - 1) the University Employee does not hold any instructional, research, administrative, evaluative, supervisory or other University employment responsibility or authority regarding the student with whom there is an amorous relationship;
  - 2) there will be un-conflicted instruction, evaluation or supervision of the student without compromising the student's progress toward the completion of their academic program;
  - 3) if appropriate, a conflict management plan is implemented; and
  - 4) if appropriate, disciplinary action(s).

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- **Report to Supervisor:** Supervisors (including Department Chairs) must keep their own supervisors (including Deans) fully informed with respect to actions taken in response to amorous relationships implicated by this Policy.
- **Title IX Investigation:** If a report reveals an amorous relationship that potentially violates this Policy, the Title IX Office will implement its standard review procedures.

**B. Conflict Management Plan**

If appropriate, following disclosure of an amorous relationship that creates or has the potential to create a potential or actual conflict of interest, the University Employee's supervisor will oversee the development and monitoring of a conflict management plan to avoid a violation of this Policy. Any proposed conflict management plan must be reported to the Title IX Office, which will consult with any relevant Deans or Vice President as needed, for review and approval prior to implementation. Conflict management plans should prioritize the student and avoid any unnecessary disruption to the student's academic progress.

**C. Violations of Policy**

Violations of this Policy, including failure to adhere to an approved conflict management plan, will result in disciplinary action, up to and including termination of employment. Sanctions will be imposed in accordance with the disciplinary procedure applicable to the University Employee's category of employment. It is critical the University receives notification of amorous relationships implicated by this Policy to prevent conflicts of interest, favoritism, and exploitation. Accordingly, if a University employee engaged in an amorous relationship with a student implicated by this Policy immediately notifies the Title IX Office of the existence of the amorous relationship and cooperates to mitigate its effects, disciplinary action may be limited. Unreported amorous relationships implicated by this Policy will be considered more significant violations.

**XIII. REVISION/REVIEWED**