



POLICY:
California University of Pennsylvania Consensual Relationship Policy

A. Purpose & Scope:

This policy applies only to a romantic/sexual relationship between an employee and a student or an employee and another employee.

Justification: The University's mission is predicated on professionalism in interpersonal relationships. Since professional relationships are paramount to the mission and goals of the University, it is essential to establish a standard of expected conduct in these relationships. Personal relationships should not conflict with an individual's work or educational experience. A University employee with professional responsibility or supervision of another who has real or potential power and authority over that individual in a variety of roles including, but not limited to, supervisor, mentor/advisor, professor, coach, etc., shall not abuse that power.

B. Definition(s):

Employee: Any person who is hired for a wage, salary, fee or payment to perform work for California University of Pennsylvania.

Student: Any person who is enrolled and studying at California University of Pennsylvania, whether as an online student, undergraduate or graduate student.

C. Policy:

Romantic and sexual relationships between a student and an employee with any supervisory or evaluative responsibility for that student are presumed to be exploitive and constitute unprofessional conduct. The same exists for romantic/sexual relationship

between an employee and another employee with any supervisor or evaluative responsibility. The consensual nature of such a relationship does not necessarily constitute a defense to a charge of unprofessional conduct. Romantic or sexual relations between an employee and a student of that employee are presumed to be exploitive and constitute unprofessional conduct.

Because of the inherently unequal nature of a relationship in which one party supervises, advises or evaluates the other, the apparently consensual status of an romantic/sexual relationship between such parties is suspect even when both parties have given voluntary consent. In such a situation, it is the ethical and professional responsibility of the person in the position of power to relinquish decisions regarding the direct subordinate they supervise or evaluate in order to remove himself/herself from the supervisory role. Any employee entering such a consensual relationship shall contact his/her supervisor, Human Resources and Social Equity for guidance and advice in order to avoid disciplinary issues. Failure of an employee or student to report a consensual relationship will be considered a violation of this policy.

Even when the relationship has been properly reported, any employee in a supervisory or evaluative role who enters into an romantic or sexual relationship with another employee or with a student should be aware that he/she will be subject to scrutiny if a complaint of sexual harassment is leveled against the "supervisory/evaluative person" by the "subordinate person" or if a third party brings a complaint.

D. Procedure(s):

How to Report Violations: To protect the University community, anyone who is aware of any violation of this policy can report the alleged violation to the director of Human Resources and the director of Social Equity/Title IX Coordinator.

This policy will be enforced by the Office of Human Resources, the Office of Social Equity and if needed the Office of Student Conduct. These offices will handle the investigation and adjudication of complaints.

Other related polices:

Policy Statements and Compliance Procedures on Equal Education and Employment Opportunity and Social Equity.

Gender Based/Sexual Misconduct Policy (Title IX) Policy

E. Effective date: July 23, 2019

Adopted: July 23, 2019

by: President's Cabinet

Amended Date: