

AMOROUS AND SEXUAL RELATIONSHIPS BETWEEN FACULTY OR ADMINISTRATIVE STAFF AND STUDENTS- BP 2.32

Legal Authority: NCGS 115D-20

Approval: April 19, 2011

Revision:

It is the policy of Board that faculty members or administrative staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities.

Friendships or mentoring relationships between faculty or administrative staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

Marital relationships are covered separately under the College's policy concerning Employment of Relatives.

Amorous Relationships Outside the Instructional Context

Amorous relationships between faculty members or administrative staff and students occurring outside the instructional or administrative context may also lead to difficulties. Particularly when the individual and the student are in the same College curriculum program or in programs that are academically allied, relationships that the involved parties view as consensual may be disruptive and appear to others to be exploitative. Further, in these and other situations, the faculty or administrative staff member may face serious conflicts of interest. In any such situation, therefore, faculty or administrative staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.

Rationale for Policy

The College's educational mission is promoted by professionalism in faculty-student relationships, and professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members or members of administrative staff that harm this atmosphere will undermine professionalism and hinder fulfillment of the educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may

easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or member of the administrative staff and a student entails serious ethical concerns when the faculty or administrative staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or administrative staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or to create an unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that places the faculty member or member of the administrative staff in a position to favor or advance one student's interests at the expense of others' interests and implicitly makes or appears to make obtaining benefits contingent on amorous or sexual favors.

Administration of the Policy

The Board authorizes the President to implement Administrative Rules consistent with this Policy and the following guidelines:

- A. Because of the sensitive nature of amorous relationships, every reasonable effort should be made to resolve alleged Policy violations on an informal basis if possible.
- B. Any remedial action will depend on the totality of the circumstances. Efforts should be made to be constructively educational for both parties and to be corrective rather than punitive if a Policy violation is found: An acknowledgment of the violation and a commitment not to violate the Policy in the future, along with a warning or other appropriate action directed toward the faculty or other administrative staff member, may be sufficient resolution.
- C. In cases where further action is deemed appropriate, sanctions may range from a letter of reprimand to dismissal, all in accordance with applicable College procedures.
- D. If not satisfied with the decision reached under the process implemented by the President, the faculty member or administrative staff accused of a Policy violation may proceed in accordance with the College's established grievance procedures.

- E. Complaints found to have been intentionally dishonest or made in willful disregard of the truth may subject the complainant to disciplinary action, with possible sanctions ranging from a letter of reprimand to dismissal.

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