

CONSENSUAL RELATIONSHIPS



PERSONNEL
Regulation No: DH
Effective Date: 02/24/2020

1. PURPOSE

To establish procedures for reporting and addressing consensual relationships in the workplace and classroom.

2. DEFINITIONS

2.1 Consensual Relationship. A mutually acceptable, romantic, or sexual relationship between a college employee (including a student employee) with teaching, supervising, advising, evaluating, or grading authority and an employee, student, or student employee who is taught, supervised, advised, evaluated, or graded by that college employee.

2.2 Conflict of Interest. Even when there is no actual conflict of interest, a potential conflict of interest or an appearance of impropriety may arise when individuals with the authority and the responsibility to evaluate the work or performance of an employee, student, or student employee initiate, acquiesce to, or engage in an intimate romantic or sexual relationship with that employee, student, or student employee.

3. REGULATION

3.1 Reporting Responsibility. If a consensual relationship exists or begins to develop, the individual in the position of authority must immediately notify his or her immediate supervisor of the relationship and cooperate with that supervisor in making the arrangements necessary to resolve the conflict of interest. Failure of the individual in the position of authority to report the consensual relationship immediately may result in disciplinary action up to and including termination.

3.2 Immediate Supervisor Responsibility. A supervisor who is notified, or becomes aware, of a consensual relationship shall confirm that the consensual relationship exists by meeting with the parties involved and advising that this type of relationship must conform to the guidelines of this document. The supervisor shall work with all parties to alter the conditions that create an actual or potential conflict of interest or the appearance of impropriety caused by the relationship. In most instances, providing alternative arrangements for either party will alter the conditions. In providing alternative arrangements, the supervisor must ensure no harm comes to the person in the relationship who holds less power or authority. These alternative arrangements must be documented, kept in the employee's department file and

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reported to the vice president in the reporting line of the employee in the position of authority in the relationship.

3.3 Procedures for Failure to Cooperate.

3.31. Employees in positions of authority in these consensual relationships must fully cooperate in efforts to eliminate any conflict of interest or appearance of impropriety and are subject to disciplinary action up to and including termination for failure to do so. The College will not presume that the relationship was consensual if the subordinate party complains of sexual harassment related to an undisclosed relationship. Allegations of sexual misconduct will be investigated according to College of the Mainland's sexual misconduct policy, *DIAA (Local)* and *FFDA (Local)*.

3.32. The appropriate chair, dean, or director will provide the details related to Section 3.31 to the vice president in the reporting line of the employee in the position of authority in the relationship. The vice president in the reporting line shall review the details of the situation and render an appropriate sanction

4. REGULATION OWNER

Executive Director of Human Resources

5. FORMS/REFERENCE/EXHIBITS

N/A.

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