

DTC0TKV!Ben jojt usbps! !Tvqqpsu!Tubgg!Qpndjft

A. COLLEGE OF SAINT BENEDICT AND SAINT JOHN'S UNIVERSITY POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN AN ADMINISTRATOR OR SUPPORT STAFF MEMBER & STUDENTS

I. PURPOSE

The College of Saint Benedict (CSB) and Saint John's University (SJU) are committed to maintaining a campus environment characterized by fair, professional and ethical behavior. The integrity of the educational mission of CSB and SJU are maintained by promoting appropriate standards of professional conduct among administrators and support staff (hereinafter referred to as -staff) in their dealings with students. In these relationships, staff are expected to avoid apparent or actual conflicts of interest, favoritism, bias or exploitation. When staff engage in a romantic or sexual relationship with a student, while he or she also has the authority to assign, evaluate, advise, reward or discipline a student, a professional responsibility is violated, even if the relationship appears to be consensual.

As the Joint Sexual Misconduct Policy of the College and University states, consensual sexual or romantic relationships may become the basis for a claim of sexual harassment or sexual misconduct. These relationships are particularly complex when there is a power imbalance between the individuals involved in the relationship, because a power imbalance heightens the potential for exploitation and can diminish the subordinate's freedom of choice. This is especially true in relationships involving students because the respect and trust accorded a staff member by a student, as well as the power exercised by staff in an academic or evaluative role, makes voluntary consent by the student particularly suspect. A student may feel that the power imbalance makes it difficult for him or her to discontinue the relationship or to say no to a particular act. Such relationships may also affect other members of the campus community adversely. By placing a staff member in a position to favor or advance the interests of the student who is a party to the relationship, a perception may be created that obtaining favorable treatment is implicitly contingent on engaging in a consensual sexual or romantic relationship.

For these reasons, CSB and SJU strongly discourage staff from involvement in a consensual sexual or romantic relationship with a student for whom they have an employment or academic responsibility. Recognizing that despite this discouragement by the College or University, consenting adults may become involved in a consensual sexual or romantic relationship, it is important that steps be taken to mitigate the real and/or apparent conflict of interest and other issues that are created.

II. POLICY STATEMENT

It is the policy of CSB and SJU that staff involved in a romantic or sexual relationship with a student for whom the staff member has an employment or academic responsibility, must promptly report the relationship to his or her Department Manager. The Department Manager must, in turn, report the relationship to the Director of Human Resources. If the staff involved in the relationship is the Department Manager, he/she must report the relationship to the Director of Human Resources and his/her Vice President. Upon receiving notice, the Department Manager, or an appointee, if the Department Manager is the involved party, in consultation with the Director of Human Resources, must make arrangements for an alternative evaluation

mechanism and such other additional arrangements as are prudent under the circumstances, for both parties.

The staff member is obliged to fully cooperate with the Department Manager and Director of Human Resources in making these mitigating arrangements. Such arrangements made in response to the existence of a consensual romantic or sexual relationship will not be undertaken for the purpose of adversely affecting appointment status, pay, benefits or professional opportunities of the staff member, but the College and University reserve the right to make such changes if deemed necessary by the College or University. The arrangements will be undertaken with the intent of minimizing or avoiding, to the extent reasonably possible, adverse effects on the educational opportunities of the student.

Failure to promptly report the existence of a romantic or sexual relationship described above is a violation of this policy, and the staff member will be subject to disciplinary action as outlined in the Administrative and Support Staff Handbook.

In addition to this policy, staff members and students involved in a romantic and/or sexual relationship must fully comply with the Joint Sexual Misconduct Policy.

Students and staff who are involved in a consensual romantic or sexual relationships covered by this policy and who have concerns about a power differential or the effect of ending such a relationship are encouraged to consult with the Faculty/Staff Human Rights Officer or the Student Human Rights Officer.

A staff member who becomes involved in a consensual romantic or sexual relationship with a colleague should consult the **POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN ADMINISTRATORS AND SUPPORT STAFF AND FACULTY/STAFF COLLEAGUES (Appendix I, Part III.B)**.

III. DEFINITIONS

For purposes of this policy:

- **Romantic relationships** include relationships in which amorous or romantic feelings exist with or without physical intimacy and which, when acted upon by the staff member exceed the reasonable boundaries of an educational, professional or supervisory relationship.
- **Sexual relationships** include relationships involving intimate physical contact of a sexual nature.
- **Consensual** means involving or based on mutual consent. Consent is defined in the Joint Sexual Misconduct Policy.
- **Academic responsibility** for students includes any activity which results in academic or educational reward, opportunity, or penalty including: teaching, advising, coaching supervising work assignments and research projects, moderating an internship, supervising institutionally sponsored travel and making recommendations for College and/or University employment or awards.
- **Employment responsibility** for a staff member includes any activity which results in employment related rewards or penalties including, but is not limited to, the following activities: conducting or contributing to performance appraisals, determining or contributing to the determination of a person's employment status, job description, salary, fringe benefits, institutional funding, distinguished service awards, or disciplinary action.

- **Student** refers to any person enrolled in CSB or SJU, undergraduate or graduate.
- **Staff** refers to a person employed by CSB or SJU in an administrative or support staff appointment.
- **Faculty** refers to a person employed by CSB or SJU in a faculty appointment.

B. COLLEGE OF SAINT BENEDICT AND SAINT JOHN'S UNIVERSITY POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN ADMINISTRATORS AND SUPPORT STAFF & FACULTY/STAFF COLLEAGUES

I. PURPOSE

The College of Saint Benedict (CSB) and Saint John's University (SJU) are committed to maintaining a campus environment characterized by fair, professional and ethical behavior. To this end, administrators and support staff members (hereinafter referred to as -staff) are expected to avoid apparent or actual conflicts of interest, favoritism, bias or exploitation. Thus, it is in the interest of CSB and SJU to provide clear direction to staff about the risks associated with consensual sexual or romantic relationships with faculty/staff colleagues (hereinafter referred to as -colleagues).

As the Joint Sexual Misconduct Policy of the College and University states, consensual sexual or romantic relationships may become the basis for a claim of sexual harassment or sexual misconduct. These relationships are particularly complex when there is a power imbalance between the individuals involved in the relationship, because a power imbalance which heightens the potential for exploitation and can diminish the subordinate's freedom of choice. A colleague may feel that he or she is not free to discontinue the relationship or to say no to a particular act because of a power differential that exists among the colleagues.

Such relationships can also affect other members of the campus community adversely and give rise to conflict of interest concerns. A consensual romantic or sexual relationship may create a perception that the processes of evaluation, reward and discipline are unfairly biased and affected by favoritism. The relationship may also make the workplace uncomfortable for others.

II. POLICY STATEMENT

It is the policy of CSB and SJU that staff, currently or previously involved in a consensual sexual or romantic relationship with a colleague:

A. Disclose to his or her supervisor, or the Director of Human Resources, any consensual sexual or romantic relationship with a colleague who is subordinate to the staff member, under the direction of the staff member, or in the same department or unit as the staff member so that the College and/or University can help to guard against actual or perceived conflicts of interest and other potential adverse effects.

B. Excuse him or herself from any decision involving the employment status of the colleague, work related benefits of such colleague (to the extent the benefits are not generally available to other faculty or staff), and any other employment related decisions related to the colleague. If required to provide an evaluation of the colleague, the staff member should submit a letter to Human Resources noting the conflict of interest and the resultant inability to provide

an evaluation. The Supervisor or Department Manager should consult with the Director of Human Resources to determine if any other arrangements are necessary to eliminate the conflict of interest. If the Supervisor or Department Manager has the conflict of interest, he or she must notify the Director of Human Resources and his/her Vice President and work with the Vice President to eliminate the conflict.

Any changes or arrangements made in response to the existence of a consensual romantic or sexual relationship will not be undertaken for the purpose of adversely affecting the appointment status, pay, benefits or professional opportunities of the staff or colleague, but the College and University reserve the right to make such changes if deemed necessary by the College and University.

The failure of a staff member to disclose a relationship described above or to excuse him or herself from the evaluation or decision making process involving the employment status or work related benefits of the colleague is a violation of this policy, and the staff member will be subject to disciplinary action as outlined in Administrative and Support Staff Handbook.

In addition to this policy, staff members involved in a romantic and/or sexual relationship with a faculty/staff colleague must fully comply with the Joint Sexual Misconduct Policy.

Staff who are involved in a consensual relationship with a colleague and who have concerns about a power differential or the effect of ending such a relationship are encouraged to consult with the Faculty/Staff Human Rights Officer.

Staff who may become involved in a consensual sexual or romantic relationship with a student should consult the **POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN an Administrator and support Staff Member & STUDENTS (Appendix I, Part III.A.)**. Faculty are required to disclose consensual sexual and romantic relationships with staff under certain circumstances (Appendix C of Part II of the Faculty Handbook). Staff members who have concerns about a relationship between a staff and faculty member may consult with the Director of Human Resources or the Faculty/Staff Human Rights Officer.

III. DEFINITIONS

For purposes of this policy:

- **Romantic relationships** include relationships in which amorous or romantic feelings exist without physical intimacy and which, when acted upon by the staff member exceed the reasonable boundaries of an educational, professional or supervisory relationship.
- **Sexual relationships** include relationships involving intimate physical contact of a sexual nature.
- **Consensual** means involving or based on mutual consent. Consent is defined in the Joint Sexual Misconduct Policy.
- **Staff** refers to a person employed by CSB or SJU in an administrative or support staff appointment and includes any and all employees other than faculty of the CSB and SJU.
- **Faculty** refers to a person employed by CSB or SJU in a faculty appointment.

Updated September 2014