



POLICY & PROCEDURE DOCUMENT

NUMBER: 1.101~~3~~⁴

DIVISION: Academic Affairs

TITLE: Consensual Relations Between Faculty and Students

DATE: August 15, 2006

REVISED: March 21, 2011, September 19, 2016, February 27, 2017, **January 24, 2018,**
March 26, 2019

AUTHORIZED: David D. Lee, Provost and Vice President for Academic Affairs

I. Purpose and Scope

~~Consensual relations (e.g. dating, and sexual)~~ **relations** between students and faculty members with whom they also have an academic, advisory, supervisory, or evaluative relationship are fraught with the potential for exploitation, and therefore are ~~strongly discouraged~~ **expressly prohibited**. Dating and sexual relations between students and faculty members that do not have an academic, advisory, supervisory, or evaluative relationship are strongly discouraged. The respect and trust accorded a professor by a student as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. Further, these relationships might be less consensual than the individual whose position confers power or authority believes. Even when both parties initially have consented, **the power differential between faculty and student may make it difficult for the student to end a relationship for fear of retribution.** ~~†~~ The development of a dating and/or sexual relationship renders both the faculty member and the institution vulnerable to possible later allegations of sexual misconduct (e.g. sexual harassment, sexual assault) due to the significant power differential that exists between faculty members and students.

Pre-existing consensual relationships (e.g. marital or Other Qualified Dependents) as defined by HR policy 4.230V are subject to the reporting requirements in Section III and may present a conflict of interest.

II. Policy:

In their work-related relationships with students, members of the faculty are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias.

A ~~consensual~~ relationship between a faculty member and a student whom the faculty member evaluates, advises, or supervises, is ~~strongly discouraged~~ expressly prohibited. A relationship between a student and a faculty member in his/her department who does not directly evaluate, advise, or supervise or in another department at WKU is strongly discouraged.

This policy should not be construed to supersede any existing, applicable federal or state statutes.

Consensual and non-consensual relationships are addressed in the University's Discrimination and Harassment Policy (0.204V), and Title IX Sexual Misconduct/Assault Policy (0.207V).

III. Procedure

~~Pre-existing relationships In the event that a consensual relationship does that exist or develops between a faculty member and a student whom the faculty member is subsequently assigned to~~ evaluates, advises, or supervises, the faculty member must ~~immediately~~ disclose the consensual relationship to his or her immediate superior (normally the department head/chair or college dean) and make arrangements to ~~immediately end~~ avoid advising, supervising, evaluating, or grading responsibilities for the consensual partner as described in HR Policy 4.230V. If a dating or sexual relationship develops between a faculty member and a student for whom the faculty member does not advise, supervise, or evaluate, both parties need to report the relationship to their respective department heads.

Failure to act in accordance with this ~~procedure~~ policy may result in personnel and/or disciplinary action. Confidentiality regarding consensual relationships will be maintained in so far as possible.

~~For pre-existing consensual relationships as defined in Section I, alternatives to advising, evaluation, or supervision must be pursued if at all possible, as described in HR Policy 4.230V.~~

IV. Related Policies

Policy 0.204V Discrimination and Harassment
Policy 0.207V Title IX – Sexual Misconduct/Assault
Policy 4.230V – Employment of Relatives

V. Reason for Revision

March 2011

Paragraph concerning existing statutes added

September 2016

Policy updated in accordance with Policy 0.204X Discrimination and Harassment, Policy 0.207V Title IX-Sexual Misconduct/Assault, and includes amendments recommended by the University Senate in Section I. and Section II.

February, 2017

Policy updated to address additional concerns brought forward by faculty and administrators.

January, 2018

Changed language in Sections I & II to read “prohibited” rather than “strongly discouraged”.
Updated language in Sections I, II & III to better align with Policy 0.2040.