



BOISE STATE UNIVERSITY

University Policy 7015

Employee and Student Consensual Relationships

Effective Date

July 2012

Responsible Party

Human Resources, (208) 426-1616

Vice President for Student Affairs and Enrollment Management, (208) 426-1418

Scope and Audience

This policy applies to all University employees and students.

Additional Authority

- University Policy 7050 (Nepotism)
 - University Policy 1110 (Conflict of Interest and Commitment)
-

1. Policy Purpose

To establish a policy governing the supervision or evaluation of students by Employees where a Consensual Relationship exists between the parties, creating a conflict of interest.

2. Policy Statement

Boise State University's success depends on the professionalism of its Employees and students. Maintaining professional relationships and mutual respect and trust between Employees and students is key to this success. Employees and students should recognize the risks inherent in Consensual Relationships between Employees and their students and their ability to avoid those risks by refraining from engaging in such relationships. The University prohibits such relationships that are of a romantic or sexual nature when a Relationship of Authority exists.

Employee and Student Consensual Relationships give rise to actual or apparent conflicts of interest, favoritism, and bias thereby undermining the real or perceived integrity of the academic environment. A Consensual Relationship where an Employee has academic, administrative, supervisory, evaluative, or other authority or influence over a student raises concern about objectivity, fairness, and exploitation. These relationships harm others in the academic environment, and give rise to third-party complaints from real or perceived instances of undue access or advantage and/or restricted opportunities. Such Consensual Relationships impair or otherwise undermine the ongoing trust needed for effective teaching, learning, and professional development.

Therefore, no University Employee may exercise any academic, supervisory, evaluative, or other authority or influence over a student with whom the Employee has ever had a Consensual Relationship.

3. Definitions

3.1 Consensual Relationship

- a. A mutually acceptable current or former romantic or sexual relationship between an Employee and a student; or
- b. A relationship where an Employee currently lives with or serves as a landlord to a student; or
- c. A relationship where an Employee currently has a financial and/or business relationship with a student; or
- d. A marital, romantic, or sexual relationship that existed at one time between an Employee and a student, but that relationship no longer exists; or
- e. A relationship where an Employee formerly lived with or served as landlord to a student; or
- f. A relationship where an Employee has formerly had a financial and/or business relationship with a student; or
- g. A relationship where an Employee has a close personal relationship with a student, which rises to a level that affects the trust and confidence of the academic environment and that gives undue access, advantage, or jeopardizes the fair treatment and objectivity for effective teaching and learning.

3.2 Employee

For purposes of this policy, Employee means, but shall not be limited to a full- or part-time member of the University's faculty, an instructor, lecturer, advisor, mentor, graduate assistant, coach, or individual who supervises the day-to-day living environment of students.

3.3 Relationship of Authority

When one individual in a relationship between two or more people has the power to exercise influence, or the legitimate right to make decisions, carry out actions, or direct others within the relationship.

4. Accountability/Responsibilities

- a. If a Consensual Relationship exists or arises between an Employee and a student, the Relationship of Authority must be eliminated.
- b. If a Consensual Relationship arises, exists, or has existed between an Employee and a student, the Employee will bear the primary burden of accountability to report the relationship to their immediate supervisor and/or Human Resources.
 - In the event that a Consensual Relationship exists or has existed between an Employee and a student, the unit administrator or supervisor must take prompt and appropriate action to end the Relationship of Authority.
 - Appropriate actions may include but are not limited to 1.) appointment of a qualified alternative instructor to the position of authority; 2.) transfer of the student to another course, section, or seminar taught by a different instructor; and 3.) assignment or transfer of the student to another academic advisor.
 - In the event that a University employee not involved in the Consensual Relationship believes a Consensual Relationship is occurring, or has occurred between an Employee and a student, the University employee shall disclose such knowledge to the relevant University unit administrator and/or Human Resources.

5. Compliance with Policy

- a. To encourage reporting of relationships governed by this policy, disclosures and actions taken are considered confidential and will be treated as protected personnel information under the Idaho Public Records Act and in accordance with University Policy 1020 (Public

Records Management) and University Policy 2250 (Student Privacy and Release of Information).

- b. Actions in violation of this policy may constitute adequate cause for discipline up to and including dismissal from employment.

6. Related Information

Idaho Code Title 74, Chapter 1 (Idaho Public Records Act)

University Policy 1020 (Public Records Management)

University Policy 2250 (Student Privacy and Release of Information)

Last Review Date