Appendix C

POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN FACULTY MEMBERS
Approved by JFA 02/14/08
Approved by Board 3/08

I. Policy Rationale

The College of Saint Benedict and Saint John’s University are committed to maintaining a campus environment characterized by fair, professional and ethical behavior. To this end, members of the faculty are expected to avoid apparent or actual conflicts of interest, favoritism, bias or exploitation. Thus, it is in the interest of the College and University to provide clear direction to the faculty about the risks associated with making professional judgments about faculty colleagues with whom a faculty member has or has had a consensual romantic or sexual relationship.

As the Joint Human Rights Policy of the College and University states, consensual sexual or romantic relationships may become the basis for a claim of sexual harassment. If the faculty colleague later feels that he or she is not free to discontinue the relationship because of the faculty member’s power to make or influence decisions which reward or punish the colleague, a charge of sexual harassment may result. In such circumstances, it can be very difficult for the faculty member to prove consent and avoid the negative consequences of a finding of sexual harassment.

Such relationships can affect other members of the campus community adversely. A consensual romantic or sexual relationship may create a perception that the processes of evaluation, reward and discipline of the College and University are unfairly biased and affected by favoritism. The relationship may make the workplace uncomfortable for other faculty colleagues, students, or staff, violating the respect for the rights and human dignity of every other member which under gird the community life of the institutions.

II. Policy, Procedures & Consequences

For these reasons, the College and University requires a faculty member currently or previously involved in a consensual sexual or romantic relationship with a faculty colleague to excuse him or herself from any decision involving the employment status or work related benefits of the faculty colleague.
If required to provide an evaluation of the colleague to the Rank and Tenure Committee, the faculty member should submit a letter noting the conflict of interest and the resultant inability to provide an evaluation. A faculty member who is a member of a committee which makes recommendations regarding the employment status or work related benefits of colleagues when an application from the faculty colleague is under consideration, the faculty member should notify the chair of the committee of the need to be excused from the decision regarding the faculty colleague. The committee chair should consult with the academic dean/associate provost to determine if any other arrangements are necessary to eliminate the conflict of interest. If the chair of the committee has the conflict of interest, he or she must notify the dean/associate provost and work with him or her to eliminate the conflict. If other situations arise which involve the faculty member in making employment related decisions about the faculty colleague with whom he or she is involved in a relationship covered by this policy, the conflict should be reported to the academic dean/associate provost who will work with the faculty member to eliminate the conflict. Any 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 the rank, pay, benefits or professional opportunities of the faculty member or faculty colleague.

In the event a consensual sexual or amorous relationship exists, the failure of a faculty member to excuse him or herself from the evaluation of or decision making process involving the employment status or work related benefits of the faculty colleague is a violation of this College and University policy and the faculty member will be subject to disciplinary action as outlined in Section 2.13.6 of the Faculty Handbook.

A faculty member who becomes involved in a consensual amorous or sexual relationship with a student or staff member should consult the POLICY ON CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS BETWEEN FACULTY AND STUDENTS OR STAFF MEMBERS located in Appendix D in Part II of the Joint Faculty Handbook.

**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 faculty member
exceed the reasonable boundaries of what a person of ordinary sensibilities would believe to be educational, professional or supervisory relationship.

**Sexual relationships** include relationships involving intimate physical contact of a sexual nature.

“**Faculty**” includes ranked and term appointment faculty; part time, per-course faculty; staff members whose duties include instruction of students for academic credit and any person who has a “direct academic responsibility” for students.

**Amorous** has the meaning ascribed to it by the dictionary as being “of or pertaining to (sexual) love.”¹

**Romantic** has the meaning ascribed to it by the dictionary as being “marked chiefly by sexual passion or its gratification.”²

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¹ OED SECOND EDITION 1989  Accessed online through the CSB/SJU Library homepage at: http://dictionary.oed.com/cgi/entry/50007379?single=1&query_type=word&queryword=amorous&first=1&max_to_show=10