I. SCOPE

This Policy on Consensual Relationships ("Policy") applies to all Employees of the University. This Policy is applicable regardless of the sex, gender, sexual orientation, gender identity, or gender expression of the individual with managerial, supervisory, teaching, evaluating, coaching, or advisory authority, and/or the sex, gender, sexual orientation, gender identity, or gender expression of the individual who is managed, supervised, taught, coached, advised, or evaluated in any way. Please see Section V below for the definitions of capitalized terms contained in this Policy.

II. POLICY STATEMENT

The University is committed to ensuring an educational and work environment that is respectful, provides equal opportunities to students, faculty, and staff, and promotes the development of professional and collegial interactions among all members of the University community. When Employees interact with students, they are in a position of trust and power. Employees in more senior positions to others are in a similar position of power over subordinate individuals. These relationships are integral to the operations of the University, but it is important that those in authority neither abuse, nor appear to abuse, the power entrusted to them.

For these reasons, this Policy prohibits Relationships, consensual or otherwise, between Employees and students and between Employees in unequal positions as set forth below.

III. POLICY

The University has no intent to intrude in the personal lives of its Employees except to the extent that they may negatively affect other community members and the mission of the institution. However, whether consensual or not, interactions that go beyond the normal scope of business, such as romantic and/or sexual Relationships, may disrupt and undermine the essential purpose of the institution as an unfettered learning environment and place of work. The inherently unequal positions between a Supervisor and those they supervise may undermine the efficiency and integrity of the supervision and evaluation process, as well as the trust that is inherent in the educational or work environment. Improper relationships with students or other Employees may cause potential conflicts of interest, the appearance of favoritism, exploitation, abuse of authority, supervision problems, breaches of professional standards, questions regarding academic or work achievement, and the risk of sexual harassment or other discrimination claims.

Individuals should be aware that sexual and/or romantic Relationships between individuals of unequal power, even when consensual, may result in claims of sexual harassment because the voluntariness
of the consent is questionable when a power differential exists. If a sexual harassment claim is filed, any consent given will be evaluated in light of this power differential.

The various relationships governed by the Policy are set forth below. A chart summarizing each relationship is set forth in Exhibit A for easy reference.

A. **Relationships with Undergraduate Students**

No Employee shall have or pursue a Relationship with any Undergraduate Student, regardless of whether the student is under direct supervision, advising, authority, or classroom instruction of the Employee.

In addition, Graduate and Professional Students are prohibited from pursuing or entering into a Relationship with any Undergraduate Student when the Graduate or Professional Student has a supervisory relationship with and is responsible for supervising, advising, evaluating, or instructing, academically or otherwise, the Undergraduate Student, such as when the Graduate or Professional Student is a teaching assistant.

If a Relationship between an Employee and an Undergraduate Student preexisted the passage of this Policy, the Employee must report the Relationship to their Supervisor. The Employee may not serve in any supervisory relationship with or be responsible for supervising, advising, evaluating, or instructing, academically or otherwise, the Undergraduate Student. If a Relationship between a Graduate or Professional Student and an Undergraduate Student with whom the Graduate or Professional Student has a supervisory relationship preexisted the passage of this Policy, the Graduate or Professional Student must report the Relationship to their Supervisor. The Graduate or Professional Student may not remain in any supervisory relationship with or be responsible for supervising, advising, evaluating, or instructing, academically or otherwise, the Undergraduate Student.

B. **Relationships with Graduate or Professional Students**

No Employee shall have or pursue a Relationship with Graduate or Professional Students whom the Employee is responsible for teaching, advising, grading, evaluating, or otherwise supervising.

If such a Relationship between an Employee and a Graduate or Professional Student preexisted the passage of this Policy, the Employee must report the Relationship to their Supervisor. The Employee may not remain in such a professional supervisory relationship with the Graduate or Professional Student.

C. **Relationships with other Employees**

No Employee shall have or pursue a Relationship with any other Employee over whom they have authority, or for whom they are responsible for hiring, promoting, disciplining, evaluating, directing, or otherwise supervising.

If such a Relationship preexisted the passage of this Policy, both Employees must report the relationship to their next-level Supervisors. The individuals may not remain in a professional supervisory relationship, nor may the individuals, with respect to one another:

- Report directly or indirectly;
- Interview;
- Evaluate the work;
- Participate in the performance planning or review;
- Influence the classification or salary; or
• Make any recommendation affecting the terms and/or conditions of the other’s employment.

Working in the same department, unit, or lab can be problematic, but may be acceptable under some circumstances. The next-level Supervisor, in consultation with applicable department Vice President and the Office of Human Resources, will evaluate these situations on a case-by-case basis. Some outcomes may include the removal of any reporting or similar relationship between the Supervisor and the subordinate Employee, or separate the individuals by reassignment, if possible.

If two Employees engage in a romantic or sexual Relationship but neither is a subordinate of the other as outlined above, they should be mindful of their professional duties and be responsible for assuring that their Relationship does not produce problems with regards to favoritism, bias, ethics, job performance, or conflict of interest within the guidelines of this Policy.

IV. SANCTIONS

Violations of this Policy may result in sanctions and corrective actions up to and including termination and/or suspension. Sanctions and corrective actions will be imposed in accordance with relevant policies and procedures and other requirements set forth in any applicable Staff, Faculty, or Student Handbooks, or with other University policies and procedures.

V. DEFINITIONS

Employee: Any person employed by the University in any capacity, full or part-time, whether faculty or staff. For purposes of this Policy, Employee also includes independent contractors and volunteers, including volunteer coaches, as well as Graduate or Professional Students also serving in an employment capacity, such as when the Graduate or Professional Student is a teaching assistant.

Graduate or Professional Student: Any student who has already received at least a Bachelor’s degree from a college or university and is now enrolled in one of Arcadia’s Graduate Programs. This includes all Master’s, Doctoratal, Certification, Credential, and Dual Degree programs.

Relationship: For the purposes of this Policy, a Relationship that is romantic, intimate, or sexual in nature which goes beyond the normal scope of employee-student or employee-employee interactions. For the relationship to be considered improper, one party must be in a position of power over a subordinate (unless it is an Employee-Undergraduate Student Relationship. In this case, the Relationship is improper regardless of position of power over subordinate individual’s status). This includes, but is not limited to:
  - Physical affection
  - Offering or requesting sexual favors, making sexual advances, or engaging in sexual conduct
  - Engaging in other intimate conduct or behavior
  - Any efforts to initiate any of the above-listed behaviors

Supervisor: Any individual who has authority, control, or supervision over another individual, or the responsibility to hire, promote, discipline, evaluate, assign, or direct the other individual at the University.

Undergraduate Student: A student who has not yet received an Associate’s or Bachelor’s degree from a college or university and is enrolled in any course at the University. This includes high school students taking courses as dual enrollees.

University: Arcadia University, its colleges, schools, affiliates, divisions, and subsidiaries.
VI. REPORTING

Any individual at the University who becomes aware of any conduct prohibited by this Policy is encouraged to report such conduct to the Office of Human Resources, or anonymously through the University’s reporting service “Campus Conduct Hotline” (“CCH”), which is managed by In Touch, via telephone at 1-866-943-5787 (toll free) or directly on the web at: www.intouchwebsite.com/CCH1079, so that appropriate action consistent with this Policy can be taken.

The University prohibits retaliation against any individual who makes a good faith report of a violation of this Policy or assists in providing information about a possible violation of this Policy. Anyone who believes that they have been retaliated against for participating in the complaint process in any capacity should report the matter promptly under the procedures set forth in the Policy on Reporting Suspected Wrongful Conduct (Whistleblower Policy). Reports and complaints of retaliation will be investigated and dealt with as any other report and complaint under this Policy.

VII. EFFECTIVE DATE

This Policy is effective the date that it is signed by the President.

VIII. SIGNATURE, TITLE AND DATE OF APPROVAL

By: 

[Signature]

Ajay Nair, President

Date: 5/14/19
## EXHIBIT A

### Relationships

<table>
<thead>
<tr>
<th>Relationships</th>
<th>Description</th>
<th>Permissible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee and Undergraduate Student</td>
<td>The Employee does have direct supervision, evaluation, authority or classroom instruction</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The Employee does not have direct supervision, evaluation, authority or classroom instruction</td>
<td>No</td>
</tr>
<tr>
<td>Graduate/Professional Student and Undergraduate Student</td>
<td>The Graduate/Professional Student does have a supervisory relationship, evaluating, interviewing, etc.</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The Graduate/Professional Student does not have a supervisory relationship, evaluating, interviewing, etc.</td>
<td>Yes</td>
</tr>
<tr>
<td>Employee and Graduate/Professional Student</td>
<td>The Employee is responsible for teaching, advising, grading, evaluating etc.</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The Employee is not responsible for teaching, advising, grading, evaluating etc.</td>
<td>Yes</td>
</tr>
<tr>
<td>Employee and Employee</td>
<td>The Employee is responsible for hiring, promoting, disciplining, evaluating, directing, or otherwise supervising</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The Employee is not responsible for hiring, promoting, disciplining, evaluating, directing, or otherwise supervising</td>
<td>Yes</td>
</tr>
<tr>
<td>Employee and Undergraduate or Graduate/Professional Student (relationship preexists Policy)</td>
<td>Employee must report relationship to Supervisor and may not have any supervisory relationship with the Student</td>
<td></td>
</tr>
<tr>
<td>Employee and Employee (relationship preexists Policy)</td>
<td>Both Employees must report the relationship to their Supervisors and neither Employee may have a supervisory relationship with the other</td>
<td></td>
</tr>
</tbody>
</table>