

Rice Faculty Statement on Consensual, Amorous Relations With Students

The Faculty at Rice are committed to sustaining both a positive environment for teaching and learning and the highest possible ethical and professional standards in all their activities. We presume that faculty will take personal responsibility and appropriate action to resolve conflicts of interest that result from sexual or romantic relationships between individuals of similar status within the university community. However, sexual and romantic relationships between individuals in inherently unequal positions (between teachers and the students they teach or evaluate, for example) have the potential for such serious consequences that they justify a specific faculty statement. In an academic setting such romantic or sexual relationships conflict with the implicit trust we encourage our students to enjoy vis-à-vis their professors, may negatively impact the university environment when they begin to affect third parties, can result in emotional and psychological damage, and always have the potential for an abuse of power that constitutes unprofessional conduct. We hold that consensual romantic or sexual relationships between faculty and undergraduate students, and between faculty and graduate students over whom the faculty member has direct or indirect professional responsibility, violate professional ethics and may be subject to disciplinary action, including such severe sanctions as suspension or dismissal.

In those cases where an amorous relationship between a faculty member and a student violates the university's sexual harassment policy, resolution should be made under the guidelines of that policy. Where a relationship does not violate the university's sexual harassment policy, it may nonetheless be cause for sanction under this statement or the university's policies or standards regarding expectations of professional conduct.

Definitions

- *Faculty member.* The term “faculty member” for purposes of this faculty statement is understood to include all those faculty and other university employees whose activities involve teaching, advising, mentoring, or coaching students. These shall include tenured and tenure-track faculty, non-tenure-track faculty, athletic coaches and staff, administrators with faculty appointments, post-doctoral scholars, and Masters and residential associates of the colleges.
- *Professional responsibility.* A faculty member engaged in teaching or mentoring functions, or a student engaged in teaching functions, is presumed to have direct “professional responsibility” over any graduate or undergraduate student who is enrolled in his or her class, or for whom one has any other form of evaluative responsibility. A faculty member is presumed to have indirect “professional responsibility” over any graduate student enrolled in a department or program in which the faculty member holds an appointment or teaches courses at the graduate level.

Policy: Types of relationships that must be disclosed

- A romantic or sexual relationship between a faculty member and any graduate student over whom that faculty member has either direct or indirect professional responsibility is presumed to constitute a conflict of interest, even if consensual, and to violate professional ethics and this faculty statement. That faculty member is subject to disciplinary action, including such severe sanctions as suspension or dismissal, under University Policy no. 201.
- A romantic or sexual relationship between a faculty member and any undergraduate student is presumed to constitute a conflict of interest, even if consensual, and to violate professional ethics and this faculty statement. The faculty member is subject to disciplinary action, including such severe sanctions as suspension or dismissal, under University Policy no. 201.
- Accepting or exercising professional responsibility for any graduate or undergraduate student with whom a faculty member has had a previous sexual or romantic relationship within the previous three

years is presumed to create a conflict of interest, and to violate professional ethics and this faculty statement, unless there is prior full disclosure of the relationship to the Dean or the Provost and development of an acceptable plan to manage the conflict.

- A current romantic or sexual relationship between a student engaged in teaching functions and a student over whom they have direct professional responsibility is presumed to constitute a conflict of interest even if consensual. The student teacher is subject to disciplinary action under the Code of Student Conduct.
- A previous romantic or sexual relationship between a student engaged in teaching functions and a student over whom they have direct professional responsibility is presumed to create a conflict of interest unless there is prior full disclosure of the relationship to the cognizant faculty supervisor, department chair and/or program director and development of an acceptable plan to manage the conflict.

Procedures:

- Under this policy, faculty self-disclosure of situations that may pose a conflict of interest (where, for example, a faculty member is in a position to accept or exercise professional responsibility for a student with whom that faculty member has had a previous relationship) must be made in writing to the Provost prior to the conflict actually arising and should be made as soon as one becomes aware of the potential conflict. If there is any doubt, the faculty member should seek guidance from the Dean or the Provost and err on the side of disclosure. The faculty member and the Dean or Provost should craft an appropriate written plan to manage any conflict, if feasible.
- Complaints of possible faculty violations of this statement shall be presented to the relevant Dean, the Provost or the Director of EEO/Affirmative Action. In any event, the Provost shall be consulted in order to discuss the most effective way to investigate the complaint under University policies, procedures, and practices. Should a faculty violation of this statement or other University policies appear to have occurred, and the President conclude that a severe sanction may be appropriate, the matter shall be handled under the guidelines and procedures set out in Rice University Policy no. 201. The president or provost may consider exceptions to any of these prohibitions on a limited, case-by-case basis.
- Students or employees making false and malicious accusations under this faculty statement may be subject to disciplinary action.

The Faculty Statement above, approved by the Rice Faculty Senate on April 15, 2009, shall take effect on September 1, 2009, and shall replace the statement approved by the faculty (as an addendum to Policy 830) in 1991, in 1992, and in 1998.