



SMPP 1.2 Consensual Sexual or Romantic Relationships in the Workplace and Educational Setting

(**Note:** all *italicized words* can be found in the Definitions section (15) of SMPP 1.0)

This policy highlights the risks in sexual or romantic relationships in the workplace or academic setting between individuals in inherently unequal positions; prohibits certain relationships between faculty and students; and requires recusal (from supervision and evaluation) and notification in other relationships.

Authority:

Approved by the President and enforced under the authority of Vice President of *Administrative Services*.

Applicability:

Applies to all students, faculty, staff, and others that make up the *Baptist College Community* and who participate in Baptist Memorial College of Health Sciences' (Baptist College) programs and activities.

1. In General

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks. In the Baptist College context, such positions include (but are not limited to) faculty and student, supervisor and employee, mentor and trainee, adviser and advisee, and individuals who supervise the day-to-day student living environment and their students.

Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided. Further, these relationships are often less consensual than the individual whose position confers power or authority believes. In addition, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a sexual or romantic involvement, this past *consent* does not remove grounds for a charge based upon subsequent unwelcome conduct.

Such relationships may also have unintended, adverse effects on the climate of an academic program or work unit, thereby impairing the learning or working environment for others – both during such a relationship and after any break-up. Relationships in which one party is in a position to evaluate the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or simply creates a perception of these problems.

For all of these reasons, sexual or romantic relationships--whether regarded as consensual or otherwise--between individuals in inherently unequal positions should in general be avoided and in many circumstances are strictly prohibited by this policy. Since these relationships can occur in multiple contexts on campus, this policy addresses certain contexts specifically. However, the policy covers all sexual and romantic relationships involving individuals in unequal positions, even if not addressed explicitly in what follows.

2. With Students

At Baptist College, the role of the faculty is multifaceted, including serving as intellectual guide, mentor, role model and advisor. This role is at the heart of Baptist College's educational mission and its integrity must be maintained. The teacher's influence and authority can extend far beyond the classroom and into the future, affecting the academic progress and careers of our students.

Accordingly, Baptist College expects faculty to maintain interactions with students free from influences that may interfere with the learning and personal development experiences to which students are entitled.

In this context, teachers include those who are entrusted by Baptist College to teach, supervise, mentor and coach students, including faculty and adjunct faculty of all ranks, lecturers, and academic advisors. The specific policies on teachers are outlined below.

As a general proposition, Baptist College believes that a sexual or romantic relationship between a teacher and a student – even where consensual and whether or not the student is subject to supervision or evaluation by the teacher – is inconsistent with the proper role of the teacher. Not only can these relationships harm the educational environment for the individual student involved, they also undermine the educational environment for other students. Furthermore, such relationships may expose the teacher to charges of misconduct and create a potential liability if it is determined that laws against *sexual harassment* or discrimination have been violated.

2.1. Consequently, Baptist College has established the following parameters regarding sexual or romantic relationships with Baptist College students:

2.1.1. **First, sexual or romantic relationships between teachers and students are prohibited**, regardless of past, current or future academic or supervisory responsibilities for that student.

2.1.2. **Second, whenever a teacher has had, or in the future might reasonably be expected to have, academic responsibility over any student, such relationships are prohibited.** Conversely, no teacher shall exercise academic responsibility over a student with whom he or she has previously had a sexual or romantic relationship. "Academic responsibility" includes (but is not limited to) teaching, grading, mentoring, advising or evaluating research or other academic activity, participating in decisions regarding funding or other resources, clinical supervision, and recommending for admissions, employment, scholarships or awards.

2.1.3. **Third**, certain staff roles (including Deans and other senior administrators, supervisors of student employees, as well as others who mentor, advise or have authority over students) also have broad influence, or authority over, students and their experience at Baptist College. For this reason, **sexual or romantic relationships between such staff members and students are prohibited.**

When a preexisting sexual or romantic relationship between a Baptist College employee and a student is prohibited by this policy – or if a relationship not previously prohibited becomes prohibited due to a change in circumstances – the employee must both recuse himself or herself from any supervisory or academic responsibility over the student, and notify his or her supervisor, department chair or dean about the situation so that adequate alternative supervisory or evaluative arrangements can be put in place. Failure to disclose the relationship in a timely fashion will itself be considered a violation of policy.

3. In Other Contexts

Consensual sexual or romantic relationships between adult employees (including faculty) are not in general prohibited by this policy. However, relationships between employees in which one has direct or indirect authority over the other are always potentially problematic. This includes not only relationships between supervisors and their staff, but also between faculty and both academic and non-academic staff, and so forth.

The members of the management team for the College are charged with leading and directing a team of employees and in representing our organization. Their image and relationships are of paramount concern for our organization. It is, therefore, strictly prohibited for any management employee of the College or its Affiliates, to engage in any romantic, sexual harassing, or sexual relationship with any employee under their influence or direct control. Violation of this policy will result in discipline up to and including termination of employment.

Baptist College has the option to take any action necessary to insure compliance with the spirit of this policy, including transferring either or both employees to minimize disruption of the work group.

4. Additional Matters

If there is any doubt whether a relationship falls within this policy, individuals should disclose the facts and seek guidance rather than fail to disclose. Questions may be addressed to your supervisor or Divisional Dean or *Title IX Coordinator*. In rare situations, where it is programmatically infeasible to provide alternative supervision or evaluation, the Divisional Dean, director or supervisor must approve all evaluative and compensation actions.

Employees who engage in sexual or romantic relationships with a student or other employee contrary to the guidance, prohibitions and requirements provided in the policy are subject to disciplinary action up to and including dismissal, depending on the nature of, and context for, the violation. They will also be held accountable for any adverse consequences that result from those relationships.

Baptist's policy with regard to employment of related persons can be found in the Baptist Fraternization and Employment of Relatives located on MyBCHS.

5. Policy Review and Evaluation

This policy was created to comply with regulations promulgated pursuant to the Violence Against Women Reauthorization Act of 2013. It will be reviewed and updated as needed to remain in compliance.