

# **Arkansas State University System Consensual Relationships Policy**

## ***I. Policy Statement***

The Arkansas State University System (“ASU System”) is committed to maintaining an academic and working environment on every campus free from conflicts of interest, favoritism, exploitation, breach of trust, or abuse of power. Even when a relationship is consensual, when one partner holds a position of authority over the other partner, the potential for conflicts of interest, favoritism, exploitation, breach of trust, or abuse of power exists. There may also be questions concerning the consensual nature of the relationship. This Policy addresses sexual or romantic relationships and interactions in order to prevent potential concerns.

## ***II. Scope***

This Policy applies to all ASU employees (faculty, administrators, and staff); students (undergraduate and graduate); student employees; and ASU affiliates, on every campus in the ASU System. Affiliates are individuals, other than employees or students, associated with ASU (including, but not limited to, contractors, vendors, health care providers, and other individuals who otherwise work or volunteer for ASU).

## ***III. Prohibited Consensual Relationships or Interactions***

This Policy prohibits any sexual or romantic relationship or interaction between two persons, regardless of sex or gender, where one person holds a position of authority over the other person. This authority may be academic or professional. A person who holds a position of authority is someone who has control or influence over the other person’s educational, extra-curricular, or working environment at ASU, including but not limited to, admission, financial aid, scholarships, grades, coursework, evaluations, recommendations, discipline, or participation in University activities.

This Policy prohibits consensual relationships or interactions between an ASU employee, affiliate, or student employee and an ASU student whom that person teaches, advises, supervises, evaluates, coaches, manages, controls, or influences in any way. This Policy also prohibits such consensual relationships or interactions between an ASU employee or affiliate in a supervisory or management role and an ASU employee or affiliate over whom the supervisor has a position of power, control, authority, or ability to influence the working environment. This Policy prohibits consensual relationships or interactions between the following:

- Faculty and students over whom they have control or influence;
- Administrative employees (e.g., chancellors, deans, advisors) and students over whom they have control or influence;
- Athletic department employees and student athletes over whom they have control or influence;
- Student employees and students over whom they have control or influence;

- Affiliates and students over whom they have control or influence;
- Residence hall employees and student residents over whom they have control or influence; or
- Employee or affiliate supervisors/managers and any employee or affiliate within their chain of command over whom they have control or influence.

#### ***IV. Reporting Responsibilities***

This Policy requires that when a consensual relationship or interaction exists in which one partner holds a position of authority over the other partner in connection with their roles at ASU, the partners must promptly report their relationship or interaction to the campus Human Resources department.

An ASU employee or affiliate who becomes aware of a violation of this policy must promptly report it to the campus Human Resources department.

Retaliation against a person who reports a potential violation or participates in an investigation under this policy is strictly prohibited.

#### ***V. Mitigation***

In certain circumstances, the position of authority that one partner has over the other may be eliminated by the implementation of a mitigation plan. The mitigation plan must be in writing and signed by the partners and the appropriate department chair, dean, or supervisor. In addition, the plan must be approved by the campus Human Resources department.

If a mitigation plan cannot eliminate the conflict of interest and potential for favoritism, exploitation, breach of trust, or abuse of power, then the consensual relationship or interaction is prohibited.

#### ***VI. Noncompliance***

Violation of this policy may result in disciplinary action, up to and including termination.

Please contact your campus Human Resources department for questions about this policy.