

Charles E. Schmidt College of Medicine Administrative Policies

Subject: Consensual Relations
Effective Date: July 10, 2014
Supersedes: COM Administrative Policies Initially Adopted February 28, 2007; amended June 1, 2009; September 30, 2010; January 19, 2011; June 12, 2012; May 10, 2013; July 10, 2014.
Responsible Authority: Senior Associate Dean for Administration and Associate Dean for Faculty Affairs

Policy Statement:

The College is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation and favoritism. This policy seeks to ensure that each member of the College community is treated with dignity and without regard to any factors that are not relevant to that person's work. As such, the College shall strictly adhere to the [University Policy on Consensual Relations](#):

The purpose of this policy is to set forth expectations for University community members regarding amorous or sexual relationships and to ensure that such relationships do not result in actual or perceived impropriety.

Statement of Policy:

- A. General Considerations. Florida Atlantic University is committed to providing and maintaining a working and learning environment that is fulfilling and equitable for all members of the University community including students, faculty and staff. Implicit in the University's commitment is that all community members conduct themselves in an ethical manner in their interactions and relationships with each other. To accomplish the University's goals, relationships between students, faculty and staff must be based on integrity, respect and trust. Any amorous or sexual relationships between University community members that call these principles into question interfere with the University's academic mission.
- B. Amorous or Sexual Relationships between Individuals of Unequal Power: Amorous or sexual relationships between individuals of unequal power (e.g., between a supervisor and an employee, faculty member and student, or staff member and student) where the person of real or perceived greater power directly supervises or has the ability to impact either the employment or education of the other, have the potential of resulting in, or causing the appearance of, the following:
 1. A conflict of interest (see [FAU Regulation 5.011 University Ethics](#)); (Chapter 112, Florida Statutes).
 2. An abuse of power or trust.
 3. The perception of favoritism, bias or unfair treatment.
 4. The perception or allegations that the relationship was the result of coercion or exploitation.

5. Allegations of sexual harassment either during the relationship or after it ceases (see [FAU Regulation 5.010 Anti-Discrimination and Anti-Harassment](#)).
6. Other allegations of inappropriate conduct.

PROCEDURES:

- A. Prohibited Amorous or Sexual Relationships. Faculty members, administrators and staff in any type of supervisory or oversight capacity are prohibited from engaging in an amorous, dating or sexual relationship with a student or employee whom he/she instructs, evaluates, supervises, or advises, or over whom he/she is in a position to exercise authority such that it would impact their educational or work performance.
- B. Required Disclosure of Amorous or Sexual Relationships.
 1. Faculty members, administrators and staff in any type of supervisory or oversight capacity, who as of the date of the adoption of this policy, are currently involved in an amorous, dating or sexual relationship where there is direct authority relationship between the individuals must immediately disclose the existence of their relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.
 2. Faculty members, administrators and staff in any type of supervisory or oversight capacity who are involved in an amorous, dating or sexual relationship where no direct authority exists, but as a result of reassignment or restructuring of a department or unit are placed in a direct authority relationship with the person with whom they have a relationship covered by this policy, must disclose the existence of such relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.
- C. The University's Management of Potential or Actual Conflicts of Interest resulting from an Amorous or Sexual Relationship.
 1. The University will manage any potential conflicts of interest created by amorous or sexual relationships where direct authority or the ability to impact the performance of the other individual exists. The University will take these efforts to ensure the integrity of the work and educational environment and may explore the following options:
 - (a) Removing the faculty member, administrator or staff who are in any type of supervisory or oversight authority over the individual with whom they involved in an amorous or sexual relationship from any evaluative decision concerning the other individual;
 - (b) By moving an advisor from his/her involvement as advisor or committee member with an advisee;
 - (c) Relocation of an employee to another supervisory area; or
 - (d) Other action that the appropriate administrators believe resolves the actual or perceived conflict of interest.

2. The University, in managing actual or perceived conflicts of interest, resulting from amorous or sexual relationships may require time or more decisive efforts to effectively address conflicts of interest that arise from two individuals' involvement in an amorous, dating or sexual relationship where a direct authority relationship exists between the individuals. In such cases, the following may occur:
 - (a) In the case of two employees (including student employees), one or both of the employees may be placed on administrative leave, with or without pay, until a suitable option becomes available to address the actual or perceived conflict of interest.
 - (b) If there is no reasonable option available to address the actual or perceived conflict of interest, one or both employees may be required to separate his/her employment from the University.

D. Violations of this Policy. Any member of the University community who violates this policy is subject to discipline by the applicable supervisory authority.

Therefore, if an amorous relationship develops within the College, the employee shall report the situation to the relevant supervisor, Chair or Dean who will act to help determine the best means of resolving such actual or potential conflicts and shall maintain the confidentiality of the information reported to the fullest extent possible and appropriate to the circumstances. If the employee does so and follows the means indicated, there shall be no sanctions.

Violations of this policy will be considered misconduct and the employee will be subject to disciplinary action up to and including termination.