

Policy Regarding Romantic or Sexual Relationships

Rationale

“Quid pro quo” or “this for that”- type harassment continues to be at the peak of controversy about sexual harassment in the college community. Quid pro quo sexual harassment involves relationships of unequal power, i.e. supervisor-subordinate in the workplace; faculty-student in the educational environment. Quid Pro Quo harassment may best be understood as sex in exchange for promotion or sex in exchange for grades, etc.

Consensual romantic or sexual relationships between faculty and students or supervisors and employees may be detrimental to the functioning of the University because they may call into question the professional authority under which supervisory actions and grading decisions are made. The University’s responsibility to the public and to individual members of the university community may be compromised if such conflicts of interest are not avoided. The faculty’s or supervisor’s decision-making responsibilities should not restrict their rights as citizens, including the personal rights of association and expression, unless the exercise of those freedoms conflicts with the institutional necessity of impartiality in academic and employment decisions. In that case, the faculty member or supervisor must restrict his or her participation in such decisions.

The book, The Lecherous Professor, by Dziech and Weiner describes a culture of faculty “autonomy and self-regulation” which renders faculty immune from scrutiny in their “sanctuaries” of classroom, lab, and office. The critical need for preventive or deterrent action regarding intimate relationships between faculty and students and supervisors and subordinates can be described as follows:

“Sexual relations between students and faculty members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. Even when both parties initially have consented, the development of a sexual relationship renders both the faculty member and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exist between faculty members and students. In their relationships with students, members of the faculty are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias. When a sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision for the student.” AAUP Policy Documents and Reports, Ninth Edition, (2001) (page 211).”

The correct inquiry in a case of quid pro quo supervisor/subordinate harassment in the workplace is whether the alleged advances were unwelcome. In the classroom or lab, the question also is whether or not mutual consent is present in faculty-student intimate relationships as a means to determine whether the relationship is unwelcome. Informed consent of subjects is the critical ingredient for the development of ethical standards. Ability or freedom for students to consent to faculty-student relationships or employees to consent to supervisor/subordinate relationships is the issue when addressing sexual harassment on campus and the development of ethical standards. Some argue that students consent to amorous relationships with faculty; therefore, such associations are not sexual harassment. On the other hand, others argue that the power differential precludes the ability for students to consent or refuse to consent to a relationship with faculty or employees to consent or refuse to consent to an intimate relationship with their supervisor.

The professor-student relationship is one of professional and client. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in giving praise or blame, grades, recommendations for further study and future employment, etc., greatly diminish the student’s actual freedom of choice should sexual favors be included among the professor’s other legitimate demands. Therefore, faculty are warned against the possible costs of even an apparently consenting relationship, in regard to the academic efforts of both faculty member and student. When one party has a professional relationship with the other, or stands in a position of authority over the other, even an apparently consensual sexual relationship may lead to sexual harassment or other breaches of professional obligations.