

Policies of the University of North Texas	Chapter 5
05.021 Consensual Relationships	Human Resources

Policy Statement.

Application of Policy. All Faculty and Staff.

Definitions. None

Procedures and Responsibilities.

General Policy. It is the policy of the University that consensual relationships between faculty and staff members in positions of authority and their subordinates or their students are not permitted.

Staff in positions of authority and faculty need to be sensitive to the potential for sexual harassment as well as conflicts of interest in personal relationships with their subordinate faculty and staff members or with their students.

- I. **Consensual Relationships that Result in Sexual Harassment.** The type of relationship addressed in this section is one of an amorous or sexual nature. When disparities in authority are present between two individuals involved in a consensual relationship, questions about professional responsibility and sexual harassment may well arise. What might appear to be consensual, even to one of the parties involved, may in fact not be so, particularly when one of the individuals involved in the relationship is in a subordinate position to the other. Authority or power may be exercised by faculty or employees in management/supervisory positions through the giving of praise or criticism, providing performance evaluations, assigning grades, making recommendations for further studies or future employment, or conferring other benefits, thus diminishing their student's or subordinate's actual freedom of choice.

Examples of consensual relationships that might be construed as sexual harassment include, but are not limited to situations where:

- A. The subordinate party or student in the consensual relationship feels unwanted pressure to become involved and/or to continue the relationship;
- B. The subordinate party or student in the consensual relationship feels compelled to change behavior and/or job duties because of the consensual relationship; or

- C. The consensual relationship has the purpose or effect of creating a work or academic environment in which others are negatively affected by the existence of that relationship.

In each of the above instances, the consensual relationship may be deemed sexual harassment. Consensual relationships that involve allegations of sexual harassment will be handled according to the provisions of the Sexual Harassment policy (16.005).

- II. Inappropriate Consensual Relationships that do not Contain Clear Elements of Sexual Harassment

Consensual relationships between faculty or staff members in positions of authority and their subordinates or their students are inappropriate and a violation of University policy, whether or not such relationships result in sexual harassment. Such consensual relationships may not contain clear elements of sexual harassment. Nonetheless, such relationships often carry the potential for sexual harassment. Such relationships will be considered sanctionable behavior.

- III. Sanctions for Consensual Relationships that do not Contain Clear Elements of Sexual Harassment

Sanctions for inappropriate consensual relationships that do not contain clear elements of sexual harassment may include:

- A. Instruction to the parties to terminate the relationship;
- B. Transfer of one of the parties to a new department or job responsibility;
or
- C. Other disciplinary actions, including demotion or termination in severe cases.

Reporting inappropriate consensual relationships that do not contain clear elements of sexual harassment should follow those University policies and procedures normally used in dealing with misconduct of faculty or staff.

References and Cross-references.

UNT Policy 16.005, Sexual Harassment

Forms and Tools. N/A

Approved: 06/11/1993

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Revised: 06/2000; 11/2004*; 05/2011**

*Reviewed with no change

**Format only