Rice University Policy No. 829

CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS IN THE EDUCATIONAL OR WORKPLACE ENVIRONMENT

I. General Policy

Rice University is committed to sustaining a positive and caring environment for research, teaching, learning, and working. The university expects high ethical and professional standards in interactions between faculty and students, senior faculty and junior faculty, mentor and mentee, faculty and staff, staff and students, supervisors and individuals supervised by those supervisors, and other individuals in inherently unequal positions of authority.

Sexual or romantic relationships between individuals in inherently unequal positions have the potential for serious breaches of trust, may negatively impact the University environment when they are perceived to affect third parties, and have the potential for a conflict of interest, exploitation, favoritism, and an abuse of power. Often, such relationships are less consensual than the individuals believe. Moreover, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when such a relationship ends, there remains the risk of actual or perceived bias for or against the former romantic partner long after the end of the relationship.

Sexual or romantic relationships between individuals in inherently unequal positions should generally be avoided and, in many circumstances, are strictly forbidden under this policy. Even in those situations where the relationships are not forbidden, the person in the position of greater authority or power must follow the requirements and processes set out in this policy to avoid any conflict of interest or disruption in the educational or workplace environment. Duty to disclose and disciplinary consequences for violations of this policy do not fall on the person in the position of lesser authority or power.

II. Roles and Responsibilities

i. The Office of the Provost has oversight over this policy as it pertains to faculty and others engaged in teaching activities.

ii. The Office of Human Resources has oversight over this policy as it pertains to non-faculty supervisors and other staff.

iii. The Director of Equal Employment Opportunity Programs and Title IX Coordinator provides guidance on questions relating to the policy and may investigate allegations of violations of the policy.

III. Definitions

Teaching activities involve instruction, advising, mentoring, training, or coaching students.

Teachers are individuals engaged in teaching activities and include, among others, faculty (individuals who have academic appointments under University Policy No. 201), athletic coaches and staff, principal investigators, researchers, postdoctoral scholars, magisters and residential associates or fellows of the colleges, teaching assistants, staff in mentoring positions, staff who are teaching in addition to their staff duties, and those who have broad authority or influence over students (such as deans and senior administrators). Teachers may also include students engaged in teaching activities that are performing such functions to fulfill academic requirements, or obtain educational experience.

Professional responsibility. A teacher engaged in teaching activities (including a student engaged in teaching activities) is presumed to have direct professional responsibility over any undergraduate or graduate student who is enrolled in their class or for whom the teacher has any other form of
A teacher is presumed to have indirect professional responsibility over any graduate student enrolled in a department or program in which the teacher holds an appointment or teaches courses at the graduate level.

IV. Elaboration of Policy

A. Applicability
   i. All faculty and staff (whether or not engaged in teaching activities) are expected to comply with this policy.
   ii. Students engaged in teaching activities or supervisory functions are expected to comply with this policy.

B. Relationships with Students
   i. Undergraduates
      a. Because of undergraduates’ potential vulnerability in such relationships, sexual or romantic relationships between teachers (as defined above in Section III) and any undergraduate students are prohibited, regardless of current or future professional responsibility over such students. (See also provisions in Section IV.B.iii below regarding students serving as teachers.)
      b. A sexual or romantic relationship between an undergraduate and a university employee who supervises that student in an employment relationship is also prohibited.
      c. Even if an employee is not a teacher or a supervisor of a student, sexual or romantic relationships between undergraduates and employees are strongly discouraged.
   ii. Graduate Students. A sexual or romantic relationship between a teacher (as defined in Section III) or staff member and any graduate student over whom that teacher or staff member has either direct or indirect professional or supervisory responsibility is prohibited. This prohibition includes, but is not limited to, individuals affiliated with or studying or working in the same department, program, center, institute, etc.
   iii. Students Serving as Teachers. For undergraduate and graduate students who become teachers or supervisors of undergraduates, such relationships with other students are only forbidden while a teaching or supervisory relationship exists. However, if there had been a prior relationship before the teaching or supervisory relationship arises, the disclosure requirement of section IV.D.i below applies.
   iv. Prior Relationships. If a teacher or staff member had a previous sexual or romantic relationship with a student, the teacher or staff member must both recuse themselves from any professional or supervisory responsibility over that student and promptly notify their department chair, dean, or supervisor so that adequate alternative educational or supervisory arrangements can be made. Failure to disclose the relationship promptly is itself a violation of this policy.

C. Other Relationships
i. Sexual or romantic relationships between individuals in unequal positions where one individual has influence or authority over the other person, such as senior faculty and junior faculty, staff and students, supervisors and individuals supervised by those supervisors, should generally be avoided. Should such a relationship arise or should such a relationship have occurred before the faculty or staff member had such influence or authority over the other person, both parties must recuse themselves from any professional or supervisory responsibility in regard to the other person and also notify their department chair, dean, or supervisor about the situation as soon as they become aware of the situation so that adequate alternative educational or supervisory arrangements can be made. Failure to disclose the relationship promptly is a violation of this policy.

ii. Consensual and welcome sexual or romantic relationships between employees (including faculty) where there is no significant difference in influence or authority between the individuals are not prohibited by this policy. Employees, however, need to keep in mind that changed circumstances may require prompt recusal and reporting.

D. Responsibilities

i. Disclosure. If there is any doubt whether a relationship falls within this policy, individuals must disclose the facts to the appropriate department chair, dean, or supervisor or to the Director of Equal Employment Opportunity Programs, Human Resources (for staff) or the Provost’s Office (for faculty) and seek guidance. In a relationship that may fall within this policy, the individual with the greater authority is the one who has the duty to make such a disclosure.

Besides this policy, individuals in appropriate sexual or romantic relationships should also be aware of, and comply with, the conflict of interest policies for faculty and staff (Policies No. 216 and 838), the nepotism policy (Policy No. 419), and the harassment and sexual harassment policy (Policy No. 830).

ii. Confidentiality. Non-public disclosures made under this policy will be treated as confidential as reasonably as possible by all parties, except to the extent that information must be disclosed in order for alternative educational or supervisory arrangements to be made.

iii. Recordkeeping. Records of relationship disclosures will be kept by the relevant department chairs, deans, or supervisors and a copy will be filed with and kept by the Director of Equal Employment Opportunity Programs.

iv. Training. The University will provide appropriate training for faculty, staff, and students concerning inappropriate relationships and this policy.

v. Complaints. Any complaint asserting a violation of this policy should be brought to the Director of Equal Employment Opportunity Programs for investigation who will follow the procedures in University Policy 830 (Rice University Policy on Harassment and Sexual Harassment). In the event the Director of Equal Employment Opportunity Programs finds there has been a violation of the policy, they will report the findings to the appropriate dean and the Provost (for a faculty member or other teacher), to Human Resources (for staff), and to Student Judicial Programs (for a student) for appropriate action. Should the complaint be against the Director of Equal Employment Opportunity Programs, a senior administrator (Provost, Dean, Vice President, Vice Provost, Institute Director, or Athletic Director), or the President, the complaint is filed as set out in sections IV.E.iv.c., d, and e in University Policy No. 830 (Rice University Policy on Harassment and Sexual Harassment).
E. As with any violation of University policy, teachers, staff members, and students who violate this policy are subject to disciplinary action, up to and including dismissal from employment or discipline under the Code of Student Conduct.

V. Cross References to Related Policies

i. Policy No. 216 Conflict of Interest and Commitment for Faculty
ii. Policy No. 419 Nepotism
iii. Policy No. 813 Whistleblower Protection and Non Retaliation Policy
iv. Policy No. 830 Harassment and Sexual Harassment Policy
v. Policy No. 838 Conflict of Interest

VI. Responsible Official and Key Office to Contact Regarding the Policy and its Implementation

Responsible Official: Provost (for faculty and other teachers)
Vice President for Administration (for non-faculty supervisors and other staff)

Other Key Offices: Director of Equal Employment Opportunity Programs and Title IX Coordinator

Signed David W. Leebron
David W. Leebron
President

Policy History
Issued: September 13, 2019