

LINCOLN UNIVERSITY

Policy:	Consensual Relationships Policy
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Review Officer(s):	Vice President for Human Resources and Vice President, General Counsel & Secretary to the Board of Trustees
Status:	Approved by the President and Board of Trustees

I. POLICY STATEMENT

Lincoln University is a community that values an environment of inclusion, trust, and respect as beneficial for the working and learning environment of all its constituents.

Consensual romantic, intimate, or sexual relationships are of concern to Lincoln University when one of the parties has institutional responsibility for or authority over the other. Consensual relationships in this context can compromise the integrity of the exercise of institutional responsibility, create the potential for abuse of the authority or cause problems due to the perceptions of third parties.

Integrity can be compromised when individuals evaluate the work or academic performance of other individuals with whom they have a consensual relationship. The interest in the consensual relationship can impair the judgment required for the exercise of the institutional responsibility or authority.

Power may be abused within a consensual relationship between an employee and someone for whom they have supervisory, decision-making, evaluative, academic or advisory responsibilities. There is potential for use of the academic or supervisory role to maintain or promote the relationship.

Another potential problem involves perceptions of third parties who feel they have lost equality in terms of assignments, promotions, etc., and who may feel that the only way to succeed is to engage in a romantic, intimate, and/or sexual liaison.

All employees should recognize the possible negative consequences of romantic, intimate or sexual liaisons in the workplace and academic programs. This Policy prescribes actions required to remove conflicts of interest and avoid adverse effects on third parties, and further specifies the situations where consensual relationships are prohibited.

Sexual harassment is distinguishable from situations covered by this Policy in that sexual harassment always involves conduct that is unwelcome, is a clear abuse of authority, or produces defined negative effects on individuals. Lincoln University's Policy on [Sexual and Gender-Based Harassment](#) should be consulted regarding such situations.

Definition

Consensual Relationships

Consensual relationships to which this policy applies are those romantic, intimate or sexual relationships where one of the parties has institutional responsibility for or authority over the other or is involved in evaluation of the other party, whether the other party is a faculty member, staff member or a student.

Policy on Consensual Relationships

1. Within the Instructional/Employment Context

Faculty members, adjuncts, and graduate fellows are advised against having an amorous relationship with a student who is enrolled in a course taught by the faculty member or teaching assistant or whose academic work (including work as a teaching or research assistant) is supervised or evaluated by the faculty member.

Supervisors are advised against having an amorous relationship with students or a staff member who is in their line of supervision.

Amorous relationships between a senior faculty member and junior faculty member supervised by the senior faculty member are prohibited while the faculty member/supervisor has direct supervision of or any influence on the student's/staff member's/junior faculty member's evaluation or progress academically or professionally. A pre-existing relationship which could reasonably be perceived as having any influence on the objective evaluation of the student, staff member, or junior faculty member by the faculty member/supervisor must be immediately disclosed by the faculty member/supervisor to an appropriate administrator (Department Chair/Leader, Dean, Faculty Affairs, or Staff Supervisor) and a management plan, acceptable to Lincoln University (Human Resources and Faculty Affairs or their designated representatives), must be implemented to assure that the student/staff member/junior faculty member receives objective evaluation and supervision.

2. Outside the Instructional/Employment Context

Amorous relationships between faculty members, adjuncts, staff, and students (undergraduate and graduate students, graduate fellows, etc. included) or between graduate fellows and undergraduate students occurring outside the instructional context or office may also lead to difficulties. This is particularly true when the faculty member/adjunct/graduate fellow/student are in the same academic unit or in units that are academically allied. Moreover, relationships that the parties view as consensual may appear to others to be exploitative. In these types of situations, the faculty member/adjunct/graduate fellow/student may face serious conflicts of interest and should be careful to distance themselves from any decisions that may reward or penalize the student with whom the faculty member or adjunct has or has had an amorous relationship.

Supervisors may face serious conflicts of interest and should be careful to distance themselves from any decisions that may reward or penalize the staff member or student with whom the supervisor has or has had an amorous relationship.

3. Professional Power Differential

Romantic and sexual relationships between faculty members (including adjuncts) and students and between supervisors and their employees do not necessarily involve sexual harassment. However, a faculty member who enters into a sexual relationship with a student (or supervisor with employee/student) where professional power differentials exist, must realize that if a charge of sexual harassment is subsequently lodged, it may be exceedingly difficult to prove mutual consent.

Romantic and/or sexual relationships between individuals in inherently unequal positions at the University, including but not limited to teacher / student, supervisor / employee, and senior faculty / junior faculty, pose particular risk with regard to sexual harassment. Such risk exists because professional power differentials increase the potential for abuse and exploitation, as well as for potential conflict of interest. Additionally, others in their environment may believe they are disadvantaged relative to a peer who is in a relationship with a superior. There exists potential to undermine the integrity of any supervision or evaluation provided by a teacher or supervisor involved currently or in the past in a romantic and/or sexual relationship with his or her student or employee.

Because of the asymmetry of these relationships, “consent” may be difficult to assess, may be deemed not possible, and may be construed as coercive. Such relationships also may have the potential to result in claims of sexual harassment.

Consensual Relationships

The roles of the teacher in the academic life of students are complex and many. Teachers guide and they teach. They advise and evaluate. It is never appropriate for a faculty member (and other instructors) to be involved in a romantic or sexual relationship with a student they teach or for whom they have any supervisory/evaluative responsibility. Similarly, employees are strongly discouraged from having romantic and/or sexual relations with employees under their supervision.

Should such a relationship develop, it is the responsibility of the person in the greater position of power to ensure that they do not (in the present or the future) exercise any supervision or evaluation of the other person. The faculty member, instructor or supervisor should work with the appropriate chair, dean or supervisor to find other instructional and/or supervisory arrangements, in order to protect the welfare of the person in the less powerful position, as well as the sense of fairness in the unit or working group, lab, office, etc. Failure to provide alternative evaluative or supervisory arrangements for an individual with whom a faculty member or supervisor is romantically/and or sexually involved constitutes a violation of the University’s Sexual and Gender-Based Harassment Policy.

Prohibitions

An employee shall not exercise academic responsibility (instructional, evaluative or supervisory) for any student with whom the employee has a consensual relationship.

An employee shall not conduct performance evaluations, or make salary decisions, decisions regarding promotion and tenure, or decisions on continuation of employment for a person with whom they have a consensual relationship.

Consensual relationships are prohibited when effective arrangements to remove the conflict and mitigate adverse effects on third parties cannot be made.

Noncompliance with Policy

Allegations, reports, or other information relating to unreported romantic or sexual relationships where one party has evaluative or supervisory responsibilities over the other party will be investigated. Supervisors, department chairs, deans, or other responsible persons must report all allegations to the Office of Human Resources (if the alleged violation is by a faculty or staff member) or the Office of Institutional Equity and Division of Student Success (student or residential staff member). Potential noncompliance with the policy will be reported by the above-listed supervisors, department chairs, deans, or other responsible persons to Human Resources and investigated by the appropriate offices listed above. If noncompliance is ascertained, measures will be taken to ensure suitable supervision/evaluation of the student or supervisee, and appropriate disciplinary measures with regard to the supervisor/faculty member will be taken.

Sanctions

Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination, as provided by applicable University policies. The University reserves the right to discipline members of the University community who make false allegations of unreported consensual relationships. No complaint will be considered “false” solely because it cannot be corroborated.

Retaliation

Retaliation against persons who report concerns about consensual relationships is prohibited and constitutes a violation of this Policy.

Guidance, Consultation and Complaints

Anyone who has concerns, questions or complaints related to this Policy or its implementation should contact the Director of the [Office of Institutional Equity](#), the Vice President for the [Office of Human Resources](#), or the Assistant Provost for the [Office of Faculty Affairs](#).

Questions about this Policy should be addressed to:

The Office of Human Resources

1570 Baltimore Pike

International Cultural Center (ICC), First Floor

Lincoln University, PA 19352

484-365-7595

The Department of Legal Affairs

International Cultural Center (ICC), Second Floor

Lincoln University, PA 19352

484-365-5237