

POLICY ON ROMANTIC AND SEXUAL RELATIONSHIPS BETWEEN FACULTY/OTHER EMPLOYEES AND STUDENTS

I. Rationale

The integrity of the University's Academic Mission is founded on the mutual trust and respect in faculty-student relationships. Similarly, the University is committed to the principle of protecting the integrity and objectivity of its faculty in the performance of their University duties. That same mutual trust and respect must exist in the relationships and interactions between students and University staff and administrators to provide a quality education to our students in an environment that encourages, nurtures, and supports learning. It is essential that the University's Mission be carried out in a manner that is free of conflict of interest and supports the educational process.

Sexual relationships in which one member of the University community has supervisory or other evaluative responsibility for the other create the appearance of favoritism, the potential for actual favoritism and the potential for sexual harassment. This is also true of conduct that may reasonably be perceived as inviting or encouraging a sexual relationship. Such relationships can raise serious concerns about the validity of consent, conflict of interest and unfair treatment of others. They may undermine the real or perceived integrity of the evaluation and supervision provided and the trust inherent in such relationships.

Moreover, regardless of the instructional, supervisory or evaluative context, the innate power imbalance and the potential for real or perceived coercion, favoritism, bias or exploitation that may be created by romantic or sexual relationships between faculty or other University personnel and undergraduate students is such that a higher standard is needed to protect the rights and interests of all members of the University community as set forth below.

II. Definitions and Scope

- A. This policy applies to faculty members and all other University personnel, including students who are not Hofstra University undergraduate students and who also maintain an academic role in which they teach, supervise, evaluate or otherwise exercise academic authority over other students' academic work ("Advanced Students") (collectively all faculty, other University personnel and Advanced Students hereinafter referred to as Employees for purposes of this Policy).
- B. University personnel who are also enrolled as students through tuition remission or otherwise are considered Employees and not students for purposes of this Policy. Student employees are not considered Employees for purposes of this Policy.
- C. Instructional context is broadly defined and includes academic instruction and advisement as well as evaluation or supervision, direct or indirect, of a student's academic work. It also includes research assistantships or academic intern situations in which students are supervised by faculty members or other Employees.

- D. Supervisory context includes evaluation or supervision, direct or indirect, of a student's extracurricular activities or employment. It includes employment situations in which students are supervised by administrators, faculty, staff members, graduate students or others as student employees; extracurricular situations in which students are supervised or evaluated by administrators, faculty, staff members, graduate students or others as volunteers or interns; or in athletic team situations in which students are supervised or evaluated by staff, administrators, coaches or trainers.

III. Guidelines for Conduct

- A. All Employees are prohibited from entering into a romantic or sexual relationship, or from engaging in conduct that may reasonably be perceived as inviting or encouraging a romantic or sexual relationship, with undergraduate students of the University.
- B. Employees must disclose to the Provost's Office a sexual or romantic relationship with a student that existed prior to the student's enrollment at Hofstra. Promptly disclosed pre-existing relationships will be handled on a case-by-case basis, with sensitivity to the private nature of the disclosure and with a focus on protecting the student's educational and professional opportunities, privacy of those involved and addressing conflict of interest concerns for all parties.
- C. Within the instructional context and/or supervisory context, no Employee shall engage in romantic or sexual relationships or conduct that may reasonably be perceived as inviting or encouraging a romantic or sexual relationship, with a graduate-level/professional school student over whom the Employee has instructional, supervisory or evaluative responsibility.
- D. Outside the instructional or supervisory context, the aforementioned conduct or relationships between Employees and graduate-level/professional school students are strongly discouraged although not expressly prohibited by University policy. Employees considering or engaged in such relationships should be sensitive to their potentially exploitative nature and the possibility that the Employee may unexpectedly be placed in a position of responsibility for the students' instruction, supervision or evaluation.

IV. Complaints

Members of the University community who discern that violations of this Policy have occurred may initiate a complaint to the Equal Rights and Opportunity Officer (EROO)/Chief Human Resources Officer (CHRO). The EROO/CHRO or a designee will investigate the complaint made and will speak to parties involved. Complaints must be filed promptly and in no case later than one semester after the end of the semester or session in which the alleged violation occurred.

Substantiated complaints will be forwarded to the appropriate Dean, Vice President, Office of Human Resources, or the Provost for action. With regard to faculty bargaining unit members, such action shall follow the process for faculty discipline set forth in the CBA. The University reserves the right to conduct an investigation of a complaint under this Policy independent of or in addition to the procedure provided herein at any time. Moreover,

nothing herein should be construed as conferring any rights on administrative employees, who are at-will employees.

V. Sanctions

Violations of this policy will be considered misconduct on the part of the Employee. Any faculty bargaining unit member wishing to appeal his or her sanction can do so via the process set forth in the CBA relating to faculty discipline. Any discipline imposed will be consistent with any applicable CBA.

This policy is independent of Hofstra University's Harassment Policy (FPS 43).