



FERRIS STATE UNIVERSITY

HUMAN RESOURCES

Human Resources Policy & Procedures

Effective Date: December 18, 2020

FSU-HRPP 2021:01
Replaces HRPP 2005:52

Prohibited Romantic Relationships

COVERED EMPLOYEES

- All employees.

BOT POLICY

Sec. 8-702. Prohibited Romantic Relationships. Prohibited Romantic Relationships. Ferris State University is committed to maintaining an academic and work environment (including associated teaching, research, working, and athletic environments) free from conflicts of interest, favoritism, and exploitation. It is expected that employees interact with students in a manner that is professional and appropriate and avoid conduct towards students that is unprofessional or inappropriate. All employees must recognize and maintain professional boundaries and protect the interests of students. In order to reduce the risk of undermining the University's mission, this policy sets forth specific limitations on romantic relationships and/or sexual interactions between staff, faculty, coaches, affiliates, students, and student employees at Ferris State University. Romantic relationships and/or sexual interactions, even when consensual, must not put at risk the fundamental interest of any member of the University community to participate in University activities free from conflicts of interests, favoritism, and/or exploitation. Considering the potential for exploitation and/or favoritism where differences in authority exist, romantic relationships and/or sexual interactions are prohibited between the following: (1) Employees (excluding student employees) with undergraduate students. (2) Employees (including student employees) with other employees and students over whom there exists a position of authority. (3) Faculty and staff members who work within an academic unit or College with graduate or professional students taking or expecting to take classes within the same college. (4) Graduate assistants who work within an academic unit, College, University Athletics, or non-academic unit on campus with undergraduate students over whom there exists a position of authority. (5) University affiliates with graduate, professional, and undergraduate students employed by the University as either graduate assistants or student employees.

HR PROCEDURES/DESCRIPTION/DEFINITIONS

I. Definitions:

- Employee – A person employed for wages, salary, or other forms of compensation by the University, whether on or off-campus or online:
 - Faculty – Faculty appointments (full-time and part-time) includes instructional faculty; administrative and/or professional faculty; adjunct faculty; special faculty appointments, such as visiting, emeriti, and affiliate faculty; and graduate assistants.
 - Staff – A non-faculty employee of the University.
 - University Athletics Employee - Any person/s serving University Athletics in any capacity, including but not limited to coach, employee, graduate assistant, intern, or affiliate.
 - Student Employee – A full or part-time student employed by the university in full or part-time status.
- Supervisor – An employee (including faculty), or affiliate, who has a position of power, control, or ability to influence decisions with regard to other employees in the workplace. A student supervisor is a full or part-time student employee who has a supervisory role over other student employees.
- Student – Any person currently enrolled in a course or program at the University, whether full-time or part-time, studying on or off-campus or online.
 - Undergraduate
 - Graduate
 - Concurrent/Dual
 - Non-degree seeking
- University affiliates – An individual associated with the University in a capacity, other than as a student or employee, who has access to University resources through a contractual arrangement or other association that has been reviewed and approved.
 - Volunteers
 - Independent Contractors
- Position of Authority – References and includes, but is not limited to, a situation in which an employee is responsible for teaching, evaluating, advising, coaching, supervising, training, or providing recommendations for a student or employee as part of an academic or extracurricular program or employment situation- or is in a position to influence any of these activities or processes conducted by others or

otherwise has educational responsibility to evaluate, influence, provide, or control aspects related to a student's education or professional development, including but not limited to teaching, grading, mentoring, advising, evaluating research or other academic activity, serving on a student's dissertation committee, participating in decisions or recommendations regarding funding or other resources, clinical supervision, and recommending for admissions, employment fellowships, or awards. This authority can occur on or off-campus in curricular, co-curricular, or extra-curricular activities.

- Romantic relationship and/or sexual interaction – A romantic relationship and/or sexual interaction includes intimate, sexual, dating, and/or any other type of amorous encounter or relationship, even when consensual, whether casual or serious, short-term or long term. These relationships may or may not involve physical contact and can include digital relationships via text, social media, etc.

II. Prohibited Romantic Relationships and/or Sexual Interactions:

Romantic relationships and/or sexual interactions, even when consensual, must not put at risk the fundamental interest of any member of the University community to participate in University activities free from conflicts of interests, favoritism, and/or exploitation.

Considering the potential for exploitation and/or favoritism where differences in authority exist, this policy prohibits romantic relationships and/or sexual interactions between the following (see section VII for definitions):

- Employees (excluding student employees) with undergraduate students
- Employees (including student employees) with other employees and students over whom there exists a position of authority
- Faculty and staff members who work within an academic unit or College with graduate students taking or expecting to take classes within the same college
- Faculty and staff members not otherwise covered by this policy with graduate students or professional students, absent disclosure as provided in the policy
- Graduate assistants who work within an academic unit, College, University Athletics, or non-academic unit on campus with undergraduate students over whom there exists a position of authority
- University affiliates with graduate students and undergraduate students employed by the University as either graduate assistants or student employees

III. Exceptions to this Policy including disclosure of Pre-existing Relationships:

- ### **A. Relationships that existed prior to this policy and relationships that begin after implementation of this policy**

In the event a prohibited relationship exists that began prior to the adoption of this policy, the relationship must be disclosed by the employee(s) to their supervisor within 14 days of the effective date of this policy with a request for an exception (see section c below). The same disclosure requirement(s) exist for employee relationships that begin subsequent to the adoption of this policy, and require an employee(s) to disclose the existence of a prohibited relationship to their supervisor within 14 days together with a request for an exception (see section c below).

B. Pre-existing relationship with an individual who is seeking enrollment or employment at Ferris that would result in a relationship prohibited by this policy

In the event an individual is planning to enroll and/or to become a new employee at Ferris or takes a new position within Ferris that may create a violation of this policy, the relationship must be disclosed and a request for an exception made, by the current employee(s), prior to the student and/or the employee beginning their term or employment/new assignment. It is the responsibility of the employee(s) involved to initiate an exception request as soon as this potential conflict presents itself.

C. Process for beginning an exception request

Requests for exceptions are to be brought by the employee(s) to their supervisor. The supervisor is responsible for immediately notifying Human Resources of the request for an exception and all information shared regarding the request. Exceptions decisions will be made by Human Resources. The University may not be able to make exceptions in all circumstances and will consider all requests for an exception on a case-by-case basis. When an exception is granted an appropriate mitigation plan will be developed with the employee(s) and Human Resources in consultation with the supervisor(s), their dean(s), and when involving an instructor, the Office of the Provost. The goal of all involved will be to reduce or eliminate conflict of interests and the potential for exploitation or favoritism. All approved exceptions will be evaluated by Human Resources on an annual basis.

Failure to comply with the above required notification, any stated timelines for notice, and/or the agreed upon mitigation is a violation of this Policy and may result in disciplinary action that could lead to sanctions up to and including termination of employment.

IV. Reporting Responsibility:

- Potential violations of this policy should be reported to your supervisor, the supervisor of those involved, or Human Resources.

- Supervisors who have been informed or otherwise become aware of a potential relationship prohibited by this policy must notify Human Resources immediately. Human Resources will evaluate the information and determine an appropriate response.

V. Retaliation:

Retaliation against a person who reports a potential violation under this policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, reprisals and/or adverse actions related to an individual's employment or education. The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report it to Human Resources.

VI. Violations:

Failure to comply with this policy will be considered a violation of policy and may lead to disciplinary action up to and including termination.

Refer Questions To: Human Resources or General Counsel

Also see:

HRPP 2005:19 - [Nepotism and Favoritism](#).

Non-consensual interactions are addressed under the University's Relationship Violence and Sexual Misconduct Policy.

<https://www.ferris.edu/HTMLS/administration/buspolletter/publicsafety/Relationship-Violence-and-Sexual-Misconduct-Policy.pdf>

Family Relationships between employees are addressed under the Nepotism Policy.

<https://www.ferris.edu/HTMLS/administration/adminandfinance/human/Forms/HRPPs/NepotismAndFavoritism.pdf>

In addition, the University opposes any actions that harass, discriminate, or otherwise create a hostile environment. Violations of student and/or employee dignity are addressed in the Dignity Policy.

<https://www.ferris.edu/HTMLS/administration/Trustees/boardpolicy/Part8/Subpart-8-7rev5-8-15.pdf>