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## II. Consensual Romantic and Sexual Relationships in the Workplace and Educational Setting Policy

### A. Faculty and Students and Academic Settings

The relationship between faculty member<sup>2</sup> and student is central to the academic mission of the University. No non-academic or personal ties should be allowed to interfere with the integrity of the faculty-student relationship. Consensual sexual relations between faculty and student can adversely affect the academic enterprise, distorting judgments, or appearing to do so to others, and providing incentives or disincentives for student-faculty contact that are inappropriate.

For these reasons, any sexual relations or dating relationships between a faculty member and an undergraduate student enrolled at the University are prohibited. The prohibition extends to all academic advisors and program directors, including those based in the College Houses and other University-owned or administered housing. The prohibition also extends to graduate, professional, or undergraduate student assistants, but, in their case, only with respect to those undergraduate students over whom they have academic responsibility.<sup>3</sup>

Although consensual sexual relations or dating relationships between faculty and graduate or professional students are not categorically prohibited, the University strongly discourages all sexual relations or dating relationships between faculty and graduate or professional students. Further, sexual relations or dating relationships between a faculty member and a graduate or professional student during the period of the faculty/student relationship are prohibited. The prohibition extends to sexual relations or dating between a graduate or professional student and other students for whom they have some supervisory academic responsibility, between department chairs and students in that department, and between graduate group chairs and students in that graduate group. Likewise, sexual relations and dating relationships are prohibited between a graduate or professional student and their academic advisors, program directors, and all others who have any supervisory responsibility for that student.

### B. Workplace and Other Settings

Those entrusted with responsibility for supervising, evaluating, advising, or mentoring other members of the Penn community are in inherently unequal positions. Faculty, staff, and others should not evaluate or supervise those with whom they have a familial, romantic or sexual relationship because of the potential for conflict of interest, or the appearance of favoritism, exploitation or bias. As is the case for faculty, sexual or romantic relationships between staff members and undergraduate students are prohibited. Although consensual sexual relations or dating relationships between staff and graduate or professional students, are not categorically prohibited, the University strongly discourages all sexual relations or dating relationships between staff and graduate or professional students.

Consensual sexual or romantic relationships between those employed by the University as faculty or staff are not in general prohibited by this policy. However, relationships between employees in which one has direct or indirect authority over the other are potentially problematic, including relationships between supervisors and their direct and indirect reports, between senior faculty and junior faculty, and managers and those who report to them (directly or indirectly). If such a relationship develops or exists as a result of a change in employment or academic status,

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<sup>2</sup> For purposes of this policy, “faculty” includes (but is not limited to) standing faculty, clinical faculty, associated faculty, and academic support staff, as well as clinical or lab supervisors, postdoctoral fellows, house staff, residents, graduate and undergraduate teaching assistants, and any other person providing instruction, academic advising, or academic oversight of an enrolled student in any school, course, or program, including summer and off-campus programs, irrespective of geographical location.

<sup>3</sup> “Academic responsibility” includes (but is not limited to) teaching, grading, mentoring, advising, or evaluating research or other academic activity, participating in decisions regarding funding or other resources, clinical supervision, and recommending for admissions, employment, fellowships, or awards. In this context, students include graduate and professional school students, postdoctoral scholars, and clinical residents or fellows.

the person in the position of greater authority or power must recuse themselves to ensure that they do not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify their department chair, Dean, supervisor, or manager, so that person can ensure adequate alternative supervisory or evaluative arrangements are put in place. Such notification is always required where recusal is required. This obligation to recuse and notify exists for past as well as for current relationships. Failure to disclose the relationship in a timely fashion will itself be considered a violation of policy.

It is understood that sexual or romantic relationships may be private and the University treats such information sensitively and (to the extent practicable) confidentially. The University has the option to take any action necessary to ensure compliance with the spirit of this policy, including transferring either or both employees to minimize disruption of operations.

### Mechanisms for Complaint Resolution

To make a complaint alleging a violation of this policy, the Associate Vice President for Equity and Title IX Officer (“AVP”) should be contacted.

#### Complaints Against Faculty

If a determination is made that the complaint involves a possible violation of the Consensual Romantic and Sexual Relations in the Workplace and Educational Settings Policy, (other than sexual harassment, sexual violence or sexual assault), then the AVP will oversee the informal resolution or investigative process(es), advising the Dean of the applicable school that a complaint has been made and discussing any interim measures that may be needed. In either case, for Standing Faculty, the Procedure Governing Sanctions Taken Against Members of the Faculty, *Handbook for Faculty and Academic Administrators*, Part II.E.16, will be followed where applicable.

#### Complaints Against Staff

If a determination is made that the complaint involves a possible violation of the Consensual Romantic and Sexual Relations in the Workplace and Educational Settings Policy (other than sexual harassment, sexual violence or sexual assault), then the AVP will oversee the informal resolution or investigative process(es), advising the Dean, Vice President, or Vice Provost of the applicable administrative division that a complaint has been made and discussing any interim measures that may be needed.

#### Complaints Against Enrolled Students

If a determination is made that the complaint involves a possible violation of the Consensual Romantic and Sexual Relations in the Workplace and Educational Settings Policy (other than sexual harassment, sexual violence or sexual assault), then the AVP will oversee the informal resolution or investigative process(es), advising the Dean of the applicable school that a complaint has been made and discussing any interim measures that may be needed.

### C. Policy Against Retaliation

University policy expressly prohibits retaliation against faculty, staff, students, postdoctoral or other trainees, or members of the community who in good faith make reports of violations of this policy. In addition, knowingly and intentionally making a false report of a violation of this policy is prohibited. Members of the Penn community who take adverse action against, intimidate, threaten or otherwise engage in retaliation against a person because they filed a complaint of sexual misconduct or served as a witness during an investigation are subject to disciplinary action, up to and including termination of their employment or expulsion from the University.