

Proposal to Ban Faculty-Undergraduate Student Romantic Relationships

Problem

Current policy permits faculty and other academic appointees to have romantic and sexual relationships with undergraduate students under some circumstances. By authorizing romantic and sexual relationships, current policy allows faculty to think of undergraduate students as appropriate romantic or sexual partners and compels undergraduate students to consider whether a faculty member's attention may have a romantic or sexual component. Romantic or sexual relationships between undergraduate students and faculty limit the students' access to educational opportunities, and therefore, undermines the campus' educational environment. Importantly, because of the inherent power imbalance between faculty and undergraduate students, it can be questionable whether romantic relationships between faculty and undergraduates are fully consensual. A high danger exists for emotional coercion, pressure, manipulation and/or prohibited sexual harassment within the relationship.

Solution

Prohibit all romantic, dating, and sexual relationships between faculty and undergraduate students.

Current Policy

APM 015 prohibits certain consensual romantic or sexual relationships between faculty and students. APM 015 sets out the following as inappropriate faculty conduct:

Entering into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory).

APM 015 provides the following explanation of when a faculty member "should reasonably expect to have in the future" academic responsibility for a student:

A faculty member should reasonably expect to have in the future academic responsibility (instructional, evaluative, or supervisory) for (1) students whose academic program will require them to enroll in a course taught by the faculty member, (2) students known to the faculty member to have an interest in an academic area within the faculty member's academic expertise, or (3) any student for whom a faculty member must have academic responsibility (instructional, evaluative, or supervisory) in the pursuit of a degree.

Discussion

While the campus does not have the ability to directly modify the APM, APM 015 generally prohibits "conduct which is not justified by the ethical principles and which significantly impairs the University's central functions." One of the central functions of the University under APM 015 is "to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and to furthering the search for wisdom." Therefore, APM 015 authorizes discipline for romantic, dating, or sexual relationships between faculty and students if the campus

determines that such relationships undermine “an environment conducive to sharing ... knowledge.”

Romantic, dating, or sexual relationships between faculty and undergraduate students undermine the campus’ educational environment. Undergraduate education is a time of intellectual exploration and growth. It is expected and encouraged that undergraduate students will avail themselves of the many educational opportunities and resources available on the campus, and it is not possible to foresee with certainty which faculty members may one day have academic responsibilities for a particular student. Undergraduate students regularly change majors, take on multiple majors and minors, take courses in many different departments and divisions, work in laboratories or undertake projects with faculty in disciplines both in and outside their majors, and encounter faculty mentors across the campus.

No undergraduate student should be limited in the educational opportunities that the student may explore on campus because a faculty member has entered into or desires to enter into a romantic, dating, or sexual relationship with that student. Students in a romantic, dating, or sexual relationship with a faculty member may feel compelled to avoid certain classes or research opportunities to avoid creating an academic supervisory relationship. Students who have ended a romantic, dating, or sexual relationship with a faculty member may similarly feel compelled to avoid certain classes or research opportunities to avoid awkwardness and discomfort or to avoid potential retaliation from a former romantic partner.

The mere possibility that a faculty member might be permitted to initiate a romantic, dating, or sexual relationship can alter how students interact with faculty. Students may need to be on their guard and consider whether attention from a faculty member might have a romantic or sexual component. This potential second-guessing of motives can create a barrier to full enjoyment of the campus’ educational opportunities.

Because of the inherent power imbalance between faculty members and undergraduate students, romantic, dating, or sexual relationships present a significant risk that power will be used to manipulate or coerce, which may result in quid pro quo sexual harassment or emotional abuse..

Proposed Policy

Therefore, it is proposed that the campus adopt a policy as shown on Exhibit A.



UC San Diego

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ACADEMIC AFFAIRS

Section: XXX-XX

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POLICY ON ROMANTIC, DATING, OR SEXUAL RELATIONSHIPS BETWEEN ACADEMIC APPOINTEES AND UNDERGRADUATE STUDENTS

SCOPE

This policy applies to all academic appointees who work on the UC San Diego campus, except academic appointees who are also currently enrolled graduate or undergraduate students.

POLICY SUMMARY

It is a violation of this Policy and the faculty code of conduct for a UC San Diego academic appointee (except academic appointees who are also currently enrolled graduate or undergraduate students) to enter into a romantic, dating, or sexual relationship with an undergraduate student enrolled in UC San Diego.

DEFINITIONS

Academic appointee is defined as provided in APM 110-4(2) (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-110.pdf).

Academic Personnel Manual (APM) means the currently operative version of the Academic Personnel Manual issued by the UC Office of the President. See <https://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/>.

FINDINGS

APM 015 – Faculty Code of Conduct prohibits “conduct which is not justified by the ethical principles and which significantly impairs the University’s central functions.” One of the central functions of the University is “to provide and sustain an environment conducive to sharing ... knowledge.”

The possibility that faculty might enter into a romantic, dating, or sexual relationship with an undergraduate student undermines the educational environment for undergraduate students. Undergraduate study is a time of intellectual growth and discovery, in which students should be free to explore all of the educational opportunities offered by the University, without concern that they might become the objects of romantic or sexual attention of the University’s faculty.

Romantic, dating, or sexual relationships between faculty and undergraduate students are inconsistent with an environment conducive to sharing knowledge because such relationships close off potential areas of academic study for the student by making it necessary for the undergraduate student to avoid creating an academic supervisory relationship. For undergraduate students who have ended a romantic or sexual relationship with a faculty member, such students may feel compelled to avoid certain classes or research opportunities to avoid awkwardness and discomfort or to avoid potential retaliation from a former romantic partner.

University of California San Diego Policy – PPM XXX - XX

PPM XXX - XX Policy on Romantic or Sexual Relationships between Academic Appointees and Undergraduate Students

Because undergraduate study is intended to be broad, undergraduate students may come under the academic supervision of any academic appointee. Undergraduate students regularly change majors, take on multiple majors and minors, take courses in many different departments and divisions, work in laboratories or undertake projects with faculty in disciplines both in and outside their majors, and encounter faculty mentors across the campus.

Moreover, the mere possibility of a romantic, dating, or sexual relationships between faculty and undergraduate students has the potential to alter how students interact with faculty. Undergraduate students may need to be on their guard and consider whether attention from a faculty member might have a romantic or sexual component. This potential second-guessing of motives can create a barrier to full enjoyment of the campus' educational opportunities.

Importantly, because of the inherent imbalance of power between faculty and undergraduate students, there is a significant danger for manipulation, coercion, or prohibited sexual harassment within a romantic, dating, or sexual relationship that begins as consensual.

POLICY STATEMENT

A UC San Diego academic appointee violates this Policy and the faculty code of conduct and is therefore subject to discipline if the academic appointee enters into a romantic, dating, or sexual relationship with any UC San Diego undergraduate student.

The duty to avoid a romantic, dating, or sexual relationship with an undergraduate student lies with the academic appointee. Therefore, this policy will not be grounds for discipline of an undergraduate student who enters into a romantic, dating, or sexual relationship with an academic appointee.

The duty to avoid a romantic, dating, or sexual relationship with an undergraduate student provided in this Policy does not apply to academic appointees who are also currently enrolled graduate or undergraduate students. Nevertheless, all academic appointees, including currently enrolled graduate or undergraduate employees, are subject to the duty imposed under APM 015 to avoid romantic or sexual relationships with any student for whom the academic appointee has or should reasonably expect to have academic authority.

RESPONSIBILITIES

The Office for the Prevention of Harassment and Discrimination (OPHD) is responsible for receiving complaints and investigating suspected violations of this policy and for providing appropriate training to the campus community.

The Academic Personnel Office (APO) is responsible for ensuring that the disciplinary process for violations of this policy is handled in accordance with the Academic Personnel Manual and campus delegations of authority.

PROCEDURES

Suspected violations of this policy should be reported to the UC San Diego Office for the Prevention of Harassment and Discrimination for investigation.

Discipline for academic appointees who violate this policy will be handled as provided in the Academic Personnel Manual.

REVISION HISTORY

2018-XX-XX New policy issued.