

Policy Number: 1230

Policy Name: Employee-Student Consensual Relationships

Responsibility for Maintenance: Director of Human Resources

Effective Date: July 1, 2018

Last Updated: August 15, 2023

I. Policy Statement

The purpose of this policy is to document Richard Bland College's commitment to maintaining learning and work environments as free as possible from conflict of interests, exploitation, and favoritism. Therefore, employees, whether faculty or staff, shall not engage in consensual relations with students whenever the employee has a "position of authority" with respect to the student in such matters as teaching or in otherwise evaluating, supervising, or advising a student as part of a school program or employment situation. In cases where one person uses a position of authority to induce another person to enter into a romantic and/or sexual relationship, the likely harm to the induced person and to the College is clear. Even in cases where the relationship is deemed "consensual" by the involved parties, significant potential for harm remains when there is an institutional power differential between them. Clear examples of cases of power differential are romantic and/or sexual relationships between an instructor and student, an academic advisor and advisee, or an employer and student worker. Among other things, the existence of such relationships may cast doubt on the objectivity of any supervision and evaluation provided. This policy is directed specifically to employee-student relationships and recognizes that both employees and students bear responsibility to avoid a conflict of interests. The student-teacher relationship represents a special circumstance because maintaining (or preserving) the integrity of this relationship is of fundamental importance to the central mission of the College. Even allegedly "consensual" relationships that occur in the context of educational supervision and evaluation can give rise to serious ethical concerns and present significant conflicts of interests. It is, therefore, incumbent upon both the employee and the student involved in the relationship to disclose the relationship so that appropriate accommodations can be made to remove the conflict of interests.

II. Applicability of the Policy

This policy applies to all current employees and students of Richard Bland College.

III. Definitions

A. **Consensual Relationships:** Romantic and sexual relationships willingly undertaken by the parties.

B. **Employee:** A person, faculty or staff, who holds a full-time, part-time, permanent, or temporary position at Richard Bland College, which includes, but is not limited to:

1. Administrative and Professional Faculty employees;
2. Instructional, or adjunct faculty;
3. Classified staff; and
4. Wage employees.

- C. **Position of Authority:** References and includes, but is not limited to, situations in which an employee is responsible for teaching, evaluating, supervising, or advising a student as part of a school program or employment situation or is in a position to influence any of these activities or processes.
- D. **Student:** Any person enrolled full-time or part-time in any program of Richard Bland College.

IV. Procedures

- A. **Multiple Roles:** There are occasions when an individual, initially classified as a student, faculty, or staff in his or her primary role, will take on another role. For example, if a staff member is enrolled in a course, the staff member will be considered a student for purposes of this policy if a consensual relationship develops with the instructor of the course.
- B. **Acknowledgement of a Consensual Relationship:** In the event a consensual relationship exists or develops between an employee having a “position of authority” with respect to a student in the College, despite this policy prohibiting such relationships:
 - 1. The employee immediately shall report the relationship in confidence to his or her immediate supervisor;
 - 2. The student has the responsibility of reporting the relationship in confidence to the Chief Academic Officer; and
 - 3. A plan for resolving the conflict of interests must be developed.

The supervisor and the Chief Academic Officer shall make suitable arrangements for the objective evaluation of the student’s academic performance and/or work performance for the protection of individual and College interests. To the extent possible, these discussions and the subsequent plans will be held in confidence.

- C. **Failure to Report Noncompliance:** A faculty or staff member in a “position of authority” over a student with whom a consensual relationship exists, who fails to report him/herself, will be deemed to have created a conflict of interests and to have violated an ethical obligation owed to students, other employees, colleagues, and the College. Similarly, a student who fails to report a consensual relationship with an employee in a “position of authority” also may be subject to sanctions. Credible allegations of a faculty or staff member’s failure to report the existence of a relationship between a student and an employee in a “position of authority” with respect to the student obligates the immediate supervisor to conduct a prompt and thorough inquiry to determine whether there is any validity to the allegation. When it is concluded that a prohibited relationship exists, due to the existence of a “position of authority” as between the employee and the student, the immediate supervisor shall undertake a resolution to the conflict of interests, and sanctions may be imposed against the employee as indicated in Section IV.D. below.

- D. **Sanctions:** Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination or expulsion from the College depending upon the severity of the offense. Should it be determined that disciplinary action is appropriate, the action to be taken shall be determined in the case of:
 - 1. Faculty by the Vice President after consultation with the Department Head;
 - 2. Staff by the appropriate Department Head, or the President in the event a Department Head or a staff member who reports directly to the President is involved, and;
 - 3. Students by the Vice President after consultation with the Director of Housing and Residence Life.
- E. **False Allegations:** Persons who knowingly make false allegations that an improper relationship exists shall be subject to comparable sanctions.
- F. **Resources for Assistance:** Staff in the Office of Academic & Student Development and the Office of Human Resources are available to assist any party covered by this policy.

V. **Related Documents**

- A. [State and Local Government Conflict of Interests Act, Virginia Code 2.2-3100](#)
- B. [DHRM Policy 1.60, Standards of Conduct](#)
- C. [RBC Faculty Handbook, Paragraph XIV, "Consensual Amorous Relationships"](#)
- D. [RBC Policy 1091: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#)

VI. **Contacts**

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