

CASE COMMUNITY VALUES

Case values inclusion, trust, and respect as beneficial for the working and learning environment of faculty, staff, and students. Given the amount of time we all spend together on campus, it's inevitable that romantic and sexual relationships will occur. Even if these relationships are consensual, they raise serious concerns about the validity of the consent, conflicts of interest, and preferential treatment. In an effort to address these concerns, the university created a Consensual Relationship Policy, which is detailed in this brochure. The purpose of the Consensual Relationship Policy is to:

- Give everyone the opportunity for a positive academic and work experience at Case;
- Raise awareness about relationships that may detract from a positive academic and work experience;
- Provide a process for managing work-related aspects of relationships;
- Inform all members of the university community that they are required to abide by the university Consensual Relationship Policy.

WHO CAN HELP ME WITH A MANAGEMENT PLAN?

Faculty: Department Chair and/or Dean if your school does not have departments, and Faculty Diversity Office, **368-8877**

Staff: Appropriate Administrative Supervisor in home department, and Director, Employee Relations, **368-0195**

Students: Student Supervisor, and University Office of Student Affairs, **368-2020**

To read the full text of the university's Consensual Relationship Policy, go to: <http://www.case.edu/president/action/aaeeo.html>



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CONSENSUAL RELATIONSHIP POLICY

What does it mean?

*What relationships
are covered?*

Who can tell me more?

THE POLICY

The university considers sexual relationships between faculty and their students and between supervisors and their employees to be a basic violation of professional ethics and responsibility when one party has any professional responsibility for the other's academic or job performance or professional future. Such relationships are expressly prohibited unless both parties are engaged in creating and implementing a Management Plan.

University employees—this includes faculty, staff, and students—who are involved romantically or sexually with someone for whom they have real or implied supervisory responsibility must report this relationship to the appropriate university authorities.

for example... the following relationships would require a Management Plan:

- Between a faculty member and a student he or she supervises. This includes graduate students.
- Between a senior faculty member and a junior faculty member whom he or she supervises.
- Between a supervisor and his or her employee.
- Between a supervising staff member or student (this includes but is not limited to a graduate student, resident assistant, and teaching assistant) and his or her student.
- A pre-existing or new relationship described by any of the above examples

married couples... are covered by the anti-nepotism policy contained in Chapter 4, Section VIII of the Faculty Handbook, but if they have supervisory relationships, they must comply with a management plan.

THE MANAGEMENT PLAN

The Management Plan is the primary tool for complying with Case's Consensual Relations Policy. It is a written plan, to which both parties must commit, establishing how they will compensate for any inequity in their professional or academic interactions. A Management Plan acceptable to the university must be implemented to ensure fair and objective evaluation and supervision in both employment and academic situations.

A management plan might include changes in:

- The reporting structure
- Who does evaluations
- Assignment of courses, advisors, or dissertation evaluators

And a thorough review of the Case Sexual Harassment Policy with everyone involved.

If a satisfactory Management Plan cannot be created, it will be necessary to end either the personal or the supervisory professional relationship.

The designated administrator must document the management plan and submit copies, as applicable:

For Faculty Members:

- To the relevant chair or dean, and
- The Faculty Diversity Office

For Staff Members:

- Appropriate administrative supervisor in home department, and
- Employee Relations in Human Resources

For Students (student supervisors, teaching assistants, and residential staff):

- Student Supervisor, and
- University Office of Student Affairs

If there is a romantic or sexual relationship between individuals in different administrative units, both units should receive a copy of the management plan.

"CONSENT" AND CLAIMS OF SEXUAL HARASSMENT

Consent may be difficult to assess, deemed impossible, and construed as coercive. Relationships covered by the Consensual Relationship Policy (outlined previously) could result in claims of sexual harassment. Members of the Case community who participate in such relationships should do so knowing they risk being accused of sexual harassment.

Faculty, staff, and students may not use, in a sexual harassment proceeding, a defense based upon consent when the facts establish that a real and/or implied supervisory power differential existed within the relationship.

COMPLIANCE

It is expected that all members of the university community comply with the Consensual Relationship Policy. When relationships covered by this policy develop, responsibility for reporting the relationship falls to the person with greater supervisory authority. Relationships covered by this policy that go unreported will be investigated by the Faculty Diversity Office, Employee Relations, and/or the Office of Student Affairs.

Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination, as provided by applicable university policies. The university reserves the right to discipline members of the university community who make false allegations of unreported consensual relationships. No complaint will be considered "false" solely because it cannot be corroborated.