



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 60.06, **Consensual Relationships – Faculty and Students**

PURPOSE: The purpose of this Texas Tech University Health Sciences Center El Paso Operating Policy and Procedure (HSCEP OP) is to establish a policy defining and addressing consensual relationships between TTUHSCEP faculty and students and establishing procedures for reporting such relationships.

REVIEW: This HSCEP OP will be reviewed in February of every even-numbered year (ENY) by the Vice President for Faculty Success, the Office of Equal Opportunity, the Office of General Counsel, and Assistant Vice President for Human Resources or designees, with recommendations for revision forwarded to the President or designee.

POLICY/PROCEDURE:

1. Policy.

a. **Objective.** The objective of TTUHSCEP is to provide an environment in which faculty and students may pursue their careers and studies with a maximum of productivity and enjoyment. Where the terms “faculty” or “faculty member” appear, the term “resident(s)” shall also apply. Behavior or conduct which interferes with this goal will not be tolerated.

b. **Policy Statement.** It is the policy of TTUHSCEP that faculty with academic, instructional, teaching, training, supervisory, advisory, or evaluative responsibility over students recognize and respect the ethical and professional boundaries that must exist in such situations.

Consensual relationships, as set forth below, between faculty and students, may constitute and/or create (1) conflicts of interest; (2) unprofessional conduct; (3) breach of trust; (4) the appearance of impropriety; and (5) present questions regarding the validity of consent. Such relationships also have the potential for undermining the atmosphere of trust and objectivity essential to the educational process; exploiting the faculty – student relationship; and creating a professional or academic disadvantage to third parties.

Therefore, TTUHSCEP **PROHIBITS** consensual relationships between faculty and students over whom they have or may reasonably expect to have academic, instructional, teaching, training, supervisory, advisory, or evaluation responsibility.

c. **Scope.** This policy applies to all TTUHSCEP faculty, whether their employment status is full-time, part-time, regular, temporary, contract, or voluntary.

d. **Consensual relationships.** As used herein, a consensual relationship is a mutually acceptable intimate, romantic, sexual, or other affectional relationship between a TTUHSCEP faculty member and a student over whom the faculty member has an academic, instructional, training, supervisory, teaching, evaluative, or advisory position.

e. **Reporting Responsibility.** A faculty member may not exercise academic or instructional oversight over an individual with whom he or she is in an existing consensual relationship, and must report the existing relationship to his or her immediate supervisor prior to any

faculty-student relationship beginning so that alternate plans can be made to ensure that the student's educational needs are met. Should a consensual relationship develop between a faculty member and a student, the faculty member is required to immediately disclose the existence of the relationship to his or her immediate supervisors, cease the relationship as long as there is any faculty/student relationship, and cooperate in making alternative arrangements for teaching, training, advising, supervising, or evaluating the student involved.

- f. **Immediate Supervisory Responsibility.** Supervisors who are notified, or become aware, of consensual relationships between faculty and students shall take immediate steps to alter the conditions that create the conflict of interest, breach of trust, unprofessional conduct and/or the appearance of impropriety caused by the relationship. A student who is or was involved in a consensual relationship with a faculty member may not remain in that faculty member's class, research group, etc. An alternative means of teaching, training, advising and/or evaluating the student involved must be arranged. Unless the relationship was a pre-existing relationship, the consensual relationship must cease as long as the faculty member has any academic or instructional connection to the student.
 - g. **Failure to Report or Cooperate.** A faculty member who enters into or persists in a consensual romantic, intimate, sexual, or other affectional relationship without reporting such relationship, or who fails to cease the relationship and cooperate in efforts to eliminate the conflict of interest, breach of trust, unprofessional conduct or appearance of impropriety it presents, will be subject to disciplinary action, up to and including termination.
 - h. **Grievance of Disciplinary Actions.** Disciplinary actions imposed for violations of this policy may be grieved or appealed by the individual who is disciplined pursuant to existing TTUHSCEP policies and procedures. Refer to [HSCEP OP 60.10, Faculty Grievance Procedure](#) or faculty actions and the [TTUHSCEP Paul L. Foster School of Medicine GME Policies and Procedures](#) for resident actions.
2. **Right to Change Policy.** TTUHSCEP reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of faculty or students.
 3. **Other.**

See also *Regents' Rules* [03.01](#) and [03.02](#) regarding ethical behavior and conduct; [HSCEP OP 10.05, Conflict of Interest and Commitment Policy](#) and [HSCEP OP 70.55 Consensual Relationships - Faculty, Staff and Residents](#)