



UNH University of New Hampshire

V. Personnel Policies

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D. Employee Relations

Consensual Amorous Relationship Policy

6.1 Purpose and Scope

6.1.1 At the University of New Hampshire (UNH), as at all institutions of higher learning, it is necessary to acknowledge existing hierarchies and power dynamics and to mitigate negative consequences of such factors through the establishment and enforcement of high standards of professional conduct.

6.1.2 This policy provides guidelines specifically designed to prevent conflicts of interest that can occur when two members of the UNH community whose *institutional roles* place them in an *uneven power dynamic* engage in a *consensual amorous relationship*. The institutional interest in establishing clear standards of professional conduct for these types of relationships is clear. Such relationships create the opportunity for abuse of power and/or bias in the exercise of professional judgment.

6.1.3 This policy is applicable to all persons employed by the University. This includes, but is not limited to, adjunct and status faculty and staff. This policy is also intended to inform actions that relate to third party contractors who provide outsourced services to the University. This policy does not regulate amorous relationships between undergraduate students.

6.1.4 This policy does not address non-consensual relationships [see "Definitions"] which are not countenanced by the University under any circumstances. Nor does it seek to discourage or govern in any way consensual relationships between students or such relationships among faculty and staff where the institutional roles of the parties do not meet the definition of uneven power dynamic.

6.2 Definitions

6.2.1 Amorous Relationship: Any interpersonal relationship that involves sexual and/or romantic intimacy. Amorous relationships covered by this policy might exist between Faculty members, Staff members, Faculty and Staff, Staff and Students or Faculty and Students at UNH.

6.2.2 Faculty: Those employed in either tenured, tenure-track, or non-tenure-track faculty appointments. The tenured and tenure-track faculty are normally individuals holding the ranks of instructor, assistant professor, associate professor, and or professor. The non-tenure-track faculty include, but are not limited to, clinical, research, lecturer, extension, ROTC, visiting, adjunct, post-doc, graduate assistant, research assistant, emeritus, and affiliate faculty.

6.2.3 Staff: Those employed in either an adjunct or status position not classified as faculty. Adjunct or status employees include, but are not limited to, Professional and Technical (PAT), Operating (OS) staff, Extension Educator (EE), Principal Administrators, and Academic Administrators. For further information on Adjunct Definitions and Term Limits see <http://www.usnh.edu/olpm/USY/V.Pers/C.6.htm#6.3.2>.

6.2.4 Student: All persons taking courses at UNH (both full-time and part-time and including continuing education students), including those pursuing undergraduate or graduate studies and those enrolled as non-degree students during the academic year, January Term, or Summer Session.

6.2.5 Non-consensual relationships: see UNH Discrimination, and Discriminatory Harassment Policy 5.4, at <http://www.usnh.edu/olpm/UNH/V.Pers/B.htm>.

6.2.6 Uneven Power Dynamic: The circumstance where one party has the professional responsibility to evaluate the other party's academic and/or work performance and/or the responsibility to perform in a "check and balance" (e.g. signing off on timesheet or expense payment) role relative to the other, or where there is a reasonably foreseeable possibility that one party could be called upon to participate in decisions affecting the other party's employment or academic prospects. This dynamic exists in the context of grading, promotion and tenure decisions, salary-setting, hiring, termination, provision of references or reference letters, or any other category of action relevant to academic and/or professional advancement or demotion. It also exists when one party has the authorization to approve (or to participate in approval of) any work by or any financial payment to another. For example, an Associate Dean who approves expense reports for a department chair would be deemed to have an uneven power dynamic with the chair for purposes of this policy.

6.3 Statement of Policy

6.3.1 The parties involved in any consensual amorous relationship with an uneven power dynamic are immediately required to disclose the relationship to the proper authorities and cooperate fully in steps necessary to eliminate the dynamic. Such steps may include, but not be limited to, reassignment of supervisory and/or check and balance oversight duties in which decisions affect the other party's academic and/or professional advancement or demotion and recusal of one party from all institutional decisions related to the other. Parties who find themselves in an uneven power dynamic with someone from a past consensual amorous relationship are also subject to the disclosure and recusal requirements.

6.3.2 Relationships between faculty or staff and students present particular challenges. While a relationship that is consensual does not constitute actionable sexual harassment, New Hampshire state law requires all University employees to report suspected cases of sexual harassment of students by University employees to supervisors and/or other appropriate offices (e.g. the Affirmative Action and Equity Office). All supervisors receiving such information should promptly report it to the Affirmative Action and Equity Office.

6.4 Procedures

6.4.1 Any Faculty or Staff member associated with a consensual amorous relationship with an uneven power dynamic must notify her/his department chair/director or immediate supervisor. If there is any doubt about the existence of an uneven power dynamic between the parties, disclosure is required. Any student involved in such a relationship is strongly encouraged to notify the Office of the Provost or the Affirmative Action and Equity Office.

6.4.2 A department chair/director or supervisor who learns that a Faculty or Staff member under her/his supervision is involved in an amorous relationship of the kind covered by this policy is responsible for addressing the situation with the individual(s) in question. S/he will develop and implement a clear and thorough plan for re-assignment of duties and any other steps required to eliminate the uneven power dynamic. The relevant Dean or Vice President and the Affirmative Action and Equity Office will be informed in writing regarding the relationship and the plan for eliminating the uneven power dynamic.

6.4.3 If the Faculty or Staff member in question refuses to cooperate with the reassignment of duties or other steps, or if s/he denies the existence of the relationship, the department chair/director or supervisor must report this to the relevant Dean or Vice President and the Affirmative Action and Equity Office.