

**Institutional Handbook of Operating Procedures**  
**Policy 03.02.05 Consensual Relationships**

Section: Human Resources Policies	Responsible Vice President: Vice President, Human Resources & Employee Services
Subject: Consensual Relationships	Responsible Entity: Human Resources

**I. Title**

*Consensual Relationships*

**II. Purpose**

The University of Texas Medical Branch at Galveston (UTMB or University) is committed to maintaining learning and work environments as free as possible from conflicts of interest and favoritism. The University recognizes that consenting adults should be free to conduct a personal relationship if they so wish when the relationship does not interfere with the goals and policies of the University; some romantic, dating, and sexual relationships, although consensual, do create conflicts of interest. This policy addresses those [consensual relationships](#).

**III. Applicability**

This policy applies to all University administrators, faculty, staff, and students. This policy is applicable regardless of the gender of the University employee with supervisory, teaching, evaluation or advisory authority or the gender of the employee, student or student employee who is directly or indirectly supervised, taught, evaluated, or advised by the supervisory employee.

**IV. Policy**

Consensual relationships (including a single occurrence), between a supervisor, including a faculty member (as defined below) and a [supervisee](#), regardless of whether the supervisory relationship is [direct authority](#) or [indirect authority](#), is prohibited, unless the supervisor discloses the relationship in advance and a [management plan](#) is implemented.

**V. Reporting Requirements**

The [supervisor](#) must report a consensual relationship to the Dean/Director level administrator, or if there is not such an administrator, the appropriate Vice President and the Vice President for Human Resources. The [supervisor](#) must make the report prior to entering into the relationship. If a relationship exists, the supervisor must make a report prior to accepting supervisory authority.

The individuals receiving the report must immediately collaborate to attempt to manage the conflict of interest. If management of the conflict is not possible, the relationship is prohibited.

**VI. Management Plan**

If the conflict can be managed, the Vice President for Human Resources will provide a management plan to the supervisor and supervisee within seven (7) business days of the report unless there are reasonable grounds for additional time. A consensual relationship may not exist until the management plan is in effect.

A management plan will:

- provide an alternative means for the supervision, teaching, advising, evaluation of the supervisee or otherwise mitigate the conflict;
- give priority to the interest of the subordinate individual;
- be written;
- be acknowledged and signed by the parties to the relationship; and
- be maintained by the Office of Human Resources.

## **VII. Reporting Alleged Violations**

Violations of this policy should be reported to the Vice President for Human Resources.

An individual in a supervisory role who is notified of or becomes aware of an alleged violation of this policy must immediately report the information to the Vice President for Human Resources.

## **VIII. Investigation and Discipline**

The matter will be investigated and if a policy violation occurred, the University may take disciplinary action, up to and including termination.

If there is a complaint of sexual harassment about a relationship covered by this Policy, and the relationship has not been disclosed and a management plan implemented, the burden is on the supervisor to explain the failure to comply with this policy. Such failure will be a factor in determining whether the relationship was consensual and free of sexual harassment. Complaints related to sexual harassment should be made to the Department of Internal Investigations.

Disciplinary action will be handled under the University's policies for discipline and dismissal of faculty or employees depending on the supervisor's status.

## **IX. Campus Culture**

**A.** The Vice President of Human Resources is responsible for the following:

Disseminating the University Consensual Relationship Policy; developing annual workshops or presentations for faculty members, employees, and students that educate the campus community about this Policy;

**B.** The Provost and the Vice President of Human Resources are responsible for the following:

1. appointing respected faculty and staff members to promote the institutional stance against inappropriate employee/student relationships and to lead the University's effort to maintain this culture;
2. organizing meetings of campus administrators, faculty leadership, and student leadership to discuss the importance of establishing a climate in which consensual relationships between employees and students are unacceptable;
3. providing instruction to students during orientation to reinforce:
  - a. the student's responsibility in avoiding consensual relationships, and

- b. helping students understand the collateral damage that can result when such relationships occur.

**X. Retaliation Prohibited**

Retaliation of any kind against anyone for reporting a consensual relationship or for participating in any proceeding pursuant to this Policy is prohibited.

**XI. Counseling**

Confidential counseling services are available to employees through the Employee Assistance Program at (409) 772-2485 and to students through Student Counseling (409) 747-9508.

**XII. False Complaints**

Any person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action, up to and including dismissal from the University.

**XIII. Relevant System Policies and Procedures**

[University of Texas System Policy, UTS 184 Consensual Relationships](#)  
[University of Texas System Regents' Rules and Regulations, Rule 30105](#)  
[Report of the UTS Task Force on Employee/Student Relationships, 12/12/13](#)

**XIV. Related UTMB Policies and Procedures**

[IHOP - 03.02.04 - Sexual Harassment and Sexual Misconduct Policy](#)  
[IHOP - 07.01.01 - Student Sexual Misconduct, Sexual Harassment, and Sexual Assault](#)

**XV. Dates Approved or Amended**

<i>Originated: 5/2/14</i>	
<i>Reviewed with Changes: 8/18/15</i>	<i>Reviewed without Changes</i>
6/28/2016	

**XVI. Contact Information**

Human Resources  
 (409) 772-8696