

## Restrictions on Certain Romantic or Sexual Relationships at the University

**Effective Date** Monday, October 11, 2021

**Status** Final

**Policy Type** [Executive Vice President & Provost](#)

**Contact Office**

[Executive Vice President and Provost \(Office of the\)](#)

**Oversight Executive**

[Executive Vice President and Provost](#)

**Applies To**

Academic Division

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**Reason for Policy**

The University recognizes that consenting adults associated with the University should generally be free to enter into personal relationships of their choice. At the same time, such relationships must not jeopardize the fundamental right of every member of the University community to participate in University activities free from conflicts of interests, favoritism, bias, and/or exploitation. Further, relationships between individuals in inherently unequal positions are often less consensual than individuals may perceive. Romantic or sexual relationships between certain categories of individuals affiliated with the University can jeopardize and undermine the integrity and essential educational mission of the University and disrupt the workplace and academic learning environments.

**Definition of Terms**

**[Academic or Supervisory Responsibility](#)**

Includes, but is not limited to, teaching, grading, mentoring, advising on or evaluating research or other academic activity, participating in decisions regarding funding or other resources, clinical supervision, employment supervision, and recommending for admissions, employment, fellowships, or awards.

**[Conflict of Interest](#)**

Real or apparent interference of one person's interests with the interests of another person, where potential bias may occur due to prior or existing personal or professional relationships.

### **Pre-existing Relationship**

A romantic or sexual relationship, including between spouses, that predates the conflicts addressed in this policy, e.g., the enrollment of an individual in courses or the appointment of an individual as a faculty member, or a romantic or sexual relationship that predates and was not prohibited prior to the adoption of this policy.

### **Romantic or Sexual Relationship**

Broadly defined, it includes any intimate, sexual, or other type of romantic or amorous encounter or association, whether casual or serious, short- or long-term. A single sexual encounter is considered a sexual relationship. Conversely, the relationship does not have to include physical intimacy if a romantic association exists that is beyond the reasonable boundaries of a collegial or professional relationship.

### **Student(s)**

An individual who either has been admitted to a degree or certificate program at the University or has received permission to enroll and is registered for coursework (including credit or non-credit) at the University during any given academic session (including fall or spring semesters, Summer Session, or January Term).

### **Policy Statement**

The University prohibits certain relationships, especially those of a romantic or sexual nature, between individuals in inherently unequal positions. In cases of a pre-existing relationship, the individual in a position of authority must recuse themselves from all aspects of academic and supervisory responsibility and provide appropriate notification to their supervisor, department chair, dean, or human resources business partner, so that person can put in place adequate alternative supervisory or evaluative arrangements.

Personal relationships can create conflicts of interest and undermine the real or perceived integrity of the supervision or evaluation provided. This policy supplements University policies on conflict of interest, including [FIN-054: Employee Obligation to Report Potential Conflicts of Interest](#) and [Faculty Conflict of Interest](#). As a matter of sound judgment and professional ethics, faculty members and staff have a responsibility to avoid any conflict between their professional responsibilities and personal interests in terms of their dealings or relationships with students or trainees. Students and trainees also must avoid conflicts of interest when serving in an instructional or supervisory role. This responsibility includes avoiding engaging in romantic or sexual relationships with or making sexual overtures to students or trainees by those in a position of authority by virtue of their specific teaching, research, or administrative assignments so that supervision and evaluation is conducted fairly and without any perception of favoritism or bias.

Equally compelling is the interest in avoiding potential harm to students and trainees as well as the liability that could occur, for example, if facts regarding a sexual relationship or sexual overture are demonstrated that support a legal claim of sexual harassment by either party. Sexual harassment and other forms of sexual and gender-based misconduct are addressed in [HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#).

Pre-existing relationships prohibited by Sections I-IV are addressed in Section VI of this policy.

**I. Faculty and Relationships with Undergraduate Students:**

**A romantic or sexual relationship between a faculty member and an undergraduate student enrolled at the University of Virginia and/or participating in a University program is strictly prohibited.** In this context, faculty includes full-time and part-time faculty members of all ranks and classifications (academic, administrative or professional, wage, unpaid, and visiting). This prohibition applies regardless of current or future academic or supervisory responsibilities for that student. A faculty-undergraduate student romantic or sexual relationship is problematic under any circumstance. The inherent power differential between a faculty member and an undergraduate student undermines the possibility of meaningful consent. Moreover, such a relationship introduces dynamics that detract from the educational mission of the University.

**II. Faculty and Relationships with Postgraduate Students or Trainees:**

**A romantic or sexual relationship between a faculty member and a postgraduate student or trainee** (e.g., graduate and professional school students, postdoctoral research associates, non-employee postdoctoral fellows, and clinical residents or fellows) **is prohibited whenever the faculty member has had, has, or in the future might reasonably be expected to have, academic or supervisory responsibility over the student or trainee.** This prohibition includes, for example, any faculty member who teaches in a graduate student's department or program. Conversely, no faculty member shall exercise academic or supervisory responsibility over a student with whom they have previously had a romantic or sexual relationship. In this instance, the faculty member must recuse themselves and notify their supervisor, department chair, dean, or human resources business partner in accordance with Section VI of this policy.

**III. Staff Members and Relationships with Students or Trainees:**

Certain staff positions, based on their role in the academic environment, also have authority over students or trainees and influence their experience at the University. These positions include, but are not limited to, deans and other senior administrators, coaches, supervisors of student employees, student services staff, residence professional staff, and others who mentor or advise students or trainees). Therefore, **a romantic or sexual relationship between such a staff member and an undergraduate student is prohibited.** In addition, **a relationship between a staff member and a postgraduate student or trainee over whom the staff member has had, has, or is likely in the future to have, such authority over is prohibited.**

**IV. Relationships Between Student Instructors and Other Students:**

**A romantic or sexual relationship between any student charged with academic instruction and a student receiving that instruction is prohibited.** This applies when any student or trainee is serving in a role as a teacher, teaching assistant, tutor, grader, research supervisor, or otherwise providing academic instruction.

The policy does not prohibit students from having consensual romantic or sexual relationships with fellow students. However, if such a relationship exists between a student instructor and a student in a setting for which the student instructor is serving in this capacity, they shall not exercise any evaluative or teaching function for that student. **Furthermore, the student instructor must recuse themselves and notify their supervisor so that alternative evaluative, oversight, or teaching arrangements can be put in place. The obligation to recuse and notify is required for past relationships as well as for current relationships.**

The appropriate dean or their designee is empowered to address and remediate situations in which students charged with academic instruction are involved in a consensual romantic or sexual relationship with any student subject to such instruction. Remedial or disciplinary measures may include, but are not limited to, regrading exams or papers, no longer allowing a student to continue serving in an instruction role, or the suspension or termination of a graduate assistantship under [PROV-001, Section 3](#).

#### V. **Relationships in Other Contexts:**

Consensual romantic or sexual relationships between adult employees, including faculty, are not generally prohibited by this policy. However, relationships between employees in which one has direct or indirect authority over the other are potentially problematic. This includes, for example, not only relationships between supervisors and their staff, but also between senior faculty and junior faculty, and between faculty and both academic and non-academic staff.

Where such a relationship exists or develops, the person in the position of greater authority or power must **recuse** themselves so that they do not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also **notify** their supervisor, department chair, dean, or human resources business partner, so that person can put in place adequate alternative supervisory or evaluative arrangements. Such notification is always required where recusal is required. This obligation to recuse and notify exists for a past as well as for a current relationship. Failure to disclose the relationship in a timely fashion will itself be considered a violation of this policy. The University understands that romantic or sexual relationships are often private in nature and the University treats such information sensitively and, to the extent practicable, privately on a need to know basis.

This policy pertains to romantic or sexual relationships. Other University policies on conflict of interest and/or commitment address additional situations which may require disclosures and/or recusal by an employee, including [FIN-054: Employee Obligation to Report Potential Conflicts of Interest](#) and [Faculty Conflict of Interest](#).

#### VI. **Compliance with Policy:**

When there is a pre-existing relationship, the employee must both **recuse** themselves from any supervisory or academic responsibility over the student or trainee and **notify** their supervisor, department chair, dean, or human resources business partner about the situation so that person can put in place adequate alternative supervisory or evaluative arrangements. This obligation to recuse and notify is required even if the pre-existing relationship has ended. Failure to disclose the relationship in a timely fashion will itself be considered a violation of this policy. The University understands that romantic or sexual relationships are often private in nature and the University treats such information sensitively and, to the extent practicable, privately on a need to know basis.

In those rare situations where it is programmatically infeasible to provide alternative supervision, academic responsibility, and/or evaluation, the appropriate dean, director, or supervisor must approve any academic responsibility, evaluative, and compensation actions.

For academic faculty, violations of this policy may result in disciplinary action, including but not limited to, mandatory training or counseling, reprimand, probation, loss of privileges, suspension, or termination. In particular, knowingly violating the prohibition with respect to undergraduate students shall be deemed misconduct as described in the [Policy on Disciplinary Suspension or Termination of Academic Faculty](#).

If an individual has any doubt whether a relationship falls within this policy, they should disclose the facts and seek guidance rather than fail to disclose. Questions may be addressed to the individual's supervisor, department chair, dean, or human resources business partner. The Executive Vice President and Provost has final oversight of this policy.

Questions about this policy should be directed to the [Office of the Executive Vice President and Provost](#).

## **Related Information**

[FIN-054: Employee Obligation to Report Potential Conflicts of Interest](#)

State and Local Government Conflict of Interests Act ([Code of Virginia, Title 2.2, Chapter 31](#))

[Faculty Conflict of Interest](#)

[HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#)

[PROV-001: Graduate Assistantships](#)

[Policy on Disciplinary Suspension or Termination of Academic Faculty](#)

**Major Category** [Executive Vice President & Provost Policies](#)

**Next Scheduled Review** Friday, October 11, 2024

### **Applies To Text**

Academic Division.

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**Approved By** Executive Vice President & Provost

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