

RELATIONSHIPS WITH STUDENTS POLICY

Purpose: This policy is designed to replace the 2012 “Consensual Relations Policy.” Both the law and academic norms have evolved in the last ten years, and this policy responds to those changes in order to protect our faculty, staff and students from relationships that are not conducive to learning and may result in harm to students.

Initial: September 2021

Applicability: This policy applies to all faculty, staff and students of Tufts University, including affiliates. It supersedes all school policies and replaces the Consensual Relationships Policy.

This policy is shared with OEO and the Provost’s Office.

I. POLICY STATEMENT

Tufts University seeks to maintain a professional work and academic environment dedicated to promoting excellence in learning, teaching and research. To advance that mission, it is essential that those in positions of authority do not abuse or appear to abuse the power with which they are entrusted. Faculty members, academic administrators and other staff members exercise power over students in many ways: through their teaching, grading, evaluating, mentoring, coaching, advising and recommending of students for further studies or future employment opportunities.

Accordingly, no employee of the university shall enter into a romantic or sexual relationship with any undergraduate or with a graduate, professional or non-matriculated student over whom that employee has academic or professional responsibility. Given the power asymmetry of the parties, the university regards such relationships as inherently coercive, constituting a conflict of interest and an abuse of authority under this policy. This policy applies even when the relationship is considered consensual by the parties involved and may, notwithstanding the consensual nature of the relationship, also result in violations under the sexual harassment and sexual misconduct policies.

II. DEFINITIONS

As used in this policy, the term employee includes all those who work for the university, including faculty, administrators and other staff members. This policy therefore also covers relationships between resident assistants, interns, residents or house officers and the students directly in their charge.

III. PROHIBITED CONDUCT

It is a violation of university policy for an employee to engage in a romantic or sexual relationship with any undergraduate student. Such relationships are prohibited even if the employee does not currently instruct, evaluate, supervise, coach or advise the student. It is also a violation for an employee to enter into a romantic or sexual relationship with a graduate or professional student over whom that employee has academic or professional responsibility. In all cases alleging a violation under this policy, the university will consider the totality of the circumstances at issue including the power dynamic between the parties.

IV. REPORTING OBLIGATIONS

With few, limited exceptions, all employees are considered Responsible Employees under this policy and, as a result, are required to promptly report prohibited relationships with students if they have personal knowledge of or observe such conduct. Reporting can be made to the Executive Director of OEO at oeo@tufts.edu or through Ethicspoint at Tufts-OEO.ethicspoint.com. Responsible Employees are required to report such relationships even if

the person(s) impacted or involved are unsure about reporting. Responsible Employees who knew about but did not report such relationships may be subject to disciplinary action.

Only employees of Tufts' Counseling and Mental Health Services, Tufts' Student Advisory and Health Administration, Tufts' Chaplains and Tufts' Health Service and the Employee Assistance Program (EAP), all of whom have legally defined confidentiality privileges, may be exempt from these reporting requirements. However, even employees who are exempt from reporting requirements under this policy must still adhere to the policy with respect to their own relationships with students.

Retaliation for reports made in good faith under this policy is strictly prohibited, though the University reserves the right to take appropriate action against employees who self-report their involvement in a relationship that violates this policy.

Employees who violate this policy, or who reasonably believe that they may be in violation of this policy, must immediately recuse themselves from any evaluative or supervisory activities affecting the student with whom they are having (or may have had) a relationship.

Individuals with concerns that this Policy is being violated by others may report concerns to OEO or through Ethicspoint, the University's anonymous hotline, by telephone at 1.866.384.4277 or online at [Tufts-OEO.ethicspoint.com](https://tufts-oeo.ethicspoint.com). OEO will alert the appropriate dean (in the case of a reported faculty/student relationship) or Human Resources (in the case of a reported staff/student relationship) for further action.

Because the University has an overriding interest in protecting the well-being of the entire Tufts Community, including and especially its students, and because the University is committed to preventing and remedying sexual misconduct and or sexual or gender-based harassment wherever possible, the University may, at its sole discretion, consider an employee's decision to self-report a violation under this policy as an important and potentially mitigating factor in subsequent remedial or disciplinary actions.

V. OUTCOMES

Even where the employee and student both express consent to engage in a romantic or sexual relationship, the employee, who is inherently in a position of greater authority, will be held accountable for violations of this policy and subject to discipline up to and including termination of appointment or employment. A violation of this policy may also violate other University policies such as the Non-Discrimination Policy and/or the Sexual Misconduct Policy.