**University Policy 101.3, Amorous Relationships between Students and Faculty Members or Other University Employees**

Executive Summary:

All University employees are prohibited from participating in the evaluation or supervision of a student with whom there is an Amorous Relationship, and are strongly discouraged from engaging in Amorous Relationships with any student. Amorous Relationships implicated by this Policy must be timely disclosed to the [Title IX Office](https://titleix.uncc.edu/).

Special rules apply to faculty members and Coaches under this Policy. Except as expressly permitted by this Policy, faculty members are prohibited from engaging in an Amorous Relationship with currently enrolled undergraduate students, and Coaches are prohibited from engaging in Amorous Relationships with currently enrolled student-athletes.Faculty members must also disclose any Amorous Relationship with a student enrolled as a graduate/professional student in the same department or affiliated with the same graduate or professional program.

Engaging in a prohibited Amorous Relationship or failing to disclose an Amorous Relationship implicated by this Policy in a timely manner will result in disciplinary action.

**I. Scope**

This Policy describes the responsibilities of members of the faculty and other employees of UNC Charlotte with respect to the evaluation and supervision of any UNC Charlotte student with whom they have an Amorous Relationship. This Policy also describes special considerations for faculty members and Coaches regarding Amorous Relationships with students they do not evaluate or supervise. It applies to all full- and part-time faculty (including Special Faculty) and staff, including but not limited to graduate and undergraduate assistants (“University employees”).

**II. Definitions**

1. **Amorous Relationship**:Any intimate, romantic, dating or sexual relationship, or sexual conduct, to which the parties have given valid consent. Amorous Relationships include current and former relationships but exclude conduct within marriage.
2. **Coach:** Any University employee or volunteer serving in the Department of Athletics as a head coach, associate head coach, assistant coach, graduate assistant coach, coaching intern, volunteer coach, or any individual exercising coaching responsibilities.
3. **Evaluate or Supervise**: To assess, determine, or influence (a) a student’s academic performance, progress, or potential or (b) a student’s entitlement to or eligibility for any institutionally conferred right, benefit, or opportunity, or to oversee, manage, or direct a student’s academic or other institutional activities.

**III. Policy**

UNC Charlotte is committed to maintaining an educational environment free from conflicts of interest, favoritism, and exploitation. To that end, all University employees are prohibited from participating in the evaluation or supervision of a student with whom there is an Amorous Relationship, and are discouraged from engaging in Amorous Relationships with any student. Amorous Relationships implicated by this Policy must be timely disclosed to the [Title IX Office](https://titleix.uncc.edu/).

Special rules apply to faculty members and Coaches under this Policy. Except as expressly permitted herein, faculty members are prohibited from engaging in Amorous Relationships with currently enrolled undergraduate students and Coaches are prohibited from engaging in Amorous Relationships with currently enrolled student-athletes, regardless of the existence of an evaluative or supervisory relationship. Faculty members must also disclose any Amorous Relationship with a student enrolled as a graduate/professional student in the same department or affiliated with the same graduate or professional program.

**A. Amorous Relationships Between University Employees and Students Strongly Discouraged**

In recognition of interests in privacy and free association, this Policy does not prohibit Amorous Relationships between students and University employees under all circumstances. These relationships are nonetheless strongly discouraged due to their potential for abuse of power, conflict of interest, impact on the quality of the student experience, and significant risk of subsequent claims of sexual harassment.

**B. Prohibited Amorous Relationships Between University Employees and Students**

University employees who engage in Amorous Relationships with students with whom they also have an evaluative or supervisory relationship risk the potential for exploitation of those students. Further, an Amorous Relationship with a student over whom a University employee also has an evaluative or supervisory relationship may give rise to a potential or actual conflict of interest. It is therefore misconduct for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student with whom they have an Amorous Relationship. Failure to disclose an Amorous Relationship prior to participating in the evaluation or supervision of a student will result in disciplinary action.

Pursuant to [UNC System policy](https://www.northcarolina.edu/apps/policy/doc.php?type=pdf&id=120), it is also misconduct for a University employee to engage in sexual activity with any enrolled student, other than their spouse, who is a minor below the age of 18 years.

**C. Special Considerations for Faculty Members and Coaches**

Even absent any evaluative or supervisory authority, Amorous Relationships between faculty members and students, or between Coaches and student-athletes, may lead to unanticipated conflicts of interest, since the influence and power of faculty members and Coaches often extends beyond the classroom, department, or team.

**Due to the heightened risk of a real or perceived power imbalance in faculty-student relationships, faculty members are prohibited from engaging in Amorous Relationships with currently enrolled undergraduate students, regardless of the existence of an evaluative or supervisory relationship**. **Likewise, Coaches are prohibited from engaging in Amorous Relationships with currently enrolled student-athletes.**

For similar reasons, faculty members must also disclose any Amorous Relationship with a graduate/professional student in the same department or affiliated with the same graduate or professional program, regardless of whether the faculty members have any evaluative or supervisory authority over the students.

**D. Exemptions**

Conflict management plans for pre-existing Amorous Relationships that are timely disclosed will be considered on a case-by-case basis. In consultation with the [Title IX Office](https://titleix.uncc.edu/), the Provost (or designee) may also permit exceptions to this Policy under limited appropriate circumstances (e.g., a non-traditional undergraduate student who takes no classes in the faculty member’s department).

Faculty members and Coaches must report a pre-existing Amorous Relationship implicated by Section III.C of this Policy prior to the student’s enrollment. Amorous Relationships implicated by Section III.C of this Policy as of the date the Policy is adopted must be reported within 30 days of its initial approval and publication.

**E. Reporting Requirements**

1. Duty to Self-Disclose

The existence of an Amorous Relationship must be self-disclosed by University employees to the [Title IX Office](https://titleix.uncc.edu/) prior to participation in the evaluation or supervision of the student. Faculty members and Coaches must also self-disclose Amorous Relationships implicated by Section III.C of this Policy to the [Title IX Office](https://titleix.uncc.edu/).

1. Duty to Report Suspected Policy Violations

Any University employee who is aware of a possible violation of this Policy is required to report the matter to the [Title IX Office](https://titleix.uncc.edu/). Any other person who is aware of a possible violation of this Policy may also report the matter to the [Title IX Office](https://titleix.uncc.edu/).

**IV. Implementation Procedures**

**A. Actions Following Receipt of Report**

The existence of or potential for a situation that implicates this Policy must be promptly reported by University employees to the [Title IX Office](https://titleix.uncc.edu/). The [Title IX Office](https://titleix.uncc.edu/) will immediately inform the supervisor of a University employee who is possibly engaged in an Amorous Relationship that implicates this Policy and assist the supervisor in taking immediate and effective action to ensure that:

1. the University employee will no longer participate in the evaluation or supervision of the student with whom there is an Amorous Relationship;
2. there will be un-conflicted evaluation or supervision of the student without compromising the student's progress toward the completion of their academic program; and
3. if appropriate, a conflict management plan is implemented.

Deans must be kept fully informed by Department Chairs with respect to actions taken in response to Amorous Relationships implicated by this Policy.

If a report reveals an Amorous Relationship that potentially violates this Policy, the [Title IX Office](http://titleix.uncc.edu/) will implement its standard review procedures, including but not limited to those established by [University Policy 502, Sexual Harassment and Interpersonal Violence](https://legal.uncc.edu/policies/up-502), and [University Policy 504, Title IX Grievance Policy](https://legal.uncc.edu/policies/up-504).

**B. Conflict Management Plan**

If appropriate, following disclosure of an Amorous Relationship that creates or has the potential to create a potential or actual conflict of interest, the University employee’s supervisor will oversee the development and monitoring of a conflict management plan to avoid a violation of this Policy. Any proposed conflict management plan must be reported to the Provost (or designee), who will consult with the [Title IX Office](https://titleix.uncc.edu/) and any relevant Deans or Vice Chancellors as needed, for review and approval prior to implementation. Conflict management plans should prioritize the student and avoid any unnecessary disruption to the student’s academic progress.

**C. Violations of Policy/Safe Harbor**

Violations of this Policy, including failure to adhere to an approved conflict management plan, will result in disciplinary action, up to and including termination of employment. Sanctions will be imposed in accordance with the disciplinary procedure applicable to the University employee's category of employment.

It is critical the University receive notification of Amorous Relationships implicated by this Policy in order to prevent conflicts of interest, favoritism, and exploitation. Accordingly, if a University employee engaged in an Amorous Relationship with a student implicated by this Policy **immediately notifies** the [Title IX Office](https://titleix.uncc.edu/) of the existence of the Amorous Relationship and cooperates to mitigate its effects, disciplinary action may be limited to a verbal or written warning. Unreported Amorous Relationships implicated by this Policy will be considered more significant violations.

**D. Records Retention**

Except for those actions which result in the imposition of a sanction for violation of University policy, no record of reports submitted under Section III.E of this Policy will be kept as part of any University employee's official personnel file. However, all such records will be maintained in accordance with the University’s records retention and disposition schedule, as set forth in [University Policy 605.3, Retention, Disposition, and Security of University Records](https://legal.uncc.edu/policies/up-605.3).

**E. Promoting Awareness of Policy**Awareness of this Policy will be promoted through publication in the [Faculty Handbook](https://provost.uncc.edu/faculty-resources-government/handbooks) and distribution in faculty, staff, and teaching assistant orientation sessions.

**Revision History**:

* Initially approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Authority**: Chancellor

**Responsible Office**: Academic Affairs

**Related Resources**:

* [Faculty Handbook](https://facultyhandbooks.uncc.edu/)
* [UNC Board of Governors Policy 300.4.1, Improper Relationships Between Students and Employees](https://www.northcarolina.edu/apps/policy/doc.php?type=pdf&id=120)
* [University Policy 502, Sexual Harassment and Interpersonal Violence](https://legal.uncc.edu/policies/up-502)
* [University Policy 504, Title IX Grievance Policy](https://legal.uncc.edu/policies/up-504)
* [University Policy 605.3, Retention, Disposition, and Security of University Records](https://legal.uncc.edu/policies/up-605.3)
* [Title IX Office](https://titleix.uncc.edu/)