

1 **Consenting Relationships**

2 Effective: Moved to Policy Library from UPM 3.1(12)

3 Updated/Revised: August 20, 2024

4 Contact: [Office of the Senior Vice President and Provost, University Human Resources, Graduate](#)
5 [College](#)

6 **Introduction**

7 Consenting relationships that are of concern to Iowa State University are those romantic, sexual, or
8 intimate relationships in which both parties appear to have consented, but where there is a reporting or
9 evaluative relationship between the two parties, creating a power differential.

10 **Policy Statement**

11 Consenting relationships between individuals of unequal power are inappropriate and may be contrary
12 to professional ethics. Such a relationship may impair the ability to objectively evaluate the
13 performance of the individual being evaluated. All covered employees currently engaged in a
14 consenting relationship are required to declare such a relationship to their supervisor as early as
15 possible and take appropriate actions to manage the conflict of interest.

16 In the case of an instructor and student, for example, the respect and trust accorded the instructor by
17 the student, as well as the power exercised by the instructor in giving grades, thesis advice,
18 evaluations, recommendations for further study and future employment, may greatly diminish the
19 student's actual freedom of choice concerning a romantic or sexual relationship. Similarly, supervisors
20 are in positions of assigning and evaluating the work of employees who report to them, and senior
21 colleagues often provide advice and support to junior colleagues and are involved in decisions
22 concerning promotion and tenure, course and committee assignments, and salary increases.

23 Because of these reporting and evaluative relationships and the power differential inherent in such
24 relationships, it is very difficult to defend against a subsequent charge of sexual harassment on the
25 grounds of mutual consent. Covered employees, by virtue of their positions, bear a special burden of
26 accountability if claims of sexual harassment arise.

27 **Definitions**

28 **Covered Employee:** Current Faculty (Tenured, Tenure-Track, or Term), Professional and Scientific
29 (P&S), Merit, Contract, Post Doc/Trainee, Temporary, and Hourly Student Employees.

30 **Consenting Relationship:** Any current voluntary relationship, which is romantic, physically intimate,
31 and/or sexual in nature, and to which the parties consent.

32 **Instructor:** An instructor is an individual who serves in instructional roles in relation to students,
33 including, but not limited to, academic instruction, advising, direct or indirect evaluation of a student's
34 work, research collaboration or assistantships, and athletic coaching.

35 **Student:** An individual enrolled in or auditing courses at the university, including undergraduate and
36 graduate students.

37 **Power Differential:** A power differential exists when one individual has control and advantage over
38 another individual.

39 **Resources**

40 **Links**

- 41 • Consenting Relationships Procedures and Guidance
- 42 • Consenting Relationships FAQ
- 43 • [Non-Discrimination and Anti-Harassment Policy](#)
- 44 • [Faculty Handbook 7.2.2.1.1.](#)
- 45 • [Conflicts of Interest and Commitment Policy](#)
- 46 • [Board of Regents, State of Iowa, Board Policy Manual Section 2.1\(4\)\(H\)](#)

Consenting Relationships Procedures and Guidance

Faculty Contact: Office of the Senior Vice President and Provost

Professional & Scientific Staff Contact: University Human Resources (UHR)

Introduction

The purpose of this guidance document is supplementing the Consenting Relationships Policy to further clarify expectations and procedures involving a consenting relationship where a power differential may exist. The goal is to promote understanding and compliance with the Consenting Relationships Policy and avoid real or perceived conflicts of interest in an academic setting (e.g., performance, recognition, evaluation, decision making, promotion, financial processing, course grading, matriculation to graduation). In instances when Iowa State-affiliated individuals have a voluntary romantic or sexual relationship, a power differential may exist because of their roles within the university, e.g., faculty/student, supervisor/employee, graduate assistant/undergraduate student, staff/graduate assistant, etc.

Iowa State University has a tradition of commitment to providing an academic community environment that, without discrimination, fosters intellectual, professional and personal growth. Central to the preservation of this environment is the trust that should characterize all interactions among those working toward the common goal of the institution, namely, our students, faculty, and staff. This trust is put at risk when members of the University community engage in consenting romantic or sexual relationships that involve individuals of unequal power.

Guidance

In an academic setting, the faculty member will always be treated as having such a power differential if the student is in an educational experience where the faculty member has academic authority. Academic authority includes, but is not limited to, the assigning of grades, serving on a thesis dissertation, or scholarship award committee. These principles also apply to administrators and supervisors in their relationships with students, faculty, and staff. In a non-academic setting, supervisory authority includes decision-making on pay, merit increases, promotional opportunities, and financial processing.

In the view of Iowa State University, consenting romantic or sexual relationships between persons of unequal power are unwise and often contrary to professional ethics. Such a relationship impairs one's ability to make an objective judgment of the performance of the student or employee. Those who choose to ignore these standards will stand responsible for their actions and risk the loss of support of the University community.

Decisions concerning grades, degrees, promotions, evaluations, merit increases, and awards must be made free from any trace of bias or favor. Such decisions come under a cloud when made by those who have a voluntary romantic or sexual consenting relationship, beyond the purely professional or academic one, with those who benefit from those decisions. Even the mere appearance of bias from a consenting relationship may seriously disrupt the academic or work environment.

The individual in authority bears the primary responsibility for any negative consequences resulting from a consenting romantic or sexual relationship. It is the student or the employee, not the faculty or supervisor, who is at most risk in these relationships. In particular, the respect and trust accorded to a professor by a student, as well as the legitimate power exercised by the professor in giving grades, criticism, praise, recommendations for further study, future employment, etc., greatly diminish the student's actual freedom of choice, should sexual favors be added to sexual demands. Although it is proper for the individual without authority to decline any personal relationship of this kind, the individual may feel that few options are available when asked by an individual with authority requests a romantic encounter. As a result, the degree of informed consent that exists within such a relationship is difficult to establish. Should a charge of sexual harassment follow, a claim of mutual consent may be difficult to sustain.

Commonly accepted standards of professional behavior and ethics require that faculty members not hold academic or supervisory authority. Should such a relationship exist between faculty and a student, the faculty member shall not evaluate the student's work.

Definitions

Consenting Relationship

A consenting relationship refers to any voluntary relationship, either past or present, which is romantic, physically intimate, and/or sexual in nature, and to which the parties consent or consented.¹ Marriage is included in the definition of consenting relationship.

Covered Employee

Current Faculty (Tenured, Tenure-Track, or Term), Professional and Scientific (P&S), Merit, Contract, Post Doc/Trainee, Temporary, and Hourly Student Employees.

Instructor

An instructor is an individual who serves in instructional roles in relation to students, including, but not limited to, academic instruction, advising, direct or indirect evaluation of a student's work, research collaboration or assistantships, and athletic coaching.

Power differential

A power differential exists when the individual's roles within the University are on two levels—(1) one person evaluates and makes decisions for the other and/or (2) is able to assert influence over

the other's role or academics. Examples of this are: faculty/student, supervisor/employee, graduate assistant/undergraduate student, staff/graduate assistant, and any other possible influential roles.

Student

An individual enrolled in or auditing courses at the university, including undergraduate and graduate students.

In addition, if there is any chance a faculty, staff, graduate or undergraduate student might, now or in the future, be teaching, evaluating, or supervising another (e.g., student, staff, faculty, graduate assistant), a power differential exists.

Disclosure of Information

All consenting relationships must be reported to the appropriate supervisor (e.g., department chair, unit head, director, associate dean/dean, or other administrator) at the earliest opportunity. The supervisor shall ensure all academic, evaluative, decision-making, or supervisory power is removed between the individuals involved.

If there is a suspected consensual relationship between two individuals with a power differential, a report must be made to the Office of Equal Opportunity.

Exclusions or Special Circumstances

University Business Travel:

University employees (i.e., faculty and staff) may not share a hotel room (i.e., a room behind a locking door) or equivalent overnight accommodations with any ISU student, regardless of whether the student is also a university employee, unless the employee and student have a legally recognized family relationship. Subject to this and all other university policies, the following special circumstances apply:

- a. University employees may share multi-room accommodations (e.g., rental house) with ISU student(s) if the student(s) are provided with a room behind a locking door separate from any university employee; or
- b. If the nature of the travel makes separate accommodations structurally impossible (e.g., tents for field work), provided that in all such circumstances (1) every effort is made to maximize privacy, and (2) the student(s) are made aware as early in advance as possible of the accommodations and informed that they are not obligated to travel.
- c. In case of extenuating special circumstances, all applicable information must be collected and the situation must be documented. In terms of due diligence, a call must be made to a supervisor at the first opportunity for consultation and advice.

Consequences

It is a violation of this policy for an individual (i.e., faculty, staff, graduate or undergraduate

student) to have or appear to have a voluntary consensual relationship with another individual over whom they have any type of authority (e.g., performance, recognition, evaluation, decision making, promotion, financial processing, course grading, matriculation to graduation) without recusing themselves from the specific role over the individual with the lower power differential. Such conduct may result in disciplinary action against the individual with the higher power differential (i.e., faculty, staff, graduate or undergraduate student). If an individual fails to meet the requirements for disclosing a relationship with another ISU-affiliated person over whom they have authority, as outlined in this guidance policy, they may be subject to disciplinary action per the appropriate disciplinary or dismissal policy. Failure to cooperate in mitigation actions described above are subject to the same disciplinary actions.

Once a relationship has commenced, the individuals must never hold any professional or academic authority over the other individual. Even after the relationship ends, the individuals must recuse themselves from any professional or academic authority, as a real or perceived influence in decisions is still present after a relationship has ended.

To report potential violations of this policy, individuals must contact the Office of Equal Opportunity.

¹ Involuntary relationships and other unwelcome conduct might constitute a violation of the ISU policies on [Non-Discrimination and Anti-Harassment](#) and [Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking](#).

Revised August 20, 2024

Consenting Relationships Policy

Frequently Asked Questions

Q1. *What are examples of a reporting or evaluative relationship?*

A reporting or evaluative relationship typically involves one person providing information, feedback, or assessment to another person. Examples:

Supervisor/Employee: 1) Supervisor evaluating an employee's performance on an annual basis; and 2) Employee reporting on project progress to their manager. *Instructor and Student:* 1) Teacher assesses a student's understanding through quizzes and exams; and 2) Student submits a report or assignment for evaluation by their instructor.

Q2. *What types of decisions should be avoided if individuals at ISU are engaged in a consenting relationship?*

Once a relationship has commenced, the individuals must never hold any professional or academic authority over the other individual.

Q3. *What are examples of consenting relationships?*

A consenting relationship refers to any voluntary relationship, either past or present, which is romantic, physically intimate, and/or sexual in nature, and to which the parties consent or consented. Marriage is included in the definition of consenting relationship.

Q4. *What is a power differential?*

A power differential exists when the individual's roles within the University are on two levels: 1) one person evaluates and makes decisions for the other; and/or 2) is able to assert influence over the other's role or academics.

Q5. *What are examples of a conflict of interest between individuals engaged in a consenting relationship where a power differential exists?*

- Supervisor and supervisee
- Faculty member and graduate assistant
- Supervisor and student employee
- Senior faculty member and junior faculty member
- Faculty member and student
- Graduate assistant and student
- Faculty member and staff
- Staff and student

Q6. *What happens if an individual does not disclose or declare a consenting relationship?*

It is a violation of this policy for an individual (i.e., faculty, staff, graduate or undergraduate student) to have or appear to have a voluntary consensual relationship with another individual over whom they have any type of authority (e.g., performance, recognition, evaluation, decision making, promotion, financial processing, course grading, matriculation to graduation) without recusing themselves from the specific role over the individual with the lower power differential. Such conduct may result in disciplinary action against the individual with the higher power differential (i.e., faculty,

staff, graduate or undergraduate student). If an individual fails to meet the requirements for disclosing a relationship with another ISU-affiliated person over whom they have authority, as outlined in this guidance policy, they may be subject to disciplinary action per the appropriate disciplinary or dismissal policy. Failure to cooperate in mitigation actions described above are subject to the same disciplinary actions.

Q7. *If I suspect a violation of this policy, to whom should I report it?*

To report potential violations of this policy, individuals must contact the Office of Equal Opportunity. Contact information is eooffice@iastate.edu or 515-294-7612.

Q8. *I'm married and my spouse works for ISU, do I need to disclose this per this policy?*

Yes. Marriage is included in the definition of consenting relationship, thus must be reported per the ISU Policy. All consenting relationships must be reported to the appropriate supervisor (e.g., department chair, unit head, director, associate dean/dean, or other administrator) at the earliest opportunity.

Q9. *I used to be involved in a consenting relationship where a power differential existed, can I continue to evaluate the individual that I was in a former relationship with?*

No. Even after the relationship ends, the individuals must recuse themselves from any professional or academic authority, as a real or perceived influence in decisions is still present after a relationship has ended.

Q10. *I'm traveling to a conference with my graduate student, can we share overnight lodging (i.e. hotel room, tent, etc.)*

University employees (i.e., faculty and staff) may not share a hotel room (i.e., a room behind a locking door) or equivalent overnight accommodations with any ISU student, regardless of whether the student is also a university employee, unless the employee and student have a legally recognized family relationship. Subject to this and all other university policies, the following special circumstances apply:

- a. University employees may share multi-room accommodations (e.g., rental house) with ISU student(s) if the student(s) are provided with a room behind a locking door separate from any university employee; or
- b. If the nature of the travel makes separate accommodations structurally impossible (e.g., tents for field work), provided that in all such circumstances (1) every effort is made to maximize privacy, and (2) the student(s) are made aware as early in advance as possible of the accommodations and informed that they are not obligated to travel.
- c. In case of extenuating special circumstances, all applicable information must be collected and the situation must be documented. In terms of due diligence, a call must be made to a supervisor at the first opportunity for consultation and advice.

Q11. *For students: what does it mean to remove the evaluative relationship?*

Removing the evaluative relationship for a student refers to creating an environment or interaction where the student is not judged, graded, or assessed by someone with a power differential that they have a consenting relationship with. This aims to provide learning,

growth, and development without the pressure or consequences of bias or perceived bias based on the consenting relationship.

Q12. For employees: how can a supervisor help manage the conflict?

The supervisor shall ensure all academic, evaluative, decision-making, or supervisory power is removed between the individuals involved.

Revised August 20, 2024