

CONSENSUAL RELATIONSHIPS POLICY

Policy

This Policy outlines limitations on consensual relationships between faculty, staff, affiliates (as defined herein), and students at Loyola University Chicago (the “University” or “Loyola”) in order to protect the integrity of the University academic and work environment.

Purpose and Applicability

When individuals involved in a consensual romantic or sexual relationship (as defined herein) are in positions of unequal power at the University, there is the potential for perceived or actual conflict of interest, favoritism and/or exploitation. This Policy ensures that Loyola’s academic and work environment remains free from real or apparent conflicts of interest that may be caused by consensual relationships. This Policy provides reasonable guidelines and limits for consensual relationships within the Loyola community and applies to all members of the Loyola community, including faculty, staff, affiliates, and students.

Definitions

Consensual Relationship – romantic, sexual, or intimate relationships, including relationships of a romantic, dating, and/or sexual nature entered into with consent of both parties.

Consent – freely given, mutually understandable permission to engage in a specific sexual activity (see also, a more detailed definition of consent in Loyola’s [Comprehensive Policy and Procedures for Addressing Discrimination, Sexual Misconduct, and Retaliation](#) (“Comprehensive Policy”).).

Supervisory or Evaluative Authority – the power to control or influence another person’s employment, academic advancement, or extracurricular participation, including but not limited to, hiring, work conditions, compensation, promotion, discipline, admission, grades, assignments, supervision of dissertations, recommendations, financial support, or participation in extracurricular programs.

Mitigation Plan – a written plan, acknowledged and signed by the parties involved in a consensual relationship, that mitigates the potential for a conflict of interest and/or real or perceived favoritism, bias, harassment, or exploitation by eliminating, limiting, or off-setting the supervisory or evaluative authority of one or both parties.

Affiliate – an individual with a University relationship outside of traditional employment, who may have authority over a student, faculty, staff, or other affiliate (e.g., volunteer coach, on-campus personnel of a third party vendor or contractor, etc.).

Prohibited Relationships

The following relationships are always prohibited and will not be allowed even with a Mitigation Plan:

- A consensual relationship that begins when one individual is a faculty, staff, or affiliate, and another individual is a current undergraduate student.
- A consensual relationship that begins when one individual is a faculty, staff, or affiliate, and

another individual is a current graduate or professional student.

- A consensual relationship that begins between two individuals, both of whom are either faculty, staff, or affiliates, and where one holds supervisory or evaluative authority over the other.
- A consensual relationship that begins between two individuals, both of whom are students, and where one holds supervisory or evaluative authority over the other, such as a graduate assistant or resident assistant.

Permitted Relationships with Mitigation Plan

The following pre-existing relationships may be permitted with an approved Mitigation Plan in place, and will be considered on a case-by-case basis:

- A consensual relationship between two students that already existed (inclusive of undergraduate, graduate and professional students) where neither previously held supervisory or evaluative authority over the other, but where one is presented with a new opportunity that includes supervisory or evaluative authority over the other. See also, the University's policies on [Anti-Nepotism](#) and [Conflict of Interest](#).
- A consensual relationship that already existed between two individuals, both of whom were either faculty, staff, or affiliates, where neither previously held supervisory or evaluative authority over the other, but where one is presented with a new opportunity that includes supervisory or evaluative authority over the other. See also, the University's policies on [Anti-Nepotism](#) and [Conflict of Interest](#).
- Accommodations and exceptions for pre-existing consensual relationships between one individual who is a faculty, staff, or affiliate, and another individual who is a prospective or current student (i.e. spouse, partner, etc.). See also, the University's policies on [Anti-Nepotism](#) and [Conflict of Interest](#).

Procedures

Loyola requires that when a consensual relationship exists or existed in the past, the person in the position of greater authority must report the relationship to their direct supervisor, as applicable (e.g., director, Vice President, department head/chair, dean, or Provost). For consensual relationships involving staff employees or affiliates, Human Resources should also be notified. For consensual relationships involving faculty, Faculty Administration should also be notified. For consensual relationships involving a student in a supervisory or evaluative authority role, the organizational advisor or appropriate supervising employee should be notified.

Upon notice of a consensual relationship covered under this Policy, steps will be taken to eliminate any supervisory or evaluative authority one party has over the other to the extent that it is possible. A written Mitigation Plan will be developed by the direct supervisor, with input and approval of Human Resources (for staff and affiliates) or the Office of the Provost (for faculty / graduate assistants).

Non-Compliance

Failure to comply with this Policy may result in disciplinary action, up to and including termination (for faculty, staff, or affiliates) or suspension/expulsion (for students). Alleged violations of this Policy, including allegations of conflicts of interest, bias, or favoritism, may be investigated by Human Resources, the Office of the Provost, the Division of Student Development, and/or the [Office for Equity](#)

[& Compliance \(“OEC”](#)), as applicable to the circumstances.

Other Related Policies

In some instances, romantic or sexual relationships may appear to be consensual, but where the individuals are in positions of unequal power, such a power disparity may negate or undermine the validity of consent (as defined herein). In such cases, sexual harassment or other prohibited conduct may result. All members of the Loyola community are encouraged to report allegations of discrimination, sexual misconduct (including but not limited to sexual harassment), or retaliation to the [OEC](#) to be addressed according to Loyola’s [Comprehensive Policy](#).

Retaliation for Reporting a Violation

It is a violation of University policy to retaliate against any individual reporting a potential violation under this Policy, assisting someone with a report, or participating in an investigation of a report. Retaliation is any adverse action including, but not limited to, threats, intimidation, or reprisals related to an individual's employment or education. The University will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this Policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report it to the University’s [EthicsLine](#) Reporting Hotline.

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