THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	General University Policies and Services	**Number:**	601.22
		Revised	
SUBJECT:	Faculty-Student Relationships	**Date Issued:**	4/2/04
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APPLIES TO:	All Employees	**Attachment(s):**	0

ISSUED BY: Office of the Provost and Executive Vice President for Academic Affairs

I. Policy

The teacher-student relationship lies at the foundation of the educational process. As a matter of sound judgment and professional ethics, faculty members have a responsibility to avoid any apparent or actual conflict between their professional responsibilities and personal relationships with students.

Romantic and/or sexual relationships between a faculty member and a student have the potential to pose risks to the faculty member, the student, or third parties. In such relationships, voluntary consent by the student is suspect because of the inherently unequal nature of the relationship. A romantic and/or sexual relationship between a faculty member and a student can lead to a complaint of sexual harassment when the student feels that he or she has been exploited. In addition, other faculty members, staff members, or students may express concerns about undue access or advantage, favoritism, restricted opportunities, or unfavorable treatment as a result of the relationship. These concerns are damaging whether the favoritism is real or perceived. They also arise in cases where the relationship between the faculty member and the student remains amicable, as well as in cases that lead to accusations of exploitation. For all these reasons, the University strongly discourages romantic and/or sexual relationships between faculty members and students.

In spite of these warnings, the University recognizes that sometimes such relationships occur. If a romantic and/or sexual relationship occurs or has occurred between a faculty member and a student for whom the faculty member has supervisory responsibility, an inherent conflict of interest arises. When a conflict of this nature occurs, the faculty member must disclose the relationship so that a resolution to the conflict can be sought.

This policy applies to any University or University-sanctioned teacher, mentor, or supervisor of students. This includes, but is not limited to, regular instructional faculty, clinical faculty, supplemental and research faculty, postdoctoral fellows, graduate student instructors, graduate student research assistants, preceptors, and graders. Throughout this policy, the term "faculty member" is used to refer to all regular instructional faculty and to all other individuals with supervisory responsibility for students in an educational setting.

II. Definition

Supervisory Responsibility includes, but is not limited to, teaching, research, academic advising, coaching, service on evaluation or thesis committees, grading, recommending in an institutional capacity for employment, fellowships, or awards. This supervision can occur on or off campus, in curricular, co-curricular, or extra-curricular activities.

III. Regulations

A. **Prohibition of Supervision:** A faculty member is prohibited from having supervisory responsibility over a student with whom he or she is currently having a romantic and/or sexual relationship. A faculty member may be prohibited from having supervisory responsibility over a student with whom he or she has had a romantic and/or sexual relationship in the past.

B. **Faculty-Student Relationships Requiring Disclosure and Conflict Resolution:**

Disclosure Requirement: If a faculty member has supervisory responsibility for a student with whom he or she is having or has had a romantic and/or sexual relationship, the faculty member must disclose the relationship to his or her academic administrator (in most cases, the department chair) or to an appropriate administrator at a higher level (e.g., an associate dean, dean, or director).

Development and Approval of a Conflict Resolution Plan (hereafter referred to as the "plan"): A written plan to resolve the conflict of interest should be developed by the faculty member, the academic administrator (in most cases, the department chair), and the head of the academic unit (e.g., dean, director, or equivalent). In most cases, the gist of the plan will be to remove the faculty member's responsibility for supervising the student and to make alternative arrangements. The plan must address the need to preserve and maintain the student's immediate and long-term educational opportunities, ability to meet program requirements, and career progression. For these reasons, the student must find the plan to be acceptable.

At any time, the student, the faculty member, the academic administrator, and/or the head of the academic unit may consult with the appropriate Human Resources office. Final approval of the plan is the responsibility of the head of the academic unit (e.g., the dean, director, or equivalent).

Determination of Plan Acceptability: Making alternative arrangements for the faculty member's supervisory responsibility may have a negative impact on other students, other faculty members, administrators, and the University. Therefore, the academic administrator and the head of the academic unit (e.g., the dean, director, or equivalent) have the authority to decide that no acceptable resolution to the conflict can be found.

When a Conflict Resolution Plan Is Not Agreed Upon: If it is not possible for all the relevant parties to agree on a plan to resolve the conflict of interest, the romantic and/or sexual relationship must be discontinued until the faculty member no longer has supervisory responsibility for the student (also see Section IV. Sanctions).

Record Keeping: A written record of the approved conflict resolution plan must be placed in the faculty member's personnel file in his or her home administrative unit (also see Section III.F. Confidentiality).

C. **Role of the Academic Administrator:** An academic administrator who learns that a faculty member has supervisory responsibility for a student with whom the faculty member is having or has had a romantic and/or sexual relationship is obligated to attempt to develop a plan to resolve the conflict of interest. If an academic administrator learns of a potential conflict of interest from another source (e.g., student or third party), he or she must determine whether a conflict of interest exists and, if so, is obligated to attempt to develop a plan to resolve the conflict of interest.

D. **Impact on Third Parties:** Any student, faculty member, or staff member who believes he or she has received inappropriately favorable or unfavorable treatment as the result of a romantic and/or sexual relationship between a faculty member and a student may file a complaint with a relevant academic administrator (in most cases, a department chair) or to the appropriate Human Resources office.

E. **Existing Student Policies:** This policy does not preempt existing codes of student conduct.

F. **Confidentiality:** University administrators need to respond appropriately to all conflicts of interest that arise under this policy. Within this context, every reasonable effort will be made to preserve confidentiality and protect the privacy of all parties in the course of investigating a potential conflict of interest or, where a conflict of interest exists, in attempting to develop an alternative plan for supervision of the student. (See Regents' Bylaw 14.07 *Privacy and Access to Information* and Standard Practice Guide 201.46 *Personnel Records – Collection, Retention and Release*.)

IV. Sanctions

Violations of this policy will be considered misconduct on the part of a faculty member and will be subject to institutional sanctions up to and including termination of appointment. Student supervisors or graduate student teachers (e.g., Graduate Student Instructors and Graduate Student Research Assistants) who violate this policy may also be subject to academic sanctions up to and including expulsion as a result of allegations having been filed separately under other appropriate University policy.

Violations of this policy include:

1. A faculty member has supervisory responsibility for a student with whom he or she is having or has had a romantic and/or sexual relationship but fails to disclose the relationship promptly (see Section III.B. *Disclosure Requirement*).
2. The faculty member discloses the relationship but fails to cooperate in the development of a satisfactory plan to resolve the conflict of interest (see Section III.B. *Development and Approval of a Conflict Resolution Plan*) or fails to adhere to an agreed-upon plan.
3. The faculty member discloses the relationship but after the chair, dean, and/or director determine(s) that no satisfactory plan is possible to resolve the conflict of interest, the faculty member continues the relationship (see Section III.B. *When a Conflict Resolution Plan Is Not Agreed Upon)*.

Nothing in this policy shall be deemed as supplanting or otherwise affecting the University's sexual harassment policy, Standard Practice Guide 201.89-0, or the policy on the appointment of relatives, Standard Practice Guide 201.23.