



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 7 - Human Resources

BP 4120 CONSENSUAL RELATIONSHIPS

The San Diego Community College District is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation, and favoritism.

Where a party uses a position of authority to induce another person to enter into a non-consensual relationship, the harm both to that person and to the District is clear. Even where the relationship is consensual, there is significant potential for harm when there is a power difference between the parties involved, as is the case, for example, between supervisor and employee or instructor and student. Such relationships may cast doubt on the objectivity of any supervision and evaluation provided.

This policy is intended to protect both employees and students from harassment, coercion, favoritism, retaliation, or the appearance of those conditions. The employee-student and the employee-employee relationships are critical to the mission of the District and the welfare of employees and students. This policy is adopted in order to prevent employees and students from placing themselves in situations that create a risk of real or perceived distortion of their professional relationships.

Policy Regarding Employee-Employee Consensual Relationships

No employee should participate in the supervision, hiring committees, evaluation, or decisions pertaining to promotion, for someone employed at SDCCD with whom that person has or has had a consensual relationship.

Employees should be aware that entering into such a relationship with a supervisor creates the potential for risk to both parties. In particular, such a relationship will limit that supervisor's ability to direct work or promote that employee's career.

In the event that a personal relationship of this kind does exist in a supervisory context, the supervisor must disclose the relationship to the appropriate superior and initiate arrangements to address any issues of conflict of interest. If the supervisor is able to act immediately on his/her own to discontinue or prevent the prohibited participation and if the supervisor's action does not require the knowledge of the relationship by or approval

of another District employee in order to effectively discontinue or prevent the prohibited participation, then disclosure of the relationship is not required.

Policy Regarding Employee–Student Consensual Relationships

No employee should enter into a consensual relationship with a student actually under that employee's authority. The fact that an individual is an employee of the District does not in and of itself mean that the employee has authority over every student enrolled in the District. Situations of authority include, but are not limited to, teaching, counseling, recommending employment of a student for an hourly work experience or other non-academic position, exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.

The employee should discourage the student with whom he/she has had a consensual relationship from enrolling in a course which the employee is teaching, or seeking other District-related services from the employee. The employee also should not recommend employment of the student in an hourly position, participate in decisions pertaining to a student's grades, honors, and degrees; or consider disciplinary action involving the student. If the student persists in enrolling or refuses to drop the class, or persists in seeking other District-related services from the employee, the employee must notify his/her immediate supervisor.

Definitions

For purposes of this policy, the terms “employee,” “supervisor,” “student,” and “consensual relationships” are defined as follows:

Employee: anyone employed by SDCCD as faculty or staff, full-time or part-time.

Supervisor: anyone who oversees, directs or evaluates the work of others, including, but not limited to managers, supervisors, department chairs

Students: all those enrolled full-time or part-time in any program

Consensual relationships: any freely and mutually agreed to dating, romantic, or sexual relationship between individuals

Note: Non-consensual situations are covered under the District Policy 4105, “Investigation and Resolution of Complaints of Unlawful Discrimination” as well as District Procedures which implement that policy.

Approved by Chancellor: December 14, 2006

NEW POLICY - All existing HR policies will be renumbered during future updates to Chapter 7 - Human Resources, series 7000, Board of Trustees Policies