



BOISE STATE UNIVERSITY

University Policy 7010

Consensual Relationships

Effective Date

August 2004

Last Revision Date

September 26, 2022

Responsible Party

Human Resources, (208) 426-1616

Scope and Audience

This policy applies to Consensual Relationships between University employees.

This policy does not apply to Consensual Relationships between faculty/staff and students covered under University Policy 7015 (Faculty/Staff and Student Consensual Relationships).

Non-consensual relationships are addressed in University Policy 1065 (Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking).

Potential conflicts of interests or conflicts of commitment created by Consensual Relationships or other relationships between University employees or between a University employee and a vendor, contractor, volunteer, or affiliate are addressed in University Policy 1110 (Conflict of Interest and Conflict of Commitment).

Potential conflicts of interests or conflicts of commitment created by a University employee hiring, promoting, transferring, or supervising a family member are addressed in University Policy 7050 (Nepotism). Potential conflicts of interests or conflicts of commitment created by a University employee who instructs, lectures, advises, mentors, coaches, or otherwise supervises a family member are also addressed in University Policy 7050 (Nepotism).

Additional Authority

- University Policy 1060 (Non-discrimination or Anti-harassment)
 - University Policy 1065 (Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking)
 - University Policy 1110 (Conflict of Interest and Commitment)
 - University Policy 7015 (Faculty/Staff and Student Consensual Relationships)
 - University Policy 7050 (Nepotism)
 - University Policy 12040 (Workplace Violence)
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1. Policy Purpose

To prohibit an employee from exercising authority, professional influence, or acting in a supervisory capacity over another employee with whom one has a Consensual Relationship and to provide the process for reporting and disclosing such relationships to Human Resources.

2. Policy Statement

The University's success in its educational mission depends on the professionalism of its employees. Maintaining professional relationships and mutual respect and trust between a supervisor and subordinate, and in all relationships involving authority or influence over another employee, is key to this success. Therefore, a University employee may not exercise any supervisory, advisory, evaluative authority, or professional influence over an employee with whom the employee has a Consensual Relationship. In cases where a Consensual Relationship does not violate the provisions under this policy, the parties should be sensitive to the possibility that they may later be placed in a position of responsibility requiring evaluation, supervision, or influence over another employee.

3. Definitions

3.1 Consensual Relationship

A current or former mutually-acceptable relationship in which the involved parties understand or understood such relationship to be romantic, intimate, and/or sexual in nature, whether short-term or long-term.

4. Prohibited Consensual Relationships and Required Reporting/Disclosure

- a. An employee is prohibited from exercising supervisory responsibilities, employment actions, evaluation, promotion, or the direct setting of salary or wages over another employee with whom the employee has or is currently involved in a Consensual Relationship.
- b. An employee who enters into a Consensual Relationship with another employee over whom the employee has authority, professional influence, or actual or perceived power is required to immediately disclose the relationship to their supervisor and Human Resources. A supervisor aware of such a relationship must immediately report the relationship to Human Resources. If the employee believes the circumstance necessitating a report to Human Resources also constitutes a conflict of interest under University Policy 1110 (Conflict of Interest and Commitment), the employee must also submit a supplemental [Conflict of Interest Disclosure form](#).
- c. The supervisor, in consultation with Human Resources, will take prompt and appropriate action to minimize or eliminate the authority, professional influence, or actual or perceived power. If a sponsored project is involved, disclosure to the sponsor may be required and such disclosure will be made in accordance with procedures developed by the Office of Sponsored Projects.

5. Discretionary Action by the University

Reports and disclosures of Consensual Relationships will be reviewed on a case-by-case basis considering such factors as the relevant circumstances; the nature of the relationship; the employee's duties; and the management, supervisory, or professional relationship between the employees. Examples of remediation may include alternative supervision, recusal of the employee from matters involving professional influence over the other employee(s), changes in an employee's duties, or reassignment.

6. Protection Offered to Parties who Disclose

- a. A report or disclosure of a Consensual Relationship will be treated as highly sensitive information and special attention will be given to maintaining the privacy of all involved parties. Information will be shared only on a need-to-know basis or as otherwise required by law or conditions imposed by a sponsor.
- b. It is a violation of this policy to retaliate against any individual who seeks advice or action under this policy or makes a good-faith report or disclosure under this policy.

7. Non-Consensual Relationships

- a. A Consensual Relationship that becomes non-consensual or unwelcome by one party in the relationship could implicate a policy violation under University Policy 1060 (Non-discrimination and Anti-harassment) and/or University Policy 1065 (Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking).
 - b. Complaints of sexual harassment, protected class discrimination, or workplace violence (e.g., behavior that is violent, threatening, harassing, etc. as defined under University Policy 12040 - Workplace Violence) should be filed through one of the following:
 - Title IX Coordinator at (208) 426-1258; or
 - By email to reportdiscrimination@boisestate.edu; or
 - EthicsPoint Hotline toll-free at 1-855-863-1299 or <https://secure.ethicspoint.com/domain/media/en/gui/37887/index.html>
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Revision History

July 2012; April 07, 2022; September 26, 2022