



NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

SEC. II—FACULTY—Employment Terms 6.0

SEC. III—Employment Terms 3.0

Sec. IV—Employment 2.0

IMPROPER RELATIONSHIPS BETWEEN STUDENTS AND EMPLOYEES

ADMINISTRATIVE POLICY

Statement of Policy

This policy applies to all employees.

The University does not condone amorous relationships between students and employees. Members of the University community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, University prohibition and punishment of amorous relationships is deemed necessary: (1) when the employee is responsible for evaluating or supervising the affected student; (2) when the student is a minor as defined by North Carolina law.

It is misconduct, subject to disciplinary action, for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law or marriage. It is misconduct, subject to disciplinary action, for a University employee to engage in sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor below the age of 18 years.

Definition of Terms

- a.** "Amorous relationship." An amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.
- b.** "Related by blood, law or marriage" means:
- i.** Parent and child
 - ii.** Brothers and sisters
 - iii.** Grandparent and grandchild
 - iv.** Aunt and/or uncle and niece and/or nephew
 - v.** First cousins
 - vi.** Step-parent and step-child
 - vii.** Step-brothers and step-sisters
 - viii.** Half-brothers and half-sisters
 - ix.** Husband and wife
 - x.** Parents-in-law and children-in-law
 - xi.** Brothers-in-law and sisters-in-law
 - xii.** Guardian and ward
 - xiii.** People living in the same household, who share a relationship comparable to immediate family members,
- c.** "Evaluate or supervise" means:
- i.** To assess, determine or influence (1) one's academic performance, progress, or potential or (2) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity, or
 - ii.** To oversee, manage or direct one's academic or other institutionally prescribed activities.
- d.** "Direct Supervisory Relationship" shall be interpreted to include any situation where the supervisor effectively controls the terms and conditions of the relative's employment, including promotion opportunities, rates of compensation, work assignments and evaluation of performance. The following types of relationships would violate the restriction against "direct supervision":
- Department Chair and member of the instructional staff of the same department
 - Member of instructional or research faculty and his or her teaching assistant
 - Dean of a college and a Chair of a department within the college
 - Chancellor and Vice Chancellor

Corrective Action

Violations of the provisions of this policy on Improper Relationships shall be addressed in accordance with remedial measures prescribed by the University, up to and including discharge; if disciplinary action is brought against an affected employee, it shall be conducted in accordance with existing institutional policies and procedures prescribed for prosecuting misconduct charges against members of the class of employment of which the affected employee is a member.

Anyone who believes this policy is being violated should report the concern to the supervisor of the alleged violator, to a higher level supervisor in A&T's administration, to the Title IX Coordinator in the Office of Legal Affairs, the Office of the Vice Chancellor for Student Affairs, or to A&T's Office of Internal Auditor's anonymous hotline, at 877-507-7313.

REPEAL OF OTHER POLICIES

This policy repeals Secs. 6.21 through 6.21.2, of The Faculty Handbook's Chapter VI, the policy "Employment of Related Persons" currently on the Human Resources policy webpage (January 9, 2008), and any other policy on this topic that is not posted on the A&T "Approved Policies" website.

Date revised policy is effective: upon approval

Approved by the Chancellor

First approved: Prior to February 21, 2007

Revised: April 8, 2011

July 20, 2018