

## CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS GUIDELINES

In accordance with the *Policy on Conflict of Interest* ([BD-4](#))

Last Updated – March 2020

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### SCOPE

These Guidelines are in harmony with the University's *Policy on Conflict of Interest* ([BD-4](#)) (the "[Policy](#)") and do not replace or supersede any rule or process set out therein.

The Guidelines aim to provide guidance solely with respect to consensual romantic or sexual relationships between Instructors and Students (as such terms are defined below).

Any Student with a complaint or charge of discrimination or sexual harassment involving an Instructor, which may or may not arise from a consensual romantic or sexual relationship, may seek the necessary support at Concordia:

- *Policy on Harassment, Sexual Harassment and Psychological Harassment* ([HR-38](#))
- *Policy regarding Sexual Violence* ([PRVPA-3](#))
- [Sexual Assault Resource Centre](#)
- [What to do in case of sexual assault](#)

and/or may report the situation to the [Office of Rights and Responsibilities](#) pursuant to the *Code of Rights and Responsibilities* ([BD-3](#)).

Similarly, an Instructor who experiences harassment or inappropriate behaviour from a Student may seek the necessary support including from the resources listed above.

Nothing in these Guidelines shall replace or supersede any right or procedure set out in any collective or employee agreement to which the University is a party.

### PURPOSE

The integrity of the Instructor-Student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the Instructor, who, in turn, bears authority and accountability as a mentor, educator, and evaluator. The unequal institutional power inherent in this relationship can potentially heighten the vulnerability of the Student. Students may have difficulty communicating freely that they do not want to be in a romantic or sexual relationship, or that they want the relationship to end, because of concern over the impact such a communication may have on their academic progress. The pedagogical

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relationship between an Instructor and a Student must be protected from influences or activities that can interfere with learning and personal development.

For these reasons, the University strongly discourages all Instructors from commencing or continuing any consensual romantic or sexual relationship with a Student.

If, notwithstanding the foregoing, a consensual romantic or sexual relationship develops between a Student and an Instructor, the rules outlined in the present Guidelines apply.

### DEFINITIONS

For the purposes of these Guidelines, the following definitions shall apply:

"Instructor" means any University employee who is teaching, advising, supervising, mentoring, overseeing the allocation of resources to and/or coaching Students. Such employees include, but are not limited to, full and/or part time faculty members, faculty administrators, librarians, laboratory or other instructors, principal investigators as well as teaching assistants, research assistants, staff members, coaches and coaching assistants.

"Student" means any person registered in a course or program on a full or part-time basis, for credit or not, and includes undergraduate and graduate students, independent students as well as visiting students, exchange students and interns.

### GUIDELINES

1. Instructor-Student consensual romantic or sexual relationships that develop have the potential to create unacceptable risks including favoritism and bias, both actual and perceived, and thereby impair the integrity of the professional relationship and the trust on which it depends.
2. Whenever an Instructor is or may reasonably be expected to become responsible for teaching, advising, allocating resources or supervising a Student or, more generally, is or may reasonably be expected to be in a position to exercise authority over a Student:
  - a. A romantic or sexual relationship between them should be avoided; and

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- b. If such a relationship is not avoided, any existing or past romantic or sexual relationship constitutes a Conflict of Interest and must be disclosed pursuant to the [Policy](#) and the present Guidelines.

### Disclosure and Management of Conflicts of Interest

3. Pursuant to the disclosure and management sections set out in the [Policy](#), an Instructor who is in a Conflict of Interest as described in these Guidelines must immediately disclose the relationship to the appropriate authority as follows: the relevant Dean, the University Librarian, the Executive Director of the Centre for Continuing Education or the relevant Vice-President, so that the process set out in the [Policy](#) is undertaken and that any and all appropriate actions required to manage the Conflict of Interest are taken.
4. Such actions may include, but are not limited to, appointment of a qualified alternative Instructor to the position of authority; transfer of the Student to another course, section, or seminar taught by a different Instructor; assignment or transfer of the Student to another academic advisor; and similar actions.

### Failure to comply

5. Actions in violation of the [Policy](#) including the present Guidelines are considered unprofessional conduct and may constitute a disciplinary offence under the provision, contract or collective or employment agreement to which the employee is subject.