



University of Massachusetts Lowell

Policy Title:	Consensual Amorous Relationship Policy
Policy Number:	HR-4-102
Responsible Office:	Equal Opportunity and Outreach & Diversity and Inclusion
Responsible Position:	Associate Vice Chancellor of Equal Opportunity and Outreach & Diversity and Inclusion

I. Policy Statement

The University of Massachusetts Lowell (UMass Lowell/University) promotes a professional, collegial, supportive work and learning atmosphere for its employees and students and furthers an environment where all work/academic decisions are made professionally and fairly. Students shall be treated fairly and professionally by all faculty and staff across the university. Therefore, the integrity of interactions among faculty, staff and students must not be compromised and the disclosure and reporting of relationships is required under certain circumstances and strongly recommended under other conditions.

Consensual amorous, dating, or sexual relationships (amorous relationships) have inherent risks when they occur between a faculty member, supervisor, or other member of the university community and any employee or student when a **professional responsibility** exists between them.

Additionally, any amorous relationship between a faculty member and a student or between a professional (non-student) staff member and a student has inherent risks because of the power differential between them, even when no professional responsibility exists on the part of the faculty member or professional staff member toward the student. An amorous relationship between two faculty members, a faculty member and a professional staff member, or two professional staff members within the same department or business unit also carries risks.

An employee with professional responsibility over another with whom he/she has an amorous relationship should be aware that the relationship may subject him/her and UMass Lowell to legal liability. Consequently, such professional responsibility may not exist between two individuals who are in an amorous relationship.¹ Even when no professional responsibility exists between two employees in the same department or business unit, there is the potential for professional responsibility depending on the area's work distribution or team's structure, among other particular circumstances.

¹ UMass Lowell recognizes that some of its employees and their spouses might be working or pursuing an education at the university. In these circumstances, the university strongly encourages employees to disclose their relationships to EOO.

Relationships involving a professional responsibility may compromise or be perceived as compromising the fairness and impartiality of a supervisor's/faculty member's conduct toward the subordinate/student or to others in subordinate positions. Further, there is potential impact on the work environment and potential damage to the supervisory individual's/faculty member's own credibility and standing, within the department and within the university as a whole. The same is potentially true of any amorous relationship between two employees within the same department or business unit, especially when there is a power differential.

Any time there is a power imbalance between two individuals in an amorous relationship, the relationship may in fact be far less voluntary for the subordinate than it appears to the supervisory individual. Additionally, circumstances may change. For example, while certain conduct may have been welcomed at one time during a relationship, future conduct of a similar nature may not. Initial consent of both parties to the relationship may not prevent later charges of sexual harassment. Legally, the supervisory or senior individual/faculty member and the organization could be challenged if a consensual amorous relationship results in allegations of hostile work environment by the subordinate/student, or by any others in the department who feel they themselves have been treated unfairly as a result of that relationship.

Any employee of UMass Lowell who is in an amorous relationship with another employee or student member of the university, or an applicant for employment or admission, when a professional responsibility exists between them, must report the relationship to Clara I. Reynolds, Associate Vice Chancellor of Equal Opportunity and Outreach at Clara_Reynolds@uml.edu. Similarly, any member of the university in an amorous relationship with another member, upon notification or assignment of any duty or role that creates a professional responsibility over the other, must immediately report the relationship to EOO. See Part V below.

In addition, the university strongly discourages amorous relationships between a student and any employee and strongly encourages that such relationships be disclosed or reported to EOO. It also strongly discourages amorous relationships between employees in the same department or business unit and strongly encourages reporting or disclosure.

The university reserves the right not to provide legal representation for any employee found not to be in compliance with this policy.

All university members, including those who are in an amorous relationship with a peer, may not engage in conduct of a sexual nature which creates an intimidating, hostile, or offensive working or academic environment for anyone, including for other department members.

II. Purpose

The purpose of this policy is to:

- note the potential risks of an amorous relationship when there exists a line of reporting between the parties, when the parties work in the same department or business unit, or when one of the parties is a student and the other is a faculty member of professional employee.
- specify the requirement to report a current or potential amorous relationship when there exists a reporting line between the parties.
- delineate potential consequences for violations of this policy.

III. Scope

This policy applies to all employees and students of UMass Lowell.

IV. Definitions

Amorous relationship: a marital or other mutually consensual romantic, dating, or sexual relationship between two members of the UMass Lowell community.

Professional responsibility: performing functions including but not limited to teaching, counseling, grading, advising, evaluating, hiring, supervising, and making decisions or recommendations that confer benefits such as promotions, financial aid, bonuses, or other awards or compensation, or that may impact upon other academic or employment opportunities. It also includes evaluating prospective applicants for employment or admission.

Professional staff: full- or part-time staff who are not students.

Faculty: full-time, part-time, visiting, adjunct and emeritus faculty.

V. Procedures

To report a current or potential amorous relationship where a line of reporting exists between the parties or the other types of amorous relationships described in this policy, and for questions or concerns regarding this policy, please contact:

Clara I. Reynolds, Associate Vice Chancellor
Equal Opportunity & Outreach
University of Massachusetts Lowell
Wannalancit Business Center
600 Suffolk Street, Suite 301
Lowell, MA 01854
978-934-3565
Clara_Reynolds@uml.edu

After receiving notification of a consensual amorous relationship when professional responsibility exists between the parties, at the discretion of EOO and management, changes to duties or roles will be made to remove the professional responsibility in order to eliminate the existing or potential conflict of interest. In the case of voluntary reporting for amorous relationships between two employees in the same department or business unit where there is no direct line of professional responsibility, or for amorous relationships between a student and a faculty or professional staff member, EOO may, at its discretion, ask for more information so that it can advise the parties and, if necessary, act to prevent any kind of supervisory, teaching or advisory relationship between them.

All employees are strongly encouraged to contact EOO for guidance.

VI. Responsibility

The Title IX Coordinator and Associate Vice Chancellor of Equal Opportunity and Outreach & Diversity and Inclusion is responsible for implementation of this policy.

VII. Attachments

None

VIII. Related Policies, Procedures and Announcements

- A. Nondiscrimination Guidelines
- B. Sexual Harassment Grievance Procedure
- C. Equal Opportunity Concerns/Complaint Procedure
- D. University of Massachusetts Nondiscrimination and Harassment Policy (Doc. T16-040)
- E. University of Massachusetts Administrative Standards for the Nondiscrimination and Harassment Policy (Doc. T16-040)
- F. Massachusetts Conflict of Interest Law