

# Board of Trustees of the Nebraska State Colleges

## Personnel

POLICY  
NAME: Consensual Relationships

POLICY  
NUMBER: 5019

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### A. PURPOSE

To establish guidelines for consensual relationships between employees or between an employee and a student.

### B. DEFINITIONS

1. **Power Differential:** The difference in power between persons in positions of authority and those individuals in subordinate positions that result in a vulnerability on the part of the subordinate.

### C. POLICY

#### 1. Consensual Relationships

- 1.1. The Board does not prohibit consensual relationships between two (2) employees or between an employee and a student.
- 1.2. The Board does prohibit consensual relationships (romantic or sexual) where a power differential exists.

#### 2. Power Differentials

- 2.1. Examples of power differentials include, but are not limited to:
  - A supervisor and an employee;
  - A faculty member and a student;
  - An advisor and a student; and
  - A coach and an athlete.
- 1.2 A power differential exists when one (1) party has influence or control over the other party's:
  - Employment;
  - Grades;
  - Degrees;

- Evaluations;
  - Promotions;
  - Tenure;
  - Scholarships; or
  - Awards.
- 1.3 A power differential makes mutual consent inherently suspect and raises potential concerns regarding a conflict of interest. Even the mere appearance of such bias may seriously disrupt the academic or work environment at the College or System Office.
- 1.4 Employees shall not initiate, accept, or enter into a relationship (romantic or sexual) where a power differential exists.
- 1.5 If an employee is in such a relationship, the employee with the power differential (holding the power advantage), has a special burden of accountability and must take immediate remedial steps to:
- Disclose the relationship to Human Resources; and
  - Cooperate with College or System Office administration to effectively remove themselves from a position of influence or control over the other individual in the relationship.
- 1.6 Failure to adhere to this Policy may result in corrective or disciplinary action up to and including termination of the employee holding the power differential, regardless of the consensual nature of the relationship.

## **FORMS/APPENDICES:**

None

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### **SOURCE:**

**Policy Adopted:** March 2011

**Policy Revised:** May 2022