FAQs for Policy 6.3: Consensual Relationships

Policy 6.3: Consensual Relationships

Romantic or sexual relationships between faculty members or others in positions of authority over students and postgraduates (as defined by this policy) are prohibited whenever those relationships have the potential to interfere with an individual’s right or ability to pursue academic, training, research or professional interests.

I have a concern that relates to Policy 6.3. Who can I contact for help and/or information?

Depending on the nature of the question and the nature of the relationship or issue, the director of a degree program, graduate program director, department chair, or for staff members, supervisor can all be appropriate. A good place to start or where the best contact may be unclear is always consultation with the Academic HR Office. If you are a faculty member, you may also contact the Dean of Faculty.

What is the definition as an undergraduate, a graduate, or a professional student for the purposes of this policy?

Undergraduates are students enrolled in, on leave from, or suspended from an undergraduate degree program; non-degree-seeking students enrolled in only undergraduate classes; and undergraduate special students.

Graduate/professional students are students enrolled in, on leave from, or suspended from a graduate or professional degree program and non-degree-seeking students enrolled in any graduate or professional classes.

What is the Academic HR Office?

This office is situated within Central Human Resources and serves as a resource for academics, faculty, staff, and students who have questions and issues related to this and other academic policies. It is responsible for the faithful execution of all 6.3-related procedures. It can be reached anonymously by phone for questions and reporting and can also be contacted through Academic HR Consensual Relationship reporting.

The Academic HR Office is NOT a confidential resource, although it maintains privacy as much as possible. A list of confidential resources is available on the SHARE website.

A third party who believes that their academic or professional pursuits are in jeopardy because of proximity to someone else’s consensual relationship should contact the Title IX Office.

What happens if I suspect that a relationship between other individuals might fall under this policy?

You are under no obligation to report the suspected relationship although reporting is recommended, especially if you have reason to be concerned that the relevant educational environment is being disrupted. You may report the relationship using the online tool for Consensual Relationship Disclosure or Reporting; you may consult your supervisor; you may consult the Dean of Faculty (if you are a faculty member); or consult the Academic HR Office.
How long will it take me to disclose or report a relationship online?

It should take no more than 10 minutes to report the required information online.

I am a faculty member and my romantic partner or spouse wishes to enroll in an undergraduate degree program. Is that allowed?

Yes. This situation is covered in the section entitled Other Relationships Requiring Disclosure. A prohibition does not apply if it limits the educational opportunities of the subordinate which would be the case in this example. Disclosure with a Recusal Plan would be required before matriculation in order to protect everyone involved. Obviously, you as a faculty member could not teach a course in which your partner enrolled, nor could you assume any other forms of academic authority over that person. Note that these scenarios assume a pre-existing relationship with someone who later decides to become a Cornell undergraduate. As a faculty member you are absolutely prohibited from initiating a new relationship with a current undergraduate student. Should you nonetheless undertake such a relationship, you would be required to disclose, and a Recusal Plan would be put in place. Prompt and honest disclosure would not; however, provide absolute immunity from discipline for the underlying violation.

What is a Recusal Plan?

A Recusal Plan:

- Identifies situations where participation by the authority is to be limited because of the potential for conflict of interest, thus mitigating the power imbalance.
- Specifies who in the workplace/educational settings needs to be informed of its existence.
- Specifies those who are responsible for its enforcement and the terms for its renewal.
- Is signed by those involved in the Consensual Relationship and filed in the Academic HR Office as well as the local HR office.

I am a faculty member and my romantic partner or spouse wishes to enroll in a graduate or professional degree program with which I am affiliated. Is that allowed?

Yes. This situation is covered in the section entitled Other Relationships Requiring Disclosure. A prohibition does not apply if it limits the educational opportunities of the subordinate, which would be the case in this example. Disclosure with a Recusal Plan would be required before matriculation in order to protect everyone involved. Obviously, you as a faculty member could not teach a course in which your partner enrolled, nor could you assume any other forms of academic authority over that person. Note that if you become involved with a student over whom you exercise authority, prompt and honest disclosure is essential to mitigate potential conflict of interest. Prompt and honest disclosure would not; however, provide absolute immunity from discipline for violation of the policy.

I am a TA/grader in a course and I have a romantic partner or spouse who is enrolled in the course. What should I do?

You must disclose the relationship to the faculty member who is responsible for the course. A Recusal Plan needs to be developed so that you do not participate in any evaluation of your partner or spouse. If the course involves multiple TAs and graders, then it is usually easy to adjust your role in the course so that this is possible.

I am a graduate student/postgraduate who works in a faculty member's lab with somewhat informal academic authority over other students who work in the lab. What should I do if my romantic partner is among those students?

Disclose the relationship to the supervising faculty member and develop a Recusal Plan that treats informal authority as formal authority.

I am a faculty member and my romantic partner is a student in a professional degree program with which I have no academic connection. Is it necessary for me
to disclose the relationship?

No.

I am a graduate/professional student and have to take a course in another department/field that is taught by my romantic partner. What should I do?

You cannot take a course taught by your partner. If the course is required by your program or essential to your research, you should disclose your relationship so that an educationally appropriate solution is developed that solves the conflict of interest concerns and protects your rights as a student.

I am a postdoc. Am I prohibited from being in a relationship with a faculty member or graduate student in my field?

Postdocs are not members of graduate fields; they are neither students nor permitted to serve on special committees. As such, the graduate field prohibition does not apply. However, you should not be involved with a faculty member who exercises authority over you as defined in this policy. If you have questions about this, please consult the Academic HR Office for guidance and potential development of a Recusal Plan as necessary.

What if an attraction develops between an authority and subordinate, e.g., a TA in a large course and student, freshman writing instructor and student?

Where possible, we would encourage removing the power imbalance, whether by asking the supervisor of a large course for another TA to take on grading the subordinate’s work. When removing the power imbalance is not possible, the policy does require waiting to initiate a relationship, in these examples either until after the relevant course or courses are completed. If there is continuing ability/opportunity to influence, e.g. post completion recommendations the authority should consult with the course instructor or department chair.

I am not involved in a consensual relationship but am concerned about a consensual relationship between other individuals. What are my options to address my concerns under this policy?

If you are concerned about a consensual relationship between other individuals you have several options: You may report the relationship using the online tool for Consensual Relationship Disclosure or Reporting; you may consult your supervisor; you may consult the Dean of Faculty (if you are a faculty member); or consult the Academic HR Office.

How does this policy apply to visiting faculty?

Visiting faculty are held to the same standards as all other Cornell faculty. It is incumbent upon the unit appointing the individual to communicate the applicability of Policy 6.3.

Why notify the subordinate when a relationship is disclosed?

The subordinate has a right to know that such a disclosure has been made. In addition, if they are surprised to learn that the person in a position of authority considers them to be in a romantic or sexual relationship, this information is important for the subordinate to know. This provision also ensures that lines of communication between the Academic HR Office and the subordinate are open to provide the subordinate with resources for managing the conflict of interest.

If the subordinate discloses a relationship, when will the faculty member or person in authority involved be informed?

The faculty member or person in authority also has a right to know that a disclosure concerning them has been made. If they are surprised to learn that the subordinate considers them to be in a romantic or sexual relationship, this information is important for the authority to know. This provision ensures that communication between the Academic HR Office and all parties to a disclosed relationship are open and resources can be provided as a Recusal Plan is developed to manage the conflict of interest.
If the subordinate is concerned about disclosing, the Academic HR Office can be contacted.

**Upon disclosure, will the Academic HR Office investigate or ask about my private romantic or sexual relationship?**

The Office will ask only about such aspects of the situation as are necessary to formulate a recusal plan. The office does not pursue intimate details of the relationship: its existence and the circumstances of the workplace are sufficient.

**Won’t disclosure endanger some individuals, especially LGBTQ+ students who may not be public about their sexuality?**

We recognize that, in certain cases, disclosure could be concerning. Where the wellbeing of a student is at stake, there is a provision for disclosure to be made only to the trained professionals in the Academic HR Office rather than a broader group.

**What would be some examples of retaliation against an individual who in good faith reported a violation of the policy?**

Examples include making it difficult for the reporter to obtain (a) funding, (b) access to resources, (c) fair TA assignments, or (d) an objective letter of recommendation. Retaliating by denigrating the reporter to an influential colleague would also be a violation.

**How will violations of Policy 6.3 be addressed?**

In consultation with the Dean of the Faculty, the University will take appropriate disciplinary action consistent with existing processes.

**What should I do if I learn that a Recusal Plan is in place but I am impacted by the relationship and know nothing about the Plan?**

You may consult the head of your department (Director, chair, supervisor, the Dean of Faculty (if you are a faculty member), your local HR office, or Academic HR.