FAQs for Policy 6.3: Consensual Relationships

Policy 6.3: Consensual Relationships is the authoritative policy statement. These FAQs are intended to supplement the policy.

Romantic or sexual relationships between faculty members, staff 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 upon the question and the nature of the relationship or issue, it may be appropriate to contact the director of a degree program, the graduate program director, department chair or (for staff members) your supervisor. A good place to start is the Office of Institutional Equity and Title IX at equity@cornell.edu or 607.255.2242. If you are a faculty member, you may contact the Dean of Faculty (607) 255-4963 deanoffaculty@cornell.edu.

What is the definition of 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 definition of faculty member or staff member for the purposes of this policy?

A faculty member is an academic titleholder who is not a postgraduate, including, but not limited to, those whose titles are modified by “visiting,” “courtesy,” “acting,” “adjunct,” “clinical,” “affiliate,” or “emeritus.” Includes librarians, lecturers, senior lecturers, research associates, senior research associates, and any other Cornell academic titleholders. A Staff member is an employee of Cornell University who is not faculty.

What is the Office of Institutional Equity and Title IX?

The Office of Institutional Equity and Title IX (OIETIX) promotes and ensures civil rights compliance for all members of the university community. OIETIX works to prevent and address sexual and related misconduct, prohibited discrimination, and protected status harassment through data collection and analysis, incident response and resolution, and training and education.

In addition, through Cornell University Policy 6.3, “Consensual Relationships,” OIETIX strives to protect the integrity of students’ and postgraduates’ university experience, with the freedom to pursue academic, training, research, and professional interests in an environment without preferential or unfair treatment, discrimination, harassment, bias, or
coercion

The Office of Institutional Equity and Title IX is not a confidential resource, although it maintains privacy as much as possible. A list of confidential resources is available on the OIETIX website.

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 Office of Institutional Equity and Title IX.

Will I be able to disclose my own consensual relationship online?

You may report or disclose covered relationships online using this tool: Disclose or Report Consensual Relationships.

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 Office of Institutional Equity and Title IX 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?

If a student or postgraduate is the individual in a position of authority (for example because of a teaching, laboratory, or other supervisory role over a student), then timely disclosure should be made to the individual's supervisor (or the Office of Institutional Equity and Title IX).

The individual in a position of authority is responsible for disclosure, and that individual should inform the student or postgraduate beforehand.

The purpose of disclosure is to set in motion a Recusal Plan that protects the individuals involved and the university environment.

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 Office of Institutional Equity and Title IX 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, for example, 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 Office of Institutional Equity and Title IX at titleix@cornell.edu or 607.255.2242.

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 Office of Institutional Equity and Title IX 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 Office of Institutional Equity and Title IX 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 Office of Institutional Equity and Title IX can be contacted.

Upon disclosure, will the Office of Institutional Equity and Title IX investigate or ask about my private romantic or sexual relationship?

The Office of Institutional Equity and Title IX 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 Office of Institutional Equity and Title IX 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?

The university may take disciplinary action as appropriate if an individual is found to have violated this policy. Violations of this policy are subject to discipline up to and including termination or expulsion. The Office of Institutional Equity and Title IX serves as the point of contact for complaints regarding, and investigation of, alleged violations of this policy. This policy will be implemented consistent with existing human resources and disciplinary processes for faculty and staff.

[/accordion]