

The University Senate of Michigan Technological University

PROPOSAL 22-02

POLICY ON CONSENSUAL RELATIONSHIPS

General Policy

Employees of Michigan Technological University are generally prohibited from initiating or participating in evaluations and decisions related to any aspect of the employment or education of a person with whom they have had or have developed a consensual relationship of a romantic or sexual nature, including spousal relationships. If they become involved in such a consensual relationship, instructing or supervising employees must disclose the circumstances to their unit supervisor. The unit supervisor or other appropriate supervisor will oversee all evaluation and decision-making regarding the person with whom the employee has the relationship. Confidentiality regarding relationships will be maintained in so far as possible.

Information Regarding Consent

The foregoing policy applies only to consensual relationships. Relationships that are not consensual are addressed by the University's policy on sexual harassment, among other policies. The legal age of consent in Michigan is 16. Above that age, vulnerability may be a factor in determining whether or not consent in a relationship has been given. According to the Michigan Code of Criminal Procedure, Chapter XVII, Part 4, Section 777.40, exploitation occurs when "the offender exploited a victim's physical disability, mental disability, youth or agedness, or a domestic relationship, or the offender abused his or her authority status. Abuse of authority status means a victim was exploited out of fear or deference to an authority figure, including, but not limited to, a parent, physician, or teacher".

Adopted by Senate: 9 April 2003

Approved by President: 19 May 2003

Became Senate Policy 202.1