

<b>Relationships of Power or Influence Policy</b>	<b>BOT Approved:</b> June 18, 2019.
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**PURPOSE:**

Garrett College is committed to maintaining work and educational environments that are free from conflicts of interest, favoritism, and abuse of authority. This policy addresses consensual relationships or nepotism that may create actual or perceived ethical, discriminatory, and/or harassing situations that could be disruptive to the campus community.

**Background:** In the College setting, the relationship between a supervisor and an employee, a faculty member and a student, or an athletic coach and a team member, is inherently one of power. The supervisor, the faculty member and the athletic coach are in a position to give direction to and to evaluate the performance of the employee, the student, or the athlete, to recommend advancement (or not), to determine a student’s grades and academic progress, or to decide which members of a team will form the starting lineup. Power of this sort can be abused and the College seeks to protect its employees and students from such abuse. At the same time, an employee or a student who is in a close relationship with a supervisor, a faculty member, or an athletic coach may unduly influence the person in authority to evaluate performance more highly than is appropriate or to grant favors not extended to others.

## POLICY STATEMENT:

The College seeks to maintain a fair and equitable environment for all members of its community. Garrett College prohibits the supervision, management, instruction, or oversight of a related employee, student, or athlete, except under certain circumstances as outlined in this policy. Garrett College also prohibits consensual relationships between a student and an individual providing academic instruction to and/or assessing said student, or an individual responsible for evaluating, supervising or making any employment decision, whatsoever, with said student. Consensual relationships between employees and adult students where no evaluative and/or supervisory role exists are strongly discouraged.

## DEFINITIONS:

**Consensual relationship:** Any relationship willingly undertaken by both parties that is romantic and/or sexual in nature.

**Employee:** An individual paid through the College payroll system to perform a service for the College with the College making, as appropriate, state and federal withholdings. The relationship of employer and employee exists when the hiring department has the right to control and direct the service provider, not only as to the result to be accomplished by the work but also as to how, when, and where the services will be provided. The service provider is normally provided the tools and facilities to perform the function and is not at risk for profit or loss in this capacity. Examples of employees include faculty, adjunct faculty, hourly employees, support staff, professional staff, administrative staff, and student workers.

**Nepotism:** An employee who is closely related to another employee may not report directly to or supervise the other. The same policy applies to an employee who is in an intimate relationship with another employee; such relationships should be disclosed and arrangements made as appropriate to avoid any appearance of impropriety.

Ethical conduct standards also require that a student (or employee who is a student) who is closely related to a faculty member or in an intimate relationship with a faculty member not be enrolled in that faculty member's courses. If such enrollment is necessary for the completion of a degree or certificate and if no reasonable alternative is available, the student (or employee who is a student) may enroll but the faculty member must make arrangements for her/his evaluation of the student's work to be reviewed by the Program Director or the Chief Academic Officer. Likewise, an athletic coach who cannot avoid having on her/his athletic team a close relative or an individual with whom the coach is otherwise intimately related must have her/his decisions regarding that team member reviewed by the Director of Athletics.

**Student:** An individual registered at the College, either full or part time, in a credit or non-credit class or classes, who has either paid or made arrangements for payment of tuition and/or fees.

**PROCEDURE:**

**Prohibited Conduct:**

It is not only unethical but illegal, and against College policy, for a supervisor, a faculty member, a coach, or any other employee in a position of power or authority over others to require favors of any sort, especially sexual favors, in return for positive evaluations, higher grades, or any other personal benefit. Retaliation against an employee or student who refuses to comply with such requests, in the form of negative evaluations or lower grades, is expressly prohibited. Employees who engage in such practices may be subject to disciplinary sanctions up to and including termination of employment.

**Reporting and Disciplinary Action:**

Students or employees who believe in good faith that a violation of this policy has occurred are encouraged to promptly report the violation to the College. Students or employees who believe that such a violation has occurred may:

1. Report the perceived violation to an appropriate College official;
2. File a grievance, under the appropriate College grievance procedure; and/or
3. File a complaint with the Title IX Coordinator for the College - if the reporting party believes one has been discriminated against based upon one's sex or gender.

The College will promptly investigate and appropriately resolve all reports.

A violation of this policy, regardless of the manner in which it is reported, may lead to disciplinary action as appropriate, up to and including termination of employment, following the appropriate processes for such discipline.