

MICHIGAN STATE UNIVERSITY

August 13, 2019

MEMORANDUM

TO: Faculty and Academic Staff
Deans, Directors, and Chairpersons

FROM: June Pierce Youatt, Provost and Executive Vice President for Academic Affairs

SUBJECT: Revisions to the *Consensual Amorous or Sexual Relationships with Students* Policy

The MSU Board of Trustees approved revisions to the *Consensual Amorous or Sexual Relationships with Students* policy at its meeting on June 21, 2019. It replaces a policy which had not been reviewed since November 8, 1996. While several changes were made (detailed below), the most significant change is the ban on consensual amorous or sexual relationships between undergraduate students and employees classified as faculty and academic staff. This ban exists regardless of whether or not the faculty member has educational responsibility for an undergraduate student and it exists for as long as the faculty member is employed and the student is enrolled as an undergraduate at MSU. Any relationship that predates this ban must be disclosed to the relevant unit administrator (i.e., dean, chairperson, or school director) within 30 days from August 16, 2019.



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The relationship between an instructor and a student plays an important role in accomplishing Michigan State University's mission of "providing outstanding undergraduate, graduate, and professional education to promising, qualified students in order to prepare them to contribute fully to society as globally engaged citizen leaders."

Achieving and maintaining an environment in which a student's rights can be fully realized requires an academic community that values and honors the principles of inclusivity, civility, respect, and professionalism. It is therefore recognized by Michigan State University that consensual amorous or sexual relationships between instructors and students run counter to these rights and responsibilities, to the environment intended, and in upholding the mission of the University. Such personal relations undermine the integrity of the instructor and student relationship. There is an inherent power differential between instructors and students, making consensual amorous or sexual relationships between instructors and students fundamentally unequal.

The purpose of the newly approved policy is to ensure that Michigan State University's learning environment reflects our moral and ethical responsibility to manage the power differential that exists when there are consensual amorous or sexual relationships between instructors and students.

The policy changes were presented to the Board of Trustees after conducting a review of policies at peer institutions, consulting with the Council of Deans, and after endorsement from the University Committee on Faculty Affairs and the University Council.

The new policy can be found here: https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/consensual_relationship_students.html

Summary of Main Substantive Policy Changes:

- 1) **Undergraduate Students:**
 - a. Any consensual amorous or sexual relationship between an undergraduate student enrolled at the University and a faculty member or academic staff member is prohibited.
 - b. Any consensual amorous or sexual relationships between an undergraduate student enrolled at the University and a graduate teaching assistant is prohibited when the graduate student has educational responsibility for the undergraduate student. Graduate teaching assistants may not enter into a relationship with undergraduate students for whom they have educational responsibility.
- 2) **Graduate Students and Graduate Professional Students:** A faculty or academic staff member who has educational responsibility for a graduate student enrolled at the University may not begin or enter into a consensual relationship with a graduate student when they have educational responsibilities over the graduate student.
- 3) **Lifelong Students and Other Learners:** A faculty, academic staff member, or graduate teaching assistant who currently has educational responsibility for a lifelong student or other non-undergraduate or non-graduate student at the University may not begin or enter into a consensual relationship with that student when they have educational responsibilities over the student.
- 4) **Research Associates (i.e., “postdocs”):** Consensual amorous or sexual relationships between faculty/academic staff and post-doctoral fellows (i.e. research associates) over whom there is educational responsibility are prohibited. (Note: the current [Conflict of Interest in Employment](#) policy already prohibits relationships between research associates and faculty/academic staff where the faculty/academic staff member has supervisory responsibility for the research associate).
- 5) **Disclosure Requirements:** For scenarios # 1b - #4, the University recognizes that there are instances in which a relationship may predate the assumption of educational responsibility for the student. In these cases, the instructor shall immediately disclose the amorous or sexual relationship to the relevant unit administrator, who shall develop an oversight plan in consultation with the dean and the Office of the Associate Provost and Associate Vice President for Academic Human Resources. It is recommended that all management/oversight plans are reviewed by the Office of the Associate Provost and Associate Vice President for Academic Human Resources
- 6) **30-day Disclosure Requirement for Existing Relationships:** Existing relationships that are now prohibited under this policy (i.e., undergraduate student and faculty and academic staff member relationships) and relationships subject to the new disclosure requirements of this policy must be

disclosed to the relevant unit administrator **within 30 days from August 16, 2019 (i.e., by September 16, 2019)**. The unit administrator shall promptly consult with the dean/director and the Associate Provost and Associate Vice President for Academic Human Resources, who will review the circumstances surrounding each relationship on a case-by-case basis. If permitted, a management plan will be developed, and must be reviewed by the Office of the Associate Provost and Associate Vice President for Academic Human Resources.

This policy is not intended to replace or circumvent other established University policies such as:

- [Conflict of Interest in Employment Policy](https://hr.msu.edu/policies-procedures/university-wide/conflict_of_interest.html): https://hr.msu.edu/policies-procedures/university-wide/conflict_of_interest.html
- [Relationship Violence and Sexual Misconduct Policy](https://www.hr.msu.edu/policies-procedures/university-wide/RVSM_policy.html): https://www.hr.msu.edu/policies-procedures/university-wide/RVSM_policy.html

Questions can be directed to the Office of the Associate Provost and Associate Vice President for Academic Human Resources at 517-353-5300 or ahr@msu.edu.

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