



# Consensual Relationships

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## POLICY STATEMENT

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.

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## REASON FOR POLICY

The university 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. In addition, the university expects faculty and others in positions of authority to manage their responsibilities appropriately and with sound professional judgment and impartiality. Finally, the university supports an overall educational environment that is free from conflicts of interest.

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## ENTITIES AFFECTED BY THIS POLICY

- Ithaca-based locations
- Cornell Tech campus
- Weill Cornell Medicine campuses, which will administer this policy under Weill Cornell Medicine procedures.

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## WHO SHOULD READ THIS POLICY

- All members of the university community

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## MOST CURRENT VERSION OF THIS POLICY

- <https://www.dfa.cornell.edu/policy/policies/consensual-relationships>

## POLICY 6.3 Consensual Relationships

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## RELATED RESOURCES

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#### **University Policies and Information Applicable to All Units of the University**

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[University Policy 4.6, Standards of Ethical Conduct](#)

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[University Policy 4.14, Conflicts of Interest and Commitment \(Excluding Financial Conflict of Interest Related to Research\)](#)

[University Policy 6.4, Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct](#)  
[President Pollack's Statement on Consensual Relationships](#)

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#### **University Policies and Information Applicable to Only Ithaca-Based Locations and Cornell Tech**

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[SHARE](#) (Sexual Harassment and Assault - Response and Education)

[Faculty Handbook](#)

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#### **University Policies and Information Applicable to Only Weill Cornell Medicine Locations**

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Academic Staff Handbook

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### CONTACTS – ITHACA-BASED LOCATIONS AND CORNELL TECH

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Direct any general questions about this policy to your college or unit administrative office or human resources representative. If you have questions about specific issues, contact the following offices.

*Contacts, Ithaca-Based Locations and Cornell Tech*

<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>	<b>Email/Web Address</b>
<b>Policy Clarification and Interpretation</b>	Local administrative office or human resources representative	Unit-specific	
	Office of Academic Human Resources (Academic HR)	(607) 255-4735	<a href="mailto:acadhr_reporting@cornell.edu">acadhr_reporting@cornell.edu</a>
	Office of Dean of Faculty	(607) 255-4963	<a href="mailto:deanoffaculty@cornell.edu">deanoffaculty@cornell.edu</a>
	Office of Dean of Students	(607) 254-8598	<a href="mailto:dean_of_students@cornell.edu">dean_of_students@cornell.edu</a>
	Office of Dean of Graduate School	(607) 254-7374	<a href="mailto:dean_gradschool@cornell.edu">dean_gradschool@cornell.edu</a>
	Office of Vice President of Human Resources	(607) 255-3621	<a href="mailto:vp_of_hr@cornell.edu">vp_of_hr@cornell.edu</a>
<b>Counseling and Psychiatry (for all students)</b>	Counseling & Psychological Services (CAPS) – Cornell Health	(607) 255-5155	<a href="mailto:cornellhealth@cornell.edu">cornellhealth@cornell.edu</a>
<b>Counseling and Psychiatry (for any university community member)</b>	Empathy, Assistance and Referral Service (EARS)	(607) 255-3277	<a href="mailto:ears@cornell.edu">ears@cornell.edu</a>
<b>LGBT+ Health and Sexuality</b>	LGBT Resources Center	(607) 254-4907	<a href="mailto:lgbtrc@cornell.edu">lgbtrc@cornell.edu</a>
<b>Reporting Criminal Behavior</b>	Cornell University Police Department (CUPD)	(607) 255-1111	<a href="mailto:cu_police@cornell.edu">cu_police@cornell.edu</a>
<b>Sexual Harassment</b>	Title IX Office	(607) 255-2242	<a href="mailto:TitleIX@cornell.edu">TitleIX@cornell.edu</a>
<b>Support for Faculty and Staff</b>	Faculty and Staff Assistance Program (FSAP)	(607) 255-2673	<a href="mailto:fsap@cornell.edu">fsap@cornell.edu</a>
<b>Women's Health and Sexuality</b>	Women's Resources Center	(607) 255-0015	<a href="mailto:wrc@cornell.edu">wrc@cornell.edu</a>

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### CONTACTS – WEILL CORNELL MEDICINE CAMPUSES

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Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

*Contacts, Weill Cornell Medicine Campuses*

Subject	Contact	Telephone	Email/Web Address
<b>Policy Clarification and Interpretation</b>	Human Resources Vice Dean	(646) 962-3734	<a href="mailto:anc2035@med.cornell.edu">anc2035@med.cornell.edu</a>
	Associate Dean, Student Affairs (medical students)	(212) 746-1058	<a href="mailto:daz9001@med.cornell.edu">daz9001@med.cornell.edu</a>
	Assistant Dean, Student Affairs (graduate students)	(212) 746-1058	
	Associate Dean, Office of Diversity & Inclusion	(212) 821-0870	<a href="mailto:elo2010@med.cornell.edu">elo2010@med.cornell.edu</a>
<b>Counseling and Psychiatry (for students)</b>	Student Mental Health	(212) 746-5775	<a href="mailto:counseling@med.cornell.edu">counseling@med.cornell.edu</a> <a href="mailto:rafriedm@med.cornell.edu">rafriedm@med.cornell.edu</a>
<b>Counseling and Psychiatry (for any WCM community member)</b>	Employee Assistance Program (EAP)	(212) 746-5890	<a href="mailto:eapc@med.cornell.edu">eapc@med.cornell.edu</a>
<b>Sexual Harassment</b>	Title IX Office	(212) 746-9915	<a href="mailto:jdifede@med.cornell.edu">jdifede@med.cornell.edu</a>

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## DEFINITIONS

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These definitions apply to terms as they are used in this policy.

<b>Consensual Relationship</b>	A romantic and/or sexual relationship willingly undertaken by the parties.
<b>Faculty</b>	An academic title-holder 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.
<b>Position of Authority</b>	<p>Any position that exercises authority over students or postgraduates, including, but not limited to a:</p> <ul style="list-style-type: none"><li>• Course instructor, course grader, or teaching assistant for a course, training or program attended by a student or postgraduate.</li><li>• Principal investigator or other supervisor in laboratory or research project.</li><li>• Special committee member or other position of evaluation, including academic, dissertation, research or thesis advisor.</li><li>• Supervisor of student employed on campus (work-study or otherwise).</li><li>• Member of a student athlete's coaching staff.</li><li>• Residential life staff member in a student's living unit.</li><li>• Director or associate director of a degree program, field, laboratory, research group, or center.</li><li>• Chair or associate chair of a department.</li><li>• Dean, associate dean, or any other position that makes decisions that affect a student or postgraduate's academic or professional progress.</li><li>• Faculty member in a graduate student's field or degree program who has direct academic authority or is likely to exercise direct academic authority in the graduate student's future.</li></ul> <p>◆ <b>Note:</b> Position titles and responsibilities may differ from those on the list above, for clarification on whether authority may exist, contact the Academic HR Office.</p>
<b>Postgraduate</b>	A post-doctoral fellow, post-doctoral associate, visiting critic, or visiting fellow; veterinary intern or resident; or medical intern, resident, or fellow.
<b>Student</b>	Any undergraduate student, graduate student, high school student, student intern, or other individual engaged in an educational or academic program at Cornell.

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## RESPONSIBILITIES

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The major responsibilities each party has in connection with this policy are as follows:

<b>All University Community Members</b>	Refrain from exercising academic or professional authority over any student or current postgraduate with whom the authority has, or has had, a sexual or romantic relationship.
<b>Faculty Member or Other in Position of Authority</b>	Disclose existing relationships, as directed under this policy, to Academic HR. Refrain from engaging in a sexual or romantic relationship with any undergraduate student, regardless of department, school, or college affiliation. Refrain from engaging in a sexual or romantic relationship with a student or postgraduate over whom the individual exercises direct authority, or is likely to in the foreseeable future.
<b>Office of Academic Human Resources (Academic HR)</b> (For Weill Cornell Medicine, all references to "Academic HR" will refer to Weill Cornell Human Resources ("WCM HR"))	Serve as primary resource to the university community for guidance and enforcement of this policy. Receive disclosures of relationships, as required by this policy. In consultation with appropriate campus colleagues, determine whether recusal plans are necessary. Assist in the development of recusal plans, where appropriate.

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## PRINCIPLES

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### Overview

As an institution where any person can find instruction in any study, Cornell demands ethical behavior from all who are engaged in its mission of learning, discovery, and engagement. Every person should have the freedom to pursue academic, training, research, and professional interests in an environment without preferential or unfair treatment, discrimination, harassment, bias or coercion. Romantic or sexual relationships between faculty members or others in positions of authority over students and postgraduates can jeopardize the integrity of that mission for the individuals involved and for those around them.

Even where they are fully consensual, romantic or sexual relationships between students and postgraduates and the faculty members or others in positions of authority over them can affect more than just the parties in the relationship:

- They can harm the overall academic environment by compromising professional judgment and impartiality then and in the future, affecting grading, distribution of resources, academic or professional recommendations, and more.
- They often undermine collegial dynamics among the students and postgraduates themselves because of rumored or actual favoritism.
- They can tarnish the academic reputation of the faculty members or others in position of authority and of the university itself.
- They can lead to complaints of harassment and other legal claims.

Regardless of their outcome, relationships between students and postgraduates and the faculty members or others in positions of authority over them can linger within the careers of all parties, potentially driving the student from a discipline or hampering the student's academic and professional progress.

### Terminology and Scope

This policy is about sexual and romantic relationships that are consensual and have a dynamic that involves power imbalance. This means that one individual in the relationship (the person in a position of authority) can or could influence the academic or professional progress of the other (the person in the subordinate role). The principal but not exclusive focus of this policy is on faculty and student/postgraduate relationships.

University Policy 6.4, Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct, addresses bias, discrimination, harassment, and sexual and related misconduct. Some situations may implicate both this policy and University Policy 6.4. The university has the discretion to determine which policy and



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### PRINCIPLES, continued

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procedures best apply to a situation; and it will notify affected parties promptly regarding the applicable policy and as relevant, procedures.

#### **Prohibited Relationships**

Romantic or sexual relationships between faculty members or others in positions of authority and students and post-graduates are prohibited under the following provisions:

##### Provision 1

Any member of the Cornell community who has, or has had, a sexual or romantic relationship with a student or postgraduate is prohibited from exercising academic or professional authority over that student or postgraduate.

##### Provision 2

Sexual or romantic relationships between faculty members and undergraduate students are strictly prohibited regardless of the department, school, or college affiliation of either party.

##### Provision 3

Sexual or romantic relationships are prohibited whenever a faculty member or other individual holds a position of authority over the student or postgraduate or is likely to do so in the foreseeable future.

#### **Relationships Which are not Prohibited, but Which Require Disclosure**

Because a graduate or professional student's educational pursuits may evolve and that student may become academically aligned with a large number of faculty members or others who are affiliated with the same graduate field or degree program, the university discourages all intra-field/degree program relationships that are romantic or sexual in nature. When a romantic relationship develops under these circumstances that may not directly violate Provisions 1-3 above, it is nonetheless important that the faculty member or other person in authority promptly discloses the relationship to Academic HR and that an appropriate recusal plan is developed.

#### **Other Relationships Requiring Disclosure**

Additionally, faculty members or others in positions of authority must disclose a sexual or romantic relationship with a student or postgraduate under any of the following circumstances:

- A relationship existed prior to either or both parties coming to Cornell
- There is a sexual or romantic relationship between a faculty member or other in a position of authority and a student or postgraduate, and both parties are

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### PRINCIPLES, continued

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affiliated with the same graduate field or degree program but have no academic or working relationship with one another and do not expect to in the future

- An individual finds him or herself in a relationship that is otherwise in violation of this policy.

Promptly disclosed relationships in violation of this policy will be handled on a case-by-case basis by Academic HR, with a focus on protecting the student's/postgraduate's educational and professional opportunities and addressing conflict of interest concerns for all parties. Prompt and honest disclosure is the only method to mitigate such violations of this policy, but does not provide immunity from discipline for violations.

◆**Note:** If clarification is desired regarding whether a relationship requires disclosure, contact Academic HR.

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# PROCEDURES, ITHACA-BASED LOCATIONS AND CORNELL TECH

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### The Disclosure Process

The Academic Human Resources Office (Academic HR), which is an important part of the disclosure process, is a section within the Division of Human Resources serving as the primary resource to the university community for guidance and enforcement of this policy.

The purpose of disclosure is to set in motion a Recusal Plan that protects the individuals involved and the university environment. The individual in a position of authority is responsible for disclosure, and that individual should inform the student or postgraduate beforehand. Students and postgraduates are not obligated to inform Academic HR of prohibited relationships or those requiring disclosure. However, any party may make the disclosure.

◆**Note:** Any party with knowledge of a prohibited relationship may make a disclosure to Academic HR.

◆**Note:** After any disclosure, Academic HR will first contact and notify the parties in the relationship.

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 Academic HR). Thus, a graduate student working in a laboratory or serving as a teaching assistant in a course must disclose the potential for conflict of interest to the director of the laboratory or to the faculty member who is teaching the course. The individual and the supervisor must develop a Recusal Plan and promptly seek approval of the plan from Academic HR.

If a student or postgraduate has any concern that a relationship may be impacting his or her educational or employment environment, the Title IX office and Academic HR can offer guidance and resources. Faculty members and other employees who are aware of a relationship in violation of this policy are encouraged to disclose that information to Academic HR. The Dean of the Faculty is an advisory resource along with Academic HR for those seeking guidance on whether to report a suspected policy violation.

Disclosures reveal personal and potentially private information. The university will carefully consider the privacy and other interests of persons affected by disclosures when taking action under this policy.

## POLICY 6.3 Consensual Relationships

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### PROCEDURES, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

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#### **The Recusal Plan**

When a disclosure is made, Academic HR, in consultation with appropriate campus colleagues (department chair, college human resources, dean of the faculty, etc.), will develop a Recusal Plan or determine that one is unnecessary. The Recusal Plan identifies and addresses conflict of interest and other problems inherent in relationships where one individual has authority over another. The Recusal Plan identifies the individuals responsible for its enforcement and the terms for its review and as necessary, renewal. The plan will also specify the individuals (in the department, lab, or other environment) who will be advised of the plan. Academic HR will contact the student or postgraduate in order to inform them of the disclosure, to seek their input on the proposed Recusal Plan, and to advise them of relevant resources. The Plan should be approved and signed by both parties. It will be filed at Academic HR and in the college or unit HR office.

#### **Violations of this Policy**

Violations of this policy include: failure to make a required disclosure in a timely manner, failure to adhere to a Recusal Plan, participation in a prohibited relationship, and retaliation against any person who, while acting in good faith, provides information about a suspected violation of this policy.

Pursuant to this policy, all reports of allegedly **nonconsensual** relationships will be referred to the Title IX Office.

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. Academic HR serves as the point of contact for complaints regarding and investigation of, alleged violations of this policy. In consultation with the dean of the faculty and university counsel, the office will develop and publish protocols and procedures to implement this policy. This policy will be implemented consistent with existing human resources and disciplinary processes for faculty and staff.

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## PROCEDURES, WEILL CORNELL CAMPUS UNITS

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### **The Disclosure Process**

If a WCM student or postgraduate has any concern that a relationship may be impacting his or her educational or employment environment, the associate dean, student affairs or associate dean, graduate school (hereinafter referred to as “associate dean”) and the WCM HR office can offer guidance and resources. Faculty members and other employees who are aware of a relationship in violation of this policy are encouraged to disclose that information to the WCM HR. The associate dean is an advisory resource along with WCM HR for those seeking guidance on whether to report a suspected policy violation.

If a WCM student or postgraduate is the individual in a position of authority (for example because of laboratory or other supervisory role over another student), then timely disclosure should be made to the individual’s supervisor (or the associate dean or WCM HR). Thus, a graduate student working in a laboratory must disclose the potential for conflict of interest to the director of the laboratory or to WCM HR. The individual and the supervisor should develop a Recusal Plan and promptly seek approval of the plan from WCM HR.

Disclosures reveal personal and potentially private information. The medical college will carefully consider the privacy and other interests of persons affected by disclosures when taking action under this policy.

### **The Recusal Plan**

When a disclosure is made, WCM HR, in consultation with appropriate campus colleagues (department chair, associate dean, vice dean, etc.), will develop a Recusal Plan or determine that one is unnecessary. The Recusal Plan identifies and addresses conflict of interest and other problems inherent in relationships where one individual has authority over another. The Recusal Plan identifies the individuals responsible for its enforcement and the terms for its review and as necessary, renewal. The plan will also specify the individuals (in the department, lab, or other environment) who will be advised of the plan. WCM HR will contact the WCM student or postgraduate in order to inform them of the disclosure, to seek their input on the proposed Recusal Plan, and to advise them of relevant resources. The Plan should be approved and signed by both parties. It will be filed in WCM HR.

### **Violations of this Policy**

Violations of this policy include: failure to make a required disclosure in a timely manner, failure to adhere to a Recusal Plan, participation in a prohibited relationship, and retaliation against any person who, while acting in good faith, provides information about a suspected violation of this policy. Pursuant to this policy, all reports of allegedly nonconsensual relationships will be referred to the associate dean. The medical college may take disciplinary action as appropriate if an individual

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### PROCEDURES, WEILL CORNELL CAMPUS UNITS, continued

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is found to have violated this policy. Violations of this policy are subject to discipline up to and including termination or expulsion. WCM HR serves as the point of contact for complaints regarding and investigation of alleged violations of this policy. In consultation with the vice dean and university counsel, may develop and publish protocols and procedures to implement this policy.