



AMERICAN
UNIVERSITY
OF BEIRUT

Mediterraneo

CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS POLICY

TABLE OF CONTENTS

Policy Statement	3
Purpose	3
Scope	3
Who Should Read this Policy Document?	3
Definitions	3
Responsibilities	4
Jurisdiction and Scope of Applicability	5
Relationships Giving Rise to Actual or Perceived Conflicts of Interest or Abuse of Power	5
1. Sexual or romantic relationship.....	5
2. Consensual sexual or romantic relationships	5
Prohibited Sexual or Romantic Relationships	6
1. Sexual or romantic relationships involving undergraduate Students.....	6
2. Relationships involving academic, professional, or evaluative authority	6
Disclosure Obligations and Recusal	7
Violations of this Policy	8
Disciplinary Actions	8
Confidentiality	9
Prohibition Against Retaliation	9
Disclosure Procedure	10
1. Self-disclosure	10
2. Submission of a complaint by a third party	11

POLICY STATEMENT

In accordance with the AUB Mediterraneo 's Principles of Ethical Conduct, a policy was developed to regulate consensual relationships that may give rise to a conflict of interest, to actual or apparent favoritism, negative bias, or exploitation. Accordingly, members of the AUB Mediterraneo community are prohibited from exercising academic, professional, supervisory, or evaluative authority over any individual with whom they currently have or in the past had a sexual or romantic relationship. Consensual relationships that do not involve any academic, professional, supervisory or evaluative authority are not prohibited by this policy, except when they involve undergraduate Students.

PURPOSE

The aim of this policy is to promote safe, respectful and ethical work and academic environments that are free from conflict of interest, exploitation, favoritism, and negative bias.

SCOPE

University-Wide ☒ OR Departmental ☐ Specify Department(s):

WHO SHOULD READ THIS POLICY DOCUMENT?

AUB Mediterraneo Officers, faculty, academic appointees, staff, and Students (as defined in this policy) located on the University campus, or any other facility or program affiliated with the University.

DEFINITIONS

Capitalized terms shall have the meaning attributed to them below:

- **AUB Mediterraneo Employees** refer to Faculty Members, academic appointees and Staff Members.
- **Academic, Professional, Or Evaluative Authority** refers to teaching, advising, supervising research, serving on a dissertation or other academic committee, grading, mentoring, coaching, participating in decisions on academic status, managing teaching assignments, writing a letter of reference or otherwise recommending for admission, employment, fellowships, or awards, overseeing and/or having influence upon funding and/or academic progress, otherwise supervising the work of, and/or otherwise occupying a position of influence or power over another individual's academic program, academic research, academic opportunities, or employment at AUB Mediterraneo.
- **Complaint** refers to a formal notification, either orally or in writing alleging a violation under this Policy or belief that violation of the policy has occurred. A complaint is handled following the procedures section of this Policy.

- **Consensual Relationships** refer to romantic or sexual relationships willingly undertaken by the parties.
- **Faculty Member** refers to an individual serving on an academic appointment and who is typically responsible for teaching, research or service. Faculty members may hold different titles in accordance with University policies and practices.
- **Academic Appointee** refers to an individual serving on an academic appointment and who is typically responsible for delivering duties related to academics or providing assistance in those duties.
- **Officer** refers to a member of the University leadership team and includes without limitation: the president, the rector, the University auditor and the deans.
- **Retaliation** refers to any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy.
- **Staff Member** refers to an individual serving on a non-academic appointment, and who is typically responsible for administrative duties. Staff include without limitation regular employees, temporary employees, fixed-term contract employees, seasonal employees, and any other type of employees as described in relevant policies.
- **Student** refers to an individual enrolled full-time or part-time in any program at AUB Mediterraneo, and may be continuing education, undergraduate, graduate, postgraduate, visiting, non-degree, graduate teaching assistant, graduate research assistant, graduate administrative assistant. A Student's status as "Student" ceases at the time the Student graduates or otherwise separates from his or her educational program at AUB Mediterraneo.
- **Recipient** refers to the final person being notified of a self-disclosure or complaint and includes the superior, chair of the department, Dean, Director of Unit/Office, Rector, Human Resources Officer, and Title IX Coordinator.
- **Undergraduate Students** refer to all students who are enrolled full-time or part-time and may be majorless, freshman or enrolled in any bachelor degree level program at AUB Mediterraneo.

RESPONSIBILITIES

Inquiries regarding Consensual Romantic and Sexual Relationships may be directed to the Title IX Coordinator. The Office of the Rector maintains a resource page on Consensual Romantic and Sexual Relationships at www.aubmed.ac.cy/titleix.

JURISDICTION AND SCOPE OF APPLICABILITY

The policy is applicable to Officers, faculty, academic appointees, staff, and Students (as defined in this policy), located on the University campus, as well as all affiliated programs or facilities associated with AUB Mediterraneo.

RELATIONSHIPS GIVING RISE TO ACTUAL OR PERCEIVED CONFLICTS OF INTEREST OR ABUSE OF POWER

- (A) AUB Mediterraneo's Principles of Ethical Conduct establish, among other things, that all members of the AUB Mediterraneo community are expected to treat others with impartiality, avoiding favoritism or negative bias; to refrain from abusing authority or power over others; and to initiate action to correct behavior inconsistent with these Principles when they occur.
- (B) In accordance with these principles, AUB Mediterraneo places limits on certain consensual sexual or romantic relationships that may give rise to a conflict of interest or to actual or apparent favoritism, negative bias, or abuse of authority or power.
- (C) Attempts to pursue, initiate, or engage in certain consensual sexual or romantic relationships that may give rise to a conflict of interest or to actual or apparent favoritism, negative bias, or abuse of authority or power are also covered by this policy.

1. Sexual or romantic relationship

- 1. A sexual relationship is a relationship that involves physical intimacy or sexual activity, whether casual or serious, short or long term, and whether or not consensual. A single sexual encounter is considered a sexual relationship under this policy.
- 2. A romantic relationship is a relationship that involves emotional intimacy or other passionate attachment characterized by romantic love, whether casual or serious, short or long term, and whether or not consensual. The relationship does not have to include physical intimacy if a romantic relationship exists that is beyond the reasonable boundaries of a collegial or professional relationship.
- 3. If there is any doubt whether a relationship or conduct falls under this policy, individuals should seek guidance from the Title IX Coordinator.

2. Consensual sexual or romantic relationships

- 1. Consensual sexual or romantic relationships are usually sexual or romantic relationships to which mutual consent is given.
- 2. Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires from both persons an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to

ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence, do not alone constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or a subsequent dating relationship alone suffice as evidence of consent to prior conduct).

3. This policy applies to consensual romantic and/or sexual relationships between individuals of the same sex or of the opposite sex and applied regardless of which individual initiates the relationship.

PROHIBITED SEXUAL OR ROMANTIC RELATIONSHIPS

1. Sexual Or Romantic Relationships Involving Undergraduate Students

1. Sexual or romantic relationships between Faculty Members, academic appointees, Or Staff Members on one hand and Undergraduate Students on the other hand are specifically prohibited. This policy applies regardless of whether the Faculty Member, academic appointee, or Staff Member exercises Academic, Professional, Or Evaluative Authority over the Undergraduate Student.
2. The particular vulnerability of Undergraduate Students (attributed to the age, experience, and relative disparity of maturity) and the inherent power differential between faculty, academic appointees, or staff and those Students undermines the possibility of meaningful consent. Such relationships introduce dynamics that detract from the educational mission of the University.

2. Relationships involving academic, professional, or evaluative authority

1. Faculty Members, academic appointees, Staff Members, and Students (as defined in this policy) are prohibited from exercising Academic, Professional, Or Evaluative Authority over any individual with whom they have current or had a prior sexual or romantic relationship.
2. Sexual or romantic relationships have inherent dangers when they occur between any AUB Mediterraneo Faculty Member, academic appointee, Staff Member, or Student and any person over whom he/she has Academic, Professional, Or Evaluative Authority, e.g., as a teacher, advisor, preceptor, or supervisor. Such relationships are fundamentally asymmetric because, among other things, they may create an impression within the AUB Mediterraneo community of inappropriate or inequitable academic or professional advantage or favoritism that can be destructive to the learning or working environment.
3. Depending on the circumstances, such relationships also may be considered an abuse of authority. These relationships may also affect others in the work or academic environment, undermining the integrity of their supervision and evaluation.

4. These concerns exist even when the relationship is considered consensual by both individuals. In some instances, consent may not be as freely given as the more senior person in the relationship believes. In addition, consent may change, and relationships may end, with possible adverse effects on the more junior party's education or career.
5. Faculty Members who engage in a sexual or romantic relationship with Students, or supervisors who engage in a sexual or romantic relationship with employee or Students, where professional power differentials exist must realize that if a Complaint of sexual harassment is subsequently submitted, it may be extremely difficult to prove mutual consent.
6. When sexual harassment is alleged (because for example, one party to the relationship wishes to terminate the relationship to the other party's objection) as the result of a sexual or romantic relationship, the existence of the relationship is not by itself a violation of the Policy on Sexual Harassment. However, the apparent consensual nature of the relationship is inherently suspect due to the fundamental asymmetry of power in the relationship, and it thus may be difficult to establish consent as a defense to such a charge. Even when both parties consented at the outset to a sexual or romantic involvement, this past consent does not preclude a charge or subsequent finding of sexual harassment based upon subsequent unwelcome conduct.
7. Irrevocably, all members of the AUB Mediterraneo community should be aware of power asymmetries in their relations with others. What constitutes "power" may vary across contexts and individuals.

DISCLOSURE OBLIGATIONS AND RECUSAL

- (A) A Faculty Member, academic appointee, Staff Member, or Student must promptly disclose to his or her supervisor, chair, dean, head of unit, rector, Human Resources Officer, or the Title IX Coordinator the existence of a current or prior sexual or romantic relationship, accompanied by the exercise of Academic, Professional, Or Evaluative Authority, and cooperate in implementing the recommended alternative instructional and supervisory arrangements recommended by the Recipient of the disclosure. A self-disclosure is made following the procedure's section of this policy document.
- (B) Faculty Members, academic appointees, Staff Members, and Students should be also sensitive to the possibility that he or she may unexpectedly in the future be placed in a position of responsibility for that individual's instruction, supervision, or evaluation, and should accordingly comply with any disclosure obligations as soon as practicable upon receiving instructive, supervisory, or evaluative authority over the individual.
- (C) Examples of relationships that require disclosure:
 - Coach and athlete,
 - Graduate Teaching Assistant for class X and a Student in class X,
 - Chair of a Department and a Faculty Member in the same Department.
- (D) In all listed and potential examples, sexual and/or romantic relationships are prohibited when one of the two parties in the relationship retains academic, professional or evaluative authority over the other party.

- (E) Considering that consent may change and relationships may end, any or both parties concerned may also disclose information pertaining to the termination of their relationship by either or both parties in the relationship.
- (F) Additionally, should a Faculty Member, academic appointee, Staff Member, or Student member enter into a sexual or romantic relationship with an individual over whom he or she has or can reasonably foresee having Academic, Professional, Or Evaluative Authority, he or she shall promptly act to recuse himself or herself from all academic and professional decisions and activities affecting the individual. It will not be considered a violation of this policy if the Faculty Member, academic appointee, Staff Member, or Student in the position of greater authority promptly recuses him or herself from any role with academic, professional or evaluative authority over the other party, and discloses the relationship to his or her supervisor, chair, dean, other head of unit, or Title IX Coordinator. If after consultation with the Title IX Coordinator, the Recipient of the disclosure determines that a simple recusal will eliminate the conflict of interest (e.g., recusing oneself from a single tenure committee decision), no further action is required.

VIOLATIONS OF THIS POLICY

- (A) A Faculty Member, academic appointee, or Staff Member who engages in a Consensual Relationship with an Undergraduate Student will be subject to disciplinary actions. If a violation is found, disciplinary actions may be imposed pursuant to the [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#).
- (B) If a Faculty Member, academic appointee, Staff Member, or Student fails to disclose a relationship that is required to be disclosed under this policy, or fails to recuse themselves from all academic and professional decisions and activities affecting the individual with whom they have a romantic or sexual relationship in accordance with this policy, AUB Mediterraneo may, on discovering it, take all necessary steps to ensure compliance with this policy, including where appropriate, disciplinary action. If a violation is found, disciplinary actions may be imposed pursuant to the [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#).
- (C) Complaints regarding violations of this policy may be brought by any person, including members of the AUB Mediterraneo community who have been aggrieved by the relationship in question, including a third party, will be investigated and resolved, in accordance with the [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#).

DISCIPLINARY ACTIONS

Disciplinary actions for violating AUB Mediterraneo's policies concerning Consensual Sexual or Romantic Relationships are stringent and may reach up to the termination

of employment and/or tenure and expulsion from educational programs depending on the nature of and context for the violation.

CONFIDENTIALITY

- (A) In order to encourage AUB Mediterraneo Employees and Students to self-disclose Consensual Relationships prohibited under this policy, the University will maintain the confidentiality of the disclosure and privacy of the persons involved to the greatest extent possible and to the extent permitted by law.
- (B) All information received in connection with the recommended appropriate alternative supervisory or evaluative arrangements and / or disciplinary actions will be treated as confidential to the greatest extent possible, except when deemed necessary for the planning and/or implementation of the recommended arrangements. All AUB Mediterraneo members involved in the arrangement process should observe the same standard of discretion and respect for the reputation of everyone involved.
- (C) It should be understood that the dissemination of documents relating to a disclosure, other than what is necessary to pursue grievances in accordance with the [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#), including Sexual Harassment is prohibited and may lead to disciplinary action.
- (D) AUB Mediterraneo's personnel, such as Human Resources staff, the Title IX Coordinator, and the Recipient of the disclosure, will maintain the confidentiality of documents relating to the disclosure, the existence of the relationship, as well as any alternative supervisory arrangement except to the extent disclosure of these alternative arrangements are necessary for their implementation. AUB Mediterraneo, however, cannot and does not impose a confidentiality restriction, such as a gag order, on third parties and others in the AUB Mediterraneo community with respect to discussions about the existence of a Consensual Relationship covered by this policy.

PROHIBITION AGAINST RETALIATION

- (A) AUB Mediterraneo prohibits Retaliation against individuals who, in good faith, complain about, report, or assist others in reporting non-compliance with the university policy concerning Sexual or Romantic Relationships. AUB Mediterraneo also prohibits Retaliation against any person who provides evidence or otherwise participates in the resolution of a Complaint under this policy.
- (B) These prohibitions include Complaints brought to law enforcement or governmental bodies or participation in related proceedings outside of the University.
- (C) Retaliation includes, but is not limited to, any action, statement or behavior that is designed to punish an individual for complying with the notification requirements or making a Complaint, or to deter an individual from making or pursuing a Complaint.

- (D) Retaliatory conduct may include, but is not limited to, threats, intimidation, reprisals, and/or adverse actions affecting employment, education, or quality of life. It does not include petty slights or annoyances.
- (E) Reports of non-compliance with university policies that are made in good faith, even if the allegations ultimately do not lead to a finding that a policy was violated, are not considered Retaliation.
- (F) Allegations of Retaliation will be investigated separately through a new investigation following the Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment.
- (G) Those who believe that they have experienced retaliatory action should inform the Title IX Coordinator for guidance on how to proceed.

DISCLOSURE PROCEDURE

1. Self-Disclosure

1. The person involved in consensual sexual or romantic relationships with whom he/she has or can reasonably foresee having Academic, Professional, Or Evaluative Authority or conflict of interest is expected to make a timely disclosure of the connection to his or her superior, department chair, dean, or head of unit.
2. The self-disclosure may also be directly submitted to the:
 - (i) Office of the Rector (for relationships involving faculty), or
 - (ii) Human Resources for relationships involving staff or academic appointees, or
 - (iii) Title IX Office.
3. A Disclosure Form should be filled for that purpose.
4. The Recipient of the disclosure shall directly forward the disclosure to the Title IX Coordinator for follow-up.
5. The Title IX Coordinator shall confirm the disclosure information with the other party in the relationship.
6. If the other party denies the information, the Title IX Coordinator would decide, following an inquiry, whether alternative arrangements are still needed.
7. If the other party confirms the information, the Title IX Coordinator informs the Recipient of the disclosure, who in consultation with the Title IX Coordinator, take steps to eliminate or manage the potential conflict of interest or abuse of authority. The goal is to put in place adequate alternative supervisory or evaluative arrangements that are fair to the subordinate party and also to their colleagues or peers. Appropriate alternative arrangements will vary depending on the specifics of the relationship and the context.
8. Examples of alternative arrangement include (among others):
 - assigning responsibility for evaluating the academic or professional performance of the Student or subordinate to a different faculty, academic appointee, or Staff Member.

- direct evaluation or supervision by someone at or above the level of the senior person in the relationship, or by someone in a different line of authority.
 - changing work responsibilities/duties
9. If it occurs that a Student is required to complete a course, as part of degree requirements, that is only taught by a person with whom the Student is on a consensual sexual or romantic relationship or in which the only teaching assistant is on a consensual sexual or romantic relationship with the Student; the Dean of the Faculty in which the Student is enrolled, may in his or her discretion, allow the Student to take the course, so long as the conflict has been disclosed and arrangements have been made for a person apart from the concerned instructor or teaching assistant, to evaluate and grade the Student's work, provided such arrangements are feasible for the course involved.
 10. If the recommended arrangements will result in changing the duties/position of a faculty or Staff Member, the Title IX Coordinator shall be informed to coordinate the implementation of the recommended alternative arrangements with the Rector and/or to the Human Resources Officer. The Human Resources Department shall be notified of all such alternative arrangements.
 11. The parties concerned or one of them may also wish to disclose at a later stage, following the same process, information pertaining to the termination of the relationship by either or both parties in the relationship.
 12. Faculty Members, academic appointees, Staff Member, or Students are cautioned that initial consent to a relationship does not rule out a possible charge of discrimination or discriminatory harassment, including sexual harassment, at a later date. While being consensual at first, sexual or romantic relationships might at any time change and relationships may end, with possible adverse effects on the more junior party. Should a romantic or sexual relationship covered by this policy lead to a charge of discrimination, discriminatory harassment or sexual harassment against a Faculty Member, academic appointee, or Staff Member, AUB Mediterraneo will investigate and resolve the charge in accordance with the "Non-Discrimination and Anti-Discriminatory Harassment Policy" and the "Sexual Harassment Policy".

2. Submission Of A Complaint By A Third Party

A Complaint alleging a violation of this policy may be brought by any person, including members of the AUB Mediterraneo community who have been aggrieved by the relationship in question, including a third party, and such Complaints will be investigated and resolved, in accordance with the [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#).
