

30-6 Professional and Ethical Relationships

30-6-1 Purpose • 30-6-2 Policy • 30-6-3 Definitions • 30-6-4 Administration •
30-6-5 Complaints or Violations • 30-6-6 Sanctions • 30-6-7 Other Relevant System Policies

1. **Purpose.** The purpose of this policy and these procedures is to maintain the academic mission of Eastern New Mexico University System (the System), which is founded on mutual trust and respect in faculty-student and staff-student relationships. The System is committed to the integrity and objectivity of its faculty and staff in the performance of their duties, in a manner that supports the educational process and is free of any conflict of interest. The System supports the AAUP's *Statement on Professional Ethics* (1966, revised 1987, revised 2009). This policy applies to all faculty, staff and students or graduate students of the ENMU System and to others who participate in its programs and activities, whether on- or off-campus.
2. **Policy.** The general policies of the ENMU System regarding the consensual relations between faculty, staff and students are as follows:
 - A. No employee shall engage in conduct that invites or encourages a romantic or consensual relationship with a student or subordinate over whom the employee has instructional, supervisory or evaluative responsibility. This includes faculty, staff, graduate assistants, athletic coaches, supervisors of student employees, advisors and directors of student organizations, residence hall directors, and others who advise, mentor, or evaluate students.
 - B. A supervisor shall not exercise authority (teaching, supervising, evaluating or advising) over a subordinate with whom the supervisor is or has been involved in a consensual relationship. A superior should disclose a past consensual relationship to an immediate supervisor if the supervisor currently exercises authority over the subordinate and a conflict of interest could arise.
 - C. Even if the faculty, graduate assistants, or other System employees do not have supervisory or evaluative responsibility over a student, romantic or sexual relationships with students are still strongly discouraged and may be actionable.
 - D. System employees may develop relationships with other employees—both inside and outside of the workplace—as long as the relationships do not have a negative impact on their work or the work of others. Any relationship that interferes with the campus culture of teamwork, the harmonious work environment, or the productivity of employees will be addressed by applying progressive discipline up to and including employment termination. Adverse workplace behavior—behavior that negatively affects the workplace that arises because of personal relationships—will not be tolerated.
3. **Definitions**
 - A. For purposes of this policy, “subordinate” refers to students enrolled in any educational and training programs of the System or those under the supervision of a System employee.
 - B. For purposes of this policy, “instructional, supervisory or evaluative responsibility” includes the following activities (on or off campus): course teaching, examining, grading, advising for a formal project such as a thesis or research, supervising required research or other academic activities, serving in such a capacity as chair of an undergraduate or graduate program, or recommending in an institutional capacity on admissions, employment, fellowships, awards or other opportunities.

- C. For purposes of this policy, a “romantic or consensual relationship” means a relationship in which a superior and a subordinate are engaged by apparent mutual consent in a romantic or sexual relationship.

Procedures

4. **Administration.** The vice president for Academic Affairs (Portales/Ruidoso) or vice president for Academic and Student Affairs (Roswell) is the person designated by each campus to be responsible for administration of this policy in regards to faculty-students. For staff-student issues, the ENMU System Director of Human Resources shall be responsible for administration of this policy.
5. **Complaints or Violations.** Members of the System’s community who discern that violations of this policy have occurred may initiate a complaint to the appropriate administrative officer. All complaints or perceived violations will be investigated, and all parties involved will be interviewed. Complaints must be filed promptly and in no case later than one semester after the end of the semester or session in which the alleged violation occurred. Substantiated complaints will be forwarded to the campus president or System chancellor for action.
6. **Sanctions.** Violations of this policy will be considered misconduct on the part of the faculty or staff member. Depending on the misconduct, sanctions may take the form of a written warning or other sanction, up to and including termination of employment. Retaliation against a reporter of policy violation will not be tolerated.

Any faculty or staff member wishing to appeal his or her sanction can do so via the grievance procedures outlined in policy 40-12, Complaints and Grievances.
7. **Other Relevant System Policies.** This policy is independent of the System’s policy prohibiting sexual harassment (80-12 -Title IX) and is not intended to preempt or supersede it.

Approved by Board of Regents, May 10, 2013
 Approved by Board of Regents, March 13, 2020