

Review History: Last reviewed by the Policy Review Committee 04/28/14.

ELIZABETH CITY STATE UNIVERSITY

Improper Relationships Between Students and Employees Policy

Preamble

Elizabeth City State University (ECSU) does not condone amorous relationships between students and employees. Members of the ECSU community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, ECSU prohibition and punishment of amorous relationships is deemed necessary: (1) when the employee is responsible for evaluating or supervising the affected student; (2) when the student is a minor, as defined by North Carolina law. The following policy shall apply to all employees and students of ECSU. To the extent that any provision of this policy conflicts with the University of North Carolina (UNC) policy, the UNC version shall control.

1. Prohibited Conduct

Under this policy, prohibited conduct is defined accordingly:

- A. Prohibited conduct is misconduct, subject to disciplinary action, for an ECSU employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law, or marriage.
- B. Prohibited conduct is misconduct, subject to disciplinary action, for an ECSU employee to engage in sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor below the age of 18 years.

2. Definition of Terms

Under this policy, the following terms are defined accordingly:

- A. **Amorous Relationship**
An amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.
- B. **Related by Blood, Law, or Marriage**
Related by blood, law, or marriage is defined below:
 - 1. Parent and child
 - 2. Brother and sister
 - 3. Grandparent and grandchild
 - 4. Aunt and/or uncle and niece and/or nephew
 - 5. First cousins
 - 6. Stepparent and stepchild

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7. Husband and wife
8. Parents-in-law and children-in-law
9. Brothers-in-law and sisters-in-law
10. Guardian and ward

C. Evaluate or Supervise

Evaluate or supervise means to assess, determine or influence (1) one's academic performance, program or potential or (2) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity; or to oversee, manage or direct one's academic or institutionally prescribed activities.

3. Corrective Action

A. EPA Employees

EPA employees will be governed by Section III.D. of the Employees Exempt from the State Personnel Act (EPA) Policy, if disciplinary action is warranted.

B. SPA Employees

SPA employees will be governed by the Disciplinary Action Procedures for SPA Employees policy located in Section 7 of the State Personnel Manual, if disciplinary action is warranted.

C. Faculty

Faculty matters will be handled by the Provost/Vice Chancellor for Academic Affairs, if disciplinary action is warranted on a case by case basis.

D. Students

Students will be governed by Article IV of the Student Government Association Constitution, if disciplinary action is warranted.