



PASADENA AREA COMMUNITY COLLEGE DISTRICT POLICY

Title: Conflicts of Interest Arising from Consensual Relationships

Policy No. 6022

Legal Authority: California Education Code Section 70902

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It is the policy of the Pasadena Area Community College District that consensual relationships between members of the College community are inappropriate if one individual has power or authority over another. Such relationships pose a potential conflict of interest when one person has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of another. Consequently, a Pasadena City College employee who enters into a consensual relationship with someone over whom he or she has authority (e.g. direct or indirect supervisory, decision-making, oversight, evaluative, or advisory responsibility) shall take effective steps to remove himself or herself from any professional decisions concerning that individual as soon as practicable.

This policy addresses potential conflicts of interest situations applicable to all members of the College community: faculty and other academic personnel, students, managers, classified staff, and Board members.

PASADENA AREA COMMUNITY COLLEGE DISTRICT

PROCEDURES

For Policy No. 6022

Title: Conflicts of Interest Arising from Consensual Relationships

Procedure No. 6022.10

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The perceived potential for conflicts of interest created by consensual relationships is of serious concern to the College. These relationships may lead to charges of sexual harassment that violate College policy. Consensual relationships may lead to an abuse of power, coercion, exploitation, or unfair treatment of others.

1. Definition of Consensual Relationship

A consensual relationship, for purposes of this policy, is defined as one in which two individuals are involved by mutual consent in a romantic, physically intimate, and/or sexual relationship. A consensual relationship that might be appropriate in other circumstances is inappropriate when it occurs between members of the College community if one individual has power or authority over the other.

The College recognizes that a consensual relationship may exist prior to the time an individual is assigned to a supervisor. An individual shall not accept direct authority over someone with whom she or he has a consensual relationship. However, an individual may accept direct authority over someone with whom he or she had (but no longer has) a consensual relationship preceding the assignment, provided appropriate actions are taken to mitigate the potential conflict of interest, including obtaining the agreement of the individual's supervisor and the agreement of the other person involved in the relationship.

2. Types of Consensual Relationships Subject to this Policy

Examples of consensual relationships subject to this policy include, but are not limited to, the following types of relationships:

- a. Between supervisor and supervisee
- b. Between faculty and students
- c. Between academic managers and faculty

3. Prohibited Relationships Between Students and members of the College Community

In addition to the concern over the potential for conflicts of interest arising out of consensual relationships, the College has a special responsibility towards students as members of the College community. The academic success of students is central to the College's Mission. The unequal institutional power inherent between students and particular members of the College community must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the College. Accordingly, relationships of the following nature are strictly prohibited:

- a. Between an academic manager and any student with whom the manager is required to interact in an official capacity.
- b. Between an instructor, coach, counselor, or individual in any other position of instructive, evaluative, or advisory authority over students and any student for whom the instructor, coach, counselor, or individual has direct instructive, evaluative, or advisory authority.
- c. Between a direct supervisor and a student.

Exceptions to the above restrictions may be approved by the College President, in consultation with the President of the Academic Senate, Classified Senate, or Management Association, as appropriate, in extraordinary circumstances.

4. Failure to Comply with this Policy
Failure to comply with this policy may result in disciplinary action. Violations of this policy may be addressed through existing District policies or negotiated agreements for complaint resolution and/or disciplinary procedures as appropriate for faculty, student, staff, or management individuals.
5. Coordination with the Sexual Harassment Policy
Incidents that involve unwelcome conduct of a sexual nature may be a violation of the College's Sexual Harassment Policy and may be addressed through the processes outlined in that policy.
6. Education
The College President and the Area Vice Presidents shall provide educational opportunities for faculty, students, staff, and managers to promote an understanding of and compliance with this policy.