

Institutional Handbook of Operating Procedures Policy 03.02.05	
Section: Human Resources Policies	Responsible Vice President: Vice President Human Resources and Chief HR Officer
Subject: Consensual Relationships	Responsible Entity: Human Resources

I. Title

Consensual Relationships

II. Policy

A. The University of Texas Medical Branch at Galveston (“UTMB”) is committed to maintaining learning and work environments as free as possible from conflicts of interest and favoritism. UTMB recognizes that consenting adults should be free to conduct a personal relationship if they so wish when the relationship does not interfere with the goals and policies of UTMB. Some romantic, dating, and sexual relationships, although consensual, do create conflicts of interest. This policy addresses those consensual relationships.

B. This policy applies to all UTMB administrators, faculty, staff, and students. This policy is applicable regardless of the gender of the UTMB employee with supervisory, teaching, evaluation, or advisory authority or the gender of the employee, student, or student employee who is directly or indirectly supervised, taught, evaluated, or advised by the supervisory employee.

C. Consensual relationships (including a single occurrence), between a supervisor, including a faculty member (as defined below) and a supervisee, regardless of whether the supervisory relationship is direct authority or indirect authority, is prohibited, unless the supervisor discloses the relationship in advance and a management plan is implemented.

D. UTMB, in compliance with applicable federal laws and regulations, strives to maintain an environment free from discrimination against individuals on the basis of race, color, national origin, sex, age, religion, disability, sexual orientation, gender identity or expression, genetic information, or veteran status.

III. Procedure

A. Reporting Requirements

1. The [supervisor](#) must report a consensual relationship to the Dean/Director level administrator, or if there is not such an administrator, the appropriate Vice President and the Vice President of Human Resources. The supervisor must make the report prior to entering into the relationship. If a relationship exists, the supervisor must make a report prior to accepting supervisory authority.

2. The individuals receiving the report must immediately collaborate to attempt to manage the conflict of interest. If management of the conflict is not possible, the relationship is prohibited.

B. Management Plan

1. If the conflict can be managed, the Vice President of Human Resources will provide a management plan to the supervisor and supervisee within seven (7) business days of the report unless

there are reasonable grounds for additional time. A consensual relationship may not exist until the management plan is in effect. A management plan will:

- a. provide an alternative means for the supervision, teaching, advising, evaluation of the supervisee or otherwise mitigate the conflict;
- b. give priority to the interest of the subordinate individual;
- c. be written;
- d. be acknowledged and signed by the parties to the relationship; and
- e. be maintained by the Office of Human Resources.

C. Reporting Alleged Violations

Violations of this policy should be reported to the Vice President of Human Resources. An individual in a supervisory role who is notified of or becomes aware of an alleged violation of this policy must immediately report the information to the Vice President for Human Resources.

D. Investigation and Discipline

1. All complaints or reports of alleged violations of this policy will be investigated. If a policy violation has occurred, UTMB may take disciplinary action, up to and including termination.
2. If there is a complaint of sexual harassment about a relationship covered by this policy, and the relationship has not been disclosed and a management plan implemented, the burden is on the supervisor to explain the failure to comply with this policy. Such failure will be a factor in determining whether the relationship was consensual and free of sexual harassment. Complaints related to sexual harassment should be made to the Department of Internal Investigations.
3. Disciplinary action will be handled pursuant to UTMB's policies for discipline and dismissal of faculty or employees depending on the supervisor's status.

E. Campus Culture

1. The Vice President of Human Resources is responsible for disseminating the University Consensual Relationship Policy; developing annual workshops or presentations for faculty members, employees, and students that educate the campus community about this Policy;
2. The Provost and the Vice President of Human Resources are responsible for the following:
 - a. appointing faculty and staff members to promote the institutional stance against inappropriate employee/student relationships and to lead UTMB's effort to maintain this culture;
 - b. organizing meetings of campus administrators, faculty leadership, and student leadership to discuss the importance of establishing a climate in which consensual relationships between employees and students are unacceptable;
 - c. providing instruction to students during orientation to reinforce:
 - i. the student's responsibility in avoiding consensual relationships, and
 - ii. helping students understand the collateral damage that can result when such relationships occur.

F. Retaliation Prohibited

Retaliation of any kind against anyone for reporting a consensual relationship or for participating in any proceeding pursuant to this policy is prohibited.

G. Counseling

Confidential counseling services are available to employees through the Employee Assistance Program at (844) 872-59869 and to students through Student Counseling (409) 747-9508.

H. False Complaints

Any person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action, up to and including dismissal from UTMB.

IV. Definitions

Consensual Relationship – a romantic, dating, and/or sexual relationship agreed to by the parties involved.

Direct authority – The authority vested in an individual as a result of his/her immediate position of power over another. Examples include, but are not limited to: supervisor - supervised employee; faculty - enrolled student; faculty committee member - student submitting thesis; faculty mentor – student mentee; coach - coached athlete; Dean - supervised faculty.

Indirect Authority – Authority derived from an informal or indirect relationship which allows for determinations or evaluations affecting the terms and conditions of employment or student status. Examples include, but are not limited to: a student majoring in a particular field who would still be indirectly under the control or influence of a senior professor or individual in the department or school; an employee in the same organizational unit who is under the indirect control of all more senior individuals in the department; a graduate teaching assistant and a non-supervising department faculty member.

Management plan – A written plan developed as provided in this policy that mitigates the conflict and is acknowledged and signed by both parties.

Supervisor – A UTMB faculty member or employee who has direct or indirect supervisory, teaching, evaluation or advisory authority over an employee or student.

Supervisee – Any person whose terms and conditions of employment or student status are directly or indirectly controlled or affected by a supervisor.

V. Relevant System Policies and Procedures

[University of Texas System Policy, UTS 184 Consensual Relationships](#)
[University of Texas System Regents' Rules and Regulations, Rule 30105](#)
[Report of the UTS Task Force on Employee/Student Relationships, 12/12/13](#)

VI. Related UTMB Policies and Procedures

[IHOP - 03.02.04 - Sexual Misconduct](#)
[IHOP - 07.01.11 - Student Sexual Misconduct, Sexual Harassment, and Sexual Assault](#)

VII. Dates Approved or Amended

<i>Originated: 5/2/14</i>	
<i>Reviewed with Changes:</i>	<i>Reviewed without Changes</i>
8/18/15	
6/28/2016	
05/13/2025	

VIII. Contact Information

Human Resources
(409) 772-8696