Purpose

The purpose of this Policy is to minimize the risk of conflicts of interest arising from consensual relationships with subordinates or students, promote fairness, and protect all members of the University of Maryland, Baltimore (UMB) community from instances of real or perceived sexual harassment that may result from consensual relationships between UMB personnel and subordinates or students.

SCOPE: This Policy applies to all members of the UMB community (paid and unpaid), including all staff, faculty, students, and trainees.

Policy Statement

I. Prohibited Conduct of Persons in Consensual Relationships

A. Supervisors and Subordinates. No member of the UMB community in a leadership, management or supervisory position shall have a consensual romantic, dating, or sexual relationship with a subordinate he or she directly supervises or evaluates, or whose terms or conditions of employment he or she controls directly or indirectly. Terms and conditions of employment include promotion, renewal of appointments or contracts, termination, discipline, compensation, and work assignments.

B. Relationships with Students or Trainees. No member of the UMB community shall have a romantic, dating, or sexual relationship with a student or trainee whom he or she teaches, grades, evaluates, manages, supervises, or advises in any way.

C. Professional Conduct. Consensual relationships must not interfere with any employee's or student's professionalism. Sexual relations and sexual contact are strictly prohibited in workplace or academic facilities. Individuals in leadership, management, or supervisory positions are expected to conduct themselves with a high standard of professionalism in their workplace and social interactions with subordinates or students.

II. Disclosure Requirements and Exceptions
The University recognizes that some relationships subject to this Policy may already exist, and that others may come into existence in ways that are not the result of a conflict of interest or sexual harassment. For example, reporting relationships may change due to promotions, transfers, school enrollment, graduations, etc. An individual who has a relationship with a member of the UMB community that is addressed by this Policy is required to disclose the relationship in writing to the Chief Accountability Officer ("CAO") as soon as practical. Upon disclosure of the relationship, the individual may propose an acceptable alternative arrangement for the CAO’s consideration.

“Acceptable alternative arrangement” means an arrangement that removes any supervisory or evaluation responsibilities between the individuals or an individual’s control over the terms and conditions of employment of the subordinate individual involved in the relationship. An acceptable alternative arrangement should avoid negative consequences for the individual in the subordinate role. An individual may request an exception to this Policy from the CAO if an acceptable alternative arrangement is not feasible.

The CAO will consider and may modify a proposal for an acceptable alternative arrangement or grant an exception to this Policy. UMB retains discretion in its enforcement of this Policy and in the approval of acceptable alternative arrangements or exceptions.

Individuals who engage in prohibited consensual relationships (i.e., who do not disclose relationships covered by this Policy to the CAO and do not seek approval of and implement an acceptable alternative arrangement, or secure an exception to this Policy) are in violation of this Policy. Supervisors, including faculty supervisors, who obtain information that would lead a reasonable person to believe that this Policy has been violated, should report the alleged violation to the CAO.

III. Investigation, Corrective Action, and Discipline

A. Alleged violations of this Policy, including concerns of conflicts of interest, will be investigated by the CAO or designee.

B. A relationship covered by this Policy may result in the removal of a management or supervisory employee from his or her position or a reorganization of the reporting or academic relationship so that no conflict of interest exists.

C. Violations of this Policy or failure to adhere to an approved alternative arrangement or conditions of an exception may result in disciplinary action. Disciplinary action, up to and including termination from employment, will be considered as warranted by the circumstances and consistent with relevant University policies and procedures.

IV. Non-discrimination.

Decisions made under this Policy will be made based on operational, academic and business considerations and without regard to sex, race, color, religion, creed, age (40 and over), national origin, citizenship, physical or mental disability, military service or application, sexual orientation, gender identity and expression, or any other protected characteristic under federal or Maryland law.

Downloads

RELATD POLICIES:

II-4.00(A) Faculty Grievance Policy and Procedure

VI-1.60(A) UMB Policy on Sexual Misconduct

VII-8.00(A) Guidelines and Procedures on Grievances for Exempt and Nonexempt Staff Employees

RELATED POLICIES

UMB Faculty Grievance Policy and Procedure

UMB Policy on Sexual Misconduct

UMB Guidelines and Procedures on Grievances for Exempt and Nonexempt Staff Employees

USM Policy on Employment of Members of the Same Family (Nepotism)
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