	<b>Amorous Relationships Policy</b>	
	Amended by the Colorado School of Mines Board of Trustees July 15, 2016	Policy Contact: Title IX & Equity Compliance Office <a href="mailto:krcurran@mines.edu">krcurran@mines.edu</a>

## 1.0 BACKGROUND AND PURPOSE

This policy is promulgated by the Board of Trustees of the Colorado School of Mines (“Mines” or “the University”), pursuant to the authority conferred upon it by C.R.S. §23-41- 104(1). Through this policy, Mines outlines its expectations regarding amorous relationships between Mines’ community members. This policy shall govern if any of its provisions conflict with other Mines policies.

## 2.0 POLICY

**For the protection of all Mines community members, amorous relationships with inherent conflicts of interest and significant power differentials are prohibited unless and until the conflict of interest is disclosed AND removed.**

Even if both parties to the amorous relationship appear to have consented, if the parties are in unequal positions relative to one another, this may result in significant power differentials. The existence of a power differential may restrict the less powerful individual's choice to participate freely and willingly in the relationship due to actual or perceived coercion and/or retaliation. Mines considers there to be three categories of amorous relationships: a) those not subject to the restrictions below; b) those that are permitted with appropriate disclosure and conflict of interest monitoring; and c) those that are prohibited. The latter two are discussed below.


### 2.1 AMOROUS RELATIONSHIPS REQUIRING DISCLOSURE AND CONFLICT OF INTEREST MONITORING

If an amorous relationship between Mines community members does not have a current conflict of interest or power differential, but could reasonably result in either at some point in the future, then disclosure to and monitoring by the appropriate supervisor are required. Examples of amorous relationships that must be disclosed include, but are not limited to:

- Employees who have an amorous relationship with another person over whom they have indirect supervisory responsibilities (e.g., influence over assignments, oversight of hours worked or schedules, input regarding performance, etc.)
- An Instructor who engages in an amorous relationship with a student for whom the Instructor has no current professional responsibility, but where there is a reasonable expectation that the Instructor may have professional responsibility for the student at some point in the future.

### 2.2 PROHIBITED AMOROUS RELATIONSHIPS

The following amorous relationships are prohibited under all circumstances:

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- No person in a Position of Trust, as defined below, shall engage in an amorous relationship with a student.
- No Instructor shall engage in an amorous relationship with a student who is enrolled in a course being taught by the Instructor, whose academic performance is supervised by the Instructor, or who volunteers for or performs work of any kind for the Instructor.
- No Supervisor shall engage in an amorous relationship with a person over whom they have direct supervisory responsibilities.
- No Mines employee shall engage in an amorous relationship with another Mines student or employee over whom they have evaluative responsibilities, such as in the context of a thesis or a promotion/tenure committee.


Any such relationship will be presumed to be non-consensual by Mines. Any employee who is aware of such a relationship is a mandatory reporter and must report the existence of a prohibited relationship to the Title IX and Equity Compliance office.

### 3.0 VIOLATIONS AND SANCTIONS FOR VIOLATIONS

- Engaging in an amorous relationship that is prohibited by this policy constitutes a violation that may result in sanctions up to and including removal of the employee's supervisory, instructional or evaluative responsibilities and/or termination.
- Failing to disclose an amorous relationship as required by this policy constitutes a violation that may result in sanctions up to and including removal of the employee's supervisory, instructional or evaluative responsibilities, and/or termination.
- In cases where a student employee has engaged in an amorous relationship that may have violated this policy, the matter will be referred to the Dean of Students for adjudication.

### 4.0 RETALIATION PROHIBITION AND SANCTIONS FOR RETALIATION

Mines' employees may not retaliate against an individual for making a report under this Policy or participating in an investigation regarding allegations that fall within the Policy. Any employee who engages in retaliation may be subject to disciplinary action up to and including termination and/or expulsion. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

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## 5.0 IMPLEMENTATION

Mines' Board of Trustees directs the President or President's delegates to develop, administer, and maintain the appropriate administrative policies, procedures, and guidelines to implement this policy.

## 6.0 DEFINITIONS

**Amorous relationship:** a romantic, dating, or sexual relationship. This definition excludes marital or civil union relationships.

**Employee:** Any person employed or appointed by Mines, including but not limited to, academic faculty, administrative faculty, state classified staff, graduate assistants, student hourly employees, non-student hourly employees, non-paid staff, authorized volunteers, non-remunerative appointees, and student work-study employees.

**Instructor:** Any person who performs any teaching, instruction, or coaching duties at Mines, including academic faculty members, instructional staff, athletic coaches, non-remunerative appointees and graduate students with teaching or tutorial responsibilities.

**Person in a Position of Trust:** Any person employed in a position that could or would compromise the employee's ability to perform his or her duties appropriately if they engaged in an amorous relationship with a Student. Persons in Positions of Trust at Mines include, but are not limited to, employees of the Admissions Office, Registrar's Office, Student Life Division including the Residence Life Office, Center for Academic Services and Advising (CASA), and Public Safety Department.

**Student:** Any person who is applying to the University or who is currently enrolled at Mines, regardless of age or status.

**Supervisor:** Any person employed at Mines who occupies a position of authority over another employee with regard to hiring, administering discipline, conducting evaluations, granting salary adjustments, or overseeing or assigning work.

## 7.0 REVIEW CYCLE AND HISTORY

The policy will be reviewed at least every two years by the Title IX and Equity Officer.

Promulgated by the CSM Board of Trustees on February 14, 1992.

Amended by the CSM Board of Trustees on June 18, 1992.

Amended and Administratively Adopted March 2012.

Amended by the CSM Board of Trustees on July 15, 2016.(formerly known as the "Personal Relationships Policy")