

Yeshiva University Policy Regarding Romantic Relationships between Individuals of Unequal Power or Status

GENERAL

Yeshiva University is committed to creating and maintaining an environment in which learning can take place in an atmosphere of professionalism and mutual respect. The University recognizes that certain relationships and conduct in the educational setting have the potential to compromise, or appear to compromise, the fairness and objectivity of educational decisions and the discharge of other professional duties. Romantic relationships and/or sexual conduct that occur in the context of educating, supervising, evaluating or mentoring students can be disruptive to the educational environment. Similarly, the University's mission is promoted by professionalism in all relationships and conduct between supervisors and employees, and the University additionally recognizes the potential for a conflict of interest when a romantic relationship and/or sexual conduct occurs between a supervisor and his or her employee. As a result, the University has adopted this Policy Regarding Romantic Relationships between Individuals of Unequal Power or Status to ensure that such relationships and conduct do not hinder the fulfillment of the University's mission.

DEFINITIONS

“Educators” refer to faculty, staff, administrators and any other members of the University community who educate, supervise, evaluate or mentor students. These community members may include, but are not limited to, athletic coaches, residential advisors (only when they are not University students themselves), graduate and professional students and postdoctoral fellows and associates (only when they are serving as part-time acting instructors, teaching fellows or in similar institutional roles with respect to students they are currently teaching or supervising).

“Students” refer to those enrolled in any and all educational and training programs at the University and its affiliated schools.

“Supervisor” refers to someone who has professional authority over another, either directly or through a chain of command at the University. Supervising an employee means supervising in an employment setting, including hiring, evaluating, assigning work, or making decisions or

recommendations that confer benefits such as promotions, raises or other remuneration, or performing any other function that might affect employment opportunities.

STUDENTS

The integrity of the educator-student relationship is the foundation of the University's educational mission. These relationships vest considerable trust in the educators who educate, supervise, evaluate and mentor students. Given the inequality in such relationships, it is imperative that the integrity of the educational process not be jeopardized by creating a conflict of interest or impairing the learning environment for the student involved in the relationship, as well as for other students. Accordingly, **all educators are prohibited from pursuing or engaging in a romantic relationship and/or sexual conduct with any student (whether undergraduate or graduate) over whom the educator currently has educational, supervisory, academic or mentoring responsibilities.**

Moreover, given that undergraduate students are particularly vulnerable to the fundamental asymmetric nature of romantic relationships and/or sexual conduct with educators, **all educators are prohibited from pursuing or engaging in a romantic relationship and/or sexual conduct with any undergraduate student**, regardless of whether the educator currently exercises, or expects to exercise, any educational, supervisory, academic or mentoring responsibilities over that student.

In addition, the University **strongly discourages romantic relationships and/or sexual conduct between an educator and a graduate student over whom the educator *may* reasonably expect to exercise any educational, supervisory, academic or mentoring responsibilities.** Even though characterized by mutual consent, these relationships and/or conduct may raise ethical concerns because of their potential for sexual exploitation by one of the parties. Also, there is the possibility that the educator's objectivity may be compromised or may give the appearance of favoritism. Such situations may also expose the University and/or the educator to liability for violation of laws against sexual harassment and discrimination.

If any of these prohibited or discouraged relationships or conduct exists, it must be immediately disclosed to the University by both parties by notifying in writing the Provost, who in turn will

notify the University's Title IX Coordinator. Furthermore, both parties should cooperate in making alternative educational, supervisory, academic or mentoring arrangements necessary to protect the student against academic, professional or financial hardship.

EMPLOYEES

Romantic relationships and/or sexual conduct between supervisors and their employees are also strongly discouraged. The University recognizes the potential for a conflict of interest when a romantic relationship and/or sexual conduct occurs between a supervisor and his or her employee. Such relationships and/or conduct can interfere with a supervisor's ability to evaluate an employee or may give rise to the perception that the supervisor's evaluation is biased. These relationships and/or conduct also have the inherent potential to create an uncomfortable or hostile work environment for those involved in the relationship and/or conduct as well as other employees who are aware of the relationship and/or conduct. If such relationships or conduct exists, the supervisor must immediately disclose the existence of the relationship and/or conduct to the University's Chief Human Resources Officer (who in turn will notify the University's Title IX Coordinator) so that the University may assess if the conflict of interest can be eliminated through transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other appropriate action.

EXCEPTIONS

Exceptions to this Policy (such as in the case of a marital relationship) will be considered on a case-by-case basis by the Provost or Chief Human Resources Officer, in each case in consultation with the University's Title IX Coordinator. A request for an exception must be made in writing by both parties.

CONSEQUENCES OF VIOLATION OF THIS POLICY

Anyone with questions about this Policy is advised to consult with the University's Title IX Coordinator. A student or other member of the University community may lodge a formal or informal complaint regarding an alleged violation of this Policy with the University's Title IX Coordinator. Violations of this Policy will be dealt with in accordance with the disciplinary procedures contained in the relevant handbooks, policies, and procedures.

TITLE IX COORDINATOR

The Title IX Coordinator for the University is the University's Dean of Students, Dr. Chaim Nissel - (646) 592-4201 - drnissel@yu.edu.

Deputy Title IX Coordinators for the University are:

(Human Resources) Ms. Renee Coker - (646) 592-4336 - renee.coker@yu.edu

(Athletics) Mr. Joe Bednarsh - (212) 960-0015 - joe.bednarsh@yu.edu

(Cardozo) Ms. Jenn Kim - (212) 790-0429 – jennifer.kim@yu.edu

Updated: February 2020