EvCC3100P: STAFF RELATIONSHIPS PROCEDURE
Original Date: April 1, 2011
Policy Contact: Vice President Administrative Services

PURPOSE
The following procedures are established to meet the requirements for implementing EVCC3010: Staff Relationships Policy.

The College recognizes that sometimes a romantic and/or sexual relationship occurs or develops between a faculty member and a student, or a supervisor and subordinate who may have a role in the evaluation or supervision of another individual creating an inherent conflict of interest.

PROCESS
If an employee has supervisory responsibility over a student or employee with whom the employee is currently having a romantic and/or sexual relationship, the employee with supervisory responsibility must immediately report the relationship to his/her direct supervisor with the intent of seeking options to mitigate the potential conflict of interest. The employee and the supervisor will develop a written plan that will describe the steps taken to ensure that there is no longer an actual, apparent or perceptible impropriety.

The written plan developed by the employee and the employee’s supervisor must be approved by the Human Resources office.

If no alternatives can be identified, the romantic or sexual relationship must be discontinued until the employee no longer exercises supervisory responsibility for the student, staff, or faculty member.

VIOLATIONS
Persons who have not self-reported and are determined to have violated this policy shall be subject to sanctions imposed using the applicable college policies and handbooks, applicable collective bargaining agreements, and for students, the Everett Community College Code of Conduct for Students.

Sanctions for employees will be determined in cooperation with the supervisor and the vice president of the area. Sanctions may include: mandatory training or counseling, transfer or reassignment, verbal or written warning, censure, demotion, reduction in pay, withholding of pay increases, denial of professional or retraining leave, withholding of promotion, suspension, summary suspension, or dismissal.

The sanction will be proportional to the severity of the offense as judged by the totality of the circumstances of the incident (the nature, frequency, intensity, location, context, method of discovery, and duration of the alleged behavior). The sanction will be adequately severe to reasonably deter and assure prevention of future offenses.

Sanctions will not ordinarily be imposed when developing romantic and sexual relationships are promptly self-reported and measures are taken to remove the conflict of interest, so long as the relationship is not alleged by one of the parties to be nonconsensual or discriminatory. If the relationship is alleged to be nonconsensual or discriminatory, the matter shall be referred to the Human Resources office for investigation.

RETRIALATION
No one shall suffer penalty or retaliation, including any actions that may dissuade a reasonable person from making or supporting a charge, for reporting a relationship that violates this policy. Retaliation against any person for bringing forward or participating in the investigation of a complaint under this policy forms independent grounds for taking appropriate disciplinary action.

Retaliation occurs when a student or an employee suffers a negative action after he or she makes a report of discrimination or sexual harassment, assists someone else with a complaint, or participates in discrimination or sexual harassment prevention activities.
For students, negative actions can include being assigned an undeserved low or failing grade on any academic assignment, an undeserved poor academic or employment reference or denial of a reference, and/or reduction or negative influence on college employment or financial aid.

For employees, negative actions can include demotion, suspension, denial of promotion, poor evaluation, punitive scheduling, unfavorable position reassignment, withholding of deserved support for promotion or tenure, assigning undesirable or inadequate space, punitive work assignments, or dismissal—any adverse employment decision or treatment that would likely dissuade a reasonable worker from making or supporting an allegation of discrimination or sexual harassment.

MALICIOUS AND FRIVOLOUS ALLEGATIONS

The college will discipline members of the college community who knowingly make false allegations of prohibited faculty-student or supervisor-subordinate relationships. No complaint will be considered malicious or frivolous solely because it cannot be corroborated.

RELEVANT LAWS AND OTHER RELATED INFORMATION

RCW 9A.44

REVISION HISTORY
Original Date: April 1, 2011

APPROVED BY:
Board of Trustees
VP Staff