

POLICY ON CONSENSUAL RELATIONSHIPS

Board Policy 3436

The District prohibits its employees from engaging in sexual relationships with individuals employed by the District over whom they have a direct line of supervisorial relationship. This prohibition includes anyone within an individual's chain of command including but not limited to skipping levels of direct reports to lower level subordinates. Because of the differential in the level of authority, such relationships could lead to charges of coerced submission or sexual harassment, even if there was apparent consent.

In addition, the District prohibits instructors from engaging in consensual, sexual relationships with students who are enrolled in a class that they are currently teaching, and counselors are prohibited from engaging in consensual sexual relationships with students whom they are currently counseling.

A manager's, faculty member's, or supervisor's liability protection under California statute will not protect the individual in subsequent litigation arising from the relationship's effect on the student or employee.

See Administrative Procedure 3430 titled Prohibition of Harassment.

Also see the AFT 6157 Collective Bargaining Agreement.

Persons who believe that they have been victims of harassment/discrimination may file a complaint under the District's Procedure for Resolution of Discrimination/Harassment Complaints with the College Title IX Officer or the District Office of Human Resources or online at <https://www.evc.edu/why-evc/legal-regulatory/evc-maxient>.