

FAS-SEAS SENATE

AN ELECTED BODY OF THE FACULTY OF ARTS
AND SCIENCES AND SEAS

YALE UNIVERSITY

Report from the FAS-SEAS Diversity Committee on Romantic Relationships between Faculty and Graduate Students

(lightly edited by Executive Council and presented at the October 26, 2023 FAS-SEAS Senate meeting)

APPROVED by FAS-SEAS Senate
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Yale University acted before many other institutions when, more than 15 years ago, it instituted a clear policy forbidding romantic relationships between faculty and undergraduate students. This policy was rooted in the fundamental belief that the “integrity of the teacher-student relationship is the foundation of the University’s educational mission” and that teachers and mentors bear the responsibility for providing an equitable learning environment for all students; it also cited the “age and relative lack of maturity” of undergraduate students in justifying this ban.

Most graduate students are only a few years older than the undergraduate students Yale has led the way in protecting. And they are still vulnerable to the unequal institutional power inherent in the teacher-student relationship and the potential for coercion. Furthermore, the fraction of graduate students who are women is far higher than the fraction of faculty, leaving women students particularly vulnerable to the complications that typically ensue from (opposite sex) romantic relationships with faculty.

Specifically, most relationships do not lead to permanent partnership (or else each of us would date only one person). When relationships end, acrimony is not uncommon. Between peers, the emotional distress eventually dissipates. But when a relationship involves a faculty member and a student, its dissolution is very likely to impact the student’s progress in a negative and possibly career-altering way. Even successful relationships have a disturbing effect on the student’s classmates, who experience the department differently because their classmate is dating their professor. That is unfair to everyone.

Currently, Yale policy forbids romantic or sexual relationships between faculty and graduate students only when “a teacher is or in the future might reasonably become responsible for teaching, advising, or directly supervising a student.” We believe this is too narrow. Any relationship within a department or between members of closely related departments will disrupt the educational environment for all students and will expose faculty and students to career-impacting dangers. There are examples of such disruptions in recent history at Yale.

Therefore, the FAS-SEAS Senate recommends that Yale policy be amended to forbid relationships between faculty and graduate students in the same or closely related departments. Some of us would like this policy to apply across the board, regardless of department, but we also recognize that living in a small town like New Haven can make social life difficult for young faculty, who may be of similar age to the graduate students they meet off campus.

At the same time, faculty across disparate disciplines often socialize together. Imagine a Physics professor dating a graduate student in French literature. Were this relationship to end unpleasantly, one could imagine the Physicist complaining to his friend in the French department, and perhaps characterizing the student in some unflattering way. This would clearly be wrong and damaging for the student. Other unacceptable scenarios are too easy to imagine.

Therefore, if such liaisons are to be allowed, a first step to provide protection for both parties is to implement a *policy of transparency*. Specifically, the FAS-SEAS Senate recommends that, if any faculty member enters a romantic or sexual relationship with a graduate student in a distant department, they must inform a responsible university official (e.g., the University Title IX Coordinator, the Title IX coordinator of their school, or their Department or Program Chairs). That official would be responsible for explaining the potential conflicts of interest that could stem from such a relationship, and for explaining that each partner would have to abstain from any activity that would violate this conflict of interest. They would also retain a record of that relationship in order to make sure that faculty members, who have far more power than students, would neither retaliate against nor advocate for students with whom they previously had a relationship—either directly or by lobbying their colleagues.

Specific recommendations of the policy follow below (though we recognize that we may be unaware of legal implications that will have to be considered by others at the university, so that the final policy might differ in some details). The FAS-SEAS Senate believes that modifying Yale policy to align with our recommendations will benefit both students and faculty, and will prevent or mitigate negative effects on the graduate students who entrust their education to us. We envision that this policy could be extended to other professional schools and to other junior-senior relationships within the university, but as a first step our focus here is only on faculty and graduate students.

The proposed revision of Yale policy addresses the pernicious consequences of ignoring the conflicts of interest generated by romantic or sexual relationships between faculty and graduate students, with the goal of protecting the learning-teaching-research environment *for everyone*.

Specific recommendations:

- 1. Romantic or sexual relationships between faculty and graduate students in the same department or closely related departments are forbidden,**

regardless of whether the teacher currently exercises or expects to have any pedagogical or supervisory responsibilities over that student.

2. At the time this policy is implemented, pre-existing relationships must be declared immediately to the relevant university authorities (envisioned to be the University Title IX Coordinator, the Title IX coordinator of their school, or their Department or Program Chairs, hereafter referred to as the University Representative). Should any such relationship end, the student must be protected from retaliation by the faculty member and/or their colleagues. The relevant protective actions will be made explicit by the University Representative to the reporting faculty member and graduate student.
3. When an allowed relationship arises—i.e., between a faculty member and a graduate student in distant disciplines—it should be reported to the University Representative.
4. There will be an uncertain period between two people starting to date and considering themselves in a relationship. It is left to the good-faith judgment of the individuals concerned when they disclose the relationship, but it is expected to be within a few weeks or months rather than many months, and certainly before any consequent life alteration (e.g., moving in together).
5. University Representatives will be provided with a procedure for implementing this policy, including training about conflicts of interest and the implications of the policy, so that they can communicate the set of obligations to the faculty member.
6. “Closely related department” means that faculty in one department could have a substantial impact on the career of a student in the other department—for example, when a faculty member in Department A dates a student in Department B whose advisor is in Department A. When in doubt, assume the relationship must be disclosed. If a faculty member is unsure whether a department is “closely related” or not, they should discuss it with the University Representative.
7. Failure to report a faculty-graduate student relationship could result in sanctions. Moreover, graduate students should be aware of the faculty member’s obligation to report the relationship and, if they believe such a report has not been made, they can protect themselves by disclosing the relationship to the University Representative.
8. The University Representative should make the parties aware of their obligations under this policy, and specifically, the implications of the conflict of interest inherent in a faculty-graduate student relationship. To be clear: no party to such a relationship can be involved in any discussion, judgment, recommendation, or other professional opinion regarding the other party.
9. Retaliation against a former partner is not allowed, including negative comments in any professional sphere, on campus or off. Such retaliation could result in sanctions.

10. Where blame might be equally distributed, it is the senior party in the relationship who must be held primarily responsible for violations of this policy.
11. Teachers or students with questions about this policy are advised to consult with the University Representative.
12. Violations of the policy can be reported by either party in the relationship or by their fellow students or faculty, to the University Representative or the University-Wide Committee on Sexual Misconduct.
13. Special cases, if they exist, must be acknowledged and dealt with openly.
- 14. Failure to comply with this policy will normally lead to disciplinary action, presumptively against the teacher, who by virtue of their seniority has the primary responsibility for complying with this policy.**

Enactment of this proposed policy is intended to protect all parties, including those in the relationship and their colleagues, from potential unfairness or retaliation. Although the most likely harm accrues to the specific graduate student, other harms have been known to result for other students and faculty. Thus, this revised policy would protect everyone from an environment that is detrimental for learning and mentoring.

Appendix 1. (Current) Yale University Policy on Teacher-Student Consensual Relations

The integrity of the teacher-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the teacher, who, in turn, bears authority and accountability as a mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between teacher and student must be protected from influences or activities that can interfere with learning and personal development.

Whenever a teacher is or in the future might reasonably become responsible for teaching, advising, or directly supervising a student, a sexual or romantic relationship between them is inappropriate and must be avoided. In addition to creating the potential for coercion, any such relationship jeopardizes the integrity of the educational process by creating a conflict of interest and may impair the learning environment for other students. Finally, such situations may expose the University and the teacher to liability for violation of laws against sexual harassment and sex discrimination.

Therefore, teachers must avoid sexual or romantic relationships with students over whom they have or might reasonably expect to have direct pedagogical or supervisory responsibilities, regardless of whether the relationship is consensual. Conversely, teachers must not directly supervise any student with whom they have a sexual or romantic relationship.

Undergraduate students are particularly vulnerable to the unequal institutional power inherent in the teacher-student relationship and the potential for coercion, because of their age and relative lack of maturity. Therefore, no teacher shall have a sexual or romantic relationship with any undergraduate student, regardless of whether the teacher currently exercises or expects to have any pedagogical or supervisory responsibilities over that student.

Teachers or students with questions about this policy are advised to consult with the University Title IX Coordinator, the Title IX Coordinator of their school, the department chair, the appropriate dean, the Provost, or one of their designees. Students or other members of the community may lodge a complaint regarding an alleged violation of this policy with the University Title IX Coordinator, with the Title IX coordinator of their school, or with the University-Wide Committee on Sexual Misconduct.

Violations of the above policies by a teacher will normally lead to disciplinary action. For purposes of this policy, “direct supervision” includes the following activities (on or off campus): course teaching, examining, grading, advising for a formal project such as a thesis or research, supervising required research or other academic activities, serving in such a capacity as Director of Undergraduate or Graduate Studies, and recommending in an institutional capacity for admissions, employment, fellowships, or awards.

“Teachers” includes, but is not limited to, all ladder and instructional faculty of the University. “Teachers” also includes 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 the students they are currently teaching or supervising. “Students” refers to those enrolled in any and all educational and training programs of the University. Additionally, this policy applies to members of the Yale community who are not teachers as defined above, but have authority over or mentoring relationships with students, including athletic coaches, supervisors of student employees, advisors and directors of student organizations, Residential College Fellows, as well as others who advise, mentor, or evaluate students.