

# North Dakota State University

## Policy Manual

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### SECTION 162.1

#### ROMANTIC RELATIONSHIPS, EXCLUDING MARITAL RELATIONSHIPS

SOURCE: HUMAN RESOURCES

1. Romantic relationships within academic and work environments can lead to legal, managerial and reputational difficulties, especially when one person has direct or indirect power or influence over another. Such difficulties may include perceived or real conflicts of interest, favoritism, claims of harassment, and other negative outcomes. This policy is intended to address and reduce these difficulties.

This policy excludes NDSU employees who are married to other NDSU employees because such relationships are already covered by *NDSU Policy 110 Employment of Relatives* which, along with state law, prohibits nepotism and obligates supervisors to take corrective action to prevent nepotism. Nepotism under that policy would involve one person using institutional authority to benefit “Immediate Family” which includes a spouse.

The restrictions in this policy are not intended to preclude the hiring or retention of dual career couples. NDSU is committed to recruiting and retaining the highest quality employees and recognizes that prospective and current Faculty and Staff may have spouses or partners with independent careers, often within an academic setting. To recruit and retain the best Faculty and Staff, NDSU strives to assist both members of the dual career couple to explore appropriate positions within the University.

#### 2. Definitions:

- 2.1 Faculty: All members of the academic staff, excluding only coaches and administration in their capacities as coaches or administrators.
- 2.2 Staff – Any individual employed by NDSU in a non-Faculty position, including academic-administrative, managerial-professional, coaches (including volunteer coaches) and office and service staff members, but excluding Graduate Assistants and undergraduate student employees.
- 2.3 Graduate Assistants – Any graduate Student, employed by NDSU, holding the rank or position of a research associate, research assistant, graduate assistant, teaching assistant or similar position.

- 2.4 Student(s) – Any individual admitted by NDSU and enrolled in at least one credit-bearing class at NDSU. Students include both undergraduate and graduate/professional students unless otherwise indicated.
- 2.5 Supervisory or Evaluative Authority – The power to control or influence, whether directly or indirectly, another individual's academic advancement or employment through such means as making or affecting decisions related to admission, grades, assignments, participation in programs or projects, dissertations or research, recommendations, financial aid, hiring, working conditions, compensation, promotion, discipline, or termination/expulsion.
- 2.6 Romantic Relationship – Any relationship of a sexual, intimate, dating, or amorous nature, regardless of its length or exclusivity, excluding marital relationships.

### 3. Prohibitions:

- 3.1 Faculty/Staff: Faculty and Staff are prohibited from engaging in any romantic relationship with: (a) an undergraduate Student; (b) a graduate or professional Student over whom they have direct or indirect Supervisory or Evaluative Authority; or (c) a Faculty or Staff member over whom they have direct or indirect Supervisory or Evaluative Authority.
- 3.2 Graduate Assistants: Graduate Assistants are prohibited from engaging in any Romantic Relationship with a Student over whom they have direct or indirect Supervisory or Evaluative Authority.
- 3.3 Reporting Obligation: In the event that a prohibited Romantic Relationship occurs, reporting is required under section 4 below.

### 4. Reporting and Exceptions:

- 4.1 Faculty/Staff: Faculty and Staff are required to report to the Director of Human Resources if they engage in a Romantic Relationship, whether prohibited or not, with: (i) a Student; or (ii) a Faculty or Staff member over whom they currently have Supervisory or Evaluative Authority. Reporting is required within two weeks of the start of the Romantic Relationship.
- 4.2 Graduate Assistants: Graduate Assistants are required to report to Human Resources if they engage in a Romantic Relationship, whether prohibited or not, with: (i) a Student over whom they currently have Supervisory or Evaluative Authority; or (ii) a Faculty or Staff member. Reporting is required within two weeks of the start of the Romantic Relationship.
- 4.3 Exceptions: Faculty, Staff and Graduate Assistants may submit a written request to the Director of Human Resources for an exception to the prohibitions in Section 3. Such requests will be reviewed on a case-by-case basis and will be granted only

if all potential risks associated with that relationship can be mitigated, typically through the development of a conflict management plan.

Relationships that existed prior to either party's employment or enrollment will not be considered in violation of this policy if the parties disclose the relationship to the Director of Human Resources within 30 days of establishing employment or student status and comply with a Conflict Management Plan, if deemed necessary.

Existing relationships that would otherwise violate this policy and were reported prior to or within 60 days of the establishment of this policy will not be considered in violation of this policy provided the parties comply with the conflict management plan, if deemed necessary.

Anyone with questions about the applicability of this policy to their relationship is encouraged to consult with Human Resources.

#### 5. Conflict Management Plans:

The risks associated with Romantic Relationships in which one individual has either actual or potential Supervisory or Evaluative Authority may be controlled or alleviated in some situations through the development of a conflict management plan. Such plans, when appropriate, will include measures to eliminate any Supervisory or Evaluative Authority between the parties to the relationship or prevent the parties from being placed in a position where one party could have any Supervisory or Evaluative Authority over the other. The Director of Human Resources will be responsible for the development of conflict management plans. In developing such plans, the Director of Human Resources should seek input from both parties and their supervisors. The parties to the relationship are expected to fully cooperate in the development of and in adhering to any such plan.

#### 6. Violations:

Violations of this policy in any manner, including engaging in a prohibited Romantic Relationship, failing to properly report a Romantic Relationship, or failing to adhere to a conflict management plan, may result in disciplinary action being taken against the offender. Such discipline will take into consideration the unique and relevant facts of each case (e.g., whether the person self-reported the violation), and may assume a variety of forms, including without limitation, mandatory training or counseling, verbal or written warning, suspension, demotion, loss of privileges, or termination.

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#### HISTORY:

New	October 11, 1993
Housekeeping	February 14, 2011
Amended	September 22, 2025