1.0 BACKGROUND AND PURPOSE

The Board of Trustees of the Colorado School of Mines (“Mines”), has promulgated this policy, pursuant to the authority conferred upon it by C.R.S. §23-41- 104(1), in order to set forth the expectations regarding Amorous Relationships between Mines’ community members.

2.0 POLICY STATEMENT(S)

Mines considers there to be three categories of Amorous Relationships: a) those not subject to this policy; b) those that are permitted with appropriate disclosure and conflict of interest monitoring; and c) those that are prohibited.

Amorous Relationships that require disclosure include, but are not limited to:
• Employees who have an Amorous Relationship with another person over whom they have indirect supervisory responsibilities (e.g., influence over assignments, oversight of hours worked or schedules, input regarding performance, etc.)
• An Instructor who engages in an Amorous Relationship with a Student for whom the Instructor has no current professional responsibility, but where there is a reasonable expectation that the Instructor may have professional responsibility for the Student at some point in the future.

Amorous Relationships prohibited under all circumstances and presumed to be non-consensual:
• No Person in a Position of Trust shall engage in an Amorous Relationship with a Student.
  o If the parties to an Amorous Relationship are in unequal positions relative to one another, a significant power differential may result.
  o The existence of a power differential may restrict the less powerful individual's choice to participate freely and willingly in the relationship due to actual or perceived coercion and/or retaliation
• No Instructor shall engage in an Amorous Relationship with a Student who is enrolled in a course being taught by the Instructor, whose academic performance is supervised by the Instructor, or who volunteers for or performs work of any kind for the Instructor.
• No Supervisor shall engage in an Amorous Relationship with a person over whom they have direct supervisory responsibilities.
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• No Employee shall engage in an Amorous Relationship with a Student or Employee over whom they have evaluative responsibilities, such as in the context of a thesis or a promotion/tenure committee.

Employees may not retaliate against an individual for making a report under this policy or participating in an investigation regarding allegations that fall within the policy.

3.0 RESPONSIBILITIES

Mines' Board of Trustees directs the President or President's delegates to develop, administer, and maintain the appropriate administrative policies, procedures, and guidelines to implement this policy.

All employees must disclose an amorous relationship with another Mines community member that does not have a current conflict of interest or power differential, but could reasonably result in either at some point in the future.

Mines' Supervisors are required to monitor Amorous Relationships that have been disclosed to them.

Any Employee who is aware of a prohibited Amorous Relationship must report the existence of a prohibited relationship to Human Resources.

4.0 COMPLIANCE/ENFORCEMENT

Engaging in an Amorous Relationship that is prohibited by this policy constitutes a violation that may result in sanctions up to and including removal of the Employee’s supervisory, instructional or evaluative responsibilities and/or termination.

Failing to disclose an Amorous Relationship as required by this policy constitutes a violation that may result in sanctions up to and including removal of the Employee’s supervisory, instructional or evaluative responsibilities, and/or termination.

In cases where a Student Employee has engaged in an Amorous Relationship that may have violated this policy, the matter will be referred to the Dean of Students for adjudication.

Any Employee who engages in retaliation may be subject to disciplinary action up to and including termination and/or expulsion. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.
5.0 DEFINITIONS

**Amorous Relationship** means a romantic, dating, or sexual relationship. This definition excludes marital or civil union relationships.

**Employee** means any person employed by Mines, appointed by Mines, or assigned to Mines, including non-remunerated appointees and student employees.

**Instructor** means any person who performs any teaching, instruction, or coaching duties at Mines, including academic faculty members, instructional staff, athletic coaches, non-remunerative appointees and graduate Students with teaching or tutorial responsibilities.

**Person in a Position of Trust** means any person employed by Mines who has significant influence or responsibility over a Student or another Employee, including, but not limited to, their health, welfare, education, employment, or supervisory or advisory responsibilities. All Mines non-student Employees may be considered a Person in a Position of Trust. Some Student Employees, by virtue of their position, are also considered a Person in a Position of Trust, including, but not limited to: Residence Life Student Staff, Peer Mentors, Teaching Assistants, Research Assistants who supervise other Students, and any other Student Employee who meets the definition of having influence or responsibility over another Student.

**Student** means any person who is applying to Mines or who is currently enrolled at Mines, regardless of age or status.

**Supervisor** means any Employee who occupies a position of authority over another Employee with regard to hiring, administering discipline, conducting evaluations, granting salary adjustments, or overseeing or assigning work.

6.0 RESOURCES or ATTACHMENTS

- Title IX Office website: [https://www.mines.edu/title-ix/](https://www.mines.edu/title-ix/)
- Human Resources website: [https://www.mines.edu/human-resources/](https://www.mines.edu/human-resources/)

**KEY WORDS**
Position of trust, relationship, power, conflict of interest

7.0 HISTORY AND REVIEW CYCLE
The policy will be reviewed at least every 2 years, or as needed by the Responsible Administrative Unit.

Amended June 18, 1992
Amended and Administratively Adopted March 2012
Amended July 15, 2016 (Name changed from “Personal Relationships Policy”)
Amorous Relationships Policy

Amended effective August 14, 2020 (update to format and compliance with new regulations)