



Memorandum

Secretariat

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TO: Senate

FROM: Professor Christopher Manfredi, Provost and Vice-Principal (Academic)

SUBJECT: Guidelines on Intimate Relationships Between Teaching Staff and Students

DATE: May 16, 2018

DOCUMENT #: D17-67

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE	The Guidelines on Intimate Relationships Between Teaching Staff and Students are presented for information.
BACKGROUND & RATIONALE	At the April 19, 2018 Senate meeting, it was indicated that the Provost and Vice-Principal (Academic) would develop guidelines on intimate relationships between members of the teaching staff and students, with a view to clarifying McGill’s approach to this issue. A communication regarding the Guidelines was sent to the McGill community on May 10, 2018.
PRIOR CONSULTATION	Members of the senior administration.
SUSTAINABILITY CONSIDERATIONS	N/A
IMPACT OF DECISION AND NEXT STEPS	Policies on intimate relationships between members of the teaching staff and students will be reviewed by an ad hoc committee of Senate.
MOTION OR RESOLUTION FOR APPROVAL	This item is presented for information.
APPENDICES	Appendix A: Guidelines on Intimate Relationships Between Teaching Staff and Students

Guidelines on Intimate Relationships Between Teaching Staff and Students

Preamble

The purpose of these Guidelines is to provide clarity with respect to the interpretation and application of existing policies and regulations in cases that involve consensual intimate relationships between teaching staff and students. **These guidelines should not be construed as encouraging or condoning intimate relationships between members of the teaching staff and students.** Such relationships are generally inconsistent with the obligation of teaching staff members to conduct themselves with integrity and professionalism.

1. These guidelines shall inform the interpretation and application of University policies and regulations in cases involving personal and intimate relationships between teaching staff and students.
 - a. In particular, these Guidelines shall inform the interpretation and application of the following:
 - i. *Policy Against Sexual Violence*
 - ii. *Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law*
 - iii. *Regulation on Conflict of Interest*
2. For the purposes of these Guidelines:
 - a. “Teaching staff” includes every person delivering any component of an academic program, including, but not limited to: undergraduate and graduate courses, supervision of graduate students, supervision of post-doctoral researchers, and services delivered by University librarians and archivists. “Teaching Staff” in this context also includes coaches of University athletic teams.
 - b. “Student” includes every person enrolled in any component of an academic program at McGill University, including but not limited to: undergraduate and graduate courses, graduate thesis preparation, post-doctoral research, and other training programs.
3. Every member of McGill University’s teaching staff is expected to conduct themselves with integrity and professionalism in all their relationships with students.
 - a. On occasions where teaching staff and students engage with one another in social settings, whether internal or external to the University, teaching staff bear the responsibility for conducting themselves with integrity and professionalism.
 - b. Teaching staff members must also conduct themselves with integrity and professionalism in all communications with students.
4. The relationship between a member of the teaching staff and their student is a relationship of trust, power and authority. Although consent to sexual activity may legally be given within such a relationship, consent is vitiated where it was induced by conduct that constitutes an abuse of the relationship of trust, power, and authority between a member of the teaching staff and their student.

5. Where members of the teaching staff have a personal or intimate relationship with a student within their academic unit, they are in a conflict of interest. Staff members have a duty to disclose that relationship immediately to the head of their academic unit.
6. If members of the teaching staff have a personal or intimate relationship with a student who is not under their instruction, supervision or authority, but is nevertheless enrolled in their academic unit, they must also disclose the relationship immediately to the head of their academic unit.
7. Disclosures must be made in writing, using the University form prescribed by the *Regulation on Conflict of Interest*.
8. Conflict management plans must be put in place:
 - a. In all circumstances where the student is under the teaching staff member's instruction, supervision or authority.
 - b. In any other circumstance where the personal or intimate relationship results in a perceived or actual conflict of interest.
 - c. A conflict management plan must be devised by the teaching staff member and the head of their academic unit and approved by their Dean and the Provost in the manner prescribed by the *Regulation on Conflict of Interest*.
9. Failure to disclose a conflict of interest or comply with a conflict management plan is sufficient cause for imposing disciplinary sanctions against members of the teaching staff according to applicable University regulations or collective agreements.
10. Nothing in this policy excuses members of the teaching staff from complying with all applicable University policies or regulations.
11. The University shall report annually to Senate aggregate data on complaints involving teaching staff-student relations, including number of complaints, number of complaints investigated, number of investigations resulting in disciplinary proceedings, and the range of disciplinary sanctions imposed.