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APS 5015 - Consensual Amorous Relationships DRAFT BODY [1]

I. Policy Statement

The University of Colorado seeks to protect the fundamental interest of every member of the university community to participate in university activities free from abuse of power, real or perceived conflicts of interests, or favoritism. At the same time, CU recognizes that consenting individuals associated with the university should be free to enter into consensual amorous relationships of their choice. APS 5015 is designed to address perceived or real conflicts of interest for consensual amorous relationships.

Importantly, relationships that involve harassment, coercion, force, threats or intimidation, or condition the provision of an aid, benefit, or service on an individual's participation in a relationship are not consensual and are prohibited by APS 5014 - Sexual Misconduct, Intimate Partner Violence and Stalking [2].

This policy is intended to establish: (1) clear prohibitions for certain consensual amorous relationships between individuals with evaluative authority as defined below; and (2) protocol for how to disclose and mitigate permitted consensual amorous relationships that are occurring or occurred within the last seven years to remove any concerns regarding favoritism, abuses of power or perceived or real conflicts of interest.

To report a consensual amorous relationship, an alleged violation, or otherwise seek guidance about this policy, contact the campus Equity Office as follows:

CU Boulder
CU Denver | Anschutz [3]
CU System Administration [4]
UCCS [5]

II. Prohibited Conduct

This policy applies to all university employees (faculty and staff), regents, university affiliates, student employees, and students. This policy is applicable regardless of the sex or gender of the individuals involved. In situations involving spouses, civil union partners or domestic partners, APS 5003 - Nepotism in Employment [6] applies, and not this policy.

The policy ***prohibits*** the following:

Consensual amorous relationships, either current or that occurred within the last

seven years, ***between*** employees (faculty and staff), regents, and/or affiliates ***and*** another individual covered by this policy where one teaches, manages, supervises, advises, or evaluates that individual in any way ("evaluative authority," as defined further below) ***unless*** the person in the position of greater authority or power notifies appropriate university offices and a mitigation plan (also defined below) is in place to remove the evaluative authority.

Examples of such consensual amorous relationships (as further defined below) that would need to be disclosed and evaluative authority removed pursuant to section V.B, include but are not limited to:

- professor and undergraduate student in the same academic department, program, major, or class
- dean and graduate student in the same academic department, program, major, or class
- professor and graduate student in the same academic department, program, major, or class
- department chair and professor (in same department as chair)
- department or unit associate vice chancellor and assistant vice chancellor (in same department or unit as associate vice chancellor)
- supervisor and supervisee with whom the supervisor conducts the performance evaluation

III. Related Violations

Each of the following actions are also prohibited, and could be charged as potential violations of this policy in a formal adjudication:

A. Failure to Comply with Orders or Sanctions: Not complying with orders or sanctions of the Equity Office or other appropriate university officials related to this policy.
B. Failure to Report: When (1) the responsible employee received information that a member of the university community was subjected to or committed an act of alleged prohibited conduct, and (2) the responsible employee intentionally, knowingly, or recklessly disregarded the obligation to report, thus resulting in harm to a member of the university community. This provision will be applied in a manner that promotes the reporting of prohibited conduct and avoids disciplinary actions when responsible employees conscientiously discharge their reporting obligations.
C. Interference with Reporting: Prohibiting or interfering with a responsible employee or any other person's reporting to the Equity Office.
D. Providing False or Misleading Information: When a person knowingly or recklessly provides false or misleading information to an Equity Office in the course of a resolution process. Making a report or providing information in good faith, even if the information reported is not later substantiated, will not constitute a violation of this policy.
E. Retaliation: Adverse educational or employment actions, including direct or indirect intimidation, threats, and harassment, taken against an individual because of their involvement in a complaint of prohibited conduct. An adverse educational or employment action is any conduct that would dissuade a reasonable person from reporting an allegation of, or participating in, an investigation of prohibited conduct.

IV. Definitions

A. Consensual Amorous Relationship: Exists when individuals mutually and consensually understand/understood a relationship, either current or that occurred within the last seven years, to be romantic and/or sexual in nature. Consent is defined consistent with APS 5014 – Sexual Misconduct, Intimate Partner Violence, and Stalking [2].

   A romantic relationship refers to a mutually consensual personal relationship between individuals that involves affection, emotional intimacy, and/or sexual attraction. This relationship is characterized by an emotional connection that goes beyond friendship and may include romantic words, gestures, behaviors, or dating. It need not involve physical touching or sexual intimacy. In a workplace or educational setting, a romantic relationship typically involves people who have a personal connection that a reasonable person would believe could affect or influence their professional or learner roles.

   This policy is not intended to apply to spouses, civil union partners, or domestic partners in the employment context. Refer to APS 5003 - Nepotism in Employment [6], concerning those types of relationships and other immediate family members.

B. Employee: Except as specifically stated herein, “employee” includes faculty, staff, post-doctoral positions, and employee positions requiring graduate student status (such as graduate research or teaching assistant or graduate part-time instructor) or undergraduate student status and consistent with how employment status is determined on each campus.

C. Evaluative Authority: An individual has authority or influence over another when the individual has direct or indirect supervisory or other evaluative authority or influence over another in the context of their educational or employment activities.

   This includes, but is not limited to, teaching, managing, supervising, advising, or evaluating and the ability to effectuate personnel actions, including appointments/hiring, firing/layoffs, promotions/demotions, tenure decisions, merit evaluations, salary setting, performance appraisals, grievance and disciplinary procedures or to determine an employee’s or student’s participation in any university program or activity**.** Employees would also have direct or indirect influence, as would their supervisory upline, over all students who share the same academic department, program, major, or class with those employees.

D. Mitigation Plan: A written plan developed pursuant to this policy that mitigates the conflict of interest and the potential for abuse or the appearance of favoritism created by the consensual amorous relationship and which plan is acknowledged and signed by the parties involved and the respective department.

E. Responsible Employee: Any employee who: (1) has the authority to hire, promote, discipline, evaluate, grade, formally advise or direct faculty, staff or students; (2) has the authority to take action to redress prohibited conduct; and/or (3) has been given the duty of reporting incidents of prohibited conduct by the Equity Office. The Equity Office may designate in campus procedures that certain individuals who might otherwise not be considered responsible employees are subject to mandatory reporting requirements.

F. Supervisee: Any individual whose terms and conditions of employment, student, student-

athlete, or affiliate status are controlled or affected by a supervisor, as defined by this policy.

G. Supervisor: An employee (including faculty or staff), student, regent, or affiliate who:

- teaches, manages, supervises, advises, coaches, or evaluates in any way other employees, students, student- athletes, or affiliates; and/or
- has a position of power, control, or the ability to influence decisions with regard to other individuals in the learning, intercollegiate athletics, or working environment of the university.

H. University Affiliate: An individual associated with the university in a capacity other than as a student or employee who has access to university resources through a contractual arrangement or other association that has been reviewed and approved in accordance with guidelines established by the campus. Examples of a University Affiliate ***may include, but are not limited to***:

- employees of contractors hired to conduct repair work at the university;
- employees of vendors engaged to provide training to university administrators;
- health care providers retained by the university to provide medical services to students/staff;
- volunteers in academic and/or operational units within the university;
- post-doctoral positions who receive external funding;
- researchers or recent graduates who are self-funded or independently funded, but utilize university facilities to further the university's research endeavors; and
- Visiting Scholars.

V. Procedures and Reporting

A. Disclosing Consensual Amorous Relationships

For relationships described in section II, the following steps **must** be followed by the person in the position of greater authority or power prior to that person accepting a role that would create a conflict of interest:

- disclose the consensual amorous relationship to the appropriate campus Equity Office, who will notify the appointing/disciplinary authority and Human Resources as applicable;
- disclose any consensual amorous relationship that currently exists prior to the effective date of this policy to the Equity Office specified above as soon as possible and cooperate in the development of a mitigation plan as outlined below; and
- cooperate in the development of a mitigation plan designed to reduce or eliminate the conflict of interest.

B. Mitigation Plans

If the conflict of interest can be successfully mitigated and managed for relationships described in section II, a written mitigation plan will be produced within fourteen business days by Human Resources in collaboration with both parties to the consensual amorous relationship, the appointing/disciplinary authority, and the Equity Office. The

fourteen-day deadline may be extended for good cause.
If the mitigation plan is not agreed to by all parties to the plan, resolution of the disagreement will be handled by Human Resources through consultation with the appointing/disciplinary authority and the Equity Office.

If the real or perceived conflict of interest, potential for abuse, or the appearance of abuse or favoritism created by the consensual amorous relationship cannot be successfully mitigated and managed, then the consensual amorous relationship is prohibited.

The mitigation plan will:

- provide an alternative means for managing, supervising, teaching, evaluating and/or advising the supervisee or otherwise mitigate the conflict;
- give priority to the interest of the supervisee;
- consider the extent to which the plan should be disclosed to additional employees with a legitimate need to know as related only to the plan's implementation and as determined by Human Resources;
- be in writing and signed by both parties to the consensual amorous relationship;
- provide notice of APS 5014 - Sexual Misconduct, Intimate Partner Violence, and Stalking [2], and
- be reassessed on an annual basis (or sooner if circumstances warrant) by the person in the position of greater authority, and the applicable department/unit for necessary modification.

C. Grievance Process

Each campus Equity Office shall establish written grievance procedures providing for prompt and equitable resolution of any allegations of prohibited conduct as follows:

CU Boulder [7]
CU Denver | Anschutz [7]
CU System Administration [8]
UCCS [9]

Questions about the application or effect of this policy to an existing or potential relationship should be directed to the Equity Office, including any relationships that are not otherwise contemplated by this policy and potential conflicts of interest that could be resolved through a mitigation plan as described above with the approval of the disciplinary authority, Human Resources, and the Equity Office. This policy is not intended to apply to spouses, civil union partners, or domestic partners in the employment context. Refer to APS 5003 - Nepotism in Employment [6], concerning those types of relationships and other immediate family members.

When an alleged violation of this policy involves more than one University of Colorado campus, the campus with primary disciplinary authority over the person accused of prohibited conduct shall investigate the complaint pursuant to its applicable complaint process and procedures. The campus responsible for the investigation may request the involvement or cooperation of any other affected campus and should advise appropriate officials of the affected campus of the progress and results of the investigation.

VI. Resources

The links below provide information on how to contact the university's confidential employees:

CU Boulder
CU Denver | Anschutz [10]
CU System Administration [11]
UCCS [12]

Communications of prohibited conduct to a responsible employee are not confidential, and these employees must report prohibited conduct to the Equity Office when it is disclosed to them.

VII. Related Policies

A. APS 5014 - Sexual Misconduct, Intimate Partner Violence, and Stalking [2]
B. APS 5003 - Nepotism in Employment [6] – In situations involving spouses, civil union partners or domestic partners, APS 5003 applies.

VIII. History

- Adopted: July 1, 1999, as "University Policy on Amorous Relationships Involving Evaluative Authority.
- Revised: April 1, 2005 – It was revised and replaced by the APS "Conflict of Interest in Cases of Amorous Relationships"; July 1, 2009; July 1, 2015; March 4, 2026 – Non-substantive change was made to remove reference to Regent Policy 2.J: Sexual Harassment which was rescinded on April 5, 2018; July 1, 2026.
- Last Reviewed: July 1, 2026.

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Links
[1] https://www.cu.edu/aps-5015-consensual-amorous-relationships-draft-body
[2] https://www.cu.edu/ope/aps/5014 [3] https://www.colorado.edu/oiec/reporting-resolutions
[4] https://www.cu.edu/compliance/reporting [5] https://equity.uccs.edu/reporting-oie
[6] https://www.cu.edu/ope/aps/5003 [7] https://www.colorado.edu/oiec/policies
[8] https://www.cu.edu/compliance [9] https://equity.uccs.edu/policies-and-resolution-procedures
[10] https://www.colorado.edu/oiec/support-resources [11] https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/employee-resources [12] https://equity.uccs.edu/resources