



ADMINISTRATIVE POLICY STATEMENT

Policy Title: ~~Conflict of Interest in Cases of~~ Consensual Amorous Relationships

APS Number: 5015

APS Functional Area: ~~HUMAN COMPLIANCE~~ RESOURCES

Brief Description: ~~Establishes that an~~ This policy prohibits consensual amorous ~~relationship~~ relationships between ~~two~~ individuals ~~constitutes a conflict of interest~~ when one of the individuals ~~has direct-teaches, manages, supervises, advises, or evaluates the other ("evaluative authority over the other;")~~ and requires that the ~~direct~~ evaluative authority be ~~eliminated~~ removed.

Effective: July 1, ~~2015~~ 2026 (Pending)

Approved by: President ~~Bruce D. Benson~~ Todd Saliman (Pending)

Responsible University Officer: Vice President of ~~Employee Compliance~~ and ~~Information Services~~ Equity

Responsible Office: ~~Office of Vice President of Employee and Information Services~~ Offices of Equity

Policy Contact: ~~Office of Vice President of Employee and Information Services~~ Offices of Equity

Supersedes: Conflict of Interest in Cases of Amorous Relationships, July 1, ~~2009~~ 2015

Last Reviewed/Updated: July 1, ~~2015~~ 2026 (Pending)

Applies to: All campuses

Applies to: All campuses. The system administration is considered a campus for the purposes of this policy and is required to adopt any campus requirements stated herein.

Reason for Policy: ~~Establishes that an~~ Consensual amorous ~~relationship~~ relationships between ~~two~~ certain categories of individuals ~~constitutes a conflict of interest when one of the individuals has direct evaluative authority over~~ affiliated with the other, university risks undermining the essential educational purpose of the university and can disrupt the learning and requires that the direct evaluative authority be eliminated workplace environment.

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.

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](#)
[CU System Administration](#)
[UCCS](#)

II. PROHIBITED CONDUCT

This Amorous relationships will sometimes develop between members of the University community, whether faculty members, students, administrators or staff. This policy requires that direct evaluative authority not be exercised in cases where amorous relationships exist or existed within the last seven years between two individuals, whether of the same or opposite sex. Problems often arise with amorous relationships in situations where one party is the supervisor and the other the supervisee. In such situations the integrity of academic or employment decisions may either be compromised or appear to be compromised. Further, amorous relationships between parties of unequal power greatly increase the possibility that the individual with the evaluative responsibility, typically a supervisor or a faculty member, will abuse her/his power and sexually exploit the student or employee. A relationship which began as consensual, may in retrospect be seen as something else by one or both of the parties. Moreover, others may be adversely affected by such behavior because it places the faculty member or supervisor in a position to favor or advance one student's or employee's interest at the expense of others and implicitly makes obtaining preferences contingent upon romantic or sexual favors. This policy, consequently, is intended to: (1) establish a reporting structure to protect participants in these relationships from violations of University conflict of interest guidelines; and (2) provide direction concerning how to terminate evaluative responsibilities between the two parties in the reported relationship.

A. ~~Removing Direct Evaluative or Supervisory Responsibilities~~

~~There is a conflict of interest when a direct evaluative relationship exists between two employees or between an employee and a student, either during the time that the amorous relationship is occurring or within seven years after it has occurred. In such circumstances the following procedures will be used to resolve the conflict of interest.~~

~~-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 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.

- 1) ~~If the amorous relationship exists in a faculty member/student direct evaluative relationship, a faculty member/faculty member direct evaluative relationship, or a faculty member/staff direct evaluative~~

relationship, the relationship must be disclosed to the faculty member's unit head(s) (department chair, dean, or head of the primary unit) with all parties present (the parties in the relationship and the unit head). The individual in the evaluative position shall recuse her or himself from all future evaluative actions involving the other person. The parties involved may choose to have this disclosure in written form placed in their own personnel files.

2) If the amorous relationship exists in a form of supervisor/supervisee direct evaluative relationship other than those enumerated above, it must be disclosed to the supervisor's unit head, typically the appointing authority, with all parties present. The parties involved may choose to have this disclosure in written form placed in their own personnel files. In either of these sets of circumstances, the responsibility to disclose rests with the person in the evaluative position. The individual to whom the disclosure is made is responsible for requiring that actions be taken to resolve the conflict by terminating the evaluative relationship.

3) If such actions are outside that individual's authority, the matter shall be referred to the individual with the authority to take such actions.

In any of the circumstances described above, the individual to whom disclosure is made bears responsibility for keeping this information confidential to the fullest extent possible. When information concerning an amorous relationship has been placed in personnel files, it will be removed and destroyed seven years after the time of initial disclosure if the interested party should so request, specifying, in addition, that the prior relationship has now ended. On the campuses a report of the action taken to resolve this conflict of interest shall be made to the Chancellor or the Chancellor's designee. If the Chancellor or the Chancellor's designee should find that the actions do not adequately resolve the conflict, the chancellor or the chancellor's designee may require other action. In System Administration (with the exception of the Office of the Secretary of the Board of Regents and Internal Audit), the report shall be made to the President or the President's designee. If the President or the President's designee should find that the actions do not adequately resolve the conflict, the President or the President's designee may require other action. In the Office of the Secretary of the Board of Regents and Internal Audit, the report shall be made to the Chair of the Board of Regents. If the Chair of the Board of Regents or the Chair's designee should find that the actions do not adequately resolve the conflict, the Chair or the Chair's designee may require other action.

B. Recusal and Disclosure in the Direct Line of Report

When an amorous relationship, either current or within the last seven years, exists between an individual and an employee who, although not her/his direct supervisor, is in the direct line of report (e.g., a dean who is involved with a faculty member in her/his college, or a second or higher level supervisor who has a relationship with a staff member in her/his unit), the higher level employee may not act in an evaluative capacity in relation to the other individual. Specifically, when the individual at the higher level of evaluative authority and the other individual in the relationship are parties to a personnel action as defined in this policy, the evaluative authority must recuse herself/himself from participating in that action. In this circumstance, either the individual at the higher level or her/his supervisor must report the action taken to resolve the conflict to the Chancellor or the Chancellor's designee. If the Chancellor or the Chancellor's designee should find that the actions do not adequately resolve the conflict, the Chancellor or the Chancellor's designee may require other action. For System Administration (with the exception of the Office of the Secretary of the Board of Regents and Internal Audit), the report shall be made to the President or the President's designee. If the President or the President's designee should find that the actions do not adequately resolve the conflict, the President or the President's designee may require other action. For the Office of the Secretary of the Board of Regents and Internal Audit, the report shall be made to the Chair of the Board of Regents or the Chair's designee. If the Chair of the Board of Regents or the Chair's designee should find that the actions do not adequately resolve the conflict, the Chair or the Chair's designee may require other action.

IV. DEFINITIONS

Italicized terms used in this Administrative Policy Statement are defined in the Policy Glossary of Terms or are defined below.

- 179 A. Consensual Amorous Relationships exist~~Relationship: Exists~~ when ~~two~~ individuals mutually and consensually
180 understand/understood a relationship, either current or that occurred within the last seven years, to be romantic and/or
181 sexual in nature. Consent is defined consistent with APS 5014 – Sexual Misconduct, Intimate Partner Violence, and
182 Stalking.
- 183
184 Personnel Actions A romantic relationship refers to a mutually consensual personal relationship between individuals
185 that involves affection, emotional intimacy, and/or sexual attraction. This relationship is characterized by an emotional
186 connection that goes beyond friendship and may include romantic words, gestures, behaviors, or dating. It need not
187 involve physical touching or sexual intimacy. In a workplace or educational setting, a romantic relationship typically
188 involves people who have a personal connection that a reasonable person would believe could affect or influence their
189 professional or learner roles.
- 190
191 This policy is not intended to apply to spouses, civil union partners, or domestic partners in the employment context.
192 Refer to APS 5003 - Nepotism in Employment, concerning those types of relationships and other immediate family
193 members.
- 194
195 B. Employee: Except as ~~defined~~ specifically stated herein, “employee” includes faculty, staff, post-doctoral positions,
196 and employee positions requiring graduate student status (such as graduate research or teaching assistant or graduate
197 part-time instructor) or undergraduate student status and consistent with how employment status is determined on each
198 campus.
- 199
200 C. Evaluative Authority: An individual has authority or influence over another when the individual has direct or indirect
201 supervisory or other evaluative authority or influence over another in ~~this policy include~~ the context of their
202 educational or employment activities.
- 203
204 This includes, but is not limited to, teaching, managing, supervising, advising, or evaluating and the ability to
205 effectuate personnel actions, including appointments/hiring, firing/layoffs, promotions/demotions, tenure decisions,
206 merit evaluations, salary setting, performance appraisals, grievance and disciplinary procedures or to determine an
207 employee’s or student’s participation in any university program or activity. Employees would also have direct or
208 indirect influence, as would their supervisory upline, over all students who share the same academic department,
209 program, major, or class with those employees.
- 210
211 D. Supervisor is defined as any one individual or a member of an evaluative committee or group who~~Mitigation Plan: A~~
212 written plan developed pursuant to this policy that mitigates the conflict of interest and the potential for abuse or the
213 appearance of favoritism created by the consensual amorous relationship and which plan is acknowledged and signed
214 by the parties involved and the respective department.
- 215
216 E. Responsible Employee: Any employee who: (1) has the authority to hire, promote, discipline, evaluate, grade,
217 formally advise or direct faculty, staff or students–; (2) has the authority to take action to redress prohibited conduct;
218 and/or (3) has been given the duty of reporting incidents of prohibited conduct by the Equity Office. The Equity
219 Office may designate in campus procedures that certain individuals who might otherwise not be considered
220 responsible employees are subject to mandatory reporting requirements.
- 221
222 F. Supervisee: Any individual whose terms and conditions of employment, student, student-athlete, or affiliate status are
223 controlled or affected by a supervisor, as defined by this policy.
- 224
225 G. Supervisor: An employee (including faculty or staff), student, regent, or affiliate who:
- 226
227 • teaches, manages, supervises, advises, coaches, or evaluates in any way other employees, students, student-
228 athletes, or affiliates; and/or
229 • has a position of power, control, or the ability to influence decisions with regard to other individuals in the
230 learning, intercollegiate athletics, or working environment of the university.
- 231
232 H. University Affiliate: An individual associated with the university in a capacity other than as a student or employee
233 who has access to university resources through a contractual arrangement or other association that has been reviewed
234 and approved in accordance with guidelines established by the campus. Examples of a University Affiliate *may*
235 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, 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

[CU Denver | Anschutz](#)
[CU System Administration](#)
[UCCS](#)

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, 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](#)
[CU System Administration](#)
[UCCS](#)

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, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

~~A. This administrative policy statement supplements:~~

~~1) [APS 5014 - Sexual Misconduct](#), Intimate Partner Violence, and Stalking~~

~~A.~~

~~B. [APS 5003 - Nepotism in Employment](#) – In situations involving spouses, civil union partners or domestic partners, the following Administrative Policy Statement [APS 5003](#) applies.~~

~~1) [APS 5003 – Nepotism in Employment](#)~~

VIII. HISTORY

~~• The initial APS Adopted: July 1, 1999, as "University Policy on Amorous Relationships Involving Evaluative Authority" was issued on July.~~

~~A. Revised: April 1, 1999-2005 – It was revised and replaced by the APS "Conflict of Interest in Cases of Amorous Relationships" on April 1, 2005. The policy was then reviewed and revised on: July 1, 2009 and July 1, 2015.~~

~~B. The terms civil union partner and same gender domestic partner were added in May 2014 to reflect new State law regarding Civil Unions.~~

~~C. Following adoption of Regent Policy 2 J on Sexual Harassment on June 26, 2003, and issuance of administrative policy statement "Sexual Harassment Policy and Procedures," effective July 1, 2003, a committee was established to consider changes to the related administrative policy statement "University Policy on Amorous Relationships Involving Evaluative Authority," dated July 1, 1999. The Amorous Relationships Committee received comments from a wide range of individuals and groups familiar with the workings of the existing policy, ranging from~~

administrators, ombudsmen and women, to a former member of the Board of Regents. The policy was presented to and discussed with the Personnel and Educational Policy and University Standards (EPUS) committees of Faculty Council, as well as with Faculty Council itself. The policy also was reviewed by Staff Council, the system-wide student governance group, and the Human Resources Policy Group (HRPG). Each of these groups recommends its adoption.

~~D. The term same gender domestic partners was updated to domestic partners effective 2/18/19.~~

- ~~;~~ 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. (Pending)
- Last Reviewed: July 1, 2026. (Pending)