



## MEMORANDUM

**DATE:** April 20, 2022

**TO:** MPP, Confidential, UAPD (Unit 1), CSUEU (Units 2, 5, 7, 9), CFA (Unit 3), APC (Unit 4), Teamsters (Unit 6), SUPA (Unit 8) and UAW (Unit 11) Employees

**FROM:** Marcus Brown, Director of Equity, Inclusion, and Compliance   
Title IX Coordinator / DHR Administrator

Lori Blodorn, Assoc. VP for Human Resources and Chief Human Resources Officer

Dr. Deborah Boschini, Assoc. VP, Faculty Affairs

**SUBJECT:** Prohibited Consensual Relationships

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This memorandum is to make you aware of the Prohibited Consensual Relationships policy included in the *Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation* (CSU Executive Order 1096 Revised January 2, 2022). While sexual and/or romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, Stalking, or Retaliation. In addition, some relationships are considered prohibited consensual relationships due to the nature of the roles and responsibilities of either of the participants.

Per CSU EO 1096, Article II, Section F and Article VII, Section A.8:

A Prohibited **Consensual Relationship** is a consensual sexual or romantic relationship between an Employee and any Student or Employee over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.

A CSU Employee shall not enter into a consensual relationship with a Student or Employee over whom s/he exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event such a relationship already exists, each Campus shall develop a procedure to reassign such authority to avoid violations of this policy.

## **PROCESSES FOR DISCLOSURE OF APPLICABLE CONSENSUAL RELATIONSHIPS**

Employees who are in a current consensual relationship or contemplating entering a consensual relationship as defined above are responsible to disclose this relationship to the Title IX Coordinator. Additionally, third parties should also report consensual relationships which they believe fall under purview of EO 1096. To ensure the integrity of the reporting process, anonymous reporting is discouraged.

Please note that failure to disclose a consensual relationship which potentially falls under behavior prohibited by EO 1096 may result in discipline that is administered in a manner consistent with applicable collective bargaining agreements, CSU policies, and legal requirements.

*\*\*All documentation regarding consensual relationships disclosed and their resolution shall be maintained by the Title IX Coordinator. In accordance with applicable federal and state laws, as well as university policies, every reasonable effort will be made to ensure confidentiality and privacy of these records.*