

SOUTHWESTERN LAW SCHOOL

L O S A N G E L E S

Policy Statement on Consensual Relationships

Revision history: Formerly a part of the annually revised Student Handbook. Established as a standalone policy August 2022.

Related policies: [LIST POLICIES].

Scheduled Review Date: June 2024 (TBD Office)

The following has been adopted by the Southwestern faculty and represents a policy statement of professionalism for students and faculty of the Southwestern community.

A. Policy Statement

Consenting romantic or sexual relationships between faculty and students are deemed very unwise. This practice affects the performance, morale, and intellectual atmosphere of the community in which it occurs.

Faculty members must understand that a faculty member who initiates with a current student a personal relationship with romantic or sexual implications or intentions, or who acquiesces in such a relationship initiated by a current student:

1. Can seriously compromise the student-teacher relationship to which all faculty members have primary professional responsibilities;
2. Can in a classroom environment, seriously impair the educational environment not only for the principals in the relationship but for the faculty member's other students;
3. Can give rise to charges of unacceptable discrimination by the faculty member's other students in regard to grading, references, or employment opportunities; and
4. May prejudice the faculty member's defense in the event that sexual harassment or discrimination charges arise from such a relationship.

"Current student" will be understood to mean any student currently enrolled in the law school. A relationship existing at the time the student enters the law school is not condemned by this policy; however, the student may not enroll in any course taught by the faculty member with whom they are involved.

Faculty members are warned against the possible costs of even an apparently consenting relationship. The administration involved with hearing a charge of sexual harassment will be expected, in general, to be unsympathetic to a defense based on consent when the facts establish that a professional power differential existed within the relationship.

Although sexual relationships between faculty members and current students do not in themselves constitute sexual harassment, they do nonetheless constitute entirely inappropriate behavior which hold enormous potential for impairing a faculty member's effectiveness as a teacher with other students, quite apart from the exposure to charges of sexual harassment and discrimination which such relationships present.