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UNH FACULTY SENATE Motion # XXIII - M15 on the Amorous Relationship Policy

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UNH FACULTY SENATE
Motion # XXIII – M15
on the Amorous Relationship Policy

1. Motion presenter: Jim Connell, on behalf of the Agenda Committee
2. Dates of Faculty Senate discussion: 02/11/2019, 02/25/2019

3. Rationale: The Faculty Senate recognizes the importance of UNH having a strong amorous relationship policy. The entire UNH community will benefit from a well-developed, clear policy that supports the highest ethical and professional standards, academic fairness, and a campus community free from sexual misconduct.

A university is “a community of scholars,” scholars being faculty as well as students. Indeed, all faculty should be, as scholars, students; and, for many students, teaching is a significant part of their learning process. It is also far more than a workplace, and to treat it only as such, demeans it. This is particularly true for traditional undergraduate students, for whom the “university experience” is their first move into independent adulthood, albeit in a transitional sense. Yet, the undergraduate populations of universities such as UNH extend far beyond traditional undergraduate students, with non-traditional students who may be only a few years older than traditional undergraduates, as well as students who have retired after successful careers and now seek to start or complete an undergraduate degree they never found time for, and veterans who are making their own transition to civilian life. As any faculty member knows, these students add richness to the undergraduate experience.

Any policy must accommodate the vast and rich diversity of students, staff and faculty at a university. Shared governance is crucial to these many voices being heard and recognized.

4. Motion: In response to the imposition of the new Amorous Relationship Policy, which did not involve shared governance, the Faculty Senate of the University of New Hampshire resolves that any amorous relationship policy for UNH must:

I. Support, and not undermine, the academic mission of UNH:

1. **Any coercive or exploitive relationship, amorous or otherwise, particularly under color of university authority, undermines the academic mission;**
2. **Relationships in which there is, or is perceived to be, an unequal power balance do not necessarily fall under 1), but must be monitored and managed to avoid such a case;**
3. **This said, any policy that unnecessarily or unfairly discourages, disadvantages or disincentivizes participation in academic opportunities (e.g. peer teaching, internships, service or volunteer opportunities) by putting onerous restrictions on participants as is the case with the present policy (i.e., prohibiting undergraduate involved in such activities from amorous relationships with all other undergraduates), profoundly undermines the academic mission (see also Student Senate motion R40.06);**

II. Be fair, clear and equitable both in intent and application:

- 1. The new policy is confusing and subject to widely varying interpretation;**
- 2. Further to the above, an effort is underway to develop a UNH “implementation plan” that, it appears, will modify the policy, despite the policy being, presumably, the governing document, further exacerbating confusion;**
- 3. Any policy so subject to such varied interpretations, even supposedly official interpretations, is ripe for abuse, and therefore inherently unfair;**
- 4. The policy places sole (for each campus) responsibility for its application in the hands of one administrator and is also ripe for abuse, real or perceived;**
- 5. Any policy that is unclear, ripe for abuse and lacking in due process can only have questionable legitimacy;**
- 6. Statements and justifications by representatives of the administration that the policy is in response to “the current climate” profoundly undermine fairness and equity, and even more so, the academic mission, as the basis for the policy;**

III. Be adopted under the norms of shared governance and input from, and consideration of, all stakeholders:

- 1. The policy was developed and adopted with no considerations of shared governance with the UNH Faculty Senate, Undergraduate Student Senate, or Graduate Student Senate, PAT or OS Councils, nor, so far as the UNH Faculty Senate leadership has been able to determine, with similar bodies on any other USNH campus;**
- 2. The policy was developed and adopted with no input from UNH staff, non-traditional students (including veterans) or others, and, so far as the UNH Faculty Senate leadership has been able to determine, the same applies to other USNH campuses;**
- 3. Had the policy been developed within the norms of shared governance and with broad participation, the many serious issues with the new policy would have become apparent and been addressed;**

IV. The new policy must improve upon the preceding policy:

- 1. The UNH Faculty Senate believes the previous policy needed to be strengthened, but was serviceable pending adoption of an improved policy;**
- 2. Given the specific issues above, the UNH Faculty Senate considers the new policy, far from being an improvement, is inferior to the previous policy;**

V. The UNH Faculty Senate, therefore, finds the new policy unacceptable:

- 1. The UNH Faculty Senate calls for the previous policy, which was a legitimate product of shared governance among all UNH stakeholders, to be reinstated immediately, at least on the UNH campus;**
- 2. The UNH Faculty Senate calls for a plan, one that respects the principles of shared governance and meaningfully involving by all stakeholders in the process, to develop a truly improved, widely respected and accepted, Amorous Relationship Policy.**

5. Senate action: The motion passed with 51 in favor, none opposed, and 4 abstentions.

6. 

Senate Chair, Robert S. Smith

Forwarded to the following on March 19, 2019:

Todd Leach, Chancellor, USNH
President James Dean
Provost Wayne Jones
Ted Kirkpatrick, Senior Vice Provost for Student Life and Dean of Students
Donna Marie Sorrentino, Director & Title IX Coordinator
Kathy Neils, Chief Human Resources Officer
Karen Gilbert, Director, Military & Veteran Services
All deans
All department chairs
Student Body President, Ethan McClanahan
Student Senate Speaker, Nick LaCourse
Graduate Student Senate President, Jordan Coulombe
PAT Council Chair, Cindi Rohwer
OS Council Chair, Betty Schmid