



## Ohio Administrative Code

### Rule 3358:5-3-27 Consensual relationships policy.

Effective: July 1, 2025

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The college's educational mission is promoted by professionalism in faculty-student and staff-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty and staff that harm this atmosphere undermine professionalism and hinder fulfillment of the college's educational mission. Trust and respect are diminished when those in position of authority abuse, or appear to abuse, their power. The purpose of this policy is to define consensual relationships and to define when these relationships are prohibited and may subject faculty and staff to disciplinary actions.

(A) Faculty and staff exercise authority over students in a variety of circumstances. Faculty authority is manifested primarily in the instructional context, which includes coursework, assigning, assessing, grading, advising, recommendations and similar processes. Faculty with supervisory responsibilities have similar authority to influence the terms and conditions of employment, performance and progress. Staff authority may manifest in the course of advising, coaching, supervision and in influencing the terms and conditions of employment, evaluating, job performance, progress, and recommendations.

(B) Amorous and sexual relationships between faculty and students are wrong, whether consensual or not, when the faculty or staff member has professional responsibility for the student. Such situations greatly increase the chances that the faculty or staff member will abuse their authority and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty or staff may be affected by such unprofessional behavior because it places the faculty or staff member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors.

(C) Therefore, the college shall view it as unethical if faculty or staff members engage in amorous or sexual relations (consensual or otherwise) with students enrolled in their classes or subject to their supervision even when both parties appear to have consented to the relationship. Amorous or sexual



relationships outside the instructional, advisory, coaching and supervisory contexts described in this policy, while not specifically prohibited, are discouraged and are very unwise.

(D) Accordingly, faculty and staff, whether full-time or part-time are prohibited from pursuing or engaging in an amorous or sexual relationship with any Clark state student enrolled in their courses or over whom they have other college responsibility or authority, including supervisory responsibilities. A person's status as a student commences upon admission to the college and continues during academic terms in which the person is enrolled, including college breaks and holidays. A person is no longer considered a student when they have completed their program of study, graduated and have not re-enrolled for one or more semesters. Relationships that have existed prior to a faculty or staff member's employment or a student's enrollment, such as those between spouses or partners, must be disclosed to the faculty or staff member's supervisor and human resources, but are generally exempt. In such cases, it is better for the student to take courses and be taught, advised, coached and/or supervised by another faculty or staff member as disclosure does not remove the power differential or the potential for coercive actions.

(E) Actions that violate this rule may subject the faculty and staff member to disciplinary action, up to and including termination. Actions that violate this rule may also be considered sexual harassment or misconduct and subject to college policies on sexual harassment and misconduct.