

# VCU Health System

## Graduate Medical Education Policy

---

### Consensual Relationships

---

#### Policy Statement and Purpose

Virginia Commonwealth University is committed to maintaining learning and work environments as free as possible from conflict of interest, exploitation, and favoritism. The supervisor-learner relationship represents a special circumstance because maintaining (or preserving) the integrity of this relationship is of fundamental importance to the central mission of the University. In cases where one person uses a position of authority to induce another person to enter into a romantic and/or sexual relationship, the likely harm to the induced person and to the institution is clear. Even in cases where the relationship is deemed “consensual” by the involved parties, significant potential for harm remains when there is an institutional power differential between them. The existence of such relationships may cast doubt on the objectivity of any supervision and evaluation provided. Even allegedly “consensual” relationships that occur in the context of educational supervision and evaluation can give rise to serious ethical concerns and present significant conflicts of interest.

Therefore, it is the policy of the Department of Graduate Medical Education that individuals in a position of authority, defined as those who teach, evaluate, supervise or advise learners, shall **not** engage in consensual relations with them.

This policy is directed specifically to individuals involved in graduate and undergraduate medical education.

#### Who Should Read This Policy

All individuals involved in graduate and undergraduate medical education programs.

#### Related Documents

- Rules and Procedures of Virginia Commonwealth University
- State and Local Government Conflict of Interests Act
- State Policy 1.60, Standards of Conduct
- University Policy on Administrative and Professional Faculty
- University’s Prohibition of Sexual Harassment Guidelines
- VCU Promotion and Tenure Policy
- VCU Rules and Procedures

#### Contacts

The Office of Graduate Medical Education officially interprets this policy and shall revise or eliminate any or all parts as necessary to meet the changing needs of the Virginia Commonwealth University Health System. Please direct policy questions to the Office of the Associate Dean for Graduate Medical Education.

## **Definitions**

### **Consensual Relationships**

Romantic and sexual relationships willingly undertaken by the involved parties.

### **Position of Authority**

References and includes, but is not limited to, situations in which a faculty member, fellow or resident is responsible for teaching, evaluating, supervising, or advising a learner as part of a graduate or undergraduate medical education program or is in a position to influence any of these activities or processes.

### **Faculty**

Faculty appointments (full-time and permanent part-time) include: Instructional (teaching and research) Faculty; Administrative and/or Professional Faculty; Collateral and Adjunct Faculty; Special faculty appointments, such as Visiting, Eminent Scholar, Emeriti and Affiliate Faculty; or any ancillary personnel involved in education, evaluation, supervising or advising of learners in a graduate or undergraduate medical education program.

### **Learner**

Any person engaged in graduate (residency or fellowship) or undergraduate (medical or dental school) medical education at VCU.

### **Student**

Any person enrolled full-time or part-time in any program of Virginia Commonwealth University and its various schools.

## **Procedures**

### **Multiple Roles**

There are occasions when an individual, primarily classified as a learner will assume the role of an individual in a position of authority. For example, a resident may be both a learner (relative to a faculty member or fellow) and a teacher or supervisor (relative to a student).

### **Acknowledgement of a Consensual Relationship**

This policy prohibits consensual relationships between individuals in a position of authority and learners. In the event such a relationship exists or develops, the individual in the position of authority shall immediately report the relationship to his or her immediate supervisor. A plan for resolving the conflict of interest must be developed. The supervisor shall make suitable arrangements for the objective evaluation of the performance of the learner for the protection of individual and University interests.

**Failure to Report Noncompliance**

An individual in a position of authority who fails to report the development of a consensual relationship with a learner will be deemed to have created a conflict of interest and to have violated an ethical obligation owed to learners, other employees, colleagues, and the University. Credible allegations of an individual in a position of authority failing to report the existence of such a relationship obligates the immediate supervisor to conduct a prompt and thorough inquiry to determine whether there is any validity to the allegation. When it is concluded that a prohibited relationship exists, the immediate supervisor shall undertake a resolution to the conflict of interest and may impose sanctions against the person in a position of authority.

**Sanctions**

Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination or expulsion from the University depending upon the severity of the offense. Should it be determined that disciplinary action is appropriate, the action to be taken shall be determined by:

- The Vice President for the Health Sciences in consultation with the appropriate Dean and Chair for faculty members,
- The appropriate Vice President for staff or the President in the event a Vice President or one reporting directly to the President is involved, and
- The Dean in consultation with the Associate Dean for Graduate Medical Education for residents and fellows.

**False Allegations**

Persons who knowingly make false allegations that an improper relationship exists shall be subject to comparable sanctions.

**Resource for Assistance**

Staff in the Offices of the Associate Dean for Graduate Medical Education is available to assist any party covered by this policy.

Reviewed, updated and approved GMEC September 12, 2006