

Teachers & Students: Maintaining Professional Boundaries

Prepared by the Professional Standards & Ethics Committee, 2018

OVERVIEW & PURPOSE

The boundaries of student and teacher relationships can seem ambiguous. Faculty may not be clear on what is considered appropriate with students. A worthwhile aim is to bring greater faculty awareness of the power imbalance between faculty and students, the corresponding responsibility to act professionally, and related policies.

Specific relevant sections of policies to be aware of are hyperlinked below for ease of reference. Please refer to the full policy online for more information. This information is not exhaustive, and is meant to be a helpful reference guide.

CODE OF ETHICS

<https://mrfanet/wp-content/uploads/2018/01/MRFA-Bylaws-2017.pdf>

16.3. RESPONSIBILITIES AND RIGHTS AS TEACHERS

16.3.1. Responsibility

16.3.1.1. We have a duty to **be accountable for the impact that our decisions and actions have on our students.**

16.3.2. Respect

16.3.2.1. We have a duty to **treat our students with respect, to be mindful of the position of power we occupy, and to uphold a professional relationship with them.**

16.3.2.2. We have a duty to **be respectful of our diversity and to be tolerant of differences between our students and ourselves,** and those among our students.

16.3.2.3. We have a duty to **maintain students' privacy and to keep confidential all information learned about a student, except where it is given to a colleague for the purpose of aiding or evaluating the academic progress of the student, where maintaining privacy might be contrary to the interests of the Mount Royal University community, or where it is given with the prior consent of the student.**

16.3.3.

Fairness 16.3.3.1. We have a duty to **judge our students without bias or prejudice.**

16.3.3.2. We have a duty to **evaluate the work and efforts of our students fairly and objectively and to make professional assessments on the basis of merit to the best**

of our abilities.

16.3.4. Truth and the Advancement of Knowledge

16.3.4.1. We have a duty to **protect and promote academic freedom in our classrooms, including by fairly considering a broad range of views and opinions**

16.3.4.2. We have a duty to **promote academic honesty and integrity in our courses.**

16.3.5. Academic Freedom

16.3.5.1. We have a duty to **protect the academic freedom of our students and to encourage their freedom of inquiry. This includes respect for our students' right to dissent and to express views with which we disagree.**

CONFLICT OF INTEREST POLICY

<http://www.mtroyal.ca/AboutMountRoyal/OfficesGovernance/PoliciesAndProcedures/view/0B2rB1ncpgWxY0VtHI0OXhRcIk>

Section E (1) Conflict of Interest means situations where:

d) a Person enters in or is in a **romantic, intimate or close personal relationship with a student** or another employee that could lead to actual or **perceived favoritism or an imbalance of power.**

Section D 3. As with all Mount Royal policy and associated procedures, non-compliance constitutes misconduct, and may be pursued under the applicable collective agreement or Mount Royal policy.

CONFLICT OF INTEREST PROCEDURES

<http://mtroyal.ca/AboutMountRoyal/OfficesGovernance/PoliciesAndProcedures/view/0B2rB1ncpgWxY3dRUMRGexZLUk>

B. PROCEDURES

1.4 **Romantic, sexual and financial relationships** may develop between members of the Mount Royal community and members of the Mount Royal community should bear in mind that:

a. All romantic, intimate or personal relationships must be consensual and legal **but, even though the relationship is consensual, it can raise serious concerns about the validity of consent, Conflicts of Interest and favoritism.**

b. Mutual consent may be in question should a complaint of harassment and/or discrimination arise either during or after a relationship involving partners where there is an **inherent power imbalance that exists with one partner (for example, an instructor and student or a supervisor and employee).**

c. **Where there exists an inherent power imbalance simultaneous with a consensual romantic, intimate, or personal relationship, responsibility for direct supervision and/or evaluation will be removed** and there should be no ability to influence the employment or academic status of the other

individual with whom there is a relationship.

d. Generally, Mount Royal will be unsympathetic to a defense that the relationship was consensual when the facts establish that the accused had the power to affect the complainant's academic or employment status or future prospects.

e. While everyone is encouraged to maintain professional boundaries, **the ultimate responsibility for these always lies with the individual with the inherent power, the faculty member or the supervisor, not the student or employee.**

PERSONAL HARASSMENT POLICY

<http://www.mtroyal.ca/AboutMountRoyal/OfficesGovernance/PoliciesAndProcedures/view/0B2rB1ncpgWxdWRRbmg4eE52SHM>

B. SCOPE

This Policy applies to all members of the Mount Royal community

C. POLICY STATEMENT

1. PRINCIPLES

1.4 In dealing with a complaint, **efforts at informal resolution will normally be made first**

1.5

b. Any complainant who wishes to make a complaint under this Policy must be prepared to be identified to the respondent.

c. All parties must be given the opportunity to present information in support of their positions

1.7 Refusal to participate may be grounds for dismissal.

1.8 Frivolous, vexatious or malicious complaints of Personal Harassment may result in disciplinary action up to and including termination.

1.9 ... the employee with whom the matter is discussed must respect the complainants' confidence

1.11 Persons who believe that the actions of others are **inappropriate, disrespectful or harmful have the right to bring their concerns forward** ... without fear of recrimination or reprisal.

2. POLICY

2.3 Any incidents of Personal Harassment may lead to disciplinary action up to and including termination of an employee subject to labour legislation and the Mount Royal Collective Agreements. Cases of Personal Harassment by students will be dealt with under Code of Student Conduct.

D. DEFINITIONS

(1) The exercise of Academic Freedom is distinct from the act of Personal Harassment of any kind. ... Academic Freedom is defined in the Academic Freedom policy

(2) Personal Harassment can include but is not limited to, remarks, jokes or actions which demean or humiliate ... examples ...

- setting arbitrary or unachievable workloads ...
- verbal and/or physical intimidation ...
- public reprimand, ridicule, sarcasm or humiliation ...
- bullying ... associated with the misuse of power or position ...
- making threats of academic failure.

Any difficulty in defining Personal Harassment should not deter a member of the faculty, staff or student body from seeking support or complaining of behavior which causes him/her distress.

HUMAN RIGHTS POLICY

<http://www.mtroyal.ca/AboutMountRoyal/OfficesGovernance/PoliciesAndProcedures/view/0B2rB1ncpgWxvXIIHM2ZnVkNYNU0>

Section B (1.7) in “Student-faculty relationships” document and Section C(1.7) in “Human Rights Policy” document.

Due to the inherent power in the supervisor-employee relationship and in the **instructor-student relationship**, managers, supervisors and faculty, **even in social settings, are strongly discouraged from entering a sexual or romantic relationship with an employee or student.** Managers, supervisors, and **faculty members must realize that where a professional power differential exists between two parties, it will exceedingly difficult to defend against a Complaint of Sexual Harassment by claiming mutual consent.**

EXTRA RESOURCES & CONTACTS

1. Code of Student Conduct Policy - http://www.mtroyal.ca/cs/groups/public/documents/pdf/code_of_student_conduct_policy.pdf
2. Student Advocacy Office - <http://www.samru.ca/supportservices/studentadvocacycoordinator/>