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PUBLISHED: FEBRUARY 17, 2016

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State of Affairs: Employee-Student Amorous Relationship Policy & Procedures Considerations, National Association of College and University Attorneys NACUANOTES

In recent years, many colleges and universities have tightened restrictions on employee-student amorous relationships. Historically, and to some extent still, colleges and universities have been hesitant to police these relationships. However, no doubt influenced by the whirlwind of new sexual misconduct guidance, enhanced enforcement efforts, concern for the wellbeing of community members, and increased public attention, many schools are examining the impact of employee-student amorous relationships on students and employees, as well as on institutional integrity, with a particular focus on the institution's obligations under Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. The trend is toward carefully considered policies that set clear expectations, procedures, and consequences for violation. This Note examines several potential approaches and outline considerations for developing policies and procedures that suit the needs and culture of individual institutions of higher education.