

Policy Name:	Non-Fraternization and Familial Relationships Policy
Responsible University Office:	Office of the General Counsel and Compliance
Policy Owner:	Chief Compliance Officer

I. Policy Scope

The American University in Cairo (“the University” or “AUC”) strives to provide an environment for students, faculty and staff that is respectful, fair, and free of unlawful harassment, discrimination, and bias. Staff and faculty appointments and promotions at AUC are made on the basis of the needs of the University and the merits of the individuals. This Policy on Non-Fraternization and Familial Relationships (the “Policy”) applies to all Employees as defined below, in order to maintain a high degree of integrity, objectivity, and professionalism within the University community.

II. Definitions

For the purposes of the Policy:

- A. “Employee” refers to any person employed by the University in any capacity, whether faculty or staff, graduate teaching or research assistants, regardless of the form of contract.
- B. “Graduate Student” refers to any individual who is currently registered or enrolled in a graduate-level or post-doctorate-level course at the University.
- C. “Romantic Relationship” is a relationship that involves emotional intimacy or other passionate attachment, characterized by romantic love, whether casual or serious, short or long term, and whether or not consensual. The relationship does not have to include physical intimacy if a romantic relationship exists that is beyond the reasonable boundaries of a collegial or professional relationship.
- D. “Sexual Relationship,” is a relationship that involves physical intimacy or sexual activity, whether casual or serious, short or long term, and whether or not consensual. A single sexual encounter is considered a Sexual relationship under this policy.
- E. “Student” refers to any individual who is currently registered or enrolled in a course of study or an academic program of the University.
- F. “Supervisory or Evaluative Authority” is the power to control or influence another person’s employment, academic advancement (including through academic advising or counseling), or extracurricular participation, including but not limited to, hiring, work conditions, compensation, promotion, discipline, admission, instruction, grades, assignments, critique, supervision of theses, recommendations, grant and prize review, financial support, or participation in extracurricular programs.
- G. “Undergraduate Student” refers to any individual who is currently registered or enrolled in an undergraduate course of study at the University.

III. Policy Statement

In keeping with its commitment to provide equal opportunity to students, faculty and staff, and in order to avoid potential conflicts of interest, favoritism, exploitation, discrimination, harassment or breaches of professional standards, the University prohibits both Romantic and Sexual relationships where there is an inherently unequal position between the parties including supervision, direction or influence. Thus, Employees and Supervisors shall not engage in Romantic or Sexual relationships with Students or Employees over whom they have Supervisory or Evaluative Authority. *See the related Anti-Harassment and Non-Discrimination Policy.*

Furthermore, to avoid the negative influence of nepotism and to ensure that personnel decisions are made on the merits, employment of individuals who have a first-degree family relationship with a current University Employee is generally prohibited in situations where first-degree relatives maybe in the same reporting line .

IV. Non-Fraternization Policy Standards

A. Undergraduate Students

No Employee shall have or maintain a Romantic or Sexual relationship with any Undergraduate student, except that an Employee who is also an Undergraduate student or is an Employee solely because they are a graduate school teaching assistant is not prohibited from having or maintaining a Romantic or Sexual relationship with an undergraduate student so long as the Employee does not have Supervisory or Evaluative Authority with respect to that Undergraduate student.

B. Graduate/Professional Students

Faculty, graduate research assistants, and graduate teaching assistants are prohibited from exercising Supervisory or Evaluative Authority over Graduate students with whom they have a current or have had a prior Romantic or Sexual relationship.

C. Supervisors

Supervisors are prohibited from exercising Supervisory or Evaluative Authority over any Employee with whom they have a current or have had a prior Romantic or Sexual relationship.

In the event that job reassignment or restructuring would grant Supervisory or Evaluative Authority to one party in a previous or current Romantic or Sexual Relationship over the other, the involved parties must promptly report such Relationship to the University's Title IX Coordinator and Chief Compliance Officer, as described in the Reporting section, below.

There may be rare cases in which exceptions to this rule may be considered, such as if there are married faculty members in the same school and one is promoted to Dean. Such applications for exception should be made and managed in accordance with the University's Conflicts of Interest and Commitment Policy.

D. Consent

Consent by the parties to the existence of a Romantic or Sexual Relationship may not be considered a defense against a charged violation of the Non-Fraternization Policy.

V. Familial Relationships Policy Standards

AUC will generally not employ or retain first-degree relatives of AUC Employees in the same department or in the same reporting line. First-degree relatives are deemed to include spouses (wives and husbands), parents (mothers and fathers), step-parents (step mothers and fathers), siblings (brothers and sisters), step siblings (step brothers and sisters), children (sons and daughters), step children (step sons and daughters), in-laws, aunts, uncles, and first cousins. First-degree relatives may be hired in departments or areas that have no direct reporting relationship. In exceptional cases, and on the basis of a determination that an individual possesses necessary skills not otherwise available to the University, AUC may employ or retain first-degree relatives of current Employees who would not ordinarily be eligible for appointment at AUC. The hiring department must make a written case for the exception, securing the approval of: the concerned area head, and the Office of Human Resources; **or** the University President (provided that such appointments within the administration requires the approval of the President). Employees must disclose familial relationships when their first-degree relative applies for employment at AUC, or as soon as they learn that an application has been made. Disclosure must be made through the University's Conflicts of Interest and Commitment Disclosure Form. Failure to disclose a first-degree relationship may result in dismissal for either or both Employees.

Employees who marry after their appointments at AUC are exempted from this rule, although one spouse may not exercise Supervisory or Evaluative Authority over another, and if the spouses work under the same Supervisor, at AUC's discretion, one spouse may be required to apply for a transfer to a different unit or division within 30 calendar days of their marriage. Employees who marry after their appointment at AUC are required to disclose their marriage to the Office of Human Resources within seven (7) business days from the date of the marriage.

All Employees with full-time AUC employment contracts or appointments of one year or longer as of the effective date of this Policy are exempt from these provisions with respect to family members employed by AUC as of the adoption date of this Policy, and no appointments made prior to the adoption date of this Policy will be revoked as a result of these requirements. No additional relatives of current Employees may be appointed except through the process described above.

VI. Procedures

A. Reporting

Any Employee who becomes aware of a relationship prohibited by the Non-Fraternization Policy and/or the Familial Relationship Policy has the obligation to report such relationship to the University's Title IX Coordinator or Chief Compliance Officer. The recipient of the report will take appropriate action in accordance with this Policy and any other applicable University policies.

With respect to the Non-Fraternization Policy, in the event that job reassignment or restructuring would grant Supervisory or Evaluative Authority to one party in a previous or current Romantic or Sexual Relationship over another, the involved parties shall promptly report such relationship to the Title IX Coordinator or Chief Compliance Officer. The Title IX Coordinator or Chief Compliance Officer shall confer with the parties' next-level Supervisor and alter the reporting structure so that neither party has Supervisory or Evaluative Authority over the other. Failure to disclose a Romantic or Sexual Relationship under such circumstances may lead to disciplinary action.

Submitting a false report of a violation of this Policy or providing false or misleading information in bad faith or with a view to personal gain is prohibited and may lead to disciplinary action. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined to be inaccurate.

Questions regarding the applicability of or reporting requirements contained in this policy may be directed to the Office of Human Resources, the Office of the Provost, or the Office of the General Counsel and Compliance.

B. Enforcement

Employees who violate the Non-Fraternization and Familial Relationships Policy may be subject to discipline, up to and including termination of employment. While anonymous complaints may trigger an investigation, absent corroboration, they may not serve as the sole basis for a finding of a violation of the Non-Fraternization and Familial Relationships Policy.

C. Standard of Review

The University utilizes a “preponderance of the evidence” standard (more likely than not that a policy violation occurred) in the determination of whether a Policy violation has occurred.

D. Resolution

Reports of violations of the Policy will be resolved in accordance with procedures set forth in the *Anti-Harassment and Non-Discrimination Policy*.

E. Retaliation Prohibited

It is strictly forbidden to take adverse actions against any member of the University community for filing a complaint of violations of this Policy, or for cooperating in an investigation of such a complaint. The University will not tolerate retaliation or discrimination against anyone who makes a good faith report of a suspected violation of law, regulation or University policy. Retaliation includes any adverse action, such as discipline, firing, salary reduction, or job or shift reassignment, bad grades, pressure to withdraw from class, and ignoring or refusing requests for assistance. This list is not exhaustive.