

- 25.8.8 Knowingly soliciting a minor for sexual activity;
- 25.8.9 Engaging in sex trafficking;
- 25.8.10 Knowing creation, possession, or dissemination of child pornography; and
- 25.9 Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person.
- 25.10 **Intimidation**, defined as implied threats or acts that cause an unreasonable fear of harm in Another.
- 25.11 **Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the UNC Pembroke community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.
- 25.12 **Bullying**, defined as:
  - 25.12.1 Repeated and/or severe
  - 25.12.2 aggressive behavior
  - 25.12.3 likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
  - 25.12.4 that is not speech or conduct otherwise protected by the First Amendment.
- 25.13 Sanctions for the above-listed sexual harassment offenses range from reprimand through expulsion/termination.

## **26. Unethical Relationships**

### **26.1 Expectations Regarding Unethical Relationships<sup>8</sup>**

26.2 There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty member and student or supervisor and employee). These relationships may, in reality, be less consensual than perceived by the individual whose position confers power or authority. Similarly, the relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Circumstances may change, and conduct that was once welcome may, at some point in the relationship, become unwelcome.

26.3 Even when both parties have initially consented to romantic or sexual involvement, the possibility of a later allegation of a relevant Policy violation still exists. The UNC Pembroke does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the UNC Pembroke. However, for the personal protection of members of this community, relationships in which power differentials are inherent (e.g., faculty-student, staff-student) are generally discouraged. They may also violate standards of professionalism and/or professional ethics.

26.4 Consensual romantic or sexual relationships in which one party maintains a direct supervisory or otherwise evaluative role over the other party are inherently problematic. Therefore, persons with direct supervisory or otherwise evaluative responsibilities who are involved in such relationships must bring these relationships to the timely attention of their supervisor and/or the Title IX Coordinator. The existence of this type of relationship will likely result in removing the supervisory or evaluative responsibilities from the employee or shifting a party from being supervised or evaluated by someone with whom they have established a consensual relationship. When an affected relationship existed prior to adoption of this policy, the duty to notify the appropriate supervisor still pertains.

26.5 This type of relationship includes Resident Advisors (RAs) and students over whom the RA has direct responsibility. While no relationships are prohibited by this policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee. The Title IX

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<sup>8</sup> This Unethical Relationship section is included here to inform the campus community of UNC Pembroke's expectations. Regardless, any violation of this section is a Human Resources/Employee Relations matter and will be addressed by the Office of Human Resources unless the elements of the definition of harassment are met.