



**Indian Institute of Technology Kanpur
Directorate**

DIR/IITK/2020/OO-10
13th January 2020

OFFICER ORDER

Subject: Implementation of the policy on romantic or sexual relationships between individuals in positions of authority and student/employee of the Institute

Reference: Minutes of the Board 232nd (2019/5th) meeting held on 27.12.2019

The Board in its above-cited meeting held on 27th December 2019 has approved the attached policy on romantic or sexual relationships between individuals in positions of authority and student/employee of the Institute.

Therefore, the Institute decided to adopt and implement the aforesaid policy with immediate effect.

This is for necessary information to all concerned.

Abhay Karandikar
Director

Copy to:

- 1) Dy. Director
- 2) All Deans
- 3) All IAC members
- 4) Registrar
- 5) All Heads of the Departments/ IDPs/ Centres/Sections/Unit-in-charges
- 6) Hindi Cell for translation in Hindi
- 7) Circulation of url at 'all@lists.iitk.ac.in' (text only)

Policy on Romantic or Sexual Relationships Between Individuals in Positions of Authority and Students/Employees of the Institute¹

I. Preamble

As a premier institute of the country, IIT Kanpur strives to provide an environment that promotes excellence in academics and research. Such an environment is nurtured through harmonious interactions between different sections of the Institute community; the interactions are founded on mutual respect and trust. Thus IIT Kanpur is committed to give equal opportunity and support to all members of its community in pursuing their academic or professional interests without fear or favour.

Professionalism demands that all individuals who are in positions of authority in the Institute, recognize the element of power present in their relationships with students or subordinates in the Institute hierarchy. The Institute expects that these individuals will not abuse, or not even appear to abuse, the power that has been entrusted to them. It is incumbent on these individuals to conduct their duties impartially and with complete integrity, avoiding possible conflicts of interest.

Reasons for the Policy: A romantic or sexual relationship between an individual in a position of authority and a student or an employee over whom the former can exert his/her authority jeopardizes these principles of the Institute in various ways, as exemplified in the sequel. Under the circumstances, the person in the position of power must bear the responsibility for any adverse consequences that may arise, as the Institute has entrusted the position of authority to him/her and he/she is representative of the core mission of the Institute.

Summary of the Policy: The policy addresses romantic or sexual relationships that *involve a power asymmetry*. It forbids the use of power arising from one's position of authority over a subordinate, while engaged in a romantic or sexual relationship with the subordinate. The main provisions of the policy are summarized as follows (details are in Section II).

- (i) If a person who holds a position of academic or non-academic authority or broad influence over an individual in the Institute, initiates or develops or has had in the past a romantic or sexual relationship with the latter, he/she must promptly inform the authority concerned (as specified in the policy) and withdraw from exerting authority or influence over the individual.

Members of the Institute who currently have or have had in the past, a romantic or sexual relationship with certain categories of individuals in the Institute (as specified in the policy), are prohibited from exerting academic or non-academic authority or broad influence over the latter.

- (ii) Given the formative age and particular vulnerability of undergraduate students of the Institute in relationships with a power asymmetry, all faculty, staff, and non-student members of the Institute are prohibited from having a romantic or sexual relationship with any undergraduate student.

¹ In this document, "Institute" refers to IIT Kanpur.

Examples and Possible Consequences of Relationships Covered by the Policy:

- Faculty-student interactions contribute fundamentally to the academic ethos of any educational institute. These, however, constitute a prime example of interactions involving a power asymmetry. A faculty member, being in a position of power, can wield a lot of influence on a student, both academically and non-academically. In this milieu, there are inherent dangers. If there is a romantic or sexual relationship between the two, it can affect not only both the individuals concerned, but others in the environment as well. For instance, the professional judgment and integrity (real or perceived) of the faculty member concerned, in academic roles such as supervision or evaluation, may be compromised in the situation. Colleagues or co-students may suspect favoritism taking place, even if it is not the case. It is immaterial whether such a relationship is consensual or not, as 'consent' in a relationship with power asymmetry could well be the result of (implicit) coercion. Moreover, circumstances may well change, and the relationship between the individuals may end. The altered dynamics may then result in bias for or against the former partner, affecting not only that individual, but the academic climate as a whole. Past consent is irrelevant in the face of subsequent unwelcome conduct, and there may be charges of sexual harassment in the changed situation. There can also be long-term effects – on the career of the more vulnerable junior member involved in the relationship, on the reputation of the faculty member involved, and on the reputation of the Institute as well.
The above example would apply to any other non-student academic instructional staff, who is not a faculty member. The example may also be extended to a romantic or sexual relationship between a faculty member wielding direct authority over a postdoctoral scholar or a project staff.
- A power asymmetry is also present in a relationship between an individual with supervisory or evaluative responsibility in an office and a subordinate to the individual in the Institute hierarchy. In this environment, developing a romantic or sexual relationship or the end of such a relationship can easily result in a breach of integrity on the part of the individual in the position of power, affecting other colleagues or the subordinate involved.
- Yet another relationship with power asymmetry is that between two students, one of whom is in a position to exert authority or influence over the other by virtue of being, say, a tutor, a teaching assistant, a laboratory assistant, a grader, or a counselor in some capacity. In such a situation, if the student in the position of authority has a romantic or sexual relationship with the other, he/she may face conflicts of interest. Similarly, if the relationship between such individuals ends, it may result in problematic situations.

Over the past years, authorities and bodies in the Institute (such as the DOAA, Director, Women's Cell and ICC) have received several complaints involving each of the categories of relationships mentioned above as well as others. It is common in most of the leading universities and educational institutes around the world to have a policy of this kind in place that prohibits romantic or sexual relationships between individuals where there is a power asymmetry (see the Bibliography). This policy is formulated with the belief that adherence to it is likely to help members of the Institute in positions of authority to avoid situations of conflicts of interest (whether real or perceived), and in keeping with the commitment of the Institute, help members of the Institute to pursue their academic and professional interests without fear or favour.

Following are the details of the policy.

II. Details of Policy to be Implemented

A. Definitions for the Policy

- A **Student** of IIT Kanpur is any person in the Institute who is duly admitted and pursuing a programme of study including a non-degree visiting student or a visiting student in a short-term programme/course conducted by the Institute; or who is in the process of taking admission in the Institute, although not yet admitted. An **Undergraduate (UG) Student** is a student of the Institute who does not have a Bachelor's degree. A **Post-graduate (PG) Student** is a student of the Institute who has a Bachelor's degree.
- A **Postdoctoral Scholar** is a person with a Ph.D. degree working on a limited-term research project in the Institute. A **Project Staff** is a person with a contractual appointment in a project under DORD, DOA or elsewhere in the Institute.
- A person with **academic authority** over students or employees of IIT Kanpur includes anyone in the Institute (i) who teaches, grades, manages teaching/laboratory assignments, is a laboratory-in-charge, advises or mentors, evaluates or supervises research, is a project investigator, is in a position to write reference letters; (ii) who is in a position to determine or influence access to equipment or resources, authorship on research papers, conference or research visits; (iii) who is a part of any decision-making process on academic status, student-related funding or other resources; (iv) who is a part of recommending bodies for admission, employment, fellowships or awards. The person could be a member of (but not limited to) any of the following segments in the Institute: faculty, staff, other persons with academic instructional responsibilities, other non-student members of the Institute of permanent, contractual, visiting, adjunct or honorary status.
- Persons with **non-academic authority or broad influence** over students or employees of IIT Kanpur may include (but not limited to) any of the following members of the Institute: administrative heads of Institute offices; persons in Institute offices, sections or departments who have supervisory or evaluative roles; counsellors; athletic coaches; student members of Counselling Service (coordinators, core team members, guides or others), student members of Institute bodies such as the DUGC, SUGC, DPGC, SPGC, Academic Ethics Cell, SSAC, Women's Cell, or the Senate; persons holding positions of responsibility in the Students' Gymkhana or other students' bodies; staff working in Institute offices, staff with the ability to access or modify academic, financial or other records of students or employees, or staff providing services for students or employees.
- A **romantic or sexual relationship** is a relationship which is of a sexual, intimate, amorous or romantic nature. It may or may not be physical; it falls beyond the reasonable boundaries of professionalism; it may be casual or serious; its duration is not relevant. Such a relationship may include requesting or accepting sexual favours.

B. Policy

This section explains coverage of the policy and its implementation.

The following may be noted:

- *The policy holds regardless of whether the romantic or sexual relationship is consensual or not, as 'consent' in a relationship involving power asymmetry may be a result of coercion.*

- *Relationship with spouse is not covered by this policy, because it is a relationship that is formally registered with the Institute. However, it may be noted that when one of the spouses is in a position of authority or influence, prohibitions and provisions regarding employment of the partner as specified by the CCS Conduct Rules are to be followed.*

B1. Relationships with UG Students

Taking into account the formative age of this section of students and their particular vulnerability in relationships with power asymmetry, **all** faculty, staff, other non-student academic instructional staff, other employees, and other non-student members of the Institute are **prohibited** from having a romantic or sexual relationship with **any** UG student of IIT Kanpur.

B2. Categories of Relationships Requiring Mandatory Disclosure

- **Relationships with PG Students, Postdoctoral Scholars or Project Staff:**

A member of the Institute who currently has or has had in the past, a romantic or sexual relationship with a PG student, postdoctoral scholar or project staff, is disallowed from exerting *academic or non-academic authority or broad influence* (defined in Section II(A) above) over the latter.

If a person who holds a position of *academic or non-academic authority or broad influence* over a PG student, postdoctoral scholar or project staff, such as a Ph.D. Supervisor, Mentor, PI, or Laboratory-in-charge, initiates or develops or has had in the past a romantic or sexual relationship with the latter, he/she must promptly inform the authority concerned (as specified in Section II(B3) below) and withdraw from exerting authority or influence over the individual.

- **Relationships with Subordinates:**

A person belonging to any office of the Institute who currently has or has had in the past, a romantic or sexual relationship with a member of an office of the Institute, is disallowed from exerting any *supervisory or evaluative role* over the latter.

If a person who has a *supervisory responsibility* over a member of an office of the Institute, initiates or develops or has had in the past a romantic or sexual relationship with the latter, he/she must promptly inform the authority concerned (as specified in Section II(B3) below) and withdraw from exerting any *supervisory or evaluative role* over that subordinate. The supervisor could be a faculty member, the administrative head of a section, or any other individual who has a supervisory role over some other members of the Institute. The subordinate could be another faculty member, an employee (such as an office staff – contractual or permanent), or any other individual whose work in the Institute is being overseen by the supervisor.

- **Students with Authority or Influence over Other Students:**

A student (UG or PG) who currently has or has had in the past, a romantic or sexual relationship with another student, is disallowed from exerting *academic or non-academic authority or broad influence* (defined in Section II(A) above) over the latter.

If a student (UG or PG) who has *academic authority* (defined in Section II(A) above) over other students, such as one serving as a teaching assistant, tutor, grader, laboratory assistant, or an academic mentor, initiates or develops or has had in the past a romantic or sexual relationship with any student over whom he/she has academic authority (such as a student in his/her class or laboratory), he/she must promptly inform the authority

concerned (as specified in Section II(B3) below) and withdraw from exerting authority or influence over the latter.

The above applies to students (UG or PG) with *non-academic authority or broad influence* (defined in Section II(A) above) over other students as well.

B3. Disclosure to Authority Concerned

Depending on the case, the authority to be informed could be the Dean of the related section (such as DOFA, DOA, DORD, DOSA), the Supervisor of the student concerned, the administrative head of the related Department/IDP, Wardens of hostels, the heads of Institute services such as Counselling Service or Health Centre, the Deputy Director, the Chairperson, Women's Cell, or the Presiding Officer, ICC. The following may be noted:

- The duty to inform the authority concerned rests on the person in the (past or current) romantic or sexual relationship whose position is higher in the Institute hierarchy.
- A romantic or sexual relationship may not be of the supervisor-subordinate category (as specified in Section II(B2) above), but a temporary situation may arise when one member in the relationship has to assume an evaluative role over the other (such as one becomes part of an interview committee for promotion). In such a situation, the person in the evaluative role must inform the authority concerned and withdraw because of conflict of interest.

B4. Recusal Plans by Authority Concerned

On being informed about a romantic or sexual relationship falling under any of the categories specified in Sections II(B1) and II(B2) above, the authority concerned should take appropriate steps to address the situation *within 15 days*, in order to prevent possible abuse of authority by the person in the position of power. A recusal plan could include assigning alternate evaluators or supervisors, who are at least at or above the level of seniority of, and do not have to report to, the person in the position of power.

Needless to say, the effort on the part of the authority concerned should be to take steps that are fair to the affected person, and also to the co-students or colleagues in the environment.

B5. Violations of Policy

Appropriate disciplinary action will be initiated against any individual violating the policy. Violations of the policy include

- involvement in a romantic or sexual relationship with UG students (see Section II(B1) above);
- failure to promptly inform the authority concerned and recuse from decision-making processes pertaining to the person in the romantic or sexual relationship whose position is lower in the Institute hierarchy;
- failure to follow a recusal plan as specified by the authority concerned;
- retaliation against a person informing the authorities about a suspected violation of this policy.

Complaints about violations of the policy will be handled by standing committees of the Institute, constituted as specified below. Complaints about nonconsensual relationships are handled by the ICC.

If information given about a suspected violation of the policy is found to be false as well as given with malicious intent, the informant will be subjected to appropriate disciplinary action.

In case an individual is concerned that a romantic or sexual relationship is affecting his/her academic or professional environment, he/she can seek the advice or assistance of the Women's Cell or ICC. An individual who is unsure of whether to report a suspected violation of policy, may also seek the help of the Women's Cell or ICC.

While taking action under the policy, the Institute authorities must be sensitive to uphold the privacy of persons affected by disclosures about romantic or sexual relationships.

Standing committees to deal with violations of the policy

The constitution of the standing committees will be based on the following principles.

- The number of women and that of men in a standing committee should be equal.
- Depending on the persons involved in a complaint, violations of the policy pertaining to the different categories of relationships covered in Section II(B1-B2) will be dealt with by standing committees having members taken from (ii) and/or (iii) of the constitution as specified below.
- If an official in a standing committee is himself/herself involved in a complaint, he/she should be replaced by a superior in the Institute hierarchy.
- The Presiding Officer of ICC may be co-opted as a member by a standing committee, if a case so demands.
- The number of members of a standing committee should be minimized in order to uphold the privacy of the individuals involved in a complaint.

Members:

- (i) Chairperson, Women's Cell (Convener).
- (ii) The respective Deans (e.g. DoFA, DoRD, DoSA, DoA), depending on the persons involved in a complaint.
- (iii) A UG and/or a PG student representative nominated by the Students' Gymkhana, for complaints involving students.
- (iv) Nominees of the Chairperson, Women's Cell, such that the number of women and that of men in a standing committee are equal.

III. Enhanced Sensitivity

In general, an **enhanced sensitivity** is expected from all individuals in positions of authority in the Institute. If such a person decides to initiate or engage in a romantic or sexual relationship with an individual over whom he/she is currently not in a position of authority or influence, he/she should be sensitive to the possibility of a change in his/her position in the future with respect to the individual, and take steps accordingly at the time (e.g. inform the authority concerned and recuse himself/herself from any decision-making process pertaining to that individual).

Further clarifications, if any, about this policy may be sought from the Women's Cell.

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*Links mentioned as available on December 27, 2019.

Women's Cell

ICC

Mohua Banerjee

Jonaki Sen

Shikha Dixit

Sarani Saha

Anjan Gupta

Sharmishtha Mitra

Animesh Das

Debasis Kundu

Shilpi Gupta

G Neelakantan

Seema Yadav

H Wanare

Prakhar Ji Gupta

Veena Singh

Debbani Bhattacharya

Chairman SAEC

G Balamurugan

Rita Singh