



Colleges Rewrite Rules on Teacher-Student Romance

Some Sue for Harassment, but Others -- Like Obamas -- Live Happily Ever After

By SUSAN DONALDSON JAMES

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He was a hip, 26-year-old English teacher with a trendy red beard. She was a wide-eyed college freshman who swooned in class when he discussed "The Harrad Experiment," the 1960s' cult classic on casual sexual mores.

Sparks in the classroom led to sparks in the bedroom _ and a brief, but disappointing, love affair. Enough about this reporter. Flash forward 40 years.

Today, student-teacher romances still flower on college campuses, but fear of sexual harassment suits are forcing administrators to refine their policies.

A string of student-teacher affairs have led to legal action at the University of California, William & Mary in Virginia and Ohio Wesleyan University.

"The student-teacher relationship is inherently an uneven one and fraught with peril," Boston education lawyer Paul Lannon told ABCNEWS.com.

"But they don't always go awry and get lawyers involved," he said. "A lot pass under the radar and work out well."

This month, faculty at Vermont's Middlebury College will vote on new language for its handbook _ one that discourages, but does not actually ban, relationships between students and their professors.

"We are realistic that from time to time, these will occur," associate Spanish professor Miguel Fernández told ABCNEWS.com. "But the expectation is that it will be avoided."

Open for Love

In fact, the new policy proposal still leaves room for romance.

If a professor falls in love with a student, he or she is expected to report the relationship to the dean, so arrangements can be made for the student to be graded by someone else or to change sections, according to Fernández, who serves on the committee to update the handbook.

"We realized they are consenting adults," said Fernández, who said an outright ban might encourage couples to cover up their affairs.

The key to whether the relationship is problematic is who is in the position of power, according to Lannon, who handles sexual harassment cases at big-name universities and private schools.

"The teacher obviously has authority over the student, and the student is vulnerable to undue influence," he said. "There is always going to be that pressure."

Sexual harassment _ defined legally as repeated unwanted advances _ is largely seen in the workplace, but college campuses are not immune. Federal laws hold universities accountable when they do not respond to complaints by victims, said Lannon.

For this reason, many schools, like the University of Vermont, ban these romances when a faculty member has "authority" over a student. The policy includes not only a teacher, but an adviser, coach or counselor.

In cases of sexual harassment, it is difficult to prove who the victim is. A law school dean at the University of California resigned in 2002 after an affair he called consensual and the student called harassment, according to an Associated Press report.

Obamas in Love

But not all such love affairs end in disaster. In 1989, Chicago lawyer Michelle Robinson was assigned the role of adviser to a summer associate from Harvard University _ her future husband and Democratic presidential hopeful Barack Obama.

According to an interview in the Illinois Journal Gazette and Times-Courier, she took the high road and refused to go out with Obama for a month.

Lannon has his own share of heart-rending stories. A family friend, who was a professor at a New York City university, fell in love and married his student. It lasted 40 years.

"She was a lovely undergraduate student who started bringing him birthday cards during the class year," said Lannon. "They had a romance and a nice long marriage before there were a lot of rules against it."

Despite the 20-year age difference, the couple had three children. "Today it would be quite scandalous, but then people were wishing them well," he said.

Professors don't necessarily "take advantage," he said. "They don't do it as predators, but there is opportunity, and they don't think about what could go wrong if the relationship sours."

In the stereotypical case, after the breakup one partner files a sexual harassment claim, even though it may have been consensual from the start. Lawyers are also seeing more cases of same-sex couples filing such suits, according to Lannon.

"The law doesn't distinguish between male and female on the basis of sexual harassment," he said.

When these affairs go to court, they cause "untold havoc" for the college communities, other faculty members and teammates, in the case of coaches.

But often, it is the student who is most vulnerable, said Lannon. "There is chemistry there. It's an exciting time in their lives, and they are open to experimentation and new ideas, so surprisingly, it's not rare."

Aarti, 22, who didn't want her last name used, graduated from Harvard University last year. She told ABCNews.com that romances between professors and their students were "very, very prevalent" on her campus.

"For someone who loves learning, who is more appealing than the professor?" she asked.

'Smooth' in Class

Aarti said most of the women in her photography class had a crush on their professor. "He was attractive, not only because of his looks, but because of his smoothness in the classroom."

"His vocabulary, which I have yet to see challenged, was a regular subject of discussion among the females," she said. "And for those females who didn't feel this way at the beginning, well, they definitely changed by the end of the semester."

One of her friends at Harvard dated her thesis adviser while he was teaching her class. That couple dated for a year.

"Frankly, I don't think the romantic involvement itself is unethical, as long as the student is not receiving preferential treatment in any way," she said. "Then, it is not just a private romantic endeavor, but rather a case of unfair treatment that essentially affects all the students in the class."

Aarti said she would not pursue a teacher because of the double standard for women when it comes to sex.

"I would never want to be reduced to 'that girl' _ the girl who everyone looks down upon and judged for being, well, a skank."

Some things never change. For the now-57-year-old reporter who felt heartbroken over the affair with her English teacher, feelings of embarrassment trumped any notion of redress.

Shortly after her breakup with the red-bearded professor, four other freshmen girls confessed they, too, had been intoxicated by the seduction techniques of the era _ Joni Mitchell music and the poetry of Khalil Gibran.