

SEXUAL AND ROMANTIC RELATIONSHIP POLICY

APPROVED BY POLICY COMMITTEE 11.15.2021

Effective Date 11/15/2021

(Impact Area – Dept Name) SUNY Morrisville *Morrisville Campus *Norwich Campus *EOC	(General Subject Area)	(Specific Subject Area)
	Author: Human Resources / Title IX	Supersedes Previous Policy dated 12/13/2018
Relates to Procedure #	Impact:	
Legal Citation (if any):		
SUNY MORRISVILLE		

Policy Rationale:

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The State University of New York College of Agriculture and Technology at Morrisville, heretofore referred to as SUNY Morrisville, is strongly committed to being a community that promotes the exchange of ideas, builds mutual trust and respect, encourages communication, and reduces misunderstandings. This policy addresses situations that may lead to a breakdown of trust and respect resulting from sexual and amorous relationships. The college recognizes that the decision to engage in such relationships is a personal one. Nonetheless, to fulfill its legal and ethical obligations and commitment to promoting equal employment and educational opportunity and a safe and welcoming community for students and employees, the college states the following:

Policy Summary:

1. The Sexual and Romantic Relationship Policy applies to all employees, faculty, students, and staff. For the purposes of this policy, students who are employees of the campus, are subject to adherence and are categorized as employees.

2. Romantic or sexual relationships between employees and students over whom the employee has current supervisory, instructional, or other professional responsibility are discouraged, however, should such a relationship develop, it must be disclosed so that appropriate measures may be taken to remove the reporting relationship.
3. Consensual relationships between college employees and all students are strongly discouraged.
4. Sexual or romantic relationships between faculty or staff where there is a supervisory or reporting relationship between the participants, must be reported to the appropriate campus entity. At SUNY Morrisville, faculty or staff engaged in a sexual or romantic relationship where this is a supervisory or reporting relationship, must report their relationship to their appropriate supervisor and/or Human Resources.
5. For sexual or romantic relationships in the workforce, (including for student-teaching assistants or graduate student teachers), appropriate action will be taken upon a report of such a relationship. Appropriate action may involve the transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other actions deemed necessary and in the best interest of all parties.
6. Provisions will be made for pre-existing relationships or marriages where a potential supervisory relationship may develop. However, those pre-existing relationships should be revealed to the appropriate supervisor and/or Human Resources for review. Appropriate action may involve the transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other actions deemed necessary and in the best interest of all parties.
7. Individuals determined to be in violation of this policy may face disciplinary action, up to and including termination.

Elaboration:

The college strives to create a welcoming environment for all employees, students, and visitors. It is the policy of the college to provide an environment where employees and students are free from harassment, including sexual harassment. When a party in a position of authority induces another to enter into a non-consensual relationship, the harm to the individuals and institution is clear. Some relationships that are consensual may also be problematic. This policy addresses specific romantic and/or amorous situations between fellow employees; employees and students; and other sexual and romantic relationships where a supervisory or evaluative role could exist that could lead to a breakdown in mutual trust and respect and could result in a hostile working or learning environment.

Sexual and Romantic Relationships between Employees and Students

Sexual and romantic relationships between employees and students may be detrimental to the learning environment at the college. These relationships exceed professional, collegial, or academic partnerships. They are problematic because of the unequal status of the parties and the real or perceived conflict of interest, particularly when the employee has supervisory, instructional, or other professional responsibility over the student. This imbalance makes it difficult or impossible for the student to genuinely consent to entering into an amorous or sexual relationship and may impede the real or perceived freedom of the student to terminate or alter the relationship. All of these factors negatively impact the student's ability to benefit from the college. The relationship may also negatively affect others in the classroom, department, office, team, or unit. It may create a real or perceived impropriety, sense of favoritism, loss of objectivity, and a conflict of interest in any supervisory, instructional, or other professional role. If a conflict of interest arises, the employee may also be in violation of the New York Public Officers Law, Section 74 "Code of Ethics". The relationship may damage the credibility or reputation of the employee, the department, or the college as a whole and may expose individuals or the institution to legal action and liability.

Sexual and Romantic Relationships between Employees

Relationships of a romantic and/or sexual nature between members of the College community other than students can present a conflict of interest in violation of the New York Public Officers Law responsibility for, the other. Many of the concerns about intimate relationships between faculty members or employees and students also apply to relationships between supervisors and employees they supervise. Those relationships, therefore, are strongly discouraged. Supervisors shall disclose any such relationships to their supervisors in order to avoid or mitigate conflicts of interest in connection with the supervision and evaluation of the employees with whom they have an intimate relationship. Mitigation may involve the transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other appropriate action.

For purposes of this section, supervising an employee means supervising in an employment setting, including hiring, evaluating, assigning work, or making decisions or recommendations that confer benefits such as promotions, raises or other remuneration, or performing any other function that might affect employment opportunities.

Procedure:

It is the responsibility of the employee to disclose the relationship to their supervisor, Human Resources or the Affirmative Action Officer and to remove themselves from situations violating this policy. Employees found to be in violation of this policy may face disciplinary action, up to and including termination. Compliance with this policy does not protect any individual from a complaint of sexual harassment or discrimination. All such complaints will be addressed as outlined in the College's Discrimination Complaint Procedure.

Related Policies:

SUNY Morrisville

Sexual Assault Response Policy (<https://www.morrisville.edu/handbook/policies/sexual-assault-response>)

Mandatory Child Sexual Abuse Reporting and Prevention Policy (<https://www.morrisville.edu/handbook/policies/child-sexual-abuse-reporting>)

SUNY

Sexual Harassment and Response Prevention Statement

Sexual and Romantic Relationship Policy

Equal Opportunity Access Employment and Fair Treatment

Discrimination Complaint Procedure

DEFINITIONS:

1. "Sexual and Romantic relationship" shall mean and refer to any relationship, either past or present, which is romantic, intimate, or sexual in nature and to which both parties consent or consented. This includes marriage.
2. "Student" shall mean and refer to any person applying to the college or currently enrolled, either full-time or part-time, in any course or academic program associated with the college.
3. "Employee" shall mean and refer to any person whose primary role within the college community is as a member of the faculty or staff. Students who are employees of the college, may fall within the parameters therein.
4. "Supervisory, instructional, or other professional responsibility" shall mean and refer to any of those situations where the employee is responsible for evaluating, teaching, supervising, advising, mentoring, coaching, counseling, providing extracurricular oversight, supervision of research, and/or employment of a student as a research or teaching assistant, and/or otherwise participating in or influencing votes or decisions that may reward or penalize a student.

Contact Information

Affirmative Action Officer

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