Summary

When faculty, staff and students exercise power and authority over other faculty, staff and students whether due to current supervisory, instructional, or other professional responsibility, or perceived influence or control over an educational or work experience, a power imbalance is created, which may impede the real or perceived freedom of the faculty, student or employee not to enter into a sexual or romantic relationship or to terminate or alter that sexual or romantic relationship. To address this power imbalance, the State University of New York (“the State University” or “SUNY”) Board of Trustees is requiring all SUNY campuses (State-operated campuses, community colleges, and statutory colleges) to adopt by March 1, 2019 a Sexual and Romantic Relationship policy, which must include specific elements enumerated below.

Policy

On or before March 1, 2019, each SUNY campus and System Administration shall individually develop, with input from appropriate members of their workplace and campus communities, including local governance, a sexual or romantic relationship policy which shall be widely disseminated to their respective communities, and which will, at a minimum:

- Apply to all faculty, students and staff (campuses shall further define whether students who are also employees are categorized for purposes of the policy as a student or staff);

- Prohibit any sexual or romantic relationships between faculty or staff members and students if there is an existing supervisory, evaluative or instructional relationship, unless the relationship is disclosed and supervision, evaluation or instruction is terminated in accordance with the policy;
• Require for sexual or romantic relationships between faculty or staff where there is a supervisory or reporting relationship between the participants that each employee inform an appropriate campus entity (which may be a supervisor, or the Director of Human Resources or equivalent, or, at the campuses’ option, the Title IX Officer or Coordinator) of such relationship;

• Require that for sexual or romantic relationships in the workforce (including for student-teaching assistants or graduate student teachers) alternative supervisory roles be created to ensure that supervisors in a consensual romantic or sexual relationship with an employee be removed from any evaluation of the employee, and from any activity or decision that may appear to reward, penalize, or otherwise affect the employment status of the employee;

• Make allowances for pre-existing relationships or marriages provided that the relationship is reported as required herein and that alternative supervisory relationships be established; and

• Require that discipline be imposed for any individual failing to follow the terms of the policy, up to and including termination.

Definitions

There are no definitions relevant to this policy.

Other Related Information

Equal Employment Opportunity Commission

SUNY Policy Doc. No. 6502 - Equal Opportunity: Access, Employment and Fair Treatment in the State University of New York

Procedures

SUNY Policy Doc. No. 6501 - Discrimination and Sexual Harassment Complaint Procedure

Forms

Form A - Charge of Discrimination

Authority

State University of New York Board of Trustees Resolution 18-, adopted October 9, 2018.

History

This document was adopted in October 2018 pursuant to Labor Law §201-g, which requires every employer in the
State of New York to adopt a sexual harassment prevention policy that meets or exceeds enumerated minimum standards in order to prevent and combat sexual harassment in the workplace.

Appendices

There are no appendices relevant to this policy.