

Personnel

Board of Trustees Policy

SUBJECT: Consensual Relationship Policy	NUMBER: 2.28
	DATE: August 21, 2023, Resolution # 23-99
	SUPERSEDES: August 20, 2018, Resolution #18-102

Purpose

SUNY Schenectady County Community College (the “College”) strives to create a welcoming environment for all employees, students, and visitors, and to provide an environment where employees and students are free from harassment, including sexual harassment. Accordingly, the following policy shall prohibit certain consensual relationships.

Policy

Policy Statement

1. Employees are strictly prohibited from pursuing or engaging in a romantic or sexual relationship (a) with another employee where one is a supervisor and the other is a subordinate, or (b) with a student.

2. A pre-existing consensual relationship between an employee and a student is not prohibited by this policy, provided the employee has no supervisory, instructional or other professional responsibility for the student, and the consensual relationship is promptly reported.
3. In the event of a pre-existing consensual relationship between a supervisor and a subordinate employee, such relationship must be promptly reported. If an alternative supervisory relationship cannot be arranged, it may be necessary to transfer one employee or take other personnel action in accordance with applicable collective bargaining agreements and/or policies.

Definitions

1. “Consensual 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 an administrator, or a member of the faculty or staff.
4. “Supervisory, instructional, or other professional responsibility” shall mean and refer to any situation where an employee is responsible for evaluating, teaching, supervising, advising, mentoring, coaching, counseling, providing extracurricular oversight, supervision, and/or employment of a subordinate or a student, and/or otherwise participating in or influencing votes or decisions that may reward or penalize a subordinate or a student.
5. “Pre-existing consensual relationship” shall mean and refer to any consensual relationship: (a) with a student which commenced before the student applied to or enrolled in the College; or (b) between an employee and a subordinate, which commenced before the date when the supervisory responsibility commenced.

Procedures

If a prohibited consensual relationship exists or is being pursued, or in the event of a pre-existing consensual relationship, it is the responsibility of the employee to promptly (within two (2) business days) disclose the relationship to Human Resources. Appropriate administrative action may be taken, consistent with any applicable collective bargaining

agreement, including demotion or lateral transfer to remove the employee from their position of authority in relation to the subordinate or student.

Engaging in a prohibited consensual relationship, failure to disclose a prohibited consensual relationship, or any potentially coercive or non-consensual pursuit of a sexual or romantic relationship with a subordinate or a student, will result in disciplinary action, up to and including termination of employment. Internal or external charges of sexual assault, sexual harassment or discrimination may also result.

Related Policies

<https://sunysccc.edu/About-Us/Title-IX/index.html>