



4.7 Consensual Relationships Policy (Revised Draft)

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Category: ~~Board of Trustees~~ Human Resources

Name of Responsible Office: ~~Office of the President~~ Human Resources and Organizational Development

Title of Responsible Executive: ~~President~~ Vice President, Diversity-Equity-Belonging and Executive Director, MCC Downtown Campus

Date Established: April 9, 2018

Date Last Approved: March 14, 2019

Summary

When employees exercise power and authority over students or over other employees, 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. That power imbalance may impede the real or perceived freedom of the student or employee not to enter into a sexual or romantic relationship, or to terminate or alter that sexual or romantic relationship. A sexual or romantic relationship under the conditions set forth above may result in a loss of objectivity and create a conflict of interest in any evaluative, supervisory, instructional, or other professional role. It is incumbent upon those with authority not to abuse, nor to seem to abuse, the power with which they are entrusted.

Policy

Policy Statement

Employee-Employee Romantic or Sexual Relationships

~~Romantic or sexual relationships should not exist between Monroe Community College employees~~ Monroe Community College prohibits romantic or sexual relationships between employees where one employee has ~~current~~ (or might reasonably be expected to have) evaluative, supervisory, instructional, or other professional responsibility over the other employee. Romantic or sexual relationships where one employee has no evaluative, supervisory, instructional, or other professional responsibility over the other employee are not prohibited under this policy.

Employee-Student Romantic or Sexual Relationships

~~Romantic or sexual relationships should not exist between Monroe Community College~~ Monroe Community College prohibits romantic or sexual relationships between employees and students over whom the employee has ~~current~~ (or might reasonably be expected to have) evaluative, supervisory, instructional, or other professional responsibility over the student.

Romantic or sexual relationships where the employee has no ~~current~~ (and is not reasonably expected to have) evaluative, supervisory, instructional, or other professional responsibility over the student are not prohibited under this policy, however, such relationships are strongly discouraged and must be reported to the Executive Director for Human Resources and Organizational Development (or their designee) or the Title IX Coordinator (or their designee).

If the spouse or domestic partner of a Monroe Community College employee enrolls in a course(s) and the employee may reasonably be expected to have evaluative, supervisory, instructional, or other professional responsibility over their spouse or domestic partner, the employee must report this information to the Executive Director for Human Resources and Organizational Development (or their designee) or the Title IX Coordinator (or their designee) so that alternative supervisory roles may be established by the Office of Human Resources and Organizational Development.

Student Athlete-Athletics Department Employee Romantic or Sexual Relationships

Due to the inherently close relationships between Athletics Department employees and student athletes, the risk of conflicts, coercion and power imbalance are particularly acute. Therefore, in order to ensure an environment free from harassment, coercion, and intimidation for all student athletes, Monroe Community College prohibits all romantic or sexual relationships between student athletes and Athletics Department employees, including coaches, management, administrative staff, and support staff who provide services to student athletes.

Student Employee-Student Romantic or Sexual Relationships

The intent of this policy is not to prohibit romantic or sexual relationships between student employees of Monroe Community College and other students. In the event that such a relationship presents an actual or perceived conflict of interest, the relationship should be reported to the student employee's supervisor so that alternative supervisory roles may be established.

Reporting Relationships or Marriages that Pre-Date this Policy

Relationships or marriages that pre-date this policy where one employee has ~~current~~ (or might reasonably be expected to have) evaluative, supervisory, instructional, or other professional responsibility over the other employee or student are not in violation of this policy, provided that the relationship or marriage is reported to the Executive Director for Human Resources and Organizational Development (or their designee) or the Title IX Coordinator (or their designee) and that alternative supervisory relationships are established by the Office of Human Resources and Organizational Development.

It is not necessary to report an employee-employee relationship or marriage that pre-dates this policy if one employee has no ~~current~~ (and is not reasonably expected to have) evaluative, supervisory, instructional, or other professional responsibility over the other employee. It is necessary to report an employee-student relationship or marriage that pre-dates this policy, even if the employee has no ~~current~~ (and is not reasonably expected to have) evaluative, supervisory, instructional, or other professional responsibility over the student.

Violations of this Policy

Violations of this policy will be regarded as unprofessional, inappropriate conduct and will be addressed by the College in accordance with the disciplinary processes and procedures in the applicable collective bargaining agreement or other contractual agreement applicable to the employee.

Background

When a person in a position of power or authority abuses or appears to abuse that position, mutual trust and respect are lost, and the academic and work environments suffer. As a matter of sound judgment and professional ethics, MCC employees have a responsibility to avoid any apparent or actual conflict between their professional responsibilities and personal interests. The goal of this policy is to sustain and protect the learning process and the educational integrity of the College.

Applicability

This policy applies to all employees of the College including faculty, staff, and officers.

Definitions

Student: All persons taking courses at Monroe Community College, both full time and part time, credit and non-credit bearing. Persons who are not officially enrolled for a particular term are not considered students under this policy.

Romantic or Sexual Relationship: Any intimate, sexual, or other type of romantic or amorous relationship, whether casual or serious, short or long term. A single sexual encounter is considered a sexual relationship under this policy. Conversely, the relationship does not have to include physical intimacy if a romantic relationship exists that is beyond the reasonable boundaries of a collegial or professional relationship. If there is any doubt about whether a relationship falls under this policy, individuals should seek guidance from the Office of Human Resources and Organizational Development.

Responsibility

~~Office of the President~~ [Office of Human Resources and Organizational Development](#)

Contact Information

Office of Human Resources and Organizational Development

Related Information

College Documents

- [MCC Harassment Complaint Form](#)
- [Title IX Policies for Individuals Reporting Sexual Harassment and Misconduct](#)
- 2.10 Sexual Harassment Response and Prevention Policy
- 2.12 Equal Employment Opportunity and Affirmative Action Policy
- 2.5 Shared Governance Policy
- CSEA Collective Bargaining Agreement Faculty Association Collective Bargaining Agreement

Other Related Documents

- [NYS Division of Human Rights](#)
- [U.S. Equal Employment Opportunity Commission](#)

History

Item	Date	Explanation
Date established	April 9, 2018	Board Approval
Date revised	March 4, 2019	SUNY Mandate