The State University of New York Downstate Medical Center is committed to providing an educational and work environment for its faculty, staff and students free of intimidation and harassment. The Downstate Policy on Sexual Harassment states that such conduct is unacceptable and will not be tolerated. Further, sexual harassment situations will be dealt with promptly and appropriate corrective action will be taken. Faculty, staff and students may use the SUNY Grievance Procedure for Review of Allegations of Discrimination to file a complaint of discrimination with the Downstate Office of Opportunity and Diversity.

Downstate encourages the development of mentoring and collegial relationships characterized by professional and ethical behavior that is free of discriminatory actions. However, consensual sexual relationships between a faculty member and student\(^1\), or between a supervisor and subordinate employee exceed a collegial business or academic partnership and, therefore, may compromise the objectivity and integrity of the individuals in positions of influence and power. Downstate recognizes that the decision to engage in such relationships is a personal one. Nonetheless, to fulfill its obligation and commitment to equal employment and educational opportunity and to prevent questionable professional conduct, Downstate prohibits consensual sexual relationships between a faculty member and a student/resident\(^1\), and between a supervisor and a subordinate employee.

Consensual sexual relationships between faculty and their students/residents\(^1\), and between supervisors and their subordinate employees are considered especially problematic by Downstate for two major reasons: conflicts-of-interest and the power differential. Students/residents depend upon professors for grades, recommendations and opportunities for teaching and research. Subordinate employees rely upon their supervisors for job assignments, overtime, performance evaluations, raises, promotions and other terms and conditions of employment. Conflicts-of-interest inevitably arise when individuals have the responsibility for evaluating academic and clinical performance, or for hiring or making personnel decisions involving those with whom they have such relationships.

In the academic, training and work setting, parties in a consensual sexual relationship must recognize that the reasons for entering, maintaining or terminating such a relationship may be a function of the power differential, and that the relationship may not be truly welcome or consensual. With an academic or employment career at stake, a student or employee may find it difficult or threatening to refuse a request from a professor or supervisor, no matter how casual the request. Such relationships are also inappropriate in that they engender a negative or uncomfortable working or learning environment for others who perceive preferential treatment.

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\(^1\) Student/resident is defined as a student or resident who is in the same program, class or academic or clinical rotation as the faculty member.
Therefore, effective immediately, it is the policy of Downstate Medical Center that:

a. Consensual sexual relationships between faculty and their students/residents\(^1\), and between supervisors and their subordinate employees are prohibited.

b. In such matters, it is the faculty or supervisor who will be held accountable for violating this policy.

c. Faculty and supervisors who, at the time of this policy's issuance, have such a relationship shall immediately contact the Office of Opportunity and Diversity for assistance in redressing the inherent policy conflict.

d. Within the more general context of DMC employment, faculty and supervisory personnel are otherwise encouraged to refrain from initiating and to discourage consensual sexual relationships and to remove themselves from any personal relationships, where they can be perceived as making academic, training or personnel decisions that are not based on organizational and operational goals and objectives.

e. Failure to comply with this policy will result in appropriate administrative or disciplinary action.

The Office of Diversity and Affirmative Action (ODAA), at Extension 1738, is available to answer questions regarding this policy and to consult if problems occur or when individuals are uncertain about how to manage boundaries in a dual relationship.

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\(^1\) Student/resident is defined as a student or resident who is in the same program, class or academic or clinical rotation as the faculty member.

DMC: August 2008