

Equal Employment and Educational Opportunity

Policy Statement

SUNY Corning Community College (“the College”) declares and affirms a policy of equal employment and equal educational opportunity. The College will make all decisions regarding admissions and the entire educational process of its students (including all educational programs and activities) and the recruitment, hiring, promotion, and other terms and conditions of employment without discrimination on the basis of race (including traits historically associated with race), color, age, religion, national origin, disability, sex, sexual orientation, gender identity, gender expression, status as a victim of domestic violence, marital status, ethnicity, veteran status or other protected characteristics which cannot be lawfully used as the basis for employment or educational decisions.

Through its policies and programs, the College undertakes to comply fully with all applicable federal, state and local laws relating to equal employment and equal educational opportunity. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence, and place an affirmative obligation on the College to maintain a work and study environment free from discriminatory harassment, intimidation, ridicule, and insult. The College is committed to maintaining an educational and work environment that is free of any harassment and to fostering positive learning, living and working so that everyone, including students, employees, and visitors, is treated with respect and dignity in a non-discriminatory environment.

Summary

The College will take steps to prevent discrimination and harassment, to prevent the recurrence of discrimination and harassment, and to remedy its discriminatory effects on the victim(s) and others. Sex discrimination includes sexual harassment, sexual assault, and sexual violence.

This policy applies to all members of the campus community, individuals doing business with the College, and any persons utilizing campus facilities. The President of the College has ultimate responsibility for equal opportunity and has assigned responsibility for the administration of the College’s policy to the Executive Director of Human Resources and Chief Diversity Officer (the “Director”), who also serves as the College’s Title IX Coordinator. The Director oversees the Title IX complaint procedures and non-Title IX Equal Employment and Educational Opportunity complaints, coordinates the activities of ad hoc Equal Opportunity committees, and is responsible for the maintenance of all necessary records needed to comply with federal and state laws governing equal employment and educational opportunity. One or more deputy coordinators may be appointed to assist the Director in his/her Title IX Coordinator duties; a complete list of these deputy coordinators is available from the Director.

Procedures for handling complaints under this policy have been established and will be made available on the MyCorning student resources page, and on the public College website. Complaint procedures define relevant definitions and procedures which may be used by students, employees, and/or third parties. Complaint policy and procedures include:

Title IX and “Enough is Enough” specific policy and procedures:

- Sexual Violence Student Bill of Rights
- Response for Sexual Violence and Other Misconduct
- Posted Training – availability of materials, <https://system.suny.edu/sci/postedtraining/>
- Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under Title IX Regulations
 - Guide to Determining Relevance
 - Informal Resolution Procedure
 - Decorum for Informal Grievance Process Hearings

Policy and procedures for other types of discrimination and harassment

- SUNY CCC Sexual Harassment Response and Prevention Policy (under Title VII Civil Rights Act, NYS Human Rights Law, and Title IX Educational Amendments Act)
- Equal Employment and Education Opportunity Complaint Procedure

Unless stated otherwise, the College uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of complaints covered under this Policy. This means that the investigation and determination process determines whether it is more likely than not that a violation of the Policy occurred. Employee and student grievance procedures established through College policies or collective bargaining agreements, student disciplinary procedures, or any other internal grievance/complaint procedure will be made available unless an appeals process is specified by the complaint procedure.

To ensure that the complaint procedure processes are fair, the Director or his/her designee serves as an impartial party who is responsible for:

- ensuring that the procedure is carried out properly
- ensuring that the rights of both complainant and respondent are protected and that both parties have an equal opportunity to engage the resolution procedures
- advising and providing information to the complainant and respondent, including information on counseling and victim services available both on and off campus
- investigating complaints as defined by the procedures
- requesting access to pertinent documents
- maintaining a record of each case.

The Director may receive initial inquiries, reports, and requests for consultation and counseling on an informal basis. Assistance will be available whether or not a formal complaint is under consideration or even possible. It is the responsibility of the Director to respond to all such inquiries, reports, and requests as soon as possible and in a manner appropriate to the particular circumstances. This response may include interim measures to protect the parties during the investigation process. Such interim measures will not disproportionately impact the complainant or respondent.

Individuals who believe that they have been harassed or discriminated against in violation of this policy should contact the Director. Responsible employees who observe or become aware of incidents of discrimination and harassment, including sexual harassment, sexual assault, and sexual violence, are obligated to report this information to the Director. A "responsible employee" is an employee with the authority to take action to redress the harassment/discrimination, who has the duty to report harassment or any other misconduct by students or employees to appropriate college officials, or an individual who a student or employee could reasonably believe has this authority or responsibility. In the event that the Director is alleged to have discriminated against an individual in violation of this policy, the incident should be reported directly to the President's Office.

Inquiries regarding the application of Title IX and other laws, regulations, and policies prohibiting discrimination and harassment may be directed to:

Executive Director of Human Resources
1 Academic Drive
Corning, NY 14830
(607) 962-9444
hr@corning-cc.edu

Title IX Coordinator
1 Academic Drive
Corning, NY 14830
(607) 962-9328
dburdic4@corning-cc.edu

U.S. Department of Education
Office for Civil Rights
32 Old Slip, 26th Floor

New York, NY 10005-2500
(646) 428-3800
OCR.NewYork@ed.gov

NYS Division of Human Rights
44 Hawley St.
Binghamton, NY 13907
888.392.3644
<https://dhr.ny.gov/>

US Equal Employment Opportunity Commission
300 Pearl St. Suite 450
Buffalo, NY 14202
716.551.4387
<https://www1.eeoc.gov/>

Retaliation

The College prohibits retaliation against any individual who reports discrimination or harassment or participates in any investigation of such a report. Retaliation against an individual for reporting harassment or discrimination or for cooperating with an investigation of such a report is a serious violation of College policy and, like discrimination and harassment, will be subject to disciplinary action.