



## PROCEDURE

### **Student Procedure Prohibiting Discrimination and Harassment in the Academic / Education Environment**

Procedure Administrator: Director of Title IX and Equal Employment Opportunity (EEO)

Authority: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 1201 et seq., Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq., Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f).

Effective Date: August 2009; February 16, 2011; September 21, 2011; February 20, 2013; May 8, 2013; September 24, 2015; August 31, 2020; September 3, 2021

Index Cross-References: Policy I-120 – Student Policy Prohibiting Discrimination and Harassment in the Academic / Education Environment

Procedure File Number: 1200

Approved By: Dr. Harvey Kesselman, President

### I. PROHIBITED CONDUCT

It is a violation of this procedure to engage in conduct that is sufficiently severe, pervasive, or persistent and is objectively offensive as to substantially disrupt or undermine a person's ability to participate in or receive the benefits, services, or opportunities of the University based upon any of the protected categories referred to in Policy I-120: Student Policy Prohibiting Discrimination and Harassment in the Academic / Education Environment (Policy I-120). Cases alleging sexual misconduct are subject to the University Sexual Misconduct Procedure.

1. All persons have the right and are encouraged to immediately report suspected violations of Policy I-120.
2. Complaints of prohibited discrimination/harassment can be reported to either the Director of Title IX and EEO or to any supervisory employee of the University.

Every effort should be made to report complaints promptly. Delays in reporting may not only hinder a proper investigation but may also unnecessarily subject the targeted person to continued prohibited conduct. All employees are required to report alleged violations of Policy I-120 to the Office of Equal Opportunity and Institutional Compliance.

3. The University shall maintain a written record of the discrimination / harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate.
4. During the initial intake of a complaint, the Director of Title IX and EEO or their designee will obtain information regarding the complaint and determine if interim supportive measures are necessary to prevent continued violations of Policy I-120.

5. At the discretion of the Director of Title IX and EEO, a prompt, thorough, and impartial investigation into the alleged harassment or discrimination will occur.
6. For formal complaints under Policy I-120, an investigatory report will be prepared by the Director of Title IX and EEO (or designee) when the investigation is completed. The report will include, at a minimum:
  - a. A summary of the complaint;
  - b. A summary of the parties' positions;
  - c. A summary of the facts developed through the investigation; and
  - d. An analysis of the allegations and the facts.

The investigatory report will be submitted to the Office of Student Conduct for resolution consistent with Procedure 1032 - Campus Hearing Board - Students.

7. An individual also may contact the U.S. Department of Education, Office for Civil Rights about allegations that the University has discriminated against someone on the basis of race, color, national origin, sex, disability, or age. The person or organization filing the complaint need not be a victim of the alleged discrimination, but may complain on behalf of another person or group.

Complaints may be directed to:

New York Office  
 Office for Civil Rights  
 U.S. Department of Education 32 Old Slip, 26th Floor  
 New York, NY 10005-2500  
 Telephone: 646-428-3900  
 FAX: 646-428-3843; TDD: 800-877-8339  
 Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

#### Review History

	Date
Procedure Administrator	08/25/2021
Divisional Executive	08/25/2021
General Counsel	08/30/2021
Cabinet	09/02/2021
President	09/03/2021