
Policy: Anti-Discrimination and Anti-Harassment

Policy No: 1.07

Approved:

Policy Statement

SUNY Sullivan ("the College") is deeply committed to eradicating all forms of discrimination whether based on age, color, sex, creed, disability, ethnic background, gender, gender identity or gender expression, familial status, socioeconomic status, genetic information, marital status, military service or veteran status, national origin, pregnancy (including childbirth and breastfeeding), race, sexual orientation, or any other criterion prohibited by applicable federal, state, or local laws, The College will take steps to prevent and remedy discrimination and harassment, and to prevent the recurrence of discrimination and harassment.

SUNY Sullivan is an equal opportunity employer. To foster a fair and harmonious environment, the college provides members of its campus community with channels to seek redress if they believe they have experienced discrimination or discriminatory harassment. Furthermore, SUNY Sullivan strictly prohibits any retaliation against individuals who engage in this redress process in good faith.

The College unequivocally maintains a stance of zero tolerance towards any behavior that introduces discrimination or harassment into the teaching, learning, living, or working environment, as well as in any other relationship arising from College activities or programs.

Every member of the SUNY Sullivan community must adhere to these policies and report any conduct or behavior that they believe violates this non-discrimination policy. By collectively working towards upholding these values, SUNY Sullivan aims to create an inclusive and respectful atmosphere for all individuals.

This policy shall be binding upon:

- All employees, students, applicants, or any other individuals considered part of the College community, encompassing trustees, vendors, visitors, and contractors.
- Any location hosting College-sanctioned activities, whether on or off campus.
- All education programs and activities conducted under the College's purview.
- Any College-administered programs.
- All aspects and conditions of employment, comprehensively covering hiring and termination, compensation, employee assignment or classification, transfers, promotions, layoffs or recalls, job advertisements, recruitment, testing, facilities, training, and apprenticeship programs, as well as fringe benefits, pay, retirement plans, and disability leaves.
- Educational access for students, faculty, and staff.

The College shall be unwavering in its enforcement of this policy across all the aforementioned domains and will take necessary actions to ensure strict adherence to its principles. Any violation of this policy will be dealt with severely and may result in appropriate consequences, up to and

including termination of employment or expulsion from the College community.

The following persons have been designated to handle inquiries regarding the College's non-discrimination policies:

- Title IX Coordinator
- Chief Diversity Officer
- Director of Human Resources

Definitions

Complainant

Encompasses the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.

Discrimination

Treating individuals less favorably or differently due to their actual or perceived protected characteristics, encompassing age, citizenship status (except as required by law), color, creed, disability, ethnic background, familial status, gender, gender identity, genetic information, marital status, military service or veteran status, national origin, pregnancy (including childbirth and breastfeeding), race, sex, sexual orientation, transgender status, unemployment status, an individual's relationship or association with a member of a protected category, a caregiver, or any other criterion prohibited by applicable federal, state, or local laws.

Discriminatory Harassment

Subjecting an individual, based on their protected characteristics as defined in Discrimination, to humiliating, abusive, or threatening conduct that denigrates or exhibits hostility or aversion toward the individual or a group. This conduct must be severe, pervasive, or persistent enough to interfere with or limit the person's ability to participate in or benefit from the College's programs or activities. Discriminatory harassment may manifest in various forms, including oral, written, graphic, or physical conduct concerning an individual's protected characteristics.

Gender-Based Harassment

Acts of aggression, intimidation, stalking, or hostility directed at an individual's actual or perceived sex, gender identity, transgender status, gender expression, and nonconformity with gender stereotypes. Such actions must significantly impact the person's educational, campus life, or employment experience. Evaluation of the effect will consider the perspective of a reasonable person in the position of the Complainant (as defined herein).

Preponderance of the Evidence

The standard of proof applicable in discrimination, discriminatory harassment, and retaliation investigations. This standard seeks to determine whether it is "more likely than not" that the alleged conduct occurred.

Respondent

The individual accused of engaging in discrimination, discriminatory harassment, or retaliation.

Retaliation

Adverse action taken against any individual for reporting a violation of this policy in good faith or against anyone (e.g., Complainant, Respondent, witness, etc.) who participates in any aspect of the investigation or disciplinary process. Retaliation encompasses harassment, intimidation, violence, threats of violence, property destruction, and negative educational or employment consequences. Any individual or group, not limited to a Respondent or Complainant, may be held accountable for retaliation.

Sexual Harassment

Unwelcome verbal or physical conduct of a sexual nature that is sufficiently severe or pervasive to effectively alter or deny the individual reasonable access to College resources or that such conduct creates an intimidating, hostile or sexually offensive environment for learning, working or living on campus. Sexual harassment can take various forms, and its determination depends on the specific context and circumstances. It often occurs within unequal power relationships through the abuse of authority, involving implied rewards or threats of deprivation that disrupt the victim's academic or work effectiveness. Examples include unwelcome sexual advances, requests for sexual favors, explicit or suggestive verbal or physical conduct, or any behavior creating an intimidating, hostile, or offensive work or educational environment. SUNY Sullivan community members who experience gender-based harassment should also consult SUNY Sullivan's Sexual Harassment and Prevention or Sexual Violence Response policies, as they may apply depending on the circumstances.

Confidentiality

SUNY Sullivan recognizes that confidentiality is important to victims of discrimination and harassment. Any victim who has lodged a report may request confidentiality or privacy at any stage of the process. SUNY Sullivan is committed to making every reasonable effort to respect such requests, ensuring that information is only disclosed to individuals essential for the commencement of an investigation.

We recognize the challenges victims may face in coming forward, and we offer various options for students seeking support while maintaining confidentiality. However, it is essential to understand that requests for confidentiality might restrict the College's ability to investigate and respond to the allegations fully. Due to our responsibility to protect all members of the community and comply with the law, including Title VI, VII, and IX, complete confidentiality cannot be guaranteed.

Certain campus employees possess different capacities to maintain confidentiality. Some are obligated to maintain near-complete confidentiality, and interactions with them are regarded as "privileged communication." This privilege extends to students when engaging with the offices of Counseling and Health Services.

Procedures

Individuals wishing to file a claim of discrimination or harassment under this policy may do so by following the process set forth in the College's Discrimination Complaint Procedure.

Disciplinary action

The College shall be unwavering in its enforcement of this policy across all the aforementioned

domains and will take necessary actions to ensure strict adherence to its principles. Violations of this policy shall be considered misconduct, and violators may be subject to disciplinary action in accordance with College policy, applicable collective bargaining agreements, and/or the Student Code of Conduct which may result in appropriate consequences, up to and including termination of employment or expulsion from the College community.

Related Policies:

- [4.22.1 Workplace Violence and Prevention Policy](#)
- [4.22.1 Sexual Harassment and Prevention Policy](#)
- [4.22.1 Sexual Violence Response Policy](#)