

**TOMPKINS CORTLAND COMMUNITY COLLEGE
COLLEGE SENATE
AGENDA
September 27 2019
Board Room**

CALL TO ORDER

- Roll Call
- Introductions
- Welcome Guests
- Public Comment (if any)

UPDATES

Website

Securing committee charges

 Guided Pathways-under consideration

 Curriculum Committee-in process

 Information Security Program Committee-in progress

 Campus Safety Advisory Committee-in progress

APPROVAL OF MINUTES

September 13, 2019 minutes

REPORTS

Executive Branch representative

FCCC representative

ACTION ITEMS

Policy Against Discrimination and Harassment-Revised

PRESENTATION

General Data Protection Regulation (GDPR) Policy Update-Tim Densmore

ADJOURNMENT

FOCUS FOR THIS YEAR

Implement new by-laws of the College Senate

Next College Senate Meeting
Friday, October 4, 2019 at Noon
The Board Room

**Tompkins Cortland Community College
College Senate
Unapproved Minutes
September 13, 2019**

Roll Call

Present: A. Ahola, D. Bethony, K. Block, A. Decker, T. Evener, S.K. Hector, M. Lopez, A. Maroney, A. Martin, R. Sarachan, B. Sweeney, and J. Thayer.
Ex officios: S. Abbey, P. Reifenheiser, M. Schmidt.

Excused: F. Coon, G. McMinn, R. Rice, L. Seyfried, and J. Walz-Koeppel.

Unexcused: G. Isaacs.

Guests: P. Tvaroha, C. Boone, G. McCalley, and S. Clark.

CALL TO ORDER

- A. Ahola called the meeting to order at 12:05 p.m.
- A. Ahola welcomed the guests.
- There were no public comments.

UPDATES

A. Ahola and S. Abbey updated everyone on the website progress. It should be coming out soon.
A. Ahola stated they are still trying to get the outstanding committee charges in place. When we get them, A. Ahola reminded everyone that it is not our job to critique the committee charges but to approve them.

APPROVAL OF MINUTES

A motion was made by A. Decker to approve the minutes from the May 10, 2019 meeting as written. Seconded by J. Thayer. Motion approved.

ACTION ITEMS

College Senate 2019-2020 meeting schedule: A motion was made by J. Thayer to approve the meeting dates. Seconded by A. Maroney. Motion approved.

Animals on Campus Policy: C. Boone reviewed the revisions. A. Decker discussed a Cornell program where farm animals are brought on campus. Could that program still be done here? C. Boone stated yes with Presidential approval. R. Sarachan asked who fits the definition of "disabled individual." C. Boone explained they are defined by the Americans with Disabilities Act Amendments Act. A motion was made by S.K. Hector to approve the Animals on Campus Policy be moved forward to the Board of Trustees. Seconded by A. Decker. Motion approved.

Policy Against Discrimination and Harassment: S. Clark explained the revisions that were done to the policy. The wording “creed” and “criminal conviction” were added to the second paragraph. In the second to last paragraph the use of i.e. versus e.g. was questioned by R. Sarachan. It was changed. A motion was made by A. Maroney to accept the Policy Against Discrimination and Harassment, with the correction, be moved forward to the Board of Trustees. Seconded by S.K. Hector. Motion approved.

A. Ahola stated that J. Walz-Koeppel attended a shared governance conference and learned that we should have a parliamentarian. G. McMinn stated she would volunteer. J. Thayer made a motion to accept G. McMinn as the College Senate’s parliamentarian. Seconded by A. Maroney. Motion approved.

A. Ahola stated that there are four committee charges ready to accept. S. Abbey reminded everyone that they need to be reviewed every three years. The charges are:

- Academic Assessment Committee
- Budget Committee
- Campus Advocacy, Referral and Education (CARE)
- Committee on Academic Status (COAS)

A motion was made by J. Thayer to accept the standing committee charges. Seconded by A. Martin. Motion approved.

GUEST UPDATES

P. Tvaroha stated she will be representative on the Faculty Council of Community Colleges (FCCC) for TC3 and L. Seyfried will be the alternate. M. Schmidt will be stepping down after the Fall 2019 semester.

P. Reifenheiser updated us on enrollment as compared to budget. Strategic planning is looking at five core connecting key performance indicators. An example is the academic plan is aligned with outcomes. For Fall Day there will be discussion about Guided Pathways and the Strategic Plan.

M. Schmidt reported that she is on the Academic Affairs Committee of the FCCC. They have been looking at Guided Pathways. They have been making sure that a school goes through a shared governance. They are clarifying terms. P. Reifenheiser and M. Schmidt discussed competency based learning versus gen. ed. competency.

ADJOURNMENT

R. Sarachan made a motion to adjourn the meeting. Seconded by A. Decker at 12:53 p.m.



POLICY AGAINST DISCRIMINATION AND HARASSMENT

Unlawful discrimination or harassment based on including race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status is strictly prohibited by Tompkins Cortland Community College. The College is committed to maintaining an educational and work environment that is free of any discrimination or harassment and to fostering positive business and personal conduct so that everyone, including students, employees, and invitees, is treated with respect and dignity in a non-discriminatory environment. The educational environment shall be considered to include all academic and nonacademic programs and activities.

The College fully complies with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act as Amended, the New York Human Rights Law and all other applicable laws or regulations which prohibit discrimination. Discrimination or harassment of individuals for reasons of race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status is a form of unlawful discrimination.

It also is unlawful to retaliate against a person because ~~he or she has~~ **they have** opposed any illegal discriminatory practices or because ~~he or she has~~ **they have** complained of, or testified or assisted in the investigation of any complaint of discrimination or a proceeding conducted in connection with any such complaint.

Sexual Harassment

Sexual harassment is a form of misconduct which undermines an individual's integrity and human dignity. It can originate from a person of either sex against a person of the opposite or same sex, and from co-workers, supervisors, instructors, students, or even non-employees of the College (i.e. **e.g.**, vendors or invitees). It is offensive treatment or behavior which, to a reasonable person, creates an intimidating, hostile or abusive work or educational environment.

All acts of sexual violence shall be considered to be forms of sexual harassment. Sexual violence includes rape, sexual assault, sexual battery, sexual coercion and physical sexual acts perpetrated against a person's will or where a person is incapable

of giving consent due to intellectual or other disability or to the victim's use of drugs or alcohol.

Generally, this harassment falls into either of two categories: (i) "quid pro quo", or (ii) causing or allowing a sexually hostile environment to exist within the work place, classroom, or other College-sponsored program, service or activity.

"Quid pro quo" harassment includes unwelcome sexual advances, requests for sexual favors, and other physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's educational success (i.e. e.g., grades) or employment (i.e. e.g., a raise, promotion or assignment); or
- Submission to or rejection of such conduct by an individual is used as the basis for educational or personnel decisions affecting the individual.

Examples of this form of sexual harassment would include but are not limited to:

- Any uninvited or unwelcome physical contact, including touching, petting, pinching, persistent and purposeful brushing up against another individual's body, etc.
- Any suggestion to an individual that sexual favors or relationships will result in a favorable grade, promotion, or other education or employment opportunity.
- Any suggestion or implication to an individual that ~~his/her~~ **their** refusal to provide sexual favors or relationships will result in a poor grade, demotion, discipline, discharge, or will have an adverse impact on employment or educational results.

A sexually hostile environment exists when an individual's conduct has the purpose or effect of unreasonably interfering with another individual's education or work performance or creating an intimidating, hostile or offensive educational or working environment which interferes with or limits a person's ability to participate in or benefit from the college's programs.

Examples of this type of sexual harassment include, but are not limited to:

- Sexual innuendos, sexually suggestive comments, offensive language, sexually oriented kidding or teasing, gestures, practical jokes, etc.
- Offensive displays of sexually suggestive pictures, magazines, or other objects (e.g., sexually explicit calendars, posters, cartoons, photographs, or graffiti).
- Touching, pinching, holding, grabbing, hugging, kissing or intentionally and persistently brushing against another person's body.
- Inappropriate social conduct such as pressuring a student, employee or colleague to date or socialize and/or take some adverse action against that person for refusing to do so.
- Any other conduct that ridicules or humiliates an individual because of ~~his/her~~ **their** gender.

Other Unlawful Discrimination/Harassment

These same guidelines also apply to unlawful discrimination or harassment based on race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.

Examples of such hostile environment, discrimination, or harassment include but are not limited to:

- Transfer, demotion or termination of employees on the basis of race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.
- Interference in or denial of opportunities for educational success on the basis of race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.
- Unwelcome, offensive, or demeaning comments, slurs, language, jokes or gestures related to or referring to an individual's race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.
- The presence of books, magazines, pictures or other objects that may be reasonably construed as offensive or demeaning based on race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.
- Creating or contributing to an intimidating, hostile, or offensive working environment on the basis of race, color, creed or religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, citizenship status, military status, including Vietnam era or special disabled veteran status, HIV/AIDS status, familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected status.

Individuals who believe that they have been harassed or otherwise discriminated against in violation of this policy should follow the College's Discrimination/Harassment

Complaint Procedure which designates staff of the College to whom such occurrences may be reported so that they can be promptly and thoroughly considered, investigated and appropriately resolved.

A complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of discrimination or harassment. If an investigation results in a finding that a person who has accused another of discrimination or harassment has acted maliciously or has recklessly made false accusations, the reporting party will be subject to appropriate sanctions. It is important to note that due process considerations may limit the ability to investigate or resolve anonymous complaints.

Retaliation in any manner (~~i.e.~~ **e.g.**, coercion, intimidation, retributive acts) against any individual for making or filing in good faith a discrimination or harassment complaint, or for assisting or participating in the investigation of such a complaint is illegal and will not be tolerated. Such retaliation will be treated like any other form of discrimination and the party found to have retaliated shall be subject to appropriate discipline, including dismissal.

Questions regarding this policy and its enforcement should be directed to Sharon Clark, Affirmative Action Officer and Senior Title IX Coordinator, Office of Human Resources, Room 219, 607.844.8222, Ext. 4440, SCD@tompkinscortland.edu.

3/13/04

5/10/2007

7/16/09 – Resolution #2009-2010-7: Policy Against Discrimination and Harassment

12/08/11 – Resolution #2011-2012-17

11/10/2016

9/2019