

SUNY CORNING COMMUNITY COLLEGE
POLICY MANUAL
November 2023

**SUNY CORNING COMMUNITY COLLEGE
POLICY MANUAL
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ACADEMIC SERVICES

ACADEMIC ASSESSMENT PLAN

Resolution #2024-04

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the SUNY Corning Community College Academic Assessment Plan.

Approved: 05/18/04

Available: MyCCC: Faculty Tab; Assessment Resources:

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ACADEMIC CALENDAR

Resolution #3966-15

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approves the academic calendars for the 2014-15 and 2015-16 academic years.

Approved: March 2015

Replaced:

Resolution #4846-23

Resolution #3589-13

Resolution #3297-11

Resolution #2914-08

Resolution #2717-07

Resolution #2281-05

Resolution #1822-03

Resolution #1288-99

Resolution #1061-97

Resolution #577-92

Resolution #539-92

Resolution #459-01

Resolution #356-90

Resolution #248-89

Resolution #164-88

Resolution #5-86

No Resolution Number: Approved 04/24/85

No Resolution Number: Approved 07/25/84

Referenced: College Catalog

Available: MyCCC Welcome Page: **Academic Calendar**

College Closings

If the college closes due to inclement weather or other emergency, an announcement will be posted on the CCC web site (www.corning-cc.edu) and released to local radio and television stations. To avoid overloading campus phone lines, please check online or tune in to a media station in your area for information. You can sign up to receive text messages about college closings and emergencies on campus: **Text "ccc" to 31996.**

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ACADEMIC FREEDOM POLICY

Resolution #2827-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Academic Freedom Policy.

Approved: 05/28/08

ACADEMIC FREEDOM POLICY:

SUNY Corning Community College endorses the principles of academic freedom as set forth in the following statement by the American Association of University Professors and the Association of American Colleges:

- Teachers are entitled to full freedom in research and in the publication of the results subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the Institution.
- Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter, which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the Institution should be clearly stated in writing at the time of the appointment.
- College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public might judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the College.

Referenced: MyCCC: Human Resources: Policies & Bargaining Agreements:
PECCC Contract

ACADEMIC PLAN

Resolution #2318-06

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby endorses the Academic Plan.

Approved: 01/03/06

Available: Vice President and Dean of Academic Affairs Office:

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PRESIDENT'S LIST

Resolution #2244-05

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the changes in Dean's List criteria approved by the Faculty Assembly at its April 26, 2005 meeting, and

BE IT FURTHER RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the establishment of a President's List, starting in the Fall 2005 semester, for students who earn a 3.75 GPA, with all other criteria matching the Dean's List Honor.

Approved: 08/24/05

Referenced:

College Catalog: DEAN'S AND PRESIDENT'S LIST

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STUDENT PROGRESS POLICY

Resolution #2749-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the revised Student Progress Policy, to be effective with the Fall 2003 semester (end of semester).

BE IT FURTHER RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby replaces Resolution #42-85.

Approved: 02/27/08

Replaced:
Resolution #42-85

Referenced: College Catalog: Academic Progress Policy

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Personal Care Attendants Policy

Policy Statement

SUNY Corning Community College is committed to providing accommodations to otherwise qualified individuals with disabilities by making reasonable modifications in services, programs, and/or activities, and complies with all state and federal laws regarding individuals with disabilities. Students who seek reasonable accommodations must register with the Office of Accessibility Services. The College will review all requests for reasonable accommodations on an individualized and case-by-case basis.

The College recognizes that certain students may be entitled to the services of a Personal Care Attendant (PCA). This policy addresses the use of PCAs for students that have PCAs as part of an approved accommodation through Accessibility Services. The College does not assume coordination of, financial responsibility for, or legal liability for PCAs.

The purpose of this policy is to describe the key concepts involved in a request for the use of a PCA; clarify the student's responsibilities with respect to their PCA; and explain the College's role in this process.

Definitions

Personal Care Attendant (PCA) – is a person who has been hired to support a student with a disability to live a more independent life by performing personal care duties or services (chronic or temporary). A PCA works directly for and is employed by the student. The type of tasks performed by PCAs vary from person to person. Tasks performed by PCAs may include, but are not limited to, the following:

- Providing help with activities of daily living, such as bathing, dressing, toileting, and grooming
- Housekeeping
- Preparing meals and assistance with eating
- Positioning or transferring to and from a wheelchair
- Running errands
- Monitoring medical conditions
- Ensuring compliance with medication regimes
- Transporting and/or escorting
- Assisting with maintenance of the housing environment, including light cleaning, laundry, and keeping the environment safe
- Turning pages and retrieving books
- Opening doors
- Alerting to distracting, repetitive movements

- Alerting to dangerous environments/situations

Student with a disability – an otherwise qualified individual who has a physical or mental impairment that substantially limits one or more of the major life activities of such individual

as specified according to the American with Disabilities Act (ADA) of 1990 as amended in 2008.

Responsibilities of SUNY Corning Community College

SUNY Corning Community College does not provide PCA services and is not responsible or liable for any consequences resulting from a student's associations with a PCA. Through the Accessibility Services office, the College can assist students requiring personal care attendant services by:

- Generating ideas for advertising and recruitment for PCA services on campus.
- Including in an accommodation letter to faculty that a student will be accompanied by a PCA in the classroom and for all classroom-related activities
- Answering any questions from Residence Life regarding a student's need for a PCA in campus housing

Responsibilities of Students using Personal Care Attendants

A PCA works directly for a student with a disability. Students who use PCAs are responsible for securing, training, supervising, and paying their PCAs. Students can make arrangements through agencies or private contacts. SUNY Corning Community College will not assume any responsibility for the PCA or for the PCA's failure to fulfill its contract with the student. Any student who wishes to bring or use a PCA on campus must:

- Be registered with CCC Accessibility Services.
- Qualify as an individual with a disability.
- Request, through Accessibility Services, an accommodation of using a PCA in the classroom and/or housing.
- Register the PCA with CCC Accessibility Services by submitting a copy of the contractual agreement with the PCA or the PCA's agency. This documentation could cover a specific person, or an agency providing services through more than one PCA. The contract must stipulate that the services required by the student will in fact be provided by the PCA.
- Submit a copy of the PCA's criminal background check to Accessibility Services.
- Secure, hire, manage, and fire (if necessary) the PCA.
- Develop an alternative plan of action should the regularly assigned PCA not be available for work.
- Recruit and hire a PCA as soon as the student knows they will be enrolling and attending the College.
- Accept responsibility for the behavior and actions of the PCA (including through the campus disciplinary system) while on campus.
- Ensure that PCA personnel changes are registered with Accessibility Services and Residence Life (if living on campus).

Responsibilities of the Personal Care Attendant

Personal Care Attendants are expected to follow all applicable College and departmental policies, regulations, rules, and procedures. PCAs will only be able to access the student campus housing while classes are in session or if the student has properly secured permission to be on campus during break sessions. PCAs must:

- Allow the student to take responsibility for their own academic responsibilities and behavior.
- Refrain from contact with or asking questions of faculty, staff, or others on behalf of the student unless communication is part of the accommodation being provided by the PCA.
- Refrain from intervening in conversations between the student and faculty, staff, or other students unless communication is part of the accommodation being provided by the PCA.
- Refrain from discussing any private information about the student with faculty, staff, or students.
- Refrain from involvement with the student's academic work related to class assignments or tests.
- Follow all SUNY Corning Community College policies and abide by the Student Code of Conduct (including all policies related to law, behavior, and campus housing).
- Carry a photo ID while on campus.

If a PCA fails to abide by such policies, regulations, rules, and procedures and/or causes a fundamental alteration in services, programs, or activities, Accessibility Services may make a determination that the PCA will not be allowed to accompany the student with a disability into the classroom and/or other sites. If a PCA who resides in college housing fails to abide by the policies, regulations, rules, and procedures related to college housing, the Office of Residential Life may make a determination that the PCA will not be allowed to live with the student in campus housing. The PCA may be removed from campus immediately, regardless of the contractual arrangement the PCA has with the student. It is the student's responsibility to secure the services of another PCA in the event a PCA becomes unable to perform services for a student, whatever the cause of that unavailability.

Responsibilities of the Student Personal Care Attendant

This section pertains to the employment of SUNY Corning Community College students as Personal Care Attendants for students that have PCAs as part of an approved accommodation through Accessibility Services. Student PCAs are expected to follow all applicable College and departmental policies, regulations, rules, and procedures. Student PCAs will only be able to access the campus housing assignment of the student with a disability while classes are in session. In addition to abiding by stipulations noted in the aforementioned **Responsibilities of Personal Care Attendant** section, Student PCAs will be fully held to the standards and levels of accountability noted in the [Student Code of Conduct](#) and all other [SUNY Corning Community College campus housing policies and agreements](#). Student PCAs must also carry their SUNY Corning Community College student ID at all times.

If a student PCA fails to abide by such policies, regulations, rules, and procedures and/or causes a fundamental alteration in services, programs, or activities, Accessibility Services and/or the Provost may make a determination that the student PCA will not be allowed to accompany the student with a disability into the classroom and/or other sites. If a student PCA who resides in college housing fails to abide by the policies, regulations, rules, and procedures related to college housing, Residential Life may make a determination that the student PCA will no longer have access to the housing assignment of the student with a disability. Depending on the level of violation towards the aforementioned College or campus housing policies, the student PCA may be removed from campus housing regardless of any contractual arrangement the student PCA has with the student. Violations of College and housing policies may also result in the student PCA undergoing the disciplinary process through the Assistant Dean of Student Services and/or the Provost. It is the student's responsibility to secure the services of another PCA in the event a student PCA becomes unable to perform services for a student, whatever the cause of that unavailability. Any loss of keys or damage that occurs on the part of the student PCA while assisting a student with a disability in their respective living area will be billed directly to the student PCA.

Policy and Procedures for Living on Campus with a Personal Care Attendant

Students who seek to live in SUNY Corning Community College residential facility and require the service of PCAs must follow Accessibility Services accessible campus housing request process and submit requests, including appropriate documentation, by the required submission dates. Students must follow these guidelines to arrange PCA services:

- Submit the Request for Accessible Campus Housing to Accessibility Services, filled out by a physician or other medical professional, to verify that a live-in PCA is necessary to accommodate a student's request to live in SUNY Corning Community College housing. The Office of Accessibility Services will review this documentation, and, if needed, may seek further clarification from the student and their physician or other medical professional regarding the request for accommodation.
- For each PCA to be residing (whether part-time or full time) with the student at the College, submit a copy of the PCA's criminal background check to the **Office of Residence Life**. If the student is contracting with an individual PCA, then the student must ensure that the PCA submits a current criminal background check to the student to be sent to the Office of Residential Life. If the student is working with a PCA contracting agency, the student must obtain a copy of the criminal background check(s) performed by or on behalf of the agency and provide it to the Office of Residential Life. The student is responsible for notifying the Office of Residential Life if the PCA is charged with any crime during the student's time at the College (including summer and other school breaks). If the PCA has not submitted a criminal background check to the student or if there is any question or concern about the PCA's criminal history, the PCA will not be permitted on campus until such time as it has been completed and submitted, and the student will need to make alternative arrangements.

- The student will need to obtain an **appropriate parking pass** for the PCA's car (if applicable). The parking pass will be issued by the College once the PCA's information is approved.
- PCAs are required to follow all College and Office of Residential Life housing and license agreement rules, regulations, policies, and procedures. The College may immediately remove any PCA who fails to abide by these policies in a manner that endangers the health and/or safety of any member of the campus community. The College will not be responsible for any hardship or liability incurred by the student because of the PCA's removal, nor will the College be required to provide the student with an opportunity to retain alternative PCA services prior to enforcing such removal. In cases that do not warrant immediate removal, the student should refer to the code of the conduct. Additionally, the PCA and student may receive an official warning from the Office of Residential Life. In this situation, the College will notify the student of the issue as soon as possible.

PERSONAL CARE ATTENDANT POLICY ACKNOWLEDGEMENT FORM

By my signature below, I acknowledge that I have received and read a copy of the Personal Care Attendant Policy. I understand and agree to abide by the requirements and expectations outlined by the Personal Care Attendant policy.

Student Signature: _____

Student Printed Name: _____

Date: _____

Acknowledgement received by: _____

Date: _____

Please return signed form to Accessibility Services:

SUNY Corning Community College
Accessibility Services, Chemung 100 1
Academic Dr.
Corning, NY 14830

ADMINISTRATION

ANTI-BULLYING POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: January 29, 2015	RBOT Resolution #3953-15 Anti-Bullying Policy
Issue/amendment date: January 29, 2015	Author: Human Resources Office
References: RBOT Policy Manual, College Catalog, College website	Rescinds: N/A

Bullying can foster a climate of fear and disrespect which seriously impairs the physical and psychological health of its victims and creates conditions that negatively affect any learning and working environment. With the proliferation of the use of electronic means of communication, bullying has transformed from a predominately school-based issue among youth to a broader societal problem affecting both youth and adults. Researchers have demonstrated that bullying has long-term consequences, particularly since bullying has now moved beyond the classroom to the Internet, athletic teams, college campuses, work places, and among the general public.

Cyber-bullying has been shown to cause significant psychological trauma to its victims. Victims suffer very real and serious harm as a result of these incidents, often showing signs of depression, anxiety, social isolation, nervousness when interacting with technology, low self-esteem, declining school and work performance, hyper-vigilance, nightmares, changed eating and sleeping habits, and fear for their safety. In extreme cases, victims attempt or commit suicide due to the cyber-bullying they have endured.

Policy Statement

SUNY Corning Community College (“the College”) is committed to maintaining an educational and work environment in which every member of the College community conducts himself/herself in a manner which demonstrates proper regard and respect for the rights and welfare of others so that everyone, including students, employees, and visitors, is treated with respect and dignity. The intended purpose of this Anti-Bullying Policy is to educate the College community about bullying and promote civility and respect among all its members. This policy applies to all members of the campus community, individuals doing business with the College, and any persons utilizing campus facilities.

Summary

Bullying is strictly prohibited on any College property; at any College function, event or activity; or through the use of any electronic or digital technology, whether or not such use occurs on College property. Any case of bullying suspected to be of a criminal nature will be referred to local law enforcement authorities.

A procedure for handling complaints under this policy has been established and is available on the College website, in the College catalog, and from the Human Resources Office.

Definitions

- **Bullying:** aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals. Bullying can occur as a single, severe incident or repeated incidents.
- **Physical Bullying:** pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work product.
- **Verbal/Written Bullying:** includes ridiculing, insulting or maligning an individual, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to an individual; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- **Nonverbal Bullying:** includes making direct threatening gestures toward an individual or invading personal space after being asked to move or step away.
- **Cyberbullying:** the bullying of an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- **Racist Bullying:** racial taunts, graffiti or gestures; and/or a refusal to work with another individual because they are of a different culture.
- **Sexual Bullying:** unwanted physical contact or sexually abusive comments.
- **Homophobic, Gender, and Sexual Orientation Bullying:** bullying which is usually aimed at gay, lesbian, bisexual and transgender people or those with gay, lesbian, bisexual or transgender relatives/friends; and/or the use of generic insults relating to gender and/or sexual orientation.
- **Stalking:** continued unwanted attention through: personal contact (directly with an individual or through the individual's friends and family); telephone calls; letters; e-mails; text messages; Internet chat rooms; and other means.

Bullying does not include the following circumstances:

- A supervisor or any person with supervisory authority reports and/or documents an employee's unsatisfactory job performance and the potential consequences of such unsatisfactory performance; or
- A faculty or staff member advises a student of unsatisfactory academic work and the potential for the course failure or dismissal from the program; or
- A faculty or staff member advises a student of inappropriate behavior that may result in disciplinary proceedings.

SUNY Corning Community College
Board Policy and Administrative Procedures

POLICY ON CONFIDENTIALITY

Effective Date: April 30, 2020	RBOT Resolution #4663-20 Policy on Confidentiality
Issue/amendment date: April 30, 2020	Author: Human Resources Office
Reference: RBOT Policy Manual	Rescinds: N/A

By nature of their position, employees at the College will have access to confidential information related to students, faculty, staff, alumni, and other constituents of the College. Employees are obligated to maintain the confidentiality of any such private information that is encountered. Employees will be required to periodically and regularly acknowledge receipt and understanding of this policy with specific terms and conditions updated by the College.

The College expects all employees with access to confidential information to manage that information in a respectful and professional manner. As a matter of policy and practice, the College restricts access to personal information to only those employees who have a legitimate “job-related reason” in the performance of their duties for gaining access. Access and release of any student educational records must be in accordance with FERPA regulations. Access and release of any health records must be in accordance with HIPAA regulations. Any personal information viewed or accessed by an employee through College systems or records is not to be shared or released to others unless there is a legally permissible and business-related purpose for doing so.

In accordance with Section 203-d of the New York Labor Law, the College and its employees will not publicly post or display an employee’s social security number; visibly print a social security number on an identification badge, including any time card; place social security numbers in files with open access; or communicate an employee’s personal “identifying information” to the general public. Identifying information is defined to include an employee’s social security number, home address or telephone number, personal email address, Internet identification name or password, parent’s surname prior to marriage, or driver’s license number.

Inappropriate disclosure of information pertaining to students, faculty, staff and other college constituents may violate applicable law and regulations and is considered a violation of ethics and a breach of trust placed in employees by the College. Employee, student, financial, and medical information contained within the College information systems (electronic and physical files) and all external SUNY systems is considered confidential. Access to information made confidential by law or campus practice is limited to those individuals (employees, consultants, adjunct professors, third-party vendors, etc.) whose position or contract legitimately requires use of this information. Requests for access to confidential information must be supported by the supervisor, respective Senior Staff member and respective Banner data custodian.

For employees who fail to abide by the policy, practice and/or guidelines provided by the College, administrative action may be pursued, including disciplinary action up to and including termination and in compliance with respective collective bargaining agreements and personnel policies.

COPYRIGHT POLICY

Resolution #271-89

WHEREAS, SUNY Corning Community College is committed to conform to existing United States copyright laws and Congressional guidelines and to maintain the highest possible ethical standards in the use of any copyrighted material for instructional and administrative purposes, and

WHEREAS, the Board of Trustees of SUNY Corning Community College directs that SUNY Corning Community College employees adhere to all provisions of Title 17 of the United States Code, entitled “Copyrights,” and other federal legislation and guidelines related to the duplication, retention, and use of copyrighted materials, and

WHEREAS, the President of the College is directed to develop procedures to insure compliance with the copyright laws and appoint an administrative officer to supervise the activity on campus,

BE IT THEREFORE RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby adopt the above as the College’s Copyright Policy.

Approved: 04/26/89

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SEXUAL HARASSMENT RESPONSE AND PREVENTION POLICY STATEMENT

SUNY Corning Community College Board Policy and Administrative Procedures

Effective : November 15, 2018	RBOT Resolution #4448-18 Sexual Harassment Response and Prevention Policy Statement
Issue/Amendment date: New	Author: Human Resources
Reference: RBOT Policy Manual, College website	Rescinds: N/A

Sexual harassment is a form of sex discrimination which is unlawful in the workplace under Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. Under Title IX of the Educational Amendments of 1972, sexual harassment also is prohibited in the provision of educational services and protects students and employees from sexual harassment.

Sexual harassment is prohibited and will not be tolerated at SUNY CCC. The College has implemented measures to address and prevent sexual harassment and is taking additional affirmative steps to increase awareness of, and sensitivity to, all forms of sexual harassment in order to maintain a workplace and learning environment free of its harmful effects.

Sexual harassment is a form of workplace discrimination and employee misconduct, as well as a form of discrimination in the academic setting, and all employees and students are entitled to work and learn in a campus environment that prevents sexual harassment. All employees and students have a legal right to a workplace and a campus free from sexual harassment, and employees and students can enforce this right by filing a complaint internally with the College, or with a government agency, or in court under federal or state anti-discrimination laws, as detailed in the College's Equal Employment and Educational Opportunity Complaint Procedure.

In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit; or
- Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:

- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;

- Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, and other forms of sexually offensive conduct by individuals in positions of authority, co-workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities.
- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform his or her employment or academic duties;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Such behavior can constitute sexual harassment regardless of the sex, gender, sexual orientation, self-identified or perceived sex, gender expression, status of being transgender, or gender identity of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action. Further, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Employees and students who believe they have been subjected to sexual harassment may use the College's Equal Employment and Educational Opportunity Complaint Procedure for more details on how to have their allegations reviewed, including a link to a complaint form.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about or provides information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the campus EEO Officer, and may file a complaint pursuant to these procedures.

SUNY CCC and SUNY System Administration shall take the necessary steps to ensure that this Sexual Harassment Response and Prevention Policy Statement is distributed, implemented, and enforced in accordance with their respective policies.

CONSENSUAL SEXUAL AND AMOROUS RELATIONS POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Effective : April 26, 2018	RBOT Resolution #4444-18 Consensual Sexual and Amorous Relations Policy
Issue/Amendment date:	Author: Human Resources
Reference: RBOT Policy Manual, College website	Rescinds: N/A

Consensual Sexual and Amorous Relations Policy

SUNY Corning Community College has a strong commitment to a community that promotes the exchange of ideas, builds mutual trust and respect, facilitates communication, and reduces misunderstandings. When faculty and staff members exercise power and authority over students and employees for whom they have current supervisory, instructional, or other professional responsibility, a power imbalance is created which makes consent within any sexual or romantic relationship between them problematic, and may impede the real or perceived freedom of the student or employee to terminate or alter the relationship. SUNY Corning Community College also recognizes that a sexual or romantic relationship under the conditions set forth above may result in a loss of objectivity and create a conflict of interest in any evaluative, supervisory, instructional, or other professional role.

The Consensual Sexual and Amorous Relations Policy applies to all faculty and staff, all job classifications, titles and types of appointments under College jurisdiction engaged in relationships with students or other campus faculty or staff where there is an actual or perceived power imbalance because of supervisory or professional roles of participants in the relationship.

It is the policy of SUNY Corning Community College that:

1. Sexual or amorous relationships between SUNY Corning Community College faculty or staff members and students to whom such faculty or staff members have current or reasonably predicted future professional responsibility are prohibited.
2. Sexual or amorous relationships between faculty or staff members and students to whom the faculty or staff members have no current professional responsibility are strongly discouraged.
3. Sexual or amorous relationships between supervisors and non-student employees to whom such supervisors have current professional responsibility are strongly discouraged. Where such a relationship exists, it shall be the responsibility of the individual to inform the divisional executive and Human Resources in a timely manner, so that the supervisor may be removed from any evaluation of the employee, and from any activity or decision that may appear to reward, penalize, or otherwise affect the employment status of the employee.
4. All parties have a duty to abide by this policy and cooperate in making alternative arrangements.

Members of the campus community are reminded that persons with the status advantage in such relationships could be subject to formal discipline for violating their professional and ethical obligations to a student or employee of the College (as per the disciplinary policies and procedures noted in the personnel handbook and respective collective bargaining agreements); to charges of sexual harassment should such a complaint be filed by a party in the relationship or to charges of discrimination should another employee

claim to be adversely affected by the relationship (as per the Equal Employment and Education Opportunity Policy and Complaint Procedure).

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EQUAL EMPLOYMENT AND EDUCATIONAL OPPORTUNITY POLICY

SUNY Corning Community College Board Policy and Administrative Procedure

Effective Date: October 2, 2015	RBOT Resolution # 4721-21 Equal Employment and Educational Opportunity Policy
Issue/amendment date: February XX, 2021	Author: Human Resources Office
References: RBOT Policy Manual, Personnel Policies Handbook for Non-Union Employees, PECCC Agreement, College Catalog, College website	Rescinds: RBOT Resolutions #4549-18, 4050-15, #3968-15, #3843-14, #3566-13, and #3567-13

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 MyCCC student portal policy page, the Human Resources policy page for employees, 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:

Stacy Ward
Executive Director of Human Resources
1 Academic Drive, Corning, NY 14830
(607) 962-9444
sward11@corning-cc.edu

U.S. Department of Education’s
Office for Civil Rights
32 Old Slip, 26th Floor, New York, NY 10005-2500
(646) 428-3800

OCR.NewYork@ed.gov

David Burdick
Executive Director of Aux. Campus Services
Title IX Coordinator
1 Academic Drive, Corning, NY 14830
(607) 962-9328
dburdick@corning-cc.edu

US Equal Employment Opportunity Commission
300 Pearl St., Suite 450, Buffalo, NY 14202
(716) 551-4387
<https://www1.eeoc.gov/>

NYS Division of Human Rights
44 Hawley St., Binghamton, NY 13907
(888) 392-3644
<https://dhr.ny.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.

ETHICS POLICY

Resolution #435-90

SUNY CORNING COMMUNITY COLLEGE ETHICS POLICY

December 5, 1990

I. PURPOSE

The purpose of this resolution is to create the SUNY Corning Community College Ethics and Disclosure Policy in compliance with Article 18 of the New York State General Municipal Law. The citizenry of the region are entitled to the expectation of exemplary ethical behavior from their College officers, employees and appointed officials, and this policy is intended to create the minimum standards which constitute that behavior. Any particulars not determined in this policy shall be construed within the provisions of General Municipal Law Article 18.

II. DEFINITIONS

Unless otherwise indicated, the following terms shall be defined such for the purpose of the SUNY Corning Community College Ethics Policy.

- a. "Child" means any son, daughter, step-son or step-daughter of a College officer, employee or appointed official if such child is under 18 or is a dependent of the officer, employee or appointed official as defined in the Internal Revenue Code Section 152 (a) (1) and (2) and any amendments thereto.
- b. "College" means SUNY Corning Community College or any department, or other division or part thereof.
- c. "Interest" means a direct or indirect pecuniary or material benefit accruing to a College officer, employee or appointed official, his or her spouse, or child whether as the result of a contract with the College or otherwise. For the purpose of this chapter, a College officer, employee or appointed official shall be deemed to have an interest in the contract of (i) his/her spouse and children, except a contract of employment with the College; (ii) a firm, partnership or association of which such officer, employee or appointed official or his/her spouse or child is a member or employee; (iii) a corporation of which such officer, employee or appointed official, or his/her spouse or child is an officer or director; and (iv) the outstanding capital stock of a corporation which is owned by an officer, employee or appointed official, or his/her spouse or child.
- d. "Officer" or "employee" means the President, Dean of Academic Affairs, Director of Finance, Director of External Affairs, Business Manager, Bursar, anyone authorized to sign checks and members of the Board of Trustees.
- e. "Appointed official" means any individual who is appointed by the College to any agency, institution, department, office, branch, division, council, commission, board or bureau, whether unpaid or paid.
- f. "Relative" means a spouse or child of a College officer, employee or appointed official.
- g. "Spouse" means the husband or wife of an officer, employee or appointed official subject to the provisions of this policy unless legally separated from such officer, employee or appointed official.

- h. "Jurisdiction" shall mean having authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of the College in which she/he is an officer, employee or appointed official.
- i. "Reporting Category" for the purpose of completing the financial disclosure report pursuant to Article IV, sections 3, 4, and 5 of this policy) means the category of interest, income, value or worth of said reported items. No exact dollar amounts are to be included in the completion of the statements of financial disclosure; rather all amounts are to be indicated using the following categories:
 - "A": \$0-\$5,000
 - "B": \$5,001-\$10,000
 - "C": \$10,001-\$25,000
 - "D": \$25,001-\$50,000
 - "E": \$50,001-\$100,000
 - "F": Over \$100,001

III. CODE OF ETHICS

A. Prohibited Activities

It is the policy of the College that all officers and employees must avoid conflicts or potential conflicts of interest. A conflict or a potential conflict exists whenever an officer, employee or their relative as defined above in II (f) has an interest, direct or indirect, which conflicts with their duty to the College or which could adversely affect an individual's judgment in the discharge of his or her responsibilities. No officer, employee or their relatives shall:

1. Take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or the awarding of any contract or in any business or professional dealings with the College or any agency thereof in which the official or employee has or will have an interest, direct or indirect, in such contract or professional dealings.
2. Engage in, solicit, negotiate for or promise to accept private employment or render services for his or her personal benefit when such employment or service creates a conflict or impairs the proper discharge of his or her official duties.
3. Solicit, directly or indirectly, any gifts, or receive or accept any gift having the value of Seventy-five (\$75.00) Dollars, or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any official action on his or her part.
4. Disclose confidential financial information acquired in the course of his or her official duties or use such information to further his or her personal interest.

IV. DISCLOSURE OF INTEREST

1. Any officer or their relative who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the College, and who participates in the discussion before or who give an opinion or gives advice to any Board, Agency

- or individual considering the same, shall publicly disclose on the official record the nature and extent of such interest.
2. Any officer or employee of the College, or their relative, who has knowledge of any matter being considered by any Board, Agency, officer or employee of the College in which matter he or she has or will have or intends to acquire any direct or indirect interest, shall be required immediately to disclose, in writing, his or her interest to such Board, Agency, officer or employee, and the nature and the extent thereof, to the degree that such disclosure gives substantial notice of any potential conflict of interest.
 3. On or before January 31 of each year for which the employment is in effect, the President shall promulgate two lists, to be known as "Level A" and "Level B", of all positions required to provide financial disclosure. Said lists are discretionary in nature, subject to the law as determined by this policy and to be construed within Article 18 of the New York State General Municipal Law.
 4. "Level A" financial disclosure shall be accomplished by the completion of form "Level A" attached to this policy which is incorporated in substance by reference herein. "Level A" financial disclosure shall be required through the discretionary designation of the President, as stated in (IV) (3) above, and is applicable to those designated in Article II, sections (d) and (e) above. This statement shall be completed and returned to the Ethics Board on or before May 15 of the year for which the employment is in effect.
 5. "Level B" financial disclosure shall be accomplished by the completion of form "Level B" attached to this policy which is incorporated in substance by reference herein. "Level B" financial disclosure shall be required through the discretionary designation of the President, as stated in (IV) (3) above, and is applicable to those who may not fall within the specific purview of (IV) (4), above, but are, with proper discretion, deemed to be "policy making" within the construction of Article 18 of the New York State General Municipal Law. This statement shall be completed and returned to the Ethics Board on or before May 15 of the year for which the employment is in effect.
 6. A person who is subject to the filing requirements of this policy from more than one source may satisfy the requirements by filing only one annual statement of financial disclosure, and filing with the other(s) a notice that such filing has been made, inclusive of the date and place of the filing.
 7. Any person who is subject to the reporting requirements of this local law and who has or shall timely file with the Internal Revenue Service an application for automatic extension of time in which to file his/her individual income tax return for the immediately preceding calendar or fiscal year which would extend filing with the IRS beyond May 15 of that year shall be required to submit notice of said application on or before March 31 of the year in which the employment is in effect. Such person shall file a completed disclosure form, absent only the portions stated within the application for automatic extension on or before May 15 of the year for which the employment is in effect, and a supplementary statement for any item as so noted on the annual statement of financial disclosure, without liability under Article VIII of this policy, if said supplementary statement is filed within fifteen (15) days of the expiration of the automatic extension.
 8. Any person who is required to file an annual statement of financial disclosure may request, prior to May 1, of the year for which the employment is in effect, an extension of filing for an additional specific period of time. Such request shall be made in writing to the Board of Ethics, with approval based upon substantiation of justifiable cause or undue hardship. The Board of Ethics may grant or deny the

- request, by vote of the membership, and extensions shall be for the specific period of additional time requested.
9. Any person required to file an annual statement of financial disclosure who becomes so required, or experiences a change in reporting levels, or becomes a candidate for elected office, after March 15 of the year for which the employment is in effect, shall file the appropriate annual statement within thirty (30) days.

V. ANNUAL CODE OF ETHICS REVIEW

1. Every official and employee is required to attest on an annual basis that he or she has reviewed the Code of Ethics of the College, to be made on or before March 31 of the year for which the employment is in effect. Said attestation is to be filed with the SUNY Corning Community College Ethics Board.

Establishment

The Trustees of the College, pursuant to Article 18 of the New York State General Municipal Law, hereby establishes the College Board of Ethics, responsible for ensuring full compliance with this code of ethics and disclosure. The Ethics Board shall consist of three members, nominated by the President of the College and confirmed by the Board of Trustees of the College and serving at the pleasure of same.

Membership

Members of the Ethics Board shall serve without compensation, but shall be entitled to reimbursement of reasonable expenses and for mileage, in accordance with rules established by the College. Members of the Ethics Board shall be construed under this policy as policy-making officials, and thus be subject to all of the appropriate ethics and disclosure requirements.

Power and Duties

- a) The Board of Ethics shall possess all powers and duties authorized by Section 808 of General Municipal Law.
- b) The Board of Ethics shall be the repository for completed annual statements of financial disclosure, pursuant to section 808 (5) of the General Municipal Law and Article IV herein and such written instruments, affidavits, and disclosures as required under this policy and be responsible for the security and confidentiality of all such disclosure statements and related written materials.
- c) The Board of Ethics shall possess, exercise and enjoy all the rights, powers and privileges necessary and proper to the enforcement of the Code of Ethics and completion and filing by reporting officers, employees and appointed officials of the College of annual statements of financial disclosure required by this act.
- d) The Board of Ethics shall render advisory opinions in writing regarding specific matters pertaining to filings and reporting categories, to officers, employees and appointed officials of the College with respect to this policy and Article 18 of the General Municipal Law. Such opinions shall be rendered only upon written request by the officer, employee or appointed official concerning only the subject of the inquiry as it pertains to the requesting individual's own filing requirements.

- e) Such opinions shall not be made public or disclosed unless required by the Freedom of Information Law (Public Officers Law Article 6) or required for use in a disciplinary proceeding or proceeding under Article VII of the Policy involving the officer, employee or appointed official who requested the advisory opinion. Whenever a request for access to an advisory opinion herein is received, the officer, employee or appointed official whom the request concerns shall be notified of the request within forty-eight (48) hours of the receipt of the request. Under no circumstances shall the “Reporting Categories” be disclosed to the public, as stated in New York State General Municipal Law Section 813.18(a) (1).
- f) The President shall designate an attorney admitted to practice in the State of New York to serve as counsel to the Board of Ethics to be paid for by the College.
- g) The Ethics Board shall be empowered to request support staff assistance from Trustees or the President in furtherance of its duties and responsibilities.

VI. APPEAL OF DESIGNATION OF POLICY MAKING POSITION

Appeal may be taken by the filing of a written petition in opposition to such designation within thirty (3) days from the date that the designation was filed with the College Board of Ethics. Upon receipt of the petition, the Board of Ethics shall make a determination upon the merits of the application within thirty (30) days.

VII. ANNUAL STATEMENT OF FINANCIAL DISCLOSURE

The College Trustees hereby designate disclosure form as attached, as substantially incorporated by reference, as the annual statement of financial disclosure for the purposes of fulfilling the requirements of Article IV, sections 3, 4, and 5, respectively, of the College Ethics and Disclosure Policy.

VIII. SEVERABILITY

The various elements of the College Ethics Policy are explicitly intended to be construed within the application of Article 18 of the New York State General Municipal Law. Should any portion of the policy be determined to be unconstitutional or improper, said determination shall have no bearing on the severable remainder of this policy.

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FEDERAL FUNDS FOR PARTISAN POLITICAL ACTIVITY

Resolution #664-93

Approval of policy prohibiting the use of any Federal funds for partisan political activity involving the College or any of its employees.

Approved: 11/03/93

There are several laws governing the partisan activity of persons or organizations involved in the administration of federally assisted programs. The Regional Board of Trustees of SUNY Corning Community College approved a policy in 1993 that prohibits the use of any federal funds for partisan political activity involving the College or any of its employees.

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FREEDOM OF INFORMATION POLICY

Resolution #2783-08

WHEREAS, the Freedom of Information Law (Public Officers Law §§ 84090) <http://www.dos.ny.gov/coog/foil2.html> requires that the State University of New York make certain records available to the public, and

WHEREAS, the law requires each campus to designate a records access officer,

THEREFORE BE IT RESOLVED that SUNY Corning Community College does adhere to the most current version of the Freedom of Information Law as it applies to community colleges, and

BE IT FURTHER RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College charge the President of the College to designate a records access officer.

BE IT FURTHER RESOLVED, that this Resolution replaces Resolution #2159-05.

Approved: 04/16/08

Replaced:
Resolution #2159-05
Resolution #6-86

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PAID TIME FOR VOTING

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: January 21, 2020	Paid Time for Voting
Issue/amendment date: January 21, 2020	Author: Human Resources
Reference: Personnel Policies Handbook for Non-Union Employees, HR webpage, RBOT Policy	Rescinds: N/A

Section 3-110 of the New York State Election Law was amended to allow employees up to three hours of leave to vote without charge to leave accruals. The benefit is immediately available and applies to any general election, special election called by the Governor, primary election, or municipal election. Time off to vote is not available for school or library elections. There is no cap on the number of elections per year an employee may request.

- Up to three hours of leave with pay is available for every election as identified above. Time allowed should enable the employee to vote which may not require the full three hours. Employees are allowed time off at the beginning or end of regularly scheduled working hours. The College can engage employees who request the leave in an effort to refine the amount of time requested and granted in light of College operations.
- Employees must request leave two (2) days in advance to receive the paid time off. The request must be made by the employee in writing (i.e. email) and approved by the direct supervisor.
- The College will conspicuously post notice to the Paid Time for Voting policy at least ten workdays before any election.
- Like other leaves at full pay, leave to vote is considered full pay status for attendance and leave purposes (i.e. earning leave accruals).
- The College may not require proof of voter registration or proof that an employee actually voted.
- Paid time off to vote should ensure adequate staff coverage sufficient to meet the operation requirements of the department/division and meet the needs of our students.

RECORDS RETENTION AND DISPOSITION SCHEDULE

Resolution #2750-08

RESOLVED, by the Regional Board of Trustees of SUNY Corning Community College, that Records Retention and disposition Schedule MI-1, issued pursuant to Article 57A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for public community college records, and that it is hereby adopted for use by all college officers in disposing of public community college records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in Records Retention and Disposition Schedule MI-1 after they have met the minimum retention period prescribed therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established time periods.

Approved: 02/27/08

Replaced:
Resolution #270-89

Available: MyCCC Welcome Page, Library, Library Services, Records Management
Records Retention and Disposition Schedule MI-1

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REASONABLE ACCOMMODATION POLICY

Resolution #2790-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Reasonable Accommodation Policy, as amended.

BE IT FURTHER RESOLVED, that Resolution #661-93 is hereby rescinded.

Approved: 04/16/08

Rescinded:

Resolution #661-93

Referenced: MyCCC: Human Resources: Policies & Bargaining Agreements

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SUNY Corning Community College
Board Policy and Administrative Procedures

Remote Work Policy

Effective Date: April 30, 2020	RBOT Resolution #4662-20 Policy on Remote Work
Issue/amendment date: April 30, 2020	Author: Human Resources Office
Reference: RBOT Policy Manual	Rescinds: N/A

Allowing for remote work arrangements is an important component of a multi-layered strategy in the face of emergencies or extraordinary events such as in the response to a pandemic. A remote work arrangement describes an alternate work arrangement that allows employees to conduct all or some of their work away from the official work site. Generally, the duties and responsibilities of employment remain unchanged. Employees must comply with all college policies and procedures while working off-site.

Approval for remote work arrangements require the support of the supervisor, respective Senior Staff member, and Human Resources. In extraordinary cases such as in response to a pandemic, the College may require employees to work off-site. Otherwise, employees are expected to provide a written request to Human Resources with an initial workplan which documents how their work will be completed within their regularly scheduled hours with details on how the employee will coordinate communication with their supervisor, team, and other stakeholders.

Supervisor may require employees to have a set telecommuting schedule that is specified on a work plan. Employees will work their entire approved workday (including overtime when appropriate and authorized). All current laws, regulations, contract provisions and standard rules governing employee work schedules apply. An employee is required to report to the official work site upon management's request at any time. Employees must be available via all required methods of communication throughout the workday. Should an employee not be available through official channels, the management will contact the employee via their personal contact information. Employees may be required to forward their official work site phone to the phone that will be used while remotely working. If an employee is required to report to their official work site (i.e. on campus), they will not be reimbursed for travel, nor may they be paid for travel. In-Person meetings at the employee's alternative work site are prohibited. This restriction does not preclude an employee from participating in phone or web-based meetings from their alternate work site.

Salary and benefits eligibility remain unchanged during the remote work arrangement. If the employee needs to change the work schedule, approval in advance is required from the supervisor. Employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked. The employee is expected to report on vacation, sick, and personal leave as per current procedures.

If the employee needs to modify these arrangements, they will inform the supervisor and obtain the necessary approvals. Temporary, seasonal, part-time and probationary employees may be allowed to work remotely with the necessary approvals.

Past employee performance may be considered when determining approval for remote work requests. Employees who fail to abide by all rules, laws, and guidance, maybe required to work at their respective official work site (on campus) and/or administrative action may be pursued, including disciplinary action up to and including termination and in compliance with respective collective bargaining agreements and personnel policies.

REPORTING FRAUD, WASTE, OR ABUSE POLICY

Resolution #2998-09

WHEREAS, the region served by SUNY Corning Community College has the right to expect that the College will operate with maximum efficiency, accountability and integrity; and

WHEREAS, the values of efficiency, accountability and integrity are best able to thrive when there are mechanisms in place specifically promoting these values; and

WHEREAS, persons responsible for promoting efficiency, accountability and integrity must themselves exemplify these values; and

WHEREAS, persons responsible for preventing fraud, waste and abuse must be able to investigate vigorously and speak candidly without fear of retribution,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopts the policy on Reporting Fraud, Waste or Abuse.

Approved: 05/27/09

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REPORTING FRAUD, WASTE OR ABUSE POLICY

Purpose

SUNY Corning Community College is committed to the responsible stewardship of its resources. To that end, the College has implemented a system of controls to prevent and detect fraud, waste and abuse. This procedure enhances that system of controls by providing students, faculty, staff and community members with a process for reporting known or suspected acts of dishonesty.

Acts of dishonesty may include:

- Theft or misappropriation of funds, supplies, property, or other College resources
- Forgery or alteration of documents
- Falsification of reports to management or external agencies
- Unauthorized alteration or manipulation of computer files
- Pursuit of a benefit or advantage in violation of the College's conflict of interests policy
- Authorization or receipt of compensation for hours not worked
- Improper or wasteful activity

Reporting

Before reporting allegations of dishonesty, individuals should be reasonably certain that the charges are legitimate. Allegations can seriously and negatively impact an employee's life and adversely affect the working environment of the College. Therefore, the College may require a signed affidavit from the individual making the allegations of dishonesty.

Note that the College prohibits discrimination or retaliation of any kind against individuals reporting allegations of dishonesty.

Individuals that wish to report known or suspected acts of dishonesty may make a verbal or written report to one or more of the following:

- a department manager
- the Director of Public Safety
- the Director of Human Resources
- a member of the President's senior staff
- the President of the College

Investigations

After allegations of dishonesty are received, an initial review will be conducted to determine the likelihood that the alleged acts have occurred. Based on this initial review, and depending on the nature of the allegations, the College may perform an internal investigation, or may elect to have an external review done by an independent third party. Investigations may result in referrals to

law enforcement agencies when evidence suggests that a criminal activity has occurred, or is occurring, that warrants a criminal investigation.

Findings from all investigations will be reported to the Regional Board of Trustees and depending on the nature of the allegations, the College may perform an internal investigation, or may elect to have an external review done by an independent third party. Investigations may result in referrals to law enforcement agencies when evidence suggests that a criminal activity has occurred, or is occurring, that warrants a criminal investigation.

Findings from all investigations will be reported to the Regional Board of Trustees.

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: March 11, 2016	RBOT Resolution #4138-16 Service and Assistance Animal Policy
Issue/amendment date: March 10, 2016	Author: Human Resources Office
References: RBOT Policy Manual, College Catalog, College intranet	Rescinds: N/A

Policy Statement

SUNY Corning Community College recognizes the importance of service and assistance animals to individuals with disabilities and has established this policy to ensure that such individuals receive the benefit of the work/tasks performed by these animals or the therapeutic support they provide.

This policy applies to all members of the campus community, individuals doing business with the College, and any persons utilizing campus facilities. It is intended to comply with the relevant provisions of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the Fair Housing Act (FHA), and any other relevant federal or state legislation. The College reserves the right to amend this policy as the law and circumstances may require.

The Director of Human Resources, who also serves as the College's ADA Coordinator, has developed procedures about the appropriate use of and protocols associated with service and assistance animals and is charged with ensuring compliance with these procedures. Although the College does not permit pets on campus or in its residence hall, exceptions may be made for service and assistance animals according to this policy and these procedures.

Definitions

“Service Animals” are dogs (and sometimes miniature horses, if permitted by 29 C.F.R. §36.302 (c)(9)), that are individually trained to do work or perform tasks for the benefit of individuals with disabilities, including physical, sensory, psychiatric, intellectual, or other mental disabilities. Examples of such tasks include, but are not limited to: guiding blind individuals, alerting deaf individuals, pulling a wheelchair, retrieving items (such as medication or a telephone), alerting and protecting an individual who is having a seizure, reminding an individual with a mental illness to take prescribed medications, calming an individual with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties directly related to the individual's disability.

“Service Animals” are generally permitted to accompany individuals with disabilities to all areas where members of the public are allowed to go. Animals whose sole function is to provide comfort or emotional support do not qualify as “Service Animals.”

“Assistance Animals” are animals that do work, perform tasks, or provide emotional support which reduces or alleviates one or more identified symptoms or effects of their partner's

disability. An individual with a disability may keep an “Assistance Animal” in his/her dwelling unit as a reasonable accommodation if there is an identifiable relationship between the disability and the assistance the animal provides.

An “Assistance Animal” is not a “Service Animal”. Unlike “Service Animals”, an “Assistance Animal” may not accompany an individual with a disability to all places on campus where the general public is permitted to go. “Assistance animals” may be allowed in the College’s residence hall as a reasonable accommodation, but they are not permitted in other areas of College property, such as classrooms, Learning Commons, dining areas, etc.

“Pets” are animals kept for ordinary companionship and are not considered “Service Animals” or “Assistance Animals”. Pets are not permitted to be kept on College property.

**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: June 2, 2017	RBOT Resolution #4314-17 Video Recording Devices Policy
Issue/amendment date: June 1, 2017	Author: Faculty Assembly
Reference: RBOT Policy Manual	Rescinds: N/A

SUNY Corning Community College has instituted this policy for the protection, privacy, and safety of students, staff and faculty. Due to the advances in cell phone and video/picture technology, the use of cell phones, video cameras, and/or any type of video/picture recording devices in rest rooms and locker rooms for the purpose of recording **is strictly prohibited**.

Students who violate this policy will be subject to one or more of the sanctions described in the Student Code of Conduct, including expulsion from the College. Staff and faculty who violate this policy will be subject to disciplinary action, including termination of employment.

Violations of this policy should be reported to the Department of Public Safety, which is charged with primary responsibility for enforcement. However, all members of the College community are also responsible for the enforcement of this policy.

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VISION AND MISSION

RESOLUTION #T4803-22

BE IT RESOLVED, that the Regional Board of Trustees of Corning Community College accepts and approves the following Mission statement:

Mission: Empower Our Students. Elevate Our Community.

AND, BE IT FURTHER RESOLVED that the Regional Board of Trustees accepts and approves the following Vision statement:

Vision: To be the educational heart of the community where all identities thrive, students reach new heights, and transformative partnerships grow.

AND, BE IT FURTHER RESOLVED that the Regional Board of Trustees accepts and approves the following Values Statement:

Values

- *Equity*
- *Connectedness*
- *Exploration*
- *Collaboration*
- *Critical Thinking*
- *Creative Expression*
- *Grit*

BACKGROUND NOTES

In February 2022 President Mullaney convened a task force for the purposes of reviewing the College's existing Mission, Vision, and Values statement, which had been approved by the Regional Board of Trustees in 2012. The task force was open to all employees, and the final membership was a cross-section of faculty and staff who met over the next four months. A preliminary draft was shared with faculty, staff, students, and members of the Regional Board of Trustees in May 2022 for comment. Based on the feedback, the task force made a few revisions, resulting in the above statements.

This Resolution modifies Resolution 3548-12 Modification of Corning Community College Mission Statement.

Approved: 06/15/22

Replaced:3548-12

Resolution #1761-02

Resolution #1127-97

Resolution #155-87

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ADOPTION OF VOLUNTEER POLICY

Resolution #3538-12

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby adopts a Volunteer Policy, effective September 28, 2012.

Approved: 09/28/12

Referenced: MyCCC: Human Resources: Policies & Bargaining Agreements:
Volunteer Policy

WHISTLEBLOWING PROTECTION POLICY

RESOLUTION #T4729-21

Introduction:

"Whistleblowing" is generally used to refer to the act by an employee of making a disclosure evidencing illegal or improper government activities. Whistleblower laws have been adopted on the federal level to protect Federal employees from retaliatory acts, and similar laws have been adopted by New York State to protect all employees of the State.

Whistleblower Protection afforded under New York State law: Section 740 of the New York State Labor Law provides protection to employees from retaliatory acts for engaging in the following activities:

- 1) reporting a practice of the employer (Corning Community College) that is in violation of law, rule or regulation; or
- 2) providing information or testimony regarding the violation of law, rule or regulation; or
- 3) objecting or refusing to participate in any activity, policy or practice in violation of a law, rule or regulation.

Policy: Corning Community College is committed to affording protection to College employees from retaliatory acts by any College employee or Official for the protected actions listed in the New York State Whistleblower Protection Law (Section 740 of the New York Labor Law). The College strictly prohibits and will not tolerate retaliation against anyone who in good faith makes a complaint of any kind or participates in an investigation of a complaint

Definitions of College Official: a person employed by the College in an administrative leadership role.

Procedure Guidelines

Reporting Responsibility

It is the responsibility of all employees of the College to comply with the policy and to report violations or suspected violations in accordance with this Whistleblower Policy.

No Retaliation

No administrator or employee who in good faith reports a violation of the policy shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the College rather than seeking resolution outside the College.

Reporting Violations

The College maintains an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with his or her supervisor or is not satisfied with the supervisor's response, such employee is encouraged to speak with someone in the Human

Resources Department. Supervisors and managers are required to report suspected violations to the Human Resources office. For suspected fraud, or when the forthcoming employee is not satisfied or uncomfortable with discussing concerns, contact the chief human resources officer, 607.962.9444. Alternatively, reports can be made directly to the President of the College.

Conflict of Interest

Conflict of interests will be carefully managed during procedures for the receipt of complaints and while investigations are conducted to protect the reporting party and ensure there is no retaliatory actions.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Procedures

Any CCC community member (student, faculty, adjunct, full and part time staff) may contact the Executive Director of Human Resources to file a whistleblower complaint in writing. The Executive Director may assist in the write up if needed.

The complaint will be shared with the President of the College and an initial fact finding process will commence while considering the protection of the whistleblower, conflict of interests, and confidentiality. Should the Executive Director of Human Resources be identified as the party of concern, complaints should be directed to the President of the College. Should the President of the College be identified as the party of concern, complaints should be directed to the Regional Board of Trustee Chair. If sufficient evidence is found, the College will follow procedures as noted in respective collective bargaining agreements and the non-union contract that addresses misconduct and/or insubordination. The College will consider unpaid suspension as an intermediary action should further investigation be needed. The College will follow appeals and grievance procedures as noted by the respective agreements and handbook.

ADMISSIONS and STUDENT RECORDS

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Resolution #2784-08

WHEREAS, the Family Educational Rights and Privacy Act of 1974 - <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html> , as amended, is a Federal law requiring an institutional policy, and

WHEREAS, the law provides that the institution will maintain the confidentiality of student education records,

THEREFORE, BE IT RESOLVED, that SUNY Corning Community College accords all rights under the Family Educational Rights and Privacy Act to its students and their families, and

BE IT FURTHER RESOLVED, that the SUNY Corning Community College Regional Board of Trustees charge the President of the College and his/her designees to execute the provisions of this Act and protect the privacy of student records.

Approved: 04/16/08

Available: MyCCC; Welcome Page: College Catalog: FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

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HEALTH EXAMINATION POLICY

Resolution #3936-14

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the revised Health Examination Policy.

Approved: 12/18/14

Replaced: Policy dated January 1977 and November 1977

Rescinds: #696-94

Policy:

Requirements for attendance at post-secondary institutions regarding immunization for measles, mumps, rubella and meningococcal disease in accordance with PHL Section 2165 (measles, mumps and rubella), PHL Section 2167 (meningococcal disease), and Title 10 New York Codes, Rules and Regulations Subpart 66-2 (10 NYCRR Subpart 66-2) are as follows:

Requirements for Attendance Measles

Students born on or after January 1, 1957 must submit proof of immunity to measles. Only one of the following is required:

- The student must submit proof of two doses of live measles vaccine: the first dose given no more than 4 days prior to the student's first birthday and the second at least 28 days after the first dose; or
- The student must submit serological proof of immunity to measles. This means the demonstration of measles antibodies through a blood test performed by an approved medical laboratory; or
- The student must submit a statement from the diagnosing physician, physician assistant or nurse practitioner that the student has had measles disease; or
- The student must submit proof of honorable discharge from the armed services within 10 years from the date of application to the institution. The proof of honorable discharge shall qualify as a certificate enabling a student to attend the institution pending actual receipt of immunization records from the armed services; or
- If a student is unable to access his/her immunization record from a health care provider or previous school, documentation that proves the student attended primary or secondary school in the United States after 1980 will be sufficient proof that the student received one dose of live measles vaccine. If this option is used, the second dose of measles vaccine must have been administered within one year of attendance at a post-secondary institution.

Mumps

Students born on or after January 1, 1957 must submit proof of immunity to mumps. Only one of the following is required:

- The student must submit proof of one dose of live mumps vaccine given no more than 4 days prior to the student's first birthday; or
- The student must submit serological proof of immunity to mumps. This means the demonstration of mumps antibodies through a blood test performed by an approved medical laboratory; or

- The student must submit a statement from the diagnosing physician, physician assistant, or nurse practitioner that the student has had mumps disease; or
- The student must submit proof of honorable discharge from the armed services within 10 years from the date of application to the institution. The proof of honorable discharge shall qualify as a certificate enabling a student to attend the institution pending actual receipt of immunization records from the armed services.

Rubella

Students born on or after January 1, 1957 must submit proof of immunity to rubella. Only one of the following is required:

- The student must submit proof of one dose of live rubella vaccine given no more than 4 days prior to the student's first birthday; or
- The student must submit serological proof of immunity to rubella. This means the demonstration of rubella antibodies through a blood test performed by an approved medical laboratory (Since rubella rashes resemble rashes of other diseases, it is impossible to diagnose reliably on clinical grounds alone. Serological evidence is the only permissible alternative to immunization.); or
- The student must submit proof of honorable discharge from the armed services within 10 years from the date of application to the institution. The proof of honorable discharge shall qualify as a certificate enabling a student to attend the institution pending actual receipt of immunization records from the armed services.

Meningococcal Disease

New York State PHL Section 2167 requires post-secondary institutions to distribute information about meningococcal disease and vaccination to the students, or parents or guardians of students under the age of 18. The institution is required to maintain a record of the following for each student:

- Certificate of Immunization for meningococcal meningitis disease; or
- A response to receipt of meningococcal meningitis disease and vaccine information signed by the student or the student's parent or guardian; AND, EITHER
- Self reported or parent recall of meningococcal meningitis immunization within the past 10 years; or
- An acknowledgement of meningococcal disease risks and refusal of meningococcal meningitis immunization signed by the student or student's parent or guardian.

In Process

A student is considered in process and allowed to attend classes if he/she has presented a Certificate of Immunization that shows the student is in the process of completing the immunization requirements of PHL Section 2165.

To be "in process" the student must have received at least one dose of live measles virus vaccine, have complied with the requirements for mumps and rubella, and have an appointment to return to a health practitioner for the second dose of measles if this appointment is scheduled no more than 90 days since administration of the first dose of measles virus vaccine.

A student can be considered in process of complying with PHL Section 2167 regarding meningococcal disease until the maximum 30 day grace period has elapsed. The 30 day grace period may be extended to 60 days if a student can show a good faith effort to comply with PHL Section 2167. If a student is granted the extended grace period, then exclusion begins immediately after the 60 days elapses.

Student

Measles, Mumps and Rubella Requirements

As defined by PHL Section 2165 (l)(b) and 10 NYCRR Subpart 66-2.1(b), "student" means any person born on or after January 1, 1957, who is registered to attend or attends classes at an institution, whether full-time or part-time, in an approved degree or registered certificate program in a degree granting institution. "Part-time student" means a student enrolled for at least six, but less than 12 semester hours, or the equivalent per semester or at least four but less than eight semester hours per quarter. "Full-time student" means a student enrolled for 12 or more semester hours or the equivalent per semester, or 8 or more semester hours per quarter. If a student is registered to attend or attends an institution for less than 6 semester hours or 4 credit hours per quarter, the immunization requirements do not apply to that student. If an enrollee at a post-secondary institution was born before 1957, he/she does not have to comply with PHL Section 2165 immunization requirements.

Meningococcal Disease Requirements

As defined by PHL Section 2167(1)(a) "student" means a person attending an institution and, in the case of a student attending college, "student" means a person who is registered to attend or who attends classes at an institution, who is enrolled for at least 6 semester hours or the equivalent per semester or at least 4 semester hours per quarter. There is no age differentiation regarding meningococcal disease.

Attendance

As defined by 10 NYCRR Subpart 66-2.1 (e), attendance at a post-secondary institution means the physical presence of the student at the institution and shall begin on the first scheduled day of classes for a student each semester.

Certificate of Immunization

The certificate of immunization shall be prepared by a physician, physician assistant or nurse practitioner, and shall specify the vaccines and gives the dates of administration. It may also show physician-verified history of disease, laboratory evidence of immunity or medical exemption. This includes documents such as a certificate from a physician, a copy of the immunization portion of the cumulative health record from a prior school, a migrant health record, a union health record, a community health plan record, a signed immunization transfer card, a military dependent's "shot" record, the immunization portion of a passport, an immunization record card signed by a physician, physician assistant or nurse practitioner, or an immunization registry record.

Exemptions from Immunization Requirements Medical Exemption

If a licensed physician, physician assistant, or nurse practitioner, or licensed midwife caring for a pregnant student certifies in writing that the student has a health condition which is a valid contraindication to receiving a specific vaccine, then a permanent or temporary (for resolvable conditions such as pregnancy) exemption may be granted. This statement must specify those immunizations which may be detrimental and the length of time they may be detrimental. Provisions need to be made to review records of temporarily exempted persons periodically to see if contraindications still exist. In the event of an outbreak, medically exempt individuals should be protected from exposure. This may include exclusion from classes or campus.

Religious Exemption

A student may be exempt from vaccination if, in the opinion of the institution, that student or student's parent(s) or guardian of those less than 18 years old holds genuine and sincere religious beliefs which are contrary to the practice of immunization. The student requesting exemption may or may not be a member of an established religious organization. Requests for exemptions must be written and signed by the student if 18 years of age or older, or parent(s), or guardian if under the age of 18. The institution may require supporting documents. It is not required that a religious exemption statement be notarized. In the event of an outbreak, religious exempt individuals should be protected from exposure. This may include exclusion from classes or campus.

Exclusion

"Exclusion" is the process whereby noncompliant students are not permitted continued attendance at the institution; whereas, "attendance" means the student's physical presence on campus (i.e., exclusion from classes, dorm residence and other curricular and extra-curricular campus activities). Exclusion should begin immediately after a 30 day grace period as stipulated under PHL Section 2165 (measles, mumps and rubella requirements), or after 45 days if a student is from out of state or from another country and can show a good faith effort to comply, or when a disease outbreak occurs.

For institutions to be in compliance with PHL Section 2167 (meningococcal meningitis response form), exclusion of students should begin immediately after the 30 day grace period elapses. The 30 day grace period may be extended to 60 days if a student can show a good faith effort to comply with PHL Section 2167. If a student is granted the extended grace period, then exclusion begins immediately after the 60 days elapse.

Enforcement of Public Health Law

Under PHL Section 206, the NYSDOH Immunization Program has the legal authority to ensure that schools throughout the state comply with PHL Sections 2165 and 2167. PHL Section 2165 requires that:

No institution shall permit any student to attend such institution in excess of thirty days without complying with subdivision two of this section. However, such thirty day period may be extended to not more than forty-five days for a student where such student is from out-of-state or from another country and can show a good faith effort to provide a certificate of immunization.

PHL Section 2167 requires that:

No institution shall permit any student to attend the institution in excess of thirty days without complying with this section: provided, however, that such thirty day period may be extended to not more than sixty days if a student can show a good faith effort to comply with this section.

Findings of violations of PHL Sections 2165 and 2167 may result in the imposition of a civil penalty of up to \$2,000 per each student who is permitted to attend school in violation of these requirements.

Other requirements

Students in specialized programs such as Nurse Education students and Intercollegiate Athletes are required to submit a comprehensive health form that includes a medical examination performed by licensed Physician, PA, or Nurse Practitioner.

Referenced: College Catalog

Available: MyCCC; Welcome Page: College Catalog: Admissions

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BOARD OF TRUSTEES POLICIES

BY-LAWS OF THE REGIONAL BOARD OF TRUSTEES

Resolution #2060-04 Change in SUNY Corning Community College Regional Board of Trustees By-Laws

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College operates using a set of By-Laws established on April 7, 1961 and modified as recently as March 17, 1999, and

WHEREAS, the Regional Board of Trustees wishes to maintain By-Laws that reflect a fair and effective method of governance for the staff of SUNY Corning Community College,

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees hereby approve the following change in its By-Laws:

Part II, Article VI: Organization and Duties of Staff, Section V: College Association

- A. The College shall maintain, as its principal agency, a College Association that shall be structured by means of a Constitution approved by the Board of Trustees.
- B. This College Association shall generate and sustain whatever subsidiary organizational structures are deemed necessary from time to time to insure meaningful faculty, staff, and administrative participation in a collegial governance of the College. Any by-laws developed governing the activity of subsidiary organizational structures of the College Association must be approved by the Board of Trustees.
- C. The Board of Trustees may at any time withdraw its approval of any college governance structure that it deems is no longer serving the purposes for which it was intended.

Approved: 07/07/04

Replaced:

Resolution #1283-99

Resolution #1026-96

Resolution #406-90

No Number: November 28, 1984

No Number: July 18, 1978

No Number: April 7, 1961

By-Laws of the Regional Board of Trustees

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BY-LAWS OF THE REGIONAL BOARD OF TRUSTEES

Resolution: 3809-14 --- Change to the RBOT by-laws, 2.A. Ad Hoc Committee on Nominations

WHEREAS, a proposed change to the by-law, 2.A. Ad Hoc Committee on Nominations which currently states “The Ad Hoc Committee on Nominations shall place in nomination candidates to fill vacancies for officers of the Board of Trustees” shall be changed to “The Ad Hoc Committee on Nominations shall place in nomination candidates to fill vacancies for officers of the Board of Trustees *and will recommend to the appointing bodies possible candidates for Board vacancies.*”

THEREFORE, NOW BE IT RESOLVED, that the Regional Board of Trustees approves the recommended change to by-law 2. A. Ad Hoc Committee on Nominations.

BACKGROUND NOTES

This change is necessary to comply fully with the appropriate legislative authority.

Approved: January 2014

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CONFLICT OF INTEREST POLICY FOR THE REGIONAL BOARD OF TRUSTEES

Resolution #2174-05

WHEREAS, the SUNY Corning Community College Regional Board of Trustees recognize the importance of declaring their responsibility against conflicts of interest which might compromise their ethical values and the integrity and objectivity perception by the College community,

BE IT RESOLVED, that the Regional Board of Trustees accepts the following statement as a policy of the SUNY Corning Community College Regional Board of Trustees, and

BE IT FURTHER RESOLVED, that this policy is applicable to each SUNY Corning Community College Regional Board of Trustee member from the date of the adoption of this resolution.

The Regional Board of Trustees of SUNY Corning Community College recognizes a shared responsibility to ensure that they conduct themselves in an unbiased manner and serve the goals of the College. It is thus the responsibility of each member of the Board to guard against conflicts of interest that might compromise the integrity and objectivity perception by the College community.

It is the policy of the Regional Board of SUNY Corning Community College that:

- 1. Members of the Board shall not participate in institutional decisions involving direct benefits such as appointments, retentions, promotions, contracts or awards for themselves or members of their immediate families.*
- 2. Members shall not have a direct or indirect interest in any business enterprise that has dealings with the College. Members in a position to influence a College business decision for which he/she may receive material benefit should disclose the nature of the conflict, and, where possible remove himself/herself from involvement in the decision.*
- 3. Members shall not seek nor receive, for personal or any other person's gain, any payment, whether for services or otherwise, loan, gift or discount of more than nominal value, or entertainment that goes beyond common courtesies usually associated with accepted business practice from any enterprise that conducts business with the College or has current or known prospective dealings with the College.*
- 4. Members shall not, for personal or any other person's gain, deprive the College of any opportunity for benefit that could be construed as related to any existing or reasonably anticipated future activity of the College.*
- 5. Members shall not, for personal or any other person's gain, make use of or disclose confidential information learned as a result of membership on the Board.*
- 6. Members shall not have any outside interest that materially interferes with the required time or attention that the member must devote to the College.*
- 7. Members shall not act or be involved in any situation that potentially conflicts with the principle that this policy is intended to implement.*

Further, the Regional Board of Trustees of SUNY Corning Community College recognize that New York State General Municipal Law, Article 18 (§800 et seq.) contains provisions of law relative to conflicts of interest of municipal officers and employees (see General Municipal Law, §800[4],[5]).

Approved: 04/20/05

Referenced: Trustee Reference Manual

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BOARD OF TRUSTEES EXCELLENCE IN TEACHING AWARD

Resolution #238-88

BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby establish a Board of Trustees Award for Excellence in Teaching.

Approved: 12/07/88

NOMINATIONS FOR THE REGIONAL BOARD OF TRUSTEES EXCELLENCE IN TEACHING AWARD

In Celebration of Excellence in Teaching

All **full-time faculty members** are invited to nominate a faculty colleague for the ***Regional Board of Trustees Excellence in Teaching Award***. The nominee must have five years of full-time teaching experience at SUNY Corning Community College and show undisputed excellence in all five of the criteria areas: Teaching Performance, Scholarship and Professional Growth, Student Services, Academic Standards and Requirements for Student Performance, and Curriculum Development and Instructional Improvement.

Criteria:

1. Teaching Performance. There must be positive evidence that the candidate performs superbly in the classroom. The nominees must maintain a flexible instructional policy which adapts readily to student needs, interests and problems. Mastery of teaching techniques must be demonstrated and substantiated.
2. Scholarship and Professional Growth. Candidates must keep abreast of their own field and use relevant contemporary data from that field and related disciplines in teaching.
3. Student Services. Candidates must be generous with personal time, easily accessible, and must demonstrate a continual concern for the intellectual growth of individual students. The focus here is the accessibility of the nominee to students outside of class; e.g., office hours, conferences, special meetings, and the nominee's responsibility in terms of student advisement.
4. Academic Standards and Requirements for Student Performance. Candidates must set high standards for students and help them attain academic excellence. Quantity and quality of work that is more than average for the subject must be required of the students. Candidates must work actively with individual students to help them improve their scholarly or artistic performance.
5. Curriculum Development and Instructional Improvement. Candidates must contribute to curriculum development and instructional improvement in their disciplines. There must be evidence that their colleagues, as well as students, gain substantially from their presence at the College.

The Selection Process:

1. The Vice President and Dean of Academic Affairs will request faculty to nominate their colleagues individually and confidentially, and on the basis of the listed criteria. A candidate must show undisputed excellence with respect to all five criteria. **Nominations are to be submitted to the respective Associate Deans by the end of February.**

2. Each Associate Dean will determine whether the nominees meet the five criteria areas and present, **to the Vice President and Dean of Academic Affairs by mid-March**, an evidence narrative for each nomination, describing how the candidate meets excellence standards for all five criteria. **Names of candidates remain confidential.**
3. The Vice President and Dean of Academic Affairs will convene an Awards Selection Committee consisting of the current chair of the Faculty Assembly (or his/her designee) and one faculty member from each academic division who has previously been awarded a Trustee's Award for Teaching Excellence to serve on the committee. The narratives prepared by Associate Deans will be presented to the committee for its review.
4. The Awards Selection Committee will nominate no more than three candidates to be **recommended as recipients of the award by early April**. The Vice President and Dean of Academic Affairs will recommend the candidates to the President, who in turn will make **a recommendation to the Regional Board of Trustees for its final action during the meeting immediately prior to commencement**.
5. Recipients of this award will be announced at **commencement**.

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GUIDELINES FOR AGENDAS FOR REGIONAL BOARD OF TRUSTEES MEETINGS

Resolution #3937-15

- I. The Regional Board of Trustees functions on a strong committee system. All matters to be brought before the full Board are first brought to the appropriate committee, whose members then forward it to the full Board for information or action as they identify in their committee meeting.
- II. In order for Board members to provide input to members of committees they are not on, and in order for committee members to have adequate time to review proposed agenda items:

All background material for all topics to be discussed at Committee meetings is to be sent in advance with the agendas. The only things that are to be passed out the night of the meetings are items that came up after the agendas were sent out.

- III. The Board Agenda Action Items are divided into two categories – Consent and Regular.

Items on the Consent Agenda are passed as a group with one resolution. Items on the Regular Agenda are passed individually, with each having its own resolution.

Items to be placed on the Regular Agenda:

- New appointments – brand new to the College
 - Any new positions
 - Faculty promotions
 - Granting of tenure
 - Granting of sabbatical leaves
 - Awards
 - Granting of emeritus status
 - Academic calendars
 - Early retirement incentive programs
 - New academic program proposals (credit and non-credit)
 - Elimination of academic programs (credit and non-credit)
 - Budgets
 - Approval of financial reports
 - Facilities master plan
 - Capital projects
 - Capital, annual, and major gift campaigns
 - Borrowing
 - Requests for SUNY funding
 - Requests for gifts from the CCC Foundation
 - Appointments of auditors/financial consultants
 - Audit reports/approvals
 - Approval of signatures for financial dealings

- Depositories
- Contracts
- New policies and policy changes
- Naming of any facilities of CCC
- Graduation lists
- Strategic plan
(supporting
implementation
plans to be
communicated as
discussion items)

Items to be placed on the Consent Agenda:

- New appointments
 - Appointment of non-student part-time employees to full-time positions
 - Appointment of existing employees to new positions, including from term to tenure track
- Performance Growth Awards
- Reappointments
- Normal salary increases/adjustments
- Retirements
- Resignations and separations from service
- Appointments to advisory boards
 - Revisions of job titles/job descriptions
 - Reclassifications
 - Leaves of absence, not including FMLA leaves

According to the by-laws, any Board member may request that an item be removed from the Consent Agenda and placed on the Regular Agenda. It is done as requested, without a vote necessary.

If there is a question about which agenda an item should be on, the Executive Committee of the Board would make the decision.

IV. Background notes for resolutions should include all relevant information to help Board members make decisions. Some information to be included:

- Any financial implications
- Effective dates

V. Background notes for Personnel resolutions:

- Appointments should include the title, effective date, length of appointment for term/temporary appointments, whether new or replacement position (including who is being replaced), effective date, salary, and brief resume
- Resignations, separations from service and retirements should include effective date, length of employment with the College, reasons, and

implications for the College; resignations and retirements should include an expression of thanks and good wishes.

- Emeritus status should include how nominated, and a description of service, including when the person started and retired

VI. Any modifying resolutions should make reference to the original (previous) resolution.

Revised: October 2014

Referenced: Trustee Reference Manual

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CAMPUS SAFETY and SECURITY

CHEMICAL HYGIENE PLAN

Resolution #445-91

The Occupational Safety and Health Administration (OSHA) requires employers to complete a Chemical Hygiene Plan (CHP) by January 31, 1991. The State of New York is required to adopt these rules as part of the Public Employees Safety and health Act (PESHA) regulations.

The Chemical Hygiene Plan for SUNY Corning Community College is in response to these requirements. The Chemical Hygiene Plan is based on a model provided to the College by the State of New York and has been adapted for College use by the Biology/Chemistry Department.

Approved: 03/27/91

See Appendix A

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CHILDREN ON CAMPUS POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: March 1, 2013	RBOT Resolution #4076-15 Children on Campus
Issue/amendment date: December 18, 2015	Author: Human Resources Office
Reference: RBOT Policy Manual	Rescinds: N/A

Policy Statement

As a post-secondary institution, CCC strives to create a safe and appropriate adult learning environment. The campus grounds and operations are designed to provide an environment conducive to academic and occupational activities performed by students and employees. For reasons that include safety of children, and assuring professional efficient performance of academic pursuits, operations, and services, the College cannot routinely accommodate unsupervised children in campus workplaces, classrooms, or other locations.

Procedures

Section 1: Scope

CCC encourages safe, supervised campus visits by children for the purposes of making decisions about their academic future; attending educational, cultural, or sporting events and camps; and authorized use of facilities such as the Spencer Crest Nature Center and Planetarium. This Policy does not preclude brief campus visits when the minor child is accompanied by another responsible adult. These procedures apply to students, employees, and visitors who may bring children under the age of 18 (unless a registered CCC/High School Learning Center student) to campus for any reason other than activities specifically organized/scheduled by the College for children or activities or facilities open to the public.

Section 2: Guidelines

While on any CCC property, children must at all times remain fully under the **direct** supervision of their parent/guardian/caretaker who is responsible for ensuring that no behaviors inconvenience, endanger, or disrupt the work activities of students, employees, or other visitors, as well as ensuring that no behaviors place the children's safety at risk. Leaving children unattended in public areas such as the library, gym, game room, cafeteria, etc. while the parent/guardian is in class or working does not meet this supervision standard.

Children may not attend class or class activities along with enrolled students except on very rare occasions with the explicit permission of faculty. Children may not be present at the employee's work site during the employee's assigned work hours except on very rare occasions with the explicit permission of the employee's supervisor.

Unsupervised children will be brought to the Public Safety Office until the parents can be contacted to resume control of the children. In such cases, the child's parent/guardian will be immediately contacted and asked either to resume direct supervision of the child or to leave campus with the child.

At no time should ill children be brought to campus. The College Health Office is established to serve students and is unable to provide services to children.

If an emergency situation arises and children are brought to campus, please keep the following points in mind:

- Unless explicit permission from an instructor is granted, children must not be brought to classes or any instructional area while classes are in session. Such permission should be granted sparingly and should take into account the best interest of all students in the class.
- Unless explicit permission from an employee's immediate supervisor is granted, children must not be brought to offices or other areas where the day-to-day business of the College is conducted while the employee is working. Such permission should be granted sparingly and should take into account the best interest of all employees of the department.
- Children must not be brought to risk areas, such as lab or lab preparation areas, food preparation/service areas, gyms and fitness centers, maintenance and garage areas, or in or around college motor vehicles and equipment. Unattended children could hurt themselves on machinery, fall down stairwells, etc.
- Children must not be left unattended at any place on campus, including the restrooms, game room, gym, library, grounds and parking lots.

The College reserves the right to direct that a child be removed from campus where the presence of the child causes an unacceptable health or safety risk or an unreasonable level of disruption to others.

Any questions concerning this policy may be directed to the Director of Human Resources at X9229.

Additional information on area child care resources is available from:

- Steuben Child Care Project, 117 E. Steuben St., Bath, NY 14810, (607) 776-2126
- Chemung County Child Care Council, Inc., 571 E. Market St., Elmira, NY 14901, (607) 734-3941
- Schuyler County Child Care Coordinators, 235 S. Catherine St., Montour Falls, NY 14865, (607) 535-7964

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: July 6, 2015	RBOT Resolution #4004-15 Child Protection Policy
Issue/amendment date: June 25, 2015	Author: Human Resources Office
References: RBOT Policy Manual	Rescinds: N/A

Policy Statement

SUNY Corning Community College is committed to protecting the safety and well-being of children who participate in college-related programs and activities, whether on or off campus, or utilize campus facilities for activities including, but not limited to, sports camps, academic and personal enrichment programs and research studies. Individuals must conduct themselves appropriately with children who participate in college-related programs and report instances or suspicion of physical or sexual abuse of children to the Department of Public Safety (607-962-9000).

Definitions

College-affiliated organization: The SUNY Corning Community College Development Foundation or any other entity so designated by the College President.

Child: An individual under the age of seventeen years, who is participating in a Covered Activity. The term “child” shall not include a matriculated student of the College or a person accepted for matriculation.

Children’s Camp: A camp defined under New York Public Health Law §1392.

Covered Activity: A program or activity sponsored or approved by the College or a College-affiliated organization, or an activity conducted by a vendor, licensee or permittee for which a license or permit for use of College facilities has been approved, occurring on or off campus, for the duration of which the responsibility for custody, control and supervision of children is vested in the College, College-affiliated organization or the approved vendor, licensee or permittee. This policy is not applicable to College on-campus child care centers.

Covered Person: A person who is responsible for the custody, control or supervision of children participating in the Covered Activity and who is:

- an employee of the College or College-affiliated organization;
- a College student;
- a volunteer of the College or College-affiliated organization; or
- a vendor, licensee, permittee or other person, who is given permission to come onto campus or to use College facilities for Covered Activities; or
- an employee, agent or volunteer of a vendor, licensee, permittee, or other person.

Physical Abuse: Physical contact with a child by a Covered Person which is intended to cause, or causes, pain or physical injury, including punching, beating, shaking, throwing, kicking, biting and burning, or directing a child, outside the norm of the supervised activity, to perform physical activity which is intended to cause physical injury.

Responsible College Official: The employee of the College or College-affiliated organization, who has been designated by the College as being responsible for performing the activities described in the “Required Conduct of a Responsible College Official” section of this policy.

Sexual Abuse: Engaging in a sexual offense with a child and/or encouraging or promoting sexual performance by a child. Pursuant to the NYS Penal Law Articles 130, 263, and Sections 260.10 and 260.25, sexual offenses include: sexual misconduct, rape, criminal sex acts, forcible touching, persistent sexual abuse, sexual abuse, aggravated sexual abuse, course of sexual conduct against a child, facilitating a sex offense with a controlled substance, sexually motivated felony, predatory sexual assault against a child, and sexual performance by a child. This also includes Penal Law offenses relating to children including endangering the welfare of a child and unlawfully dealing with a child in the first degree. Sexual performance by a child, as defined by the Penal Law, is any behavior which results in touching of the sexual or other intimate parts of a child for the purpose of sexual gratification of the child and/or adult, including touching by the child and/or adult with or without clothing, and all acts as defined by New York State Penal Law Articles 130, 263 and Section 260.10. 3

Prohibited Conduct

A Covered Person shall not:

- Be alone with a child, unless the Covered Person is a relative or guardian of the child or one-on-one contact is approved in accordance with a determination pursuant to the College Responsibilities section of this policy. In no event shall a Covered Person who is not a relative or guardian of a child, be alone with the child in a rest room, locker room, shower, sleeping area or vehicle.
- Engage in physical abuse or sexual abuse of a child.
- Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during Covered Activities.
- Enable, facilitate or fail to address a child’s use of alcohol or illegal/non-prescribed drugs.
- Contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct.
- Offer or make a gift to a child for the purpose of engaging in any prohibited conduct, including sexual conduct.
- Release a child from a Covered Activity without a written authorization from the child’s parent or guardian.

Required Conduct of a Covered Person

A Covered Person shall:

- Take all reasonable measures to prevent physical and sexual abuse of a child, including immediately removing a child from potential physical abuse, sexual abuse or prohibited conduct as defined herein.
- Report immediately any suspected physical abuse or sexual abuse of a child to the Department of Public Safety (DPS) at (607) 962-9000 and provide DPS with a written statement of suspected physical or sexual abuse of a child. Other reporting requirements not addressed in this policy may apply, such as the obligations of mandated reporters

under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.

- Comply with the College's Policy on Mandatory Reporting and Prevention of Child Sexual Abuse, available on the Human Resources Office webpage.
- Complete all required training developed pursuant to this Policy.
- Wear and display prominently at all times during the Covered Activity a lanyard or other form of identification that identifies the individual as having the responsibilities of a Covered Person.

Required Conduct of a Responsible College Official

A Responsible College Official shall:

- Confirm that the requirements of this policy have been communicated to all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization prior to the commencement of a Covered Activity:
- Confirm that New York Sex Offender Registry and National Sex Offender Public Registry searches (as described in College Responsibilities, below) have been obtained and reviewed for the Covered Persons identified above prior to the commencement of a Covered Activity.
- Confirm that the completed Permittee Acknowledgement of Receipt of Corning Community College Child Protection Policies form has been obtained from the following Covered Persons prior to the commencement of a Covered Activity:
 - a vendor, licensee, permittee or other person, who is given permission to come onto campus or to use College facilities for Covered Activities; or
 - an employee, agent or volunteer of a vendor, licensee, permittee, or other person.
- Immediately report allegations of physical abuse or sexual abuse of a child to the Department of Public Safety (DPS) at (607) 962-9000 and complete and provide to DPS a written statement for each allegation of physical abuse or sexual abuse of a child. Other reporting requirements not addressed in this policy may apply, such as the obligations of mandated reporters under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.
- Notify and coordinate with appropriate campus offices to ensure that allegations of suspected physical abuse or sexual abuse are investigated and addressed appropriately.
- Confirm that required training on this policy has occurred prior to the commencement of a Covered Activity for all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization.

College Responsibilities

The College will develop procedures to:

- Designate a Responsible College Official for each Covered Activity.
- Determine on a limited basis that the first sentence of the "Prohibited Conduct" section of this policy, which prohibits a Covered Person from being alone with a child, will not apply to certain Covered Activities when the pedagogical or health-related nature of the Covered Activity requires such one-on-one contact with a child. Examples may include tutoring, music lessons, speech therapy, and medical, dental or optical services.

- Communicate the requirements of this Policy to all Covered Persons.
- Provide for and require training on this policy for all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization prior to the commencement of a Covered Activity and biennially thereafter.
- Obtain New York Sex Offender Registry and National Sex Offender Public Registry searches for Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization and complete a review of such searches not more than ninety (90) days prior to the commencement of a Covered Activity.

A search of the NY Sex Offender Registry means:

- a search of the file of persons required to register pursuant to Article 6-C of the Correction Law maintained by the NY Division of Criminal Justice Services pursuant to NY Correction Law § 168-b for every level of sex offender (Level 1 through Level 3), which requires an email, CD or hard copy submission of names and identifiers to DCJS as described on the DCJS website [[url:http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm](http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm)]; and
- retention of the records of the results of such search.

A search of the National Sex Offender Public Registry means:

- a search by first and last name of the National Sex Offender Public Website maintained by the United States Department of Justice at this link: <http://www.nsopw.gov/>; and
- retention of the records of the results of such search.

- Provide for the prompt investigation and preparation of written findings by the Department of Public Safety of reports of suspected physical abuse or sexual abuse, and if there is reasonable cause to believe a crime has been committed, coordination by DPS with other law enforcement officials.
- Provide a mechanism to report and respond to allegations of retaliation (as described below).
- Retain documentation of the search results from the New York and National Sex Offender registries for Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization for six years after the Covered Person has separated from employment or college service

Retaliation

Retaliatory action against anyone acting in good faith, who has reported alleged physical abuse or sexual abuse in accordance with this policy, or who has been involved in investigating or responding to allegations of physical or sexual abuse, or who has reported a failure to comply with this policy, is a violation of this policy.

Retaliatory acts may include, but are not limited to:

- employment actions affecting salary, promotion, job duties, work schedules and/or work locations;
- actions negatively impacting a student's academic record or progress; and
- any action affecting the campus environment, including harassment and intimidation.

Individuals who experience retaliation should contact the Director of Human Resources, (607) 962-9444.

Third Party Use of College Facilities

The use of College facilities by vendors, licensees or permittees for commercial and non-commercial Covered Activities shall be accomplished pursuant to a revocable permit. The following minimum terms shall be included in all such revocable permits:

- A specific definition of the areas accessible to the Covered Activity. For example, revocable permits for sporting events held on athletic fields should include the athletic field, as well as any ancillary areas or structures where minors will be permitted, such as adjacent grounds, parking lots, rest rooms, locker rooms, accessory structures, etc.
- A provision requiring insurance coverage in the types and amounts listed below, naming the College as an additional insured, and requiring that evidence of such insurance be provided to the College within five (5) business days of execution of the revocable permit or at minimum two weeks (14 days) prior to the scheduled use of College facilities:

-General Liability insurance two million dollars (\$2,000,000) each occurrence and two million dollars (\$2,000,000) in the aggregate;

-New York State Workers' Compensation insurance during the term of the revocable permit for the benefit of permittee's employees required to be covered under the NYS Workers' Compensation Law.

-For those instances in which the College believes that the activity is so long or substantial and that the obtaining of such insurance will not unduly preclude beneficial use of the campus' facilities, the College will require additional insurance in the form of: Sexual Abuse and Molestation insurance, either under the above-described general liability policy or in a separate policy, with coverage not less than one million dollars (\$1,000,000). Any insurance coverage for sexual abuse and molestation insurance written on a claims made basis shall remain in effect for a minimum of six (6) months following the use of College facilities.

- If the Covered Activity is a Children's Camp as defined under New York Public Health Law §1392, a provision requiring permittee to provide the College with a copy of its camp operator permit issued by the New York State Commissioner of Health, either upon execution of the permit or not later than two weeks (14 days) before the scheduled use of College facilities.
- A representation and warranty from permittee that for all of its employees and volunteers, and employees and volunteers of its sub-permittees, who shall enter upon College facilities for purposes related to Covered Activity, permittee has conducted within the ninety (90) day period preceding the use of College facilities (i) a search of the NY Sex Offender Registry; and (ii) a search of the National Sex Offender Public website.
- A representation and warranty from permittee that for all Covered Activities:

-it shall adhere to the American Camp Association standards for minimum staff-to-child supervision ratios, minimum staff age and minimum staff accreditation requirements (available at: <http://www.acacamps.org/accreditation/stdsglance>); and

-the overall supervisor for each Covered Activity is an adult with certification or documented training and experience in the Covered Activity.

Note: The ACA standards do not apply to covered activities for the custody, control, and supervision of children is vested in the College or College-affiliated organizations.

- A representation and warranty from permittee that any transportation it provides for participating minors to and from the College grounds shall conform to the American Camp Association's transportation standards (available at:

<http://www.acacamps.org/accreditation/stdsglance>).

- A provision requiring written acknowledgement from permittee that it:
 - has received a copy of the College's Child Protection Policy and the Policy on Mandatory Reporting and Prevention of Child Sexual Abuse; and
 - agrees to abide by all of the terms of these policies, including the requirement that any suspected physical or sexual abuse be immediately reported to the Department of Public Safety (607-962-9000).

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CODE RED PROCEDURES

Resolution #2826-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Code Red Procedures, as amended, for inclusion in the College's Emergency Action Plan.

BE IT FURTHER RESOLVED, that Resolution #1850-03 is hereby rescinded.

Approved: 05/28/08

Replaced:
Resolution #1850-03

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EMERGENCY ACTION PLAN

Resolution #2872-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Emergency Action Plan, as amended, and authorizes future revisions, as needed.

BE IT FURTHER RESOLVED, that Resolution #1664-02 is hereby rescinded.

Approved: 07/09/08

Replaced:
Resolution #1664-02

HAZARD COMMUNICATION STANDARD COMPLIANCE

Resolution #227-88

WHEREAS, the College has need to comply with federal and state laws regarding hazardous materials on campus,

BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby authorize the President of the College to designate a Hazardous Waste Compliance Officer, who will be responsible for insuring that the College is in compliance with federal and state laws regarding hazardous materials, and

BE IT FURTHER RESOLVED, that the President is directed to report to the Board annually on compliance activities.

Approved: 09/14/88

Referenced: Hazard Communication Program

See Appendix B

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: July 6, 2015	RBOT Resolution #4005-15 Mandatory Reporting and Prevention of Child Sexual Abuse Policy
Issue/amendment date: June 25, 2015	Author: Human Resources Office
References: RBOT Policy Manual	Rescinds: N/A

Policy Statement

Any employee or student of or volunteer for the College who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on College property or while off campus during official College business or College-sponsored events has an affirmative obligation to report such conduct to the Department of Public Safety (607-962-9000) immediately. Such report should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, the Department of Public Safety will promptly notify the Commissioner of University Police at SUNY System Administration who will report such incidents to the Chancellor for periodic reporting to the SUNY Board of Trustees.

In addition, to aid in the prevention of crimes against children on College property and/or during official College business and at events sponsored by the College, relevant employees should be trained on the identification of such crimes and proper notification requirements. Vendors, licensees or others who are given permission to come onto campus or to use College facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For purposes of this policy, the applicable definitions of child sexual abuse are those used in the NYS Penal Law in Articles 130 and 263 and Section 260.10 and “child” is defined as an individual under the age of 17.

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POLICY AGAINST WORKPLACE VIOLENCE

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: March 21, 2013	RBOT Resolution #4402-17 Policy Against Workplace Violence
Issue/amendment date: December 14, 2017	Author: Human Resources/Public Safety Offices
Reference: RBOT Policy Handbook	Rescinds: RBOT Resolution 3581-13

Policy Statement

SUNY Corning Community College is committed to creating and maintaining a safe working environment that is free from violence for all members of the College community. The College will not tolerate any acts of workplace violence such as physical assaults or acts of aggressive behavior including, but not limited to: attempts or threats (whether verbal or physical) to inflict physical injury upon an employee; any intentional display of force which would give reason for an employee to fear or expect bodily harm; intentional and wrongful physical contact with an employee without his/her consent that entails the potential for some injury; and stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when stalking has arisen through and in the course of employment.

Guidelines

Workplace violence may occur within a wide variety of interactions between faculty, staff, students, and visitors at the College. This policy is intended to meet the requirements of NYS Labor Law 27-b. The College has developed a Workplace Violence Prevention Program which is available on the HR webpage of MYCCC and from the Public Safety and Human Resources Offices. A committee comprised of both union and non-union employees has been established to assist in the ongoing evaluations of workplace violence hazards and the identification of methods to reduce or eliminate such hazards.

The College will work to prevent and eliminate workplace violence on campus and will respond promptly and decisively to acts of workplace violence. This response will include timely involvement of law enforcement agencies, as appropriate. If an employee observes or experiences an incident of workplace violence in which there is an imminent threat to an employee's safety or a physical injury has occurred, he/she must immediately contact the Department of Public Safety at X9000 and notify his/her immediate supervisor. Building red phones may also be utilized for this purpose.

Employees or supervisors who become aware of workplace violence incidents in which there is no imminent threat and no physical injury has occurred should contact the Human Resources Office (X9229) for assistance. Any questions concerning this policy, including what may constitute workplace violence, may be directed to the Director of Public Safety at X9000 or the Director of Human Resources at X9229.

Individuals who commit or threaten to commit acts of workplace violence on College property will be subject to disciplinary action, up to and including termination of employment, as well as referral to appropriate authorities for criminal and/or civil prosecution, as appropriate. Any individual who makes a substantial threat, exhibits threatening behavior or engages in acts of workplace violence on College property will also be subject to removal from the premises as quickly as safety permits.

No employee shall be subjected to retaliation or disciplinary action from the College for good faith reporting pursuant to this policy. However, individuals who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, may be subject to disciplinary action and/or referral to appropriate authorities for criminal and/or civil action, as appropriate.

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RESPONSE POLICY FOR SEXUAL VIOLENCE AND OTHER MISCONDUCT

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: March 13, 2015	RBOT Resolution # 4852--23 Response Policy for Sexual Violence and Other Misconduct
Amendment date: March 16, 2023	Author: Human Resources Office
References: RBOT Policy Manual, College Catalog, College website	Amends: RBOT Resolution #4336-17; T4417-18

Policy Statement

This policy and any associated administrative requirements and procedures are intended to comply with the uniform sexual assault prevention and response policies developed by the State University of New York for implementation at each of its State-operated and community college campuses, as well as with applicable federal and New York State law.

Definition of Sexual Violence

Sexual violence, as that term is used in this document and prior U.S. Office for Civil Rights guidance, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (as defined within this policy). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence could involve students, College employees, third parties or a combination. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX and the College's Equal Employment and Educational Opportunity Policy.

Definition of Affirmative Consent

Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create a clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time. When consent is withdrawn or can no longer be given, sexual activity must stop.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. Corning Community College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to the College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Reporting Options, Resources, Protections, and Accommodations for Victims/Survivors

In accordance with the Students' Bill of Rights, available at:

www.corning-cc.edu/sexualviolence, reporting individuals will have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

Reporting:

- To disclose *confidentially* the incident to one of the following College officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential reporting is available at:

<https://www.corning-cc.edu/sexualviolence/confidentialdisclose>).

-Chaplain's Office, Commons Building, (607) 962-9257

-Health Services Office, Commons Building, (607) 962-9257

- To disclose *confidentially* the incident and obtain services from the New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906), and assistance can also be obtained through:

-SurvJustice: <http://www.survjustice.org/services.html>

-Legal Momentum: <https://www.legalmomentum.org/>

-NYSCASA: <http://www.casanys.org>

-NYSCADV: <http://www.nyscadv.org/>

-Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>

-GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>

-RAINN: <https://www.rainn.org/get-help>

-Safe Horizons: <http://www.safehorizon.org/>.

(Please note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting Individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).

- To disclose the incident to one of the following college officials who can offer *privacy* and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Those officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These College officials will disclose that they are private and not confidential resources and they may still be required by law and College policy to inform one or more College officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal justice process should be directed to law enforcement or district attorney:

- Title IX Coordinator, David Burdick, (607) 962-9328, Executive Director of Auxiliary Campus Services, 1 Academic Drive, Administration Building, Corning, NY 14830, dburdic4@corning-cc.edu

- Department of Public Safety, (607)962-9000 or publicsafety@corninig-cc.edu

- To file a criminal complaint with the Department of Public Safety and/or with local law enforcement and/or state police:

- Corning Community College Department of Public Safety, (607)962-9000 or publicsafety@corninig-cc.edu

- Steuben County Sheriff, Dial 911 or 7007 Rumsey St. Ext., Bath, NY 14810, (800) 724-7777 or (607) 622-3930.

- New York State Police, Dial 911 or Painted Post Barracks 3859 Meads Creek Road, Painted Post, NY 14870, (607)962-6865.

- To receive assistance from the Department of Public Safety in initiating legal proceedings in family court or civil court.

- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports of sexual assault will be investigated in accordance with the College's Equal Employment and Educational Opportunity Complaint Procedure, available at: <https://www.corning-cc.edu/sexualviolence>

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Complaints of domestic violence, dating violence, and/or stalking will be investigated in accordance with procedure established under the student conduct process. The reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Title IX Coordinator's office anonymously to discuss the situation and available options (<https://www.corning-cc.edu/sexualviolence>).

- David Burdick, (607) 962-9328, Executive Director of Auxiliary Campus Services, 1 Academic Drive, Administration Building, Corning, NY 14830, dburdic4@corning-cc.edu

- When the accused is an employee, a reporting individual may also report the incident Dave Burdick, Title IX Coordinator, Administration Building, (607) 962-9328, dburdic4@corning-cc.edu, or may request that one of the above referenced confidential or private employees assist in reporting the incident to the Human Resources Office. Disciplinary proceedings will be conducted in accordance with applicable College policy or collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the College, College officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and College policy.

- You may withdraw your complaint or involvement from the College process at any time.

- At the first instance of disclosure by a reporting individual to a College representative, the following information shall be presented to the reporting individual, “You have the right to make a report to the College’s Department of Public Safety, local law enforcement, and/or State Police or choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College.

Resources:

- Emergency access to obtain effective intervention services:

Survivor Support Services:

135 Walnut Street, Corning, NY 14830

755 E. Church Street, Elmira, NY 14901

323 Owego Street, Unit #12, Montour Falls, NY 14865

Toll-Free Hotline: 888-810-0093

Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Information on testing for STIs, emergency contraception, and whether such testing is provided for free or at a cost is available from SARC.

- A free, confidential counseling and resource referral service for students and their family members which is available 24/7:

- Clinical Associates, <https://www.clinicalassociates.org/sap> 607.936.1771

- Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases; insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here; <https://ovs.ny.gov/help-crime-victims>, or by calling 1-800-247-8035.

- To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

Protection and Accommodations:

- When the accused is a student, to have the College issue a “No Contact Order,” consistent with College policy and procedure, meaning that continuing to contact the protected individual is a violation of College policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.

The College will promptly review existing “No Contact Orders” at a party’s request, including requests to modify the terms of or discontinue an order. The parties can submit evidence to support their requests. If the College finds it appropriate, it can even make a schedule for the parties who seek to use the same facilities without running afoul of the “No Contact Order.”

- To have assistance from the Department of Public Safety or other College officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.

- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a College official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).

- To receive an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.

- To receive assistance from The Department Of Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of The Department of Public Safety or, if outside of the jurisdiction or if the Department of Public Safety does not have arresting powers to call on and assist local law enforcement in effecting an arrest for violating such an order.

- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a complaint procedure or conduct process. The College will promptly review existing interim suspensions at a party’s request, including requests to modify the terms or discontinue an interim suspension. Parties can submit evidence to support their request.

- When the accused is not a student but is a member of the College community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and College policies and rules.

- When the accused is not a member of the college community, to have assistance from the Department of Public Safety or other College officials in obtaining a persona non grata letter, subject to legal requirements and College policy.

- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. The parties can submit evidence to support their requests. While reporting

individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:

- David Burdick, (607) 962-9328, Executive Director of Auxiliary Campus Services, 1 Academic Drive, Administration Building, Corning, NY 14830, dburdic4@corning-cc.edu

Student Conduct Process:

- To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the Corning Community College Course Catalog and Information Guide (<https://www.corning-cc.edu/student-code-conduct>), as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceedings, the respondent and the reporting individual will have:
 - The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
 - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
 - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
 - The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
 - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
 - The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by the College).
 - The right to present evidence and testimony at a hearing, where appropriate.

-The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.

-The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in College disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.

-The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.

-The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

-The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanction(s), and the rationale for the decision and any sanctions.

-The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.

-Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.

-The right to have access to a full and fair record of a student conduct hearing which shall be preserved and maintained for at least five years.

-For information on the Student Code of Conduct and the student conduct process, contact the Assistant Dean of Student Services, Gymnasium, (607) 962-9318.

- The right to choose whether to disclose or discuss the outcome of a conduct hearing.

- The right to have all information obtained during the course of the conduct or complaint process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

Warning! If you are reading a printed copy of this document, you may not have the current information. Please refer to the Regional Board of Trustees Policy Manual, available on the Office of the President's web page, for the latest version of this policy.

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SUNY Corning Community College
GRIEVANCE POLICY FOR ADDRESSING FORMAL COMPLAINTS OF SEXUAL HARASSMENT
UNDER
THE TITLE IX REGULATIONS

Effective Date: March 16, 2023	RBOT Resolution #4853-23 Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations
Amendment date:	Author: Human Resources Office
References: RBOT Policy Manual, College Catalog	

1. Introduction

What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, Corning Community College will implement the following Title IX Grievance Policy, effective August 14, 2020.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual

assault. But under the Final Rule, Corning Community College must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

Corning Community College remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has:

- A Code of Conduct that defines certain behavior as a violation of campus policy, and a separate Sexual Misconduct Policy that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.
- Equal Employment and Education Opportunity Policy and an associated Complaint Procedure
- Anti-Bullying Policy
- Consensual Sexual and Amorous Relations Policy

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the current policies and procedures found on MyCorning within the student and employee pages.

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

2. The Title IX Grievance Policy

General Rules of Application

Effective Date

The Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of

sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing Title IX Administrative Procedure.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at

<https://ocrcas.ed.gov/contact-ocr>.

Definitions

Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the

relationship.

5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the CCC campus code of conduct, <https://www.corning-cc.edu/current-students/code-conduct.php>.

Consent

For the purposes of this Title IX Grievance Policy, “consent” is defined as affirmative consent: Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity.

Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent.

The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

Consent may be initially given but withdrawn at any time. When consent is withdrawn or can no longer be given, sexual activity must stop.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be

caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Education Program or Activity

For the purposes of this Title IX Grievance Policy, Corning Community College's "education program or activity" includes:

- Any on-campus premises
- Any off-campus premises that Corning Community College has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Corning Community College's programs and activities over which the Corning Community College has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Policy, "formal complaint" means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within the College's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

"Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

"Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant's sexual predisposition or prior sexual

behavior unless:

- They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
- They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with [Options for Confidentially Disclosing Sexual Violence](#), references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean Corning Community College offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Corning Community College will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the

person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

David Burdick
Executive Director of Auxiliary Services
Title IX Coordinator
Pronouns: he/him/his
SUNY Corning Community College
One Academic Drive
Corning, New York 14830
607.962.9328
dburdic4@corning-cc.edu

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, by mail to the office address listed for the Title IX Coordinator, or by webform: <https://www.corning-cc.edu/current-students/harassment-discrimination-reporting-form.php>

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or designee
- Required Reporters such as fulltime faculty and fulltime staff

The following Officials may provide confidentiality:

· Chaplain's Office: Cynthia Hale, Chaplain; Commons Building, 607-962-9413, chale3@corning-cc.edu

· Health Services Office:

Christine Bonarski , College Nurse; Commons Building, 607-962-9257, cbonarsk@corning-cc.edu

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the College regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive.

Either party may request accommodations through the Assistant Dean of Student Services to maintain continued access to facilities and resources. Due the limited size of the Campus, when there is conflict in maintaining continued access to resources, the Title IX Coordinator will meet

with both parties to understand needs and determine an equitable resolution.

Supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact orders)
- changes in work or room locations in Perry Hall
- leaves of absence
- increased security and monitoring of certain areas of the campus

Emergency Removal

Corning Community College retains the authority to remove a respondent from the College's program or activity on an emergency basis, where Corning Community College (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If Corning Community College determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. An appeal should occur within 3 calendar days of the receipt of the written notice to the Provost. In cases where the respondent is a faculty or staff member, the appealing party must submit a written appeal to the Title IX Coordinator. Well-articulated rationale for the appeal must be stated in a written request.

Administrative Leave

Corning Community College retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the Educational Opportunity Complaint Procedure.

The Title IX Grievance Process

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) school/calendar/business days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Corning Community College, including as an

employee. For complainants who do not meet this criteria, the College will utilize existing policy in the Student Code of Conduct and Sexual Misconduct Policy.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Corning Community College will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or Code of Conduct prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Informal Resolution

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator or designee will determine if the Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in the College's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Corning Community College will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies:

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

If any one of these elements are not met, the Title IX Coordinator will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in “Appeals,” below.

Discretionary Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by {the institution}; or,
- If specific circumstances prevent the College from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, Corning Community College retains discretion to utilize the Code of Conduct and/or Non-Title IX Sexual Misconduct Policy to determine if a violation of the Code of Conduct and/or Non-Title IX Sexual Misconduct Policy has occurred. If so, Corning Community College will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable after the institution receives a Formal Complaint of the allegations.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process including the informal resolution process} and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

Corning Community College will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The Corning Community College has a long-standing practice of requiring students to

participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Corning Community College.

Corning Community College will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Corning Community College's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and Corning Community College cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Corning Community College will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the College.

Notice of Meetings and Interviews

Corning Community College will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator shall have sole judgment to grant further pauses in the

Process. **Investigation**

General Rules of Investigations

An investigator designated by the Title IX Coordinator will perform an investigation under a

reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Corning Community College and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Corning Community College and does not indicate responsibility.

Corning Community College cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Corning Community College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator after which the investigator will not be required to accept a late submission. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension as their designated extension request.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination. The parties and their advisors are not allowed to disseminate

any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020). The parties and their advisors agree not to photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Inclusion of Evidence Not Directly Related to the Allegations:

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

Investigative Report

The investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, will and provide that Report to the parties at least ten (10) business days prior the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

Hearing

General Rules of Hearings

Corning Community College will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at the College's discretion, any or all parties, witnesses, and other participants may

appear at the live hearing virtually through Google Meet or Zoom. This technology will enable participants simultaneously to see and hear each other. At its discretion, Corning

Community College may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording if in person or audiovisual recording if conducted virtually. That recording or transcript will be made available to the parties for inspection and review.

Continuances or Granting Extensions

Corning Community College may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Corning Community College will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly-discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing. If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The hearing officer will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the hearing officer answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
- For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does

not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at

<https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html>

- Corning Community College will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).
- The parties shall be subject to the Rules of Decorum.

The Decision-maker

- The hearing body will consist of a single decision-maker.
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross examination.
- In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.

- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, the College will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
- Advisors shall be subject to the institution's Rules of Decorum, and may be removed upon violation of those Rules.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).
- Witnesses shall be subject to the institution's Rules of Decorum.

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The hearing officer will open and establish rules and expectations for the hearing; · The Parties will each be given the opportunity to provide opening statements;
- The hearing officer will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after hearing officer conducts its initial round of questioning; During the Parties' cross-examination, the hearing officer will have the authority to pause cross-examination at any time for the purposes of asking the hearing officer's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the hearing officer. A Party's waiver of cross-examination does not

eliminate the ability of the hearing officer to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the hearing officer will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the hearing officer may be deemed irrelevant if they have been asked and answered.

Review of the Recording

The recording of the hearing will be available for review by the parties within 5 business days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

Determination Regarding Responsibility

Standard of Proof

Corning Community College uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred. The Final Rule requires that Corning Community College allow parties to call "expert witnesses" for direct and cross examination. Corning Community College does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Corning Community College allow parties to call character witnesses to testify. Corning Community College does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Corning Community College admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the hearing officer may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all

parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Code of Conduct, Sexual Misconduct Policy, if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by Corning Community College within ten (10) business days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeals

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their

written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);

- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than 10 pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced.

Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by a three (3) member appeals panel as designated by the President ensuring members will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

Retaliation

Corning Community College will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has

made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for

the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed with the chief human resources officer or Title IX Coordinator.

STUDENT CODE OF CONDUCT

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: April 30, 2015	RBOT Resolution #4401-17 Student Code of Conduct
Amendment date: December 14, 2017	Author: Student Development & Enrollment Management
References: RBOT Policy Manual, Student Handbook, College website	Amends: RBOT Resolution #4229-16

Policy Statement

The principles established under this Code will govern the conduct of students on the College campus and any other premises or property under the control of the College used in its teaching, administrative, service, cultural, recreation, athletic, and other programs and activities. In addition, student athletes are subject to the principles of conduct established in the Athletic Code of Conduct and residential students are subject to the principles of conduct established in the Residence Life Handbook.

The College upholds local, state, and national laws. The College will not condone unlawful conduct, and it will not protect students from their obligation to uphold the law. In addition, the College will provide no sanctuary for those who violate the law, and it will cooperate with appropriate health and law enforcement agencies. Some very specific applications of this principle are that students will be subject to discipline for the use, possession, sale, or transfer of illegal drugs, sexual abuse, hate crimes and hazing, and may also face civil prosecution for violations of this Code.

Actions for which students will be subject to College discipline include but are not limited to:

- Forgery or alteration of College documents, records or instruments of identification or use of same with intent to defraud.
- Intentional obstruction or disruption of teaching, research, administrative functions or disciplinary proceedings or other College activities, including public service functions and other authorized activities of the College.
- Abuse of any person, College premises, or at College- sponsored or College supervised events or conduct which threatens or endangers the health or safety of any such person.
- Hate crimes, also called bias crimes or bias-related crimes, involving criminal activity motivated by the perpetrator's bias or attitude against an individual or group based on perceived or actual personal characteristics, such as race, religion, ethnicity, gender, sexual orientation or disability. Penalties for these crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Students who are perpetrators of such crimes will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

- All forms of sexual violence and misconduct, which include, but are not limited to acts of sexual harassment, sexual violence, sexual coercion, sexual assault, domestic violence, dating violence, stalking, rape criminal sexual acts, forcible touching, and sexual abuse. Where there is a preponderance of evidence indicating that such misconduct has occurred, strong disciplinary action will be pursued, including the possibility of suspension or dismissal from the College. An individual charged with sexual violence/misconduct may be subject to College disciplinary procedures, whether or not prosecution under New York State law is pending.
- Theft from or damage to College premises or theft or damage to property of a member of the College community or College premises.
- Failure to comply with directions of College staff.
- Use by any student or student organization of the College name or a claim to speak or act in the name of the College or a College-related organization without due authorization.
- Disorderly, lewd, indecent or obscene conduct or expression on campus or at a College-sponsored function.
- Hazing: Any action taken by any student or participation in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.
- Violation of published College regulations.
- Public intoxication or display of any behavior associated with the abuse of alcohol or drugs.
- Behavior that is lacking respect for the worth and/or dignity of an individual.
- Student organizations which operate on the campus or upon the property of the College used for educational purposes are prohibited from authorizing the conduct described above. Student organizations which authorize prohibited behaviors will be subject to College discipline under this Code.

Violations of the Student Code of Conduct

Any member of the CCC community may file a complaint against a student for violations of the Student Code of Conduct. Complaints must be made in writing and directed to the Associate Dean of Student Services (Associate Dean), except for complaints of discrimination (including sexual harassment sexual violence, sexual coercion, sexual assault, rape, criminal sexual acts, forcible touching, and sexual abuse), which should be directed to the Director of Public Safety/Title IX Coordinator. Complaints should be submitted as soon as possible after the event takes place, preferably within thirty days.

- Complaints of discrimination (including sexual harassment, sexual violence, sexual coercion, sexual assault, rape, criminal sexual acts, forcible touching, and sexual abuse) will be addressed the Director of Public Safety/Title IX Coordinator under the College's Equal Employment and Educational Opportunity Complaint Procedure, available at:

https://www.corning-cc.edu/sites/default/files/EEEEO_Complaint_Procedure_rev_Sept_2015.pdf

- Complaints of violation of the Athletic Code of Conduct will be addressed by the Director of Athletics.
- Complaints of violation of the principles of conduct in the Residence Life Handbook will be addressed by the Director of Student Services.
- Complaints of violation of Academic Honesty will be addressed by the VP/Dean of Academic Affairs.

- Complaints concerning the misconduct of a student organization (concerning hazing and other violations) will be addressed by the President of the College.

Except for College-sponsored off campus programs and off campus incidents of sexual violence, it is the intent of the College to leave disciplinary action with respect to off campus offenses of students to civil authorities. However, there may be certain off campus offenses that by their very nature pose a serious threat or disruption to the College community. In such cases, the College reserves the right to take appropriate action.

Student Disciplinary Procedure

A procedure for handling Student Code of Conduct violations (except for complaints of discrimination, including sexual harassment, sexual violence, sexual coercion, sexual assault, rape, criminal sexual acts, forcible touching, and sexual abuse) has been established and is available at: <https://www.corning-cc.edu/sites/default/files/Student-Code-of-Conduct-Complaint-Procedure-Sept-2016.pdf>. This procedure guarantees students the right of due process, including the right to appeal.

Sexual Violence and Other Misconduct Complaint Procedure:

All complaints of sex discrimination, including sexual harassment, rape, and sexual assault, and sexual violence, will be processed under the College's Equal Employment and Educational Opportunity Complaint Procedure, available at:

https://www.corning-cc.edu/sites/default/files/EEEEO_Complaint_Procedure_rev_Sept_2015.pdf

Complaints of dating violence, domestic violence, and stalking will be processed under the procedure for handling Student Code of Conduct violations. Additional information for victims/survivors of sexual violence, dating violence, domestic violence, and stalking appears below.

Definition of Affirmative Consent

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

Consent may be initially given but withdrawn at any time. When consent is withdrawn or can no longer be given, sexual activity must stop.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. SUNY Corning Community College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to the College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Students' Bill of Rights

In accordance with the Students' Bill of Rights (available at: www.corning-cc.edu/sexualviolence), reporting individuals will have the right to pursue more than one of the options outlined in the College's *Response Policy for Sexual Violence and Other Misconduct* (also available at: www.corning-cc.edu/sexualviolence) at the same time, or to choose not to participate in any of the options outlined in that policy.

Transcript Notations

For crimes of violence*, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), the College Registrar will make a notation on the transcripts of students found responsible after a conduct process that they were:

- “suspended after a finding of responsibility for a code of conduct violation” or
- “suspended after a finding of responsibility for a Title IX violation” or
- “expelled after a finding of responsibility for a code of conduct violation” or
- “expelled after a finding of responsibility for a Title IX violation” or
- “withdrew with conduct charges pending” for accused students who withdraw from the College while such conduct charges are pending, and declines to complete the disciplinary process or
- “withdrew with Title IX charges pending” for accused students who withdraw from the College while such Title IX charges are pending, and declines to complete the disciplinary process.

If a finding of responsibility is vacated for any reason, any such transcript notation will be removed.

Appeals seeking removal of transcript notations for suspensions may be submitted in writing to the Vice President and Dean of Enrollment Management and Student Development, provided that such notations will not be removed prior to one year after conclusion of the suspension. Notations for expulsions will not be removed.

*Violations equivalent to the Clery Act (as updated by the Violence Against Women Act Final Regulations) Part I crimes for which transcript notations will be made are: murder; rape,

fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson.

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WEATHER RELATED CANCELLATIONS AND DELAYS POLICY

RESOLUTION #3558-12

WHEREAS, SUNY Corning Community College places the highest priority on the safety and wellbeing of its students, faculty and staff and is committed to maintaining its published class schedule except in cases of severe weather or other emergencies, and

WHEREAS, emergency situations which include but are not limited to extreme weather, fire, and power or utility failures, can disrupt the normal business operations of the College, resulting in the closure of one or more campuses of the College, and

WHEREAS, the authority to cancel all regularly scheduled classes or close the College rests with the President or his/her designee,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopts the attached Weather Related Cancellations and Delays Policy.

Approved: 12/20/12

Resolution #3558-12

Available: MyCCC; Employee Tab, Human Resources: Policy Manual:

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FACILITIES/BUILDING and GROUNDS

ALCOHOL USE POLICY

Resolution #2764-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Alcohol Use Policy, as amended:

ALCOHOL USE POLICY:

The College recognizes the reality of the serious problems associated with the use of alcoholic beverages. The use of alcohol on campus is allowed by permit only, subject to the applicable provisions of New York State law. The Student Association has voted that all student activities and socials be alcohol free. Student Association and the College continue to sponsor regular alcohol and drug awareness programs. Permits for the use of alcohol at events held on College-owned or – operated property may be obtained from the Office of Student Life, subject to final approval from the Office of the President.

BE IT FURTHER RESOLVED, that Resolution #47-85 is hereby replaced.

Approved: 02/27/08

Replaced:
Resolution #47-85

Available: MyCCC Welcome Page: College Catalog: ALCOHOL USE POLICY

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FACILITIES MASTER PLAN

Resolution #4035-15

WHEREAS, the State University of New York requires all community colleges to prepare a Facilities Master Plan; and,

WHEREAS, SUNY Corning Community College engaged SWBR Architects to develop its comprehensive Facilities Master Plan; and,

WHEREAS, the architects worked with College Trustees, faculty, students and administration to develop a plan intended to meet the College's needs for the next five years;

NOW, THEREFORE, BE IT RESOLVED that the Regional Board of Trustees of SUNY Corning Community College hereby approves the Facilities Master Plan and forwards the plan to the regional counties of Chemung, Schuyler and Steuben for their approval and then to the State University of New York for its approval.

BACKGROUND NOTES

The State University of New York requires all Community Colleges to prepare a Facilities Master Plan, which will function as a guide for administrators, maintenance personnel, architects, engineers and others charged with the responsibility of developing, improving and maintaining the facilities of the College.

Through a series of interviews with Trustees, faculty, staff and students, the College's needs were identified, evaluated and prioritized. The Facilities Master Plan identifies the College's short- and long-term needs. Inclusion of projects in the Master Plan does not mandate that they be undertaken.

The plan is now complete and must be submitted first to the regional counties and then to SUNY for approval. Once the Plan has been approved, the College may undertake individual projects as dictated by necessity, as well as by financing.

Approved: 08-13-15

Resolution: #2742-08

Resolution #1857-03

Resolution #870-95

June 1989 (Reflected in minutes)

Available: MyCCC Welcome Page; Facilities Master Plan link

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FACILITIES RESERVATION POLICY

Resolution #3417-11

WHEREAS, New York State law places all property of the College under the control and supervision of the Regional Board of Trustees of SUNY Corning Community College; and,

WHEREAS, the Regional Board of Trustees may regulate the use of College facilities within the definition and constraints of relevant law and regulations; and,

WHEREAS, the Regional Board of Trustees recognizes that the primary function of College facilities is to serve academic programs;

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approves the Facilities Reservation Policy, which states that College facilities that are not in use for academic programs, may be made available for educational, cultural, civic, business, and recreational purposes and that said policy does not discriminate in any regard in the use of College facilities; and,

BE IT FURTHER RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College requests that the President of the College establish general guidelines, sponsorship criteria and appropriate fees for the implementation and administration of this policy.

Approved: 11/09/11

Referenced: MyCCC Welcome Page: College Catalog
See Appendix - Facilities_Reservation_Guidelines.pdf

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NON-SMOKING POLICY

Resolution #3371-11

WHEREAS, SUNY Corning Community College is committed to providing its students, employees, and visitors with a safe and healthy environment, and

WHEREAS, in view of this commitment, SUNY Corning Community College's Smoking/Tobacco-free policy is to be a smoke/tobacco-free institution, and

WHEREAS, in the 2011 *the Power of SUNY* Report Card Chancellor Nancy Zimpher proclaimed as one of the Big Ideas "SUNY and a Healthier New York," and that under the SUNY Wellness Network, SUNY could become the largest system to become entirely tobacco free; and,

WHEREAS, no consumption of tobacco will be allowed on any College property or in any College facility, and

WHEREAS, the College will display notices of the Smoking/Tobacco-free policy at all College locations,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College state that the Smoking/Tobacco-free policy will take effect August 1, 2011.

BE IT FURTHER RESOLVED, that this Resolution rescinds Resolution #2983-09 approved April 15, 2009.

Approved: 06/29/11

Rescinded:

Resolution #206-88

Resolution #2983-09

Referenced: PECCC Contract Appendix, College Catalog: MyCCC Welcome Page: College Catalog: NON-SMOKING POLICY, p. 142

Available: MyCCC: Human Resources: Policies & Bargaining Agreements:
Personnel Policies Handbook for Non-Union Employees

SUNY Corning Community College Smoking/Tobacco-Free Policy

No consumption of tobacco will be allowed on any College property or in any College facility.

Introduction

SUNY Corning Community College is committed to providing its students, employees, and visitors with a safe and healthy environment. In light of this commitment, as well as the findings of the U.S. Surgeon General that exposure to secondhand tobacco smoke and use of tobacco are significant health hazards, the Regional Board of Trustees has established CCC as a smoke/tobacco-free institution, effective August 1, 2011, via resolution #3371-11.

Definitions

For the purpose of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.

Scope

The use, distribution, or sale of tobacco or any smoking device (such as e-cigarettes), or the carrying of any lighted smoking instrument in College buildings or on College premises without exception, at offsite College-required learning activities, at events on College premises, or in College-owned, rented or leased vehicles, is prohibited. The College requires students, employees, and visitors to respect private property bordering all College locations by refraining from trespassing for purposes of consumption of tobacco products.

Enforcement

The Department of Public Safety is charged with the enforcement of this policy. Violations by students will be treated as violations of the Student Code of Conduct. Violations by employees will be treated as disciplinary matters. Educational programming, cessation support mechanisms, and other resources have been developed and are available to the College community through the Wellness Education Center, the College Health Office, and various other College departments.

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FINANCIAL POLICIES

CASH MANAGEMENT AND INVESTMENT POLICY

Resolution #2756-08

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College desire to provide the finest post-secondary education possible to the students of the College, compatible with the least cost to its sponsoring counties, students and the State of New York, and

WHEREAS, to achieve this goal all other sources of revenue must be enhanced, and

WHEREAS, interest and investment earnings offer a large potential source of revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby reaffirms the delegation of authority to make daily cash management and investment decisions within the guidelines and limitations of this policy and regulations of the State of New York to the Vice President of Administrative Services or Chief Financial Officer, and

BE IT FURTHER RESOLVED, that the priorities for investing College funds shall be (in order of priority):

1. SAFETY – Funds may only be invested in Federal or New York State government securities or in fully collateralized Certificates of Deposit offered by commercial banks authorized to do business in New York State.
2. LIQUIDITY – Funds must be available to meet payrolls, debt service and other College obligations.
3. YIELD – The highest market interest rate available is to be solicited.

THEREFORE, BE IT FURTHER RESOLVED, that this Resolution replaces Resolution #869-95 Cash Management and Investment Policy.

Approved: 02/27/08

Replaced:

Resolution #869-95

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DESIGNATION OF UNRESTRICTED NET ASSETS FOR POST-RETIREMENT HEALTH INSURANCE

Resolution #2499-06

WHEREAS, with the approval of the Regional Board of Trustees, full-time employees who attain fifty five (55) or older and have completed a minimum of 15 years of continuous full-time service with the College are eligible for post-retirement health insurance benefits, and,

WHEREAS, such retirees are eligible for individual or family health insurance coverage between the ages of 55 and 64 with the College paying a portion of the premium, and,

WHEREAS, the Governmental Accounting Standards Board has released Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions* that requires the College to begin funding its liability for post-retirement health insurance benefits, effective in fiscal year 2009, and,

WHEREAS, the Regional Board of Trustees established a designation of unrestricted net assets towards this future liability,

NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees, hereby designated \$750,000 of unrestricted net assets for post-retirement health insurance benefits, effective August 31, 2006.

Approved: 10/04/06

Resolution #2338-06

WHEREAS, with the approval of the Regional Board of Trustees, full-time employees who attain age fifty five (55) or older and have completed a minimum of 15 years of continuous full-time service with the College are eligible for post-retirement health insurance benefits, and,

WHEREAS, such retirees are eligible for individual or family health insurance coverage between the ages of 55 and 64 with the College paying a portion of the premium, and,

WHEREAS, the Governmental Accounting Standards Board has released Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions* that requires the College to fully fund its liability for post-retirement health insurance benefits, effective in fiscal year 2009, and,

WHEREAS, the Regional Board of Trustees would like to begin designating unrestricted net assets towards this future liability,

NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees, hereby designates \$400,276 of unrestricted net assets for post-retirement health insurance benefits.

Approved: 01/03/06

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**ENHANCEMENT, USE AND MAINTENANCE OF UNRESTRICTED,
UNDESIGNATED NET ASSETS**

Resolution #2754-08

WHEREAS, an acceptable index of the College's fiscal well-being is the level of its unrestricted, undesignated net assets, known more commonly in the past as the “fund balance”, and,

WHEREAS, the Middle States Commission on Accreditation looks at the level of unrestricted net assets as a measure of financial strength and is considered as part of the fiscal component of the accreditation process, and,

WHEREAS, the State University of New York recommends that each community college, regardless of size, establish unrestricted net assets ranging from five percent to fifteen percent of operating expenses, further recognizing that there may be instances where it is prudent to have unrestricted net assets that either are less than or exceed this recommended range, and,

WHEREAS, the State University of New York recognizes that the operational and financial circumstances of its community colleges vary greatly, further recognizing that community colleges should maintain a level of unrestricted net assets dependant upon an evaluation of the circumstances existing at each campus,

BE IT RESOLVED, that SUNY Corning Community College hereby establishes a target rate of unrestricted, undesignated net assets equal to 15% of operations, and,

BE IT FURTHER RESOLVED, that the level of unrestricted net asset will be measured on an annual basis at the end of the fiscal year and will be based on amounts reported in the certified financial statements of the College, presented in accordance with generally accepted accounting principles for public colleges and universities as promulgated by the Governmental Accounting Standards Board (GASB), and,

BE IT FURTHER RESOLVED, that with the approval of the Regional Board of Trustees of SUNY Corning Community College, the judicious use of unrestricted net assets is anticipated in times of significant financial setbacks, such as due to unanticipated declines in enrollment, and that such use will be accompanied by a plan to reestablish net assets at 15% of operations within three fiscal years.

THEREFORE, BE IT FURTHER RESOLVED, that this Resolution replaces Resolution #1763-02 Enhancement of the Operating Fund Balance.

Approved: 02/27/08

Replaced: Resolution #1763-02

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INSURANCE

Resolution #3186-10

WHEREAS, the region served by SUNY Corning Community College has the right to expect that the College will operate with maximum efficiency, accountability and integrity, and

WHEREAS, the values of efficiency, accountability and integrity are best able to thrive when there are mechanisms in place specifically promoting these values,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopts this policy on Insurance.

Approved: 06/30/10

INSURANCE POLICY

Purpose

It is the goal of the Regional Board of Trustees to maintain insurance coverage as necessary to protect the College to an optimum extent from loss of property and judgments and awards arising out of liability claims. The Board shall periodically select a broker, on the basis of competitive proposals, who shall advise it in the administration of the insurance program.

Such insurance program shall protect the College as a corporate body, its individual members, its appointed officers, and its employees from financial loss arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to any person or accidental damage to the property of any person within or outside of buildings while the above-named insured are acting in the discharge of their duties within the scope of their employment and/or under the direction of the Board. Such purchase will take into account the price of insurance, appropriate deductible and other relevant factors.

Accident insurance as deemed appropriate for students, participating in inter-collegiate, intramural, and physical education sports and activities, or while engaged in practice preparation for such games, sports, or contests will be secured as well.

Responsibility

The Regional Board of Trustees designates the Vice President of Administrative Services as the purchasing agent for the purposes of securing and maintaining a satisfactory insurance program. The Vice President shall have general knowledge of the provisions of all insurance policies

carried by the College. At the time of accident or loss, he/she shall see that necessary action is taken to protect the interests of the College. Records of all insurance policies shall be kept in the offices of the Vice President of Administrative Services.

The Vice President of Administrative Services shall annually review the insurance program for the purpose of recommending to the President and the Board adjustments in coverage resulting from, but not limited to, expansion of the College's risks, relevant new laws, and superseding conditions which make changes in coverage appropriate.

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PURCHASING AND PROCUREMENT

Resolution #3185-10

WHEREAS, the region served by SUNY Corning Community College has the right to expect that the College will operate with maximum efficiency, accountability and integrity, and

WHEREAS, the values of efficiency, accountability and integrity are best able to thrive when there are mechanisms in place specifically promoting these values,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopts this policy on Purchasing and Procurement.

Approved: 06/30/10

PURCHASING AND PROCUREMENT POLICY

Purpose

The function of purchasing is to provide the supplies, equipment and contracted services as necessary to meet the educational mission of the College.

It is the goal of the Regional Board of Trustees to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases when in the best interest of the College.

In furtherance of that goal, the College's purchasing activity will strive to meet the following objectives:

1. To ensure that the educational welfare of students is the foremost consideration in making any purchase;
2. To effectively supply all departments of the College with needed materials, supplies, and contracted services;
3. To obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed;
4. To ensure that all purchases fall within the framework of budgetary limitations and are consistent with the educational goals and programs of the College;
5. To maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions;
6. To ensure, through the use of proper internal controls, that loss and/or diversion of College property is prevented.

Opportunities shall be provided to all responsible vendors to do business with the College. Vendors whose place of business is situated within the region may be given preferential consideration when bids or quotations on an item or service are identical as to price, quality, and other factors.

Conflict of Interest

No Board member, officer or employee of the College shall have an interest in any contract entered into by the Board, or the College, as provided in Article 18 of the General Municipal Law.

Responsibility

The Regional Board of Trustees designates the Vice President of Administrative Services as purchasing agent for the College.

The Vice President of Administrative Services shall be responsible for administering all purchasing activities and ensuring the quality and quantity of purchases made by the College. The Vice President shall be responsible for the establishment and implementation of procedures and standard forms for use in all purchasing and related activities in the College. Such procedures shall comply with all applicable laws and regulations of the State.

When required, the Vice President shall be responsible for preparing all bid specifications and conditions to be included in the notice or invitation to bid. If there are questions concerning specifications, the Vice President will consult with the department manager to clarify the matter, so as to ensure that the appropriate goods or services are obtained.

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TRUSTEE EXPENSES

Resolution #3187-10

WHEREAS, the region served by SUNY Corning Community College has the right to expect that the College will operate with maximum efficiency, accountability and integrity, and

WHEREAS, the values of efficiency, accountability and integrity are best able to thrive when there are mechanisms in place specifically promoting these values, and,

WHEREAS, with the approval of the Chair of the Regional Board of Trustees, Trustees may incur travel and related expenses characteristic of their participation in Board activities,

NOW, THEREFORE, BE IT RESOLVED, that the members of the Regional Board of Trustees of SUNY Corning Community College shall be reimbursed at the same rates established for employees according to the regular policy for expenses involved in carrying on the business of the College, and,

BE IT FURTHER RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby adopts this policy on Trustee Expenses.

Approved: 06/30/10

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HEALTH SERVICES

AIDS POLICY

Resolution #2789-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the AIDS Policy, as amended.

BE IT FURTHER RESOLVED, that Resolution #204-88 is hereby rescinded.

Approved: 04/16/08

Rescinded:
Resolution #204-88

Replaced:
Resolution #13-86

Referenced: Human Resources:
HIV/AIDS AND LIFE-THREATENING ILLNESSES POLICY

HIV/AIDS AND LIFE-THREATENING ILLNESSES POLICY

SUNY Corning Community College recognizes the rights of its students, faculty and staff to learn and work in a safe, healthy and supportive environment and believes that HIV/AIDS should be viewed no differently than any other serious medical condition, such as heart disease or cancer. It is further recognized that individuals with AIDS or any other life-threatening illnesses may wish to continue to engage in as many normal activities as their condition permits. As long as individuals with AIDS and other life-threatening illnesses are able to meet acceptable performance and attendance standards and medical evidence indicates that their conditions and actions pose no threat to the health and safety of themselves or others, every effort should be made to treat them the same as other students and employees. At the same time, the College recognizes that it has a responsibility to provide a safe environment for all other students and employees.

When dealing with situations involving students or employees with life-threatening illnesses:

1. Remember that the individual's health and condition are personal and confidential and reasonable precautions must be taken to keep information regarding their condition confidential.
2. Contact the Human Resources Office if you believe that you or others may need information or guidance in managing situations that involve a life-threatening illness.
3. Contact the Human Resources Office if you have any concerns about the potential contagious nature of a life-threatening illness.
4. Division/Department heads should contact the Human Resources Office to determine if a statement should be obtained from the individual's attending physician that his/her continued presence at work poses no threat to the individual, coworkers or students.
5. Make a reasonable attempt to accommodate individuals with life-threatening illnesses who request an accommodation and are experiencing undue emotional stress.
6. Division/Department heads should be sensitive and responsive to faculty, staff, and student concerns, and emphasize that education is available through Human Resources or the College Health Office.
7. Be sensitive to the fact that continued employment or schooling for the individual with a life-threatening illness may sometimes be therapeutically important in the remission or recovery process, or may help prolong the individual's life.

No special consideration beyond education and/or training for employees and students who feel threatened by an individual's life-threatening illness is required. Employees and students are encouraged to seek assistance from established community support groups for medical treatment and counseling services. Information on these services is available from the Human Resources Office or the College Health Office.

If warranted, the College will make reasonable accommodations for individuals with life-threatening illnesses, consistent with the needs of the College.

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EXPOSURE CONTROL PLAN

Resolution #570-92

WHEREAS, OSHA has mandated the Bloodborne Pathogen Standard for employers, and

WHEREAS, SUNY Corning Community College will comply with the OSHA regulation in the best interests of the College Community,

THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Exposure Control Plan as required by the OSHA Bloodborne Pathogens Standard.

Approved: 09/12/92

See Appendix D

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HEALTH INSURANCE PORTABILITY AND ACCESSIBILITY ACT (HIPAA)

Resolution #2794-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Health Insurance Portability and Accessibility Act (HIPAA) Policy.

Approved: 04/16/08

Replaced:
February 23, 2005 Revision of the Personnel Policies

Referenced: Personnel Policies

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HUMAN RESOURCES

**ADOPTION OF POLICY WHICH GOVERNS CONTROLLED SUBSTANCES AND
ALCOHOL USE AND TESTING FOR EMPLOYEES WHOSE DUTIES REQUIRE A
COMMERCIAL DRIVERS' LICENSE**

Resolution #997-96

WHEREAS, SUNY Corning Community College wishes to comply with the Department of Transportation Regulations Part 382 which governs Controlled Substances and Alcohol Use and Testing for employees who duties require a Commercial Drivers' License,

BE IT RESOLVED, that the Regional Board of Trustees adopt the submitted policy to comply with the Department of Transportation Regulations, effective September 19, 1996.

Approved: 09/18/96

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**AGREEMENT BETWEEN SUNY CORNING COMMUNITY COLLEGE AND THE
CCC UNIT OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC., LOCAL
1000, AFSCME, AFL-CIO**

RESOLUTION #T4861-23

Ratification of the CSEA Agreement 2023-2026

BE IT RESOLVED, that the Regional Board of Trustees of Corning Community College hereby ratifies the Agreement CSEA,

Local 1000, AFSCME, AFL-CIO (CSEA) and Corning Community College (CCC) effective September 1, 2023 – August 31, 2026.

BACKGROUND NOTES

Available: Available: MyCCC; Employee Tab: Human Resources: Policies & Bargaining Agreements: CSEA Agreement

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**AGREEMENT BETWEEN SUNY CORNING COMMUNITY COLLEGE AND THE
PROFESSIONAL EDUCATORS OF SUNY CORNING COMMUNITY COLLEGE**

Resolution #4828-22

BE IT RESOLVED, that the Regional Board of Trustees of Corning Community College hereby ratifies the Agreement between the Professional Educators of Corning Community College and Corning Community College (CCC) effective September 1, 2022 – August 31, 2025.

BE IT FURTHER RESOLVED, that Resolution #4551-18 is hereby replaced.

Approved: 10/13/2022

Replaced: Resolution #4551-18

Resolution #2825-08

Resolution #2188-05

Available: MyCCC; Employee Tab: Human Resources: Policies & Bargaining Agreements:
PECCC Contract

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**AGREEMENT BETWEEN SUNY CORNING COMMUNITY COLLEGE AND THE
CCC UNIT OF THE NYS LAW ENFORCEMENT OFFICERS UNION, COUNCIL 82,
AFSCME, AFL-CIO**

RESOLUTION #4819-22

BE IT RESOLVED, that the Regional Board of Trustees of Corning Community College hereby ratifies the Agreement between NYS Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (Council 82) and Corning Community College (CCC) effective September 1, 2022 – August 31, 2025

Approved: 09/01/22

Referenced: MyCCC: Human Resources: Policies & Bargaining Agreements:
Council 82

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ANNUAL PERFORMANCE APPRAISALS

Resolution #2159-05 Approval of the Amended SUNY Corning Community College Personnel Policies of the Regional Board of Trustees

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Personnel Policies of the Regional Board of Trustees, as amended.

Approved: 02/23/05

Rescinded:

Resolution #895-95

WHEREAS, annual performance appraisals will enhance the mission of SUNY Corning Community College and enhance employee development,

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve a policy that all full-time non-bargaining unit employees will receive annual performance appraisals, effective with the 1995-96 academic year.

Approved: 11/01/95

Referenced:

Personnel Policies, Performance Management System

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APPROVAL OF THE AMENDED SEARCH COMMITTEE HANDBOOK

Resolution #2762-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Search Committee Handbook, as amended.

BE IT FURTHER RESOLVED, that Resolution #2305-05 is hereby replaced.

Approved: 02/27/08

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: December 13, 2007	RBOT Resolution #3954-15 Blood Donation Leave Policy
Issue/amendment date: January 28, 2015	Author: Human Resources Office
References: RBOT Policy Manual, College website	Rescinds: N/A

Blood Donation Leave Policy

Employees who work an average of twenty or more hours per week will be granted leave to donate blood, as follows:

- On-campus blood drives – paid leave without use of vacation, personal, or sick leave at least twice per calendar year during the employee’s work schedule
- Off-campus blood drives – up to three hours of unpaid leave once each calendar year during the employee’s regular work schedule.

The College reserves the right to require written documentation to verify eligibility for this paid leave.

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DRUG-FREE WORKPLACE ACT POLICY

Resolution #2792-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Drug-Free Workplace Act Policy, as amended.

BE IT FURTHER RESOLVED, that Resolution #254-89 is hereby rescinded.

Approved: 04/16/08

Replaced:

February 23, 2005 Revision of the Personnel Policies

Rescinded:

Resolution #254-89

Available: MyCCC: Employee Tab: Human Resources: Policy Manual

In response to the Drug-Free Workplace Act of 1988, the Regional Board of Trustees of SUNY Corning Community College adopted the following policy, effective March 23, 1989. This policy is effective for all employees, students, and visitors of SUNY Corning Community College. The policy reads as follows:

As a condition of employment, study or contact with SUNY Corning Community College, all employees, students and visitors are prohibited from the illegal use, manufacture, possession, or distribution of all controlled substances (as defined in the Controlled Substances Act) on campus.

Any violations of this policy will result in College disciplinary action up to and including discharge or expulsion, whichever is appropriate. In addition, violations of this policy may be reported to civil authorities. Criminal convictions will be reported to federal contracting agencies as required by state and federal statutes.

Information about drug counseling and rehabilitation is available on campus from the College Health Office and the Employee Assistance Program offers assistance to employees and their dependents with chemical dependence.

Employees of SUNY Corning Community College must notify the Director of Human Resources of any convictions for drug-related offenses occurring in the workplace no later than five calendar days after such conviction.

The Drug-Free Schools and Communities Act of 1989 requires that employees, students, and visitors of SUNY Corning Community College be informed that illicit drugs and alcohol may cause addiction, severe physical and emotional illness, and death. This Act also requires that employees, students, and visitors be informed that convictions under local, state and federal laws can result in fines, prison sentences, or both. Legal sanctions for the unlawful possession or distribution of alcohol are found primarily in state statutes.

Employees who need help with drug and/or alcohol problems should contact the Director of Human Resources for assistance. Students who need help with drug and/or alcohol problems should contact the Vice President and Dean of Student Development, the College Nurse, or the Counseling Staff for assistance. All requests for assistance are confidential.

Referenced: Personnel Policies

Available: MyCCC Welcome Page: College Catalog: DRUG-FREE WORKPLACE POLICY

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EMERITUS STATUS

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: August 10, 2017	RBOT Resolution #4335-17 Emeritus Status
Issue/amendment date: August 10, 2017	Author: Human Resources Office
Reference: RBOT Policy Manual, Personnel Policies Handbook for Non-Union Employees	Amends: RBOT Resolution #3521-12

Faculty and professional service employees assigned to pay grades 204 and higher who retire and have served the College for at least fifteen years in accordance with the published designation of retirement will be eligible for consideration for emeritus status one year after that employee's retirement. Any Trustee or College employee with at least three years of College service may nominate eligible employees for emeritus status.

The appropriate supervisor will initiate the evaluation process. Nominees will be evaluated on the basis of lifetime achievement at SUNY Corning Community College by a committee of peers and the immediate supervisor, each of whom will make an independent recommendation for emeritus status. All recommendations will be forwarded to the President of the College who will present his/her final recommendation for emeritus status to the Regional Board of Trustees for approval. Notification of emeritus status will be given to all who have received this designation. Retirees who are granted emeritus status will be listed in appropriate College publications. Emeriti who maintain updated addresses will receive announcements of relevant College events and will be invited to College functions

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Effective Date: June 26, 2015	Eligibility for Rehire Policy
Issue/amendment date: March 16, 2023	Author: Human Resources
Reference: RBOT Resolution #4851-23	Rescinds: 4006-15

Eligibility for Rehire Policy

Employees who work an average of 30 or more hours per week and voluntarily resign or were part of a reduction-in-force (RIF) will be eligible for rehire on a part-time basis no sooner than twenty-six weeks following the effective date of resignation/RIF as long as they had a satisfactory work record while employed by the College, as determined by the College in its sole discretion.

Full- or part-time employees who were involuntarily terminated by the College for other than reduction-in-force reasons will not be considered for rehire.

Exceptions to this policy require advance written approval from the chief human resources officer.

Warning! If you are reading a printed copy of this document, you may not have the current information. Please refer to the Regional Board of Trustees Policy Manual, available on the Office of the President's web page, for the latest version of this policy.

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FAMILY AND MEDICAL LEAVE ACT

Resolution #3246-10

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the Family Medical Leave Policy, as amended.

BE IT FURTHER RESOLVED, that Resolution #662-93 is hereby rescinded.

Approved: 08/18/10

Rescinded:
Resolution #662-93

Available: Human Resources Office

Referenced: PECCC Contract, Personnel Policies

Available: MyCCC: Human Resources: Policies & Bargaining Agreements:
Personnel Policies Handbook for Non-Union Employees, PECCC Agreement

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LEAVE FOR NURSING MOTHERS POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: August 22, 2007	RBOT Resolution #3956-15 Leave for Nursing Mothers Policy
Issue/amendment date: January 28, 2015	Author: Human Resources Office
Reference: RBOT Policy Manual, College website	Rescinds: N/A

Leave for Nursing Mothers

According to their individual needs, nursing mothers will be provided with reasonable unpaid break time or be permitted to use their paid break/meal time each day to express breast milk for their nursing children for up to three years following childbirth. Reasonable efforts will be made to provide a private location in close proximity to the employee's work area for this purpose.

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PAID LEAVE FOR CANCER SCREENINGS POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: March 12, 2020	RBOT Resolution #4652-20 Paid Leave for Cancer Screenings Policy
Issue/amendment date: March 12, 2020 January 28, 2015	Author: Human Resources Office
Reference: RBOT Policy Manual, College website	Rescinds: #3955-15

Paid Leave for Cancer Screenings Policy

Paid Leave for Cancer Screenings Policy All employees will be granted paid leave for a sufficient period of time, not to exceed four hours annually, to undertake screenings for cancer. The College reserves the right to require written documentation from the employee's health care provider to verify eligibility for this paid leave.

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RBOT PERSONNEL POLICIES HANDBOOK FOR
NON-UNION EMPLOYEES

Non Union Handbook Updates
RESOLUTION #4818-22

BE IT RESOLVED, that the Regional Board of Trustees of Corning Community College hereby approves of the update to the Non-Union Personnel Handbook in the sections of: Section IV, Paid Leave and Section VI, Work Week.

BACKGROUND NOTES

After careful review with the senior staff and with advisement and recommendations from the Employment, Policy and Compensation Committee (EPCC) and Staff Assembly, the College puts forward the updates to the non-union Handbook.

Section IV Paid Leave

Subsection C

Vacation Cash Out Option

At the end of each fiscal year, an employee may cash out up to 5 days of vacation each year (effective with the fiscal year beginning 9/1/11), providing the following conditions are met:

- Estimated vacation balance as of August 31 is greater than 20 days (150 hours).
- Estimated sick leave balance as of August 31 is at least ~~80~~ 60 days (~~600~~ 450 hours).
- Only vacation days in excess of 20 may be cashed out, up to a maximum of 5 days; any remaining vacation in excess of 20 days will be converted to sick leave as of September 1 of each year.
- A completed election form is submitted to the Human Resources Office by August 15th of each year.

Vacation Cash Out payments will be made in the first pay period of September.

Subsection D - Vacation Leave

Vacation leave is to be taken at the convenience of the College and must be requested and approved in writing by the employee's supervisor and Associate Dean/Director, if appropriate. Vacation leave cannot be taken prior to being earned, except in exceptional and emergency circumstances with the President's written approval. Vacation leave should be used during the term of the employee's appointment.

Except in unusual circumstances and subject to the approval of the employee's ~~Senior Staff member~~ supervisor, no vacation leave may be taken during the following time periods:

- week prior to the first week of fall or spring classes
- first week of fall or spring classes

- week prior to Commencement

Subsection B - Personal Leave

Regular full-time employees will be granted personal leave days at the beginning of each fiscal year based on their term of appointment. Employees with ten (10) month academic appointments and ten (10) month standard appointments are entitled to three (3- 4) personal leave days per fiscal year. Employees with eleven (11) month and twelve (12) month standard agreements are entitled to four (4 5) personal leave days per fiscal year.

SECTION VI WORK WEEK

Subsection A – Hours of Work

The standard work hours are Monday through Thursday, 8:00 a.m. to 4:30 p.m. with one (1) hour for lunch; Friday 8:00 a.m. to 4:00 p.m. with one-half (1/2) hour for lunch. Some College departments may be open earlier and later than these standard hours, depending on the services offered.

With supervisory approval, flexible work schedules may be arranged provided:

- they add up to 37-1/2 hours per week, or that commensurate salary is agreed upon in case of a schedule that is more or less than 37-1/2 hours per week
- the department is staffed during the College's standard work hours
- such flexible schedules do not interfere with the duties of the position.

Flexible work schedules are not an inherent right of any position.

Each year, immediately following commencement ~~through July 31~~ until two (2) weeks prior to Fall Start Up, the standard hours of work are Monday through Friday, 8:00 a.m. to 4:00 p.m., with one-half (1/2) hour for lunch.

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SALARY ADJUSTMENT POLICY

Resolution #2791-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College will set the salaries for all employees of the College upon the recommendation of the President. Any modification of salary, other than annual across-the-board increases, must be approved by the Regional Board of Trustees.

BE IT FURTHER RESOLVED, that Resolution #769-94 is hereby rescinded.

Approved: 04/16/08

Rescinded:
Resolution #769-94

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Non-Union Personnel Handbook Policy Update- Non-Union Classification and
Compensation Structure

RESOLUTION #4771-21

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby ratifies the following updates to the Non-Union Personnel Handbook, Section VII Compensation Structures and Pay Procedure.

BE IT FURTHER RESOLVED, that the Regional Board of Trustees approves all other necessary updates to the Handbook that references the newly established staff classification structure.

Subsection B and C to be replaced with the following:

Subsection B – Position Classification and Pay Structure

Classification is the procedure by which titles and position grades are assigned to positions based on the duties and responsibilities of the job. Titles, which are usually descriptive of the work being performed, are assigned salary grades by the Office of Human Resources with approval from SUNY Systems for professional grade positions or the Department of Civil Service for classified positions. Titles and grades are assigned on the basis of a review and analysis of the duties and responsibilities of the position. In addition, an analysis of the knowledge, skills and abilities required to carry out those duties and responsibilities is conducted to accurately make an assessment of title and grade.

Definitions:

Classification — the process or procedure by which titles, job descriptions, and position grades are assigned and/or reassigned to positions.

Reclassification — changing the classification of an existing position. Reclassification may involve a change of title but may or may not involve a change of salary or position grade.

Classified Service — those positions (titles) under the jurisdiction of the New York State Department of Civil Service and their classification rules and regulations

Unclassified Service or Professional Grade — those positions (titles) under the jurisdiction of the Chancellor, as defined by the State Education Law (professional staff, i.e., academic and professional employees).

Classified Service and Professional Grade Structure for Non-union Staff

The Office of Human Resources will maintain and publish an updated list of full time positions categorized within the approved grade system which includes the following:

<u>Classified/Professional</u>	<u>Grade</u>	<u>Grade Description</u>	<u>FLSA</u>
Classified Service	A	Aide	non exempt
Classified Service	B	Clerk	non exempt

Professional Service	C	Assistant	non exempt
Professional Service	D	Coordinator	exempt
Professional Service	E	Assistant Director	exempt
Professional Service	F	Director	exempt
Professional Service	G	Senior Director	exempt
Professional Service	H	Executive Director	exempt

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INFORMATION TECHNOLOGY

ACADEMIC COMPUTING CODE OF CONDUCT

Resolution #2243-05

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the revised version of the *Academic Computing Code of Conduct*.

Approved: 08/24/05

Replaced:
Resolution #912-96

Available: MyCCC Welcome Page: College Catalog: ACADEMIC COMPUTING CODE OF CONDUCT

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Academic Computing Code of Conduct

College resources are provided to authorized individuals for the purpose of learning, teaching and conducting of business related to the operation of CCC. The College will not be held responsible for unacceptable, unethical or illegal use of its information technology resources. Using computing resources in any manner that violates any federal laws, New York State penal laws, State University of New York policies or CCC policies herein may result in suspension or termination of computing privileges and/or suspension from the College. Student judicial action and prosecution to the full extent of the law will follow at the discretion of the College.

Access to computing resources is granted to CCC students for use in their academic work, with the understanding that access is a privilege and carries with it certain responsibilities.

To use computing resources, a student must obtain a computer account username and password, which provides access to resources such as e-mail and file storage. With the exception of access to MyCCC via the Internet, students will not have access to CCC computer networks during any semester in which they are not registered. Other exceptions will be handled on an individual basis.

Students are responsible for all activity under their individual accounts.

General Rules of Conduct:

- Unless authorized, users may not have food, drink or their containers near any computer.
- Computer resources (including e-mail) should be used for academic purposes only. Users will refrain from using College computer resources for personal use, such as recreation, personal profit, transmission of unsolicited bulk e-mails, etc.
- Unnecessary printing is prohibited.
- Aside from legitimately saving or backing up data, students are to leave hardware, configurations and security measures in place on the computer, unless express permission has been granted by a lab monitor or instructor.
- All uses of computer resources violating the College harassment policy are strictly prohibited.
- Use of computing facilities must not violate others' rights to privacy and academic integrity.
- Users will refrain from displaying, printing or transmitting offensive or damaging materials. The College will not tolerate abusive or unethical use of equipment, such as harassing or threatening others.
- Students will not use the network to spread computer viruses, Trojan horses, worms or any program designed to violate security, interfere with the proper operation of any computer system or destroy others' data.
- Use of the network to duplicate copyrighted software, download movies, music or other students' work without the owner's explicit permission is strictly prohibited. When downloading and using printed materials, the source must be properly cited. Acts of piracy or violations of copyright laws are strictly prohibited.

File Storage:

Files stored on College servers are subject to disk quota limitations. Directories may be accessed by the College for routine maintenance and to check system integrity. Files stored on College servers are scanned continuously for viruses and may be deleted if found to be infected. All files on student directories will be deleted at the end of each semester. Therefore students must:

- Copy their stored files to their own storage media or e-mail them to themselves to use elsewhere.
- Copy files no later than the end of each semester if they wish to keep files that are stored on College servers.

Plagiarism:

The act of copying text, media, programs or subroutines from any source and submitting the material as your own work constitutes plagiarism and is prohibited. See the College's Code of Student Conduct and Academic Honesty policies.

Security and Privacy:

Users must be aware that computer systems of public institutions may be subject to open records laws. CCC Information Technology staff and teaching faculty may routinely access student user data for legitimate academic purposes, to review course work, to diagnose and resolve technical problems, to archive old data files and to investigate possible misuse of CCC computer systems and resources.

Violations:

A student found to be engaging in a prohibited computer activity will be required to cease that activity immediately. All users should report any suspected unauthorized access attempts or other improper use of College computers, networks or other information processing equipment. If a user observes or receives a report of a security or abuse problem with any College computer or network facilities, the user should notify the lab monitor/instructor or help-desk personnel.

Note: Users will be assessed for repair or replacement costs resulting from misuse.

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IDENTITY THEFT PREVENTION POLICY

Resolution #2999-09

WHEREAS, the Federal Trade Commission (FTC) and federal banking agencies issued a regulation known as the Red Flag Rule under sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003 with the intention of reducing the risk of identity theft by requiring stronger fraud prevention to protect consumers' personal data; and,

WHEREAS, the Red Flag Rule has identified a "red flag" as a pattern, practice or specific activity that indicates the possible existence of identity theft and applies to any organization that offers credit or manages accounts designed to permit multiple payments or transactions on behalf of students or family members; and

WHEREAS, the Red Flag Rule requires any organization that maintains such "covered account" to establish, document, and maintain an Identity Theft Prevention program that identifies potential red flags, detects the occurrence of red flags, and appropriately responds to red flags; and

WHEREAS, the State University of New York Board of Trustees adopted an Identity Theft Prevention policy on May 12, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopts the Identity Theft Prevention policy.

Approved: 05/27/09

IDENTITY THEFT PREVENTION POLICY

Purpose

Pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003, SUNY Corning Community College maintains an Identity Theft Prevention program designed to detect, prevent and mitigate identity theft in connection with certain covered accounts maintained by the College. This procedure was developed pursuant to policy adopted by the SUNY Board of Trustees on May 12, 2009.

Identity theft is defined as fraud committed, or attempted, using the identifying information of another person without authority. A "red flag" is a pre-determined circumstance that indicates the possible existence of such identity theft. This procedure will:

1. Identify and detect red flags for covered accounts offered or maintained by the College;
2. Respond appropriately to any red flags detected, so as to mitigate identity theft;
3. Ensure awareness of changing risks and their detection;
4. Ensure the soundness of the steps necessary to prevent identity theft.

Covered Accounts

A covered account is one that the College offers or maintains, primarily for students or family members, designed to permit multiple payments or transactions. The College has identified four types of covered accounts as follows:

1. Refunds of credit balances involving PLUS loans
2. Refunds of credit balances, without PLUS loans
3. Installment plans for tuition payments
4. Emergency loans

To establish covered accounts, the following documentation is required:

1. College application with personally identifying information
2. Acceptance to the College and enrollment in classes (which also requires a High school transcript or equivalency and a Medical and Immunization history)

In general, disbursements from covered accounts:

1. Will only be mailed to an address on file.
2. Cannot be obtained in person, unless by prior consent of Administrative Services, which will require photo identification.

Identification of Red Flags

The following may indicate the existence of a red flag:

1. Documents provided for identification that appear to have been altered or forged;

2. Photographs on identification that is inconsistent with the appearance of the student presenting the identification;
3. Requests made from non-College individuals;
4. Requests to mail disbursements or other pertinent information to an address that is not listed on College files;
5. Notice from students, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts.

Detection of Red Flags

Red flags may be detected as follows:

1. Refund of a credit balance involving PLUS loans
 - As directed by federal regulations, these balances are required to be refunded in the parent's name. Refunds by check are mailed to their address within the time period specified. No request is required.
 - Red Flag – None as the disbursement is initiated by the College.
2. Refund of credit balance, without PLUS loans
 - Refunds by check are mailed to the student's address on file. Checks may not be picked up in person. Requests from students not currently enrolled must be made in writing.
 - Red Flag – Any request for disbursement not coming directly from a current student.
3. Installment plan tuition payments
 - Requests are made in person by presenting a picture ID and require the student's signature; or requests may be made from the student's College issued e-mail account.
 - Red Flag – None.
4. Emergency loans
 - Requests are made in person by presenting a picture ID and require the student's signature; or requests may be made from the student's College issued e-mail account. The loan check is mailed to an address on file and cannot be picked up in person.
 - Red Flag – Any request for loans not coming from a student issued e-mail account.

Response

The response to detected red flags is primarily designed to prevent and mitigate identity theft. Unless it is determined that no response is warranted under the particular circumstances, responses to red flags will be as follows:

1. Deny access to the covered account until other information is available to eliminate the red flag;
2. Contact the student;
3. Change any passwords, security codes or other security devices that permit access to a covered account;
4. Notify law enforcement.

Oversight of the program

Responsibility for developing, implementing and updating the Identity Theft Prevention program lies with the Vice President of Administrative Services. The Vice President is responsible for ensuring appropriate training of College staff, for reviewing any staff reports regarding the detection of red flags and for implementing the steps necessary for preventing and mitigating identity theft.

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**SUNY Corning Community College
Board Policy and Administrative Procedures**

Policy Title:	Information Security Program	RBOT Resolution #	#4869-23
Effective Date:	June 8, 2023	Approval Date:	June 8, 2023
Issue/Amendment Date:		Author:	Information Security Committee
Reference:	RBOT Policy Manual	Rescinds	N/A

1.0 Purpose

1.1 The purpose of the Information Security Program Policy is to comply with the Gramm-Leach-Bliley Act of 1999 and the New York State Information Security Breach and Notification Act of 2005.

2.0 Policy

2.1 It is the policy of Corning Community College (CCC) to:

- ensure the security and confidentiality of customer records and information;
- protect against anticipated threats to the security and/or integrity of such customer records and information;
- guard against unauthorized access to or use of customer records or information that could result in substantial harm or inconvenience to any customer;
- comply with the Gramm-Leach-Bliley Act (GLBA) and the rules promulgated thereunder by the Federal Trade Commission;
- comply with the NYS Information Security Breach and Notification Act (NYSISBNA) comply with the Federal Trade Commission's ("FTC") Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003

3.0 Procedures

3.1 Program Coordination.

3.1.1 The President appoints the Information Security Committee to coordinate college compliance with the GLBA, NYSISBNA, and the FTC Red Flag Rules.

3.1.2 The program includes input from other departments as warranted, including college counsel.

3.1.3 The program is reviewed and evaluated annually and adjustments to the program and procedures are made as needed.

3.2 Committee Charge, Membership, and Responsibilities.

3.2.1 Committee Charge. The Information Security Committee reports to the President and oversees compliance with the State University of New York's Information Security Policy and the institution's responsibility to ensure the confidentiality, integrity, and availability of our sensitive information. The scope of the committee oversight includes:

- to obtain and maintain compliance with the State University of New York's Information Security Policy;
 - to recommend employee outreach and training on information security awareness, policies, and procedures;
-

- to identify areas of risk and assure that appropriate safeguards in handling customer information are maintained;
- to recommend information and physical security systems, policies, and procedures; and
- to provide feedback on behalf of the campus community on information security projects and or initiatives.

3.2.2 Membership. The committee is co-chaired by the Chief Information Officer and Executive Director of Human Resources and consists of members from the following offices:

Academics	Health Center	Registrar
Accounting/Payroll	Human Resources	Student Accounts
Admissions	Information Technology	Student Services
Financial Aid	Institutional Research	Workforce Education/ACE
Foundation/Alumni	Marketing	

At least one senior staff member serves on the committee. Committee members serve as a security awareness resource for each of their represented areas.

3.2.3 Responsibilities. The Information Security Committee is responsible for the annual review of security related policies and procedures. Policy proposals and revisions are brought forth from the Information Security Committee for review by Senior Staff, who in turn submit policies to the Regional Board of Trustees (RBOT) for approval. Policies and procedures reviewed by this committee include:

1. Academic Computing Code of Conduct
2. Identity Theft Prevention Policy
3. Acceptable Use Policy
4. Social Networking Policy
5. Information Security Program Policy
6. PCI Policy
7. Account Life Cycle Procedure
8. Printing Policy and Procedure

3.3 Risk Assessment.

3.3.1 Offices Possessing/Safeguarding Customer Information. The following have been identified as among the relevant offices or areas to be considered when assessing the risks to customer information: Academics, Accounting/Payroll, Admissions, Financial Aid, Foundation/Alumni, Health Center, Human Resources, Information Technology, Institutional Research, Marketing, Records Retention/Storage Registrar, Student Accounts, Student Services, Workforce Education/ACE.

3.4 Employee Hiring, Training and Access.

3.4.1 Hiring Full-time and Part-time Employees. The college exercises great care in trying to select well-qualified employees. Hiring supervisors and search committees review applications/resumes, carry out interviews and check references before making their final selection. The Executive Director of Human Resources acting as affirmative action officer also reviews the resumes and signs off on the search procedure providing an additional review of the process and the hire. Background checks are performed on all employees before a job offer is finalized.

3.4.2 Hiring Student Employees. Student workers may be referred by the financial aid office or the diversity office. Individual offices interview students and make the final decision before a student is hired.

3.4.3 Required Annual Training. All employees who have access to Personal Identifying Information (PII) receive the applicable annual training on information security, Red Flags, FERPA, and the college's Acceptable Use Policy. All employees are required to complete information security training and acknowledge their review of the College's security policies and procedures.

3.4.4 Access to Customer Information. Only employees whose job duties require them to access customer information shall have access. Access is limited to the fields, screens, and tables that contain information required for an employee to do their job. Student-worker access is limited in a similar fashion. The Information Technology-Applications department is authorized to establish administrative student accounts at the request of each department head. The student accounts will allow Windows access to restricted programs and BANNER forms as defined by each department head. The department supervisor is responsible to ensure

appropriate student training and to notify the Applications department when a student worker leaves employment, so the account is deactivated.

3.4.5 Disciplinary Measures for Breaches. Employees responsible for an information security breach may face disciplinary action depending on the nature and severity of the breach. Each department is expected to follow the appropriate chain of command in dealing with breaches of security. Issues identified should be rectified as soon as possible. Where the breach is determined to be serious in nature or intentional and/or malicious these incidents should be reported to the Executive Director of Human Resources and the CIO.

3.5 Information Systems.

Information systems include network and software infrastructure, and information processing, storage, transmission, retrieval, and disposal.

3.5.1 Paper Storage System. Access to rooms, offices, and file cabinets where paper records are kept is controlled as follows:

- doors to office areas are locked during non-business hours;
- areas where customer information is processed are locked when left unattended;
- visitors are escorted in areas where customer information is processed;
- visitors are restricted to areas that do not have customer information in plain view;
- file cabinets used to store customer information are located in locked areas, where such areas cannot be locked and are locked when left unattended;
- documents no longer needed are shredded.
- storage and work areas are protected and secured, only those employees having the need to work in these areas are given keys to those areas.

3.5.1.1 Clean Desk Rule. Employees must ensure that all sensitive/confidential materials are removed from their workspace and locked away when the items are not in use, or a user leaves their workstation. This includes removing all sensitive business information from desks every day, including electronic storage devices, notebooks, and printed documents.

3.5.3 Electronic Information Systems. The CIO, Assistant Directors of Infrastructure, Applications, and User Services provide the function of electronic information security.

Information security practices and procedures include:

- multi-factor authentication (MFA) is required to access electronic systems not available to the general public;
- employee's accessing the College's network and information systems remotely must do so through a virtual private network (VPN);
- the College follows the principle of least privilege access where a user or entity only has access to the specific data, resources and applications needed to complete a required task;
- the College utilizes Microsoft's Local Administrator Password Solution (LAPS) to manage local administrator account passwords for domain-joined computers;
- a registry of all computers attached to the college network is maintained;
- a registry of employees with access to covered data is maintained;
- physical security plans for servers and terminals are maintained;
- social security numbers are not the unique identifier used for customers; and
- access to files and programs that contain protected customer information is terminated upon employee separation from the college.

3.5.4 Customer Information Disposal

- Supervisors within each department/office are responsible for the confidential disposal of day-to-day documents. The confidential disposal of college-wide stored records is coordinated by the Records Retention Officer.

- Obsolete confidential documents are set aside for shredding in secure areas and marked confidential before being transferred to the shredding center.
- The college erases or destroys all data when disposing of computers, copiers, CDs, magnetic tapes, hard drives or any other electronic storage devices that contain customer information.
- The college disposes of obsolete customer information in accordance with applicable records retention policies.

4.0 Breach Notification and Reporting

4.1 New York State Information Security Policy Compliance.

CCC complies with the New York State Information Security Policy and notifies the Cyber Command Center of any cyber incident which may have a significant or severe impact on operations or security, or which involves digital forensics, to ensure proper incident response procedures, coordination and oversight.

4.2 Breach Notification.

If a breach occurs, the CIO, Executive Director of Human Resources, Assistant Director of Infrastructure who serves as the Information Security Officer (ISO) should be notified immediately upon discovery. The Assistant Director Infrastructure will investigate the situation and report their findings to the CIO and the Executive Director of Human Resources who will notify the appropriate Administrators. The following factors are assessed in determining if a breach has occurred:

- indications that the information is in the physical possession and control of someone unauthorized (i.e. lost or stolen computer or paper records);
- indications that the information has been downloaded or copied; and
- indications that the information was used by an unauthorized individual (i.e. fraudulent accounts opened or instances of identity theft.)

If it is determined that a breach has occurred, the ISO, CIO or representative will:

- consult with the SUNY Security Operations Center (SOC) and/or Information Technology Exchange Center (ITEC) as applicable;
- consult with NYS ITS Cyber Command Center on any cyber incident which may have a significant or severe impact on operations or security, or which involves digital forensics, to ensure proper incident response procedures, coordination, and oversight and to determine the scope of the breach and restoration measures; and
- inform the College's Executive Directors of Finance, HR, Auxiliary Services, and the President and determine the appropriate course of action as outlined in Section 4.0 Reporting. This may include:
 - reporting any unusual or serious cyber security incidents to SUNY System Administration Chief Information Security Officer (CISO);
 - contacting the college's breach insurance carrier;
 - notifying the Cyber Command Center as appropriate; and
 - disclosing the breach to those whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

4.3 Breach Reporting Procedures.

- [Cyber Incident Reporting Procedures](#)
- [Cyber Incident Reporting - Quick Reference Sheet](#)

- [Incident Notification Report Form](#)

This form must be encrypted if it contains sensitive information and is emailed to the Cyber Command Center. Note: The NYS Office 365 "tenancy" is encrypted. If you are outside of this "tenancy" you may send the Incident Notification Report to the Cyber Command Center through the New York State Secure Portal (for members only) or consider using the Cyber Command Center's PGP public key available below.

5.0 Definitions

5.1 Covered data and information. For the purposes of this policy includes student and other customer financial information required to be protected under the GLB and NYSISBNA, and FTC Red Flag Rules. Covered data and information includes both paper and electronic/magnetic records.

5.2 Customer financial information. Information the college has obtained from a student or other customer in the process of offering a financial product or service, or such information provided to the college by another financial institution. Offering a financial product or service includes offering student loans to students, receiving income tax information from a student's parent when offering a financial aid package and other miscellaneous financial services as defined in 12 CFR § 225.28. Examples of customer financial information include addresses, phone numbers, bank and credit card account numbers, income and credit histories and social security numbers, in both paper and electronic format. For the purpose of this policy, customer shall be defined as anyone utilizing Corning Community College technology services.

5.3 Least Privilege Access. An information security concept which maintains that a user or entity should only have access to the specific data, resources and applications needed to complete a required task.

5.4 Local Administrator Password Solution (LAPS). Microsoft's solution that provides management of local administrator account passwords for domain-joined computers. Passwords are randomized and stored in Active Directory (AD), protected by access control lists so only eligible users can read it or request its reset.

5.5 Multi Factor Authentication (MFA). Authentication using two or more factors to achieve authentication. Factors include: (i) something you know (e.g., password/personal identification number [PIN]); (ii) something you have (e.g., cryptographic identification device, token); or (iii) something you are (e.g., biometric).

5.6 Personal Identifying Information (PII). Per [FTC guidance](#), PII is defined as any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including:

1. name, Social Security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number;
2. unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;
3. unique electronic identification number, address, or routing code; or
4. telecommunication identifying information or access device (as defined in 18 U.S.C. 1029(e))."

5.7 Privileged Access Management (PAM). provides administrators with the functionality, automation and reporting needed to manage privileged accounts. It supports the principle of least privilege access as it allows for the necessary management and oversight to mitigate the risk of accounts that have capabilities beyond the standard user.

5.8 Virtual Private Network (VPN). A virtual network built on top of existing physical networks that can provide a secure communications mechanism for data and IP information transmitted between networks

6.0 References

- 6.1 [Federal Trade Commission Red Flags Rule \(Fair Credit Reporting Act's Identity Theft Rules\)](#)
- 6.2 [FERPA \(Family Educational Rights and Privacy Act\)](#)
- 6.3 [FISMA \(Federal Information Security Management Act\)](#)
- 6.4 [Gramm-Leach-Bliley Act](#)
- 6.5 [HIPPA \(Health Insurance Portability and Accountability Act\)](#)
- 6.6 [NYS Information Security Breach and Notification Act](#)
- 6.7 [NIST Cyber Security Framework](#)
- 6.8 [SUNY Information Security Guidelines: Campus Programs & Preserving Confidentiality #6608](#)
- 6.9 [SUNY Information Security Policy # 6900](#)

SUNY Corning Community College
Board Policy and Administrative Procedures

Policy Title:	Print Resource Use	RBOT Resolution #	#4870-23
Effective Date:	June 8, 2023	Approval Date:	June 8, 2023
Issue/Amendment Date:		Author:	Information Security Committee
Reference:	RBOT Policy Manual	Rescinds	N/A

1.0 Purpose

1.1 The purpose of this policy is to facilitate the appropriate and acceptable use of Corning Community College's print resources by college employees, students, and its affiliates. The college print objectives are to reduce cost, waste, print, and paper, simplify and standardize the printer fleet (both single-function and multifunction devices) and secure and optimize the print environment. This policy is intended to complement SUNY's System-wide Print Resource Use Policy and is not intended to replace or rescind it.

2.0 Policy

2.1 As Corning Community College (CCC) aspires to be the leading college in terms of efficiency, sustainability, cost, and security as it relates to office printing, it is the college's policy to:

- Use CCC system-wide print defaults and standards.
- Limit printing to items essential for academic instruction or required to perform and complete college business.
- Achieve college sustainability goals to reduce paper, energy use, and carbon footprint.
- Deploy college-approved software to monitor usage by individual, application, department, and device.
- Centralize the campus print budget.
- Have 100% of print devices secure and on a campus network, unless approved by IT.

3.0 Oversight

3.1 The Finance and Auxiliary Services departments are responsible for overseeing the college's print practices, including equipment acquisition, creating print efficiency and optimization that complies with privacy, security, and regulatory requirements.

4.0 Procedures

4.1 Summary

The procedures set forth guidelines to assist CCC in defining the appropriate and acceptable use of college office print resources by all its employees and authorized individuals. Specifically, it outlines steps for the campus to reduce cost, waste, print, and paper; simplify and standardize the printer fleet (both single-function and multifunction printers), and secure and optimize the print environment. These procedures do not include devices with a primary purpose other than to support the office printing environment, such as specialty printers like label, barcode, wristband, wide-format, or 3D printers.

Based on an inventory and fleet assessment of the existing print landscape, as well as an analysis of the total cost of ownership (purchase/lease cost, maintenance, supplies, paper, and physical space requirements), the college has made recommendations for a print strategy, including best practices for printing and copying, which devices should be removed or remain in service, which devices should be reallocated, and where devices should be located in relation to their users and other print device locations.

Employees and authorized users are expected to support CCC's sustainability initiative to print "smart" and print less. Doing so saves trees, reduces energy consumption, and saves water (12 oz. per sheet of paper). Reducing print volumes reduces paper consumption and waste, as well as reduces the number of printing devices which leads to decreased energy consumption. By following this procedure, CCC's carbon footprint is further decreased in accordance with SUNY's stewardship and sustainability goals.

In this document, the word "printer" and "device" are used interchangeably and are in reference to any locally attached device (local), single-function printer (SFP), multi-function device (MFD), or a combination of local, SFP, and MFD.

4.2 Office Print Leadership Team. The team includes representatives from Auxiliary Services, Finance, and Information Technology.

4.3 Responsibilities.

- 4.3.1** Develop and communicate print strategy via a college-wide policy and procedure.
- 4.3.2** Champion and model the desired print behavior, sustainability, security, and efficiency.
- 4.3.4** Define device design guidelines, standard configurations, and defaults.
- 4.3.5** In conjunction with the Information Technology (IT) department, assess security implications and required capabilities.
- 4.3.6** Negotiate agreements for hardware, maintenance, and supply pricing.
- 4.3.7** Identify paper intensive processes for digital transformation and implement when practicable. Also, monitor compliance to the policy and procedure.
- 4.3.8** Approve exceptions. Exceptions to this policy will be extremely limited and only in situations that involve critical business needs approved by the Office Print Leadership Team, the Campus President or designee. Confidentiality or convenience are not valid reasons for the need of a local desktop printer because of the availability of private/secure print features.

4.4 Equipment.

- 4.4.1 Only approved and procured devices and supplies are used and supported at CCC.
- 4.4.2 All supplies (excluding paper and staples) are included for every CCC printer.
- 4.4.3 All devices must be networked.
- 4.4.4 Local (non-networked) and personal printers are prohibited.
 - a) local CCC-owned desktop printers currently in service will be removed.
 - b) employees and authorized users may not bring in their own printers or supplies from home to use.
- 4.4.5 All decommissioned CCC printers will be reclaimed by IT and Physical Plant for reuse, recycling, or proper disposal.
- 4.4.6 No new print devices will be acquired, installed, or permitted without evaluation and prior approval by the Office Print Leadership Team.

4.5 Device Distribution and Placement. The distribution of print devices (including model and type) is determined based on output volumes and business requirements. Devices are distributed to ensure:

- 4.5.1 Appropriate utilization.
- 4.5.2 Business processes and workflows are supported.
- 4.5.3 Availability of secure/private printing where needed.
- 4.5.4 Availability to copy, scan, and fax functionality where needed.
- 4.5.5 Availability of color printing where justified (via exception policy).
- 4.5.6 Device security settings and standards are implemented.
- 4.5.7 Location of print device(s) is determined by the number of users, the appropriate distance of those users to the device(s), and the distance between other print devices to optimize device utilization.

4.6 Default Configurations. All devices are deployed with the following default configuration:

- 4.6.1 Duplex (two-sided) printing.
- 4.6.2 Mono printing.
- 4.6.3 Secured and enabled with pull-printing, which requires users to authenticate before using print, scan, copy, or fax at the device.
- 4.6.4 All multi-function printers are configured for Scan-to-Email functionality.
- 4.6.5 The manufacturer default ENERGY STAR settings for sleep and powering down are retained on all imaging equipment to maximize energy savings.
- 4.6.6 Color printing, due to its increased cost, is restricted to the most essential communications and used as an exception.

4.7 Device Optimization. To optimize device usage and effectively allocate devices throughout the SUNY system, target ratios for cost and the number of users per print device are:

- 4.7.1 Total Cost per printed page not to exceed \$0.01x for mono and click rates of <\$.004 for MFDs and <\$.006 for SFPs.
- 4.7.2 Total Cost per printed page not to exceed \$0.03x for color and click rates of <\$.03 for MFDs and <\$.04 for SFPs.

4.8 Print Practices.

- 4.8.1 Budgets for office printing are centralized.
- 4.8.2 All service, maintenance, and supplies are purchased centrally in accordance with the

print contract.

4.8.3 Employees and authorized users shall report any malfunctioning printer by contacting the IT Helpdesk.

4.8.4 CCC employees and authorized users shall keep the usage of print and paper to an absolute minimum by adhering to the following:

- a) Limit the publication, printing, and storage of hard copy documents.
 - 1) Supplying digital versions of course materials to students.
 - 2) Recommending that students can print course materials they feel are necessary through their student print account.
- b) Provide and retain all documents in electronic format, when permitted by law, and consistent with applicable document and records retention policies and requirements.
- c) Print only college business, only what is needed, only when necessary, and by using the lowest cost printing device and configuration available*:
 - 3) Duplex, mono printing default settings.
 - 4) Draft, economy, or fast draft mode printing.
 - 5) Use "Shrink to Fit" or "Shrink One Page."
 - 6) Multiple slides or pages from a presentation or document on each page.
 - 7) Remove unnecessary backgrounds, shading, and graphics from print jobs.
 - 8) Avoid printing one-page documents (e.g., email and Internet web pages) unless there is a business requirement to do so.

*Training is available by contacting the IT Helpdesk

4.8.5 All users of print, fax, copy, and scan activity, as well as all SFPs and MFDs are monitored by CCC approved software for:

- a) Security.
- b) Appropriate usage.
- c) Supplies and maintenance.
- d) Compliance.
- e) Benchmarking and analytics to help every campus continuously improve printing habits, carbon footprint and the cost/performance of each department.

4.9 Exceptions. Exceptions to this procedure will be rare and only in situations that involve critical business needs or legal requirements (e.g., Federal or State regulations, Americans with Disabilities Act).

4.9.1 Exceptions will be granted on a case-by-case basis and requires:

- a critical business need,
- a business case justification,
- authorization from senior leadership, the President or designee, or
- approval from the Office Print Leadership Team.

4.9.2 A legal requirement exception requires:

- written confirmation from campus counsel, or
- written confirmation from campus ADA coordinator.

4.9.3 When legal regulations or protocols require exceptions to this procedure, employees are authorized to override the default printing and document settings (e.g., single-sided printing

and copying).

5.0 Definitions

- 5.10 3D printers** – Also known as additive manufacturing or fabrication printing, 3D printers use a process of making three dimensional solid objects from a digital file.
- 5.11 Authorized individuals** – Any person other than University employees who are granted permission to use University print resources, including but not limited to students and consultants.
- 5.12 Campus network** – The dedicated network at each campus that the user's workstation is connected to, either with a wire or wirelessly that enables their work to be done and print jobs to be submitted and printed.
- 5.13 Centralized Printing Budget** – The process of assimilating all costs that every department spends on print supplies, maintenance, and paper and bringing it together under one campus budget vs departments using their individual budgets to track, order, and pay for these items.
- 5.14 Critical business needs** – Documents and presentations essential to the running and operation of the college that the user believes are better suited to be printed vs shared electronically or administrative processes which, for compliance or regulatory issues, requires a printed document.
- 5.15 Device utilization** – The amount of output volume being produced on any given device. The higher the utilization, the more volume that fixed cost component can be spread over.
- 5.16 Duplex printing** – Printing on both sides of a sheet of paper.
- 5.17 Locally-attached device (local)** – A device that is connected directly or wirelessly to a workstation with only one user mapped to the device.
- 5.18 Mono** – Black and white.
- 5.19 Multi-function device (MFD)** – A print output device that performs multiple (more than one) tasks such as printing, copying, scanning, and faxing.
- 5.20 Print defaults and standards** – Pre-set properties on print devices that may include but are not limited to functions such as mono (vs color) or duplex (vs single-sided) pages. Standards include the characteristics of the devices that SUNY has determined to be most acceptable.
- 5.21 Secure print devices** – The process of requiring user authentication before the features of the output device are enabled. The user can release print jobs from any device that is on the campus network.
- 5.22 Single-function printer (SFP)** – A print output device that only performs one task, most often just printing as opposed to just scanning or just faxing.
- 5.23 Total Cost per Copy (TCC)** – The total cost of ownership (TCO), which includes the fixed cost of the hardware (either the lease, rental, or depreciation charge) combined with the cost of supplies and maintenance; divided by the monthly usage of the device (Average Monthly TCO/Monthly Usage). Sometimes paper is included in the TCO calculation.
- 5.24 Wide format printers** - A wide-format printer is any printer with a maximum paper roll width of between 18 and 100 inches.

6.0 References

[System-wide Print Resource Use](#)
[Executive Order No. 4](#)
[GreenNY: State Purchasing and Operations](#)

SUNY Corning Community College Board Policy and Administrative Procedures

Effective Date: January 7, 2009	RBOT Resolution # 4850-23 Acceptable Use Policy
Issue/amendment date: March 16, 2023	Author: Information Security Committee
References: RBOT Policy Manual, Personnel Policies Handbook for Non-Union Employees	Rescinds: #2944-09; 4161-16

The information has been reformatted so items can be easily referenced

1.0 Purpose

1.1 SUNY Corning Community College offers an extensive array of information resources to students, faculty, staff, and other members of the College community. While the College's general policies and codes of conduct apply to any and all resources of the College, this Acceptable Use Policy (the “Policy”) further defines the special rights and responsibilities that apply to the use of the College's Information Resources (“Resources”).

The Resources of the College include:

- All computers, equipment, software, networks, and related facilities; owned, managed, or maintained by the College, for the handling of data, voice,

- telephone, or related signals or information;
- The creation, processing, communication, distribution, storage, and disposal of information under the College's authority and span of control;
- All messages, data, files, programs, Internet web sites, and other material or information stored in or transmitted via the College's systems.

Resources are made available to support and enhance the academic and administrative goals of the College. All persons authorized for access to these Resources are referred to in this Policy as "Users".

Each User shares in the responsibility to access Resources appropriately and to protect such Resources from unauthorized use.

2.0 Policy

2.1 It is the policy of Corning Community College (CCC) that all employees, Foundation, FSA personnel, students, contractors, affiliates, and other computer users are obligated to use these resources responsibly, professionally, ethically, and lawfully. College resources are provided to authorized individuals (i.e. students, employees, and affiliates) for the purpose of learning, teaching, and conducting business related to the operation of CCC. Using computing resources in any manner that violates any federal laws, New York State penal laws, State University of New York policies, or CCC policies and procedures is prohibited and may result in suspension or termination of computing privileges and/or suspension from the College.

2.2 User Acknowledgement. By logging into a College account, users agree to abide by and comply with all of the terms and conditions set forth in this Policy. It is a user's responsibility to read this Policy carefully, prior to accessing College Resources. Users are responsible for their unacceptable, unethical, or illegal use of college information technology resources.

3.0 Procedures

3.1 Authentication Requirements. CCC requires all employees, Foundation, students, contractors, affiliates, authorized guests, and other computer users to use their own unique login username and password to access computing resources. This identity verification process is to protect the individual's privacy. Individuals are responsible for maintaining their own secure password on College owned equipment and on personal devices that are used to access College files and/or data. Passwords are not to be shared with others. Upon approval of the Chief

Information Officer or their designee, guests and consultants are issued a temporary password that expires upon completion of their visit.

User IDs and passwords are the primary method used to authenticate users prior to access to College resources. To ensure security of College resources, users must adhere to the following:

1. Access resources only from secure environments;
2. Change passwords regularly and never share passwords with others;
3. Use multi-factor authentication to access all services.
4. Report any perceived unauthorized access;
5. Notify the Information Technology (IT) department if passwords have been compromised;
6. Log out of sessions before leaving any resource unattended;
7. Safeguard resources from any threats to its accuracy or integrity;
8. Protect resources from unauthorized disclosures;
9. Cooperate fully during investigations of improper use.

Users may be held responsible for authorized or unauthorized activity conducted under their College issued ID.

No person, including any member of the IT staff, is authorized to request a user's password.

3.2 Authorized Use. Resources may be accessed and used only for the purposes authorized by the College. These purposes are generally comprised of work, professional development, study, research, service, or student activities consistent with the College's mission and goals. Authorized use of Resources will comply with:

- Relevant College policies, such as:
- State and federal laws and regulations, such as: SUNY Cyber Incident Reporting Policy
- Third-party licensing agreements;
- Intellectual-property rights, including copyrights

The College acknowledges that limited personal use of its Resources is compatible with a higher educational environment, but only where such personal use acts to foster support of the College's broader goals. Personal use will be incidental, at most, and may not cause the College to incur additional costs. In general, use must be appropriate and in compliance with College policies; not violate the law, licensing agreements or intellectual property rights; and not interfere with any individual's responsibilities.

3.3 Acceptable Use. Acceptable use standards require the following of each user:

1. To learn how to use College Resources effectively and responsibly;
2. To accept responsibility for backup and security of your own work;
3. To abide by all security provisions;
4. To understand and respect software copyright laws;
5. To identify yourself clearly and accurately in electronic communication;
6. To respect the rights of others to have freedom from harassment or intimidation;
7. To recognize limitations to privacy in electronic communications.

3.4 Unacceptable Uses. Examples of unacceptable uses include, but are not limited to, the following:

1. Obtain Resources beyond their authorization; Hack, tamper or attempt to gain unauthorized access to confidential information, obtain resources beyond their authorization;
2. Use Resources in a malicious or harmful manner;
3. Use Resources to threaten or harass any person or to create a hostile place to work or study;
4. Intentionally degrade performance or deprive other Users of access to resources;
5. Install software without the consent of IT;
6. Extend the network by introducing a hub, switch, router, firewall, wireless access point, server, or any other service or device without obtaining prior approval from IT;
7. Send unauthorized e-mail;
8. Use another User's account without permission;
9. Give or publish a password, identifying code, personal identification number, or other confidential information of another User.
10. Attempt to corrupt or sabotage security systems or data protection schemes;
11. Engage in copyright infringement or other unauthorized downloading, copying and/or distribution of copyrighted material;
12. Engage in any illegal commerce or any illegal activity of any kind;
13. Use resources for personal gain, for the benefit of a third party, or for activities that are inconsistent with the College's tax-exempt status (such as political campaigning);
14. Store personal identifiable information such as social security numbers and College ID numbers on device hard drive or in any cloud computing space;
15. Create and/or operate web sites on computers on the College network without obtaining prior approval from IT;
16. Attempt to destroy or sabotage the computer system or attempt to perform any act that impacts upon the proper operation of computer systems, such as intentionally spreading computer viruses;

17. Perform acts that waste computing resources or that unfairly monopolize resources to the exclusion of others such as excessive printing, sending chain letters, and sending unnecessary mass mailings.

All users of the computer system must act responsibly and maintain the integrity of the computer system. The College reserves the right to limit, restrict, revoke, suspend, or deny computing privileges and access to the computer system.

3.5 Security. To ensure security of resources users must adhere to the following:

3.5.1 Electronic Communications. All messages, data, files, programs, internet websites, and other material or information (individually and collectively referred to as “electronic communications”) stored in or transmitted via the College’s computer system are College records. Accordingly, the College reserves the right to access and disclose the content of electronic communications stored in or transmitted via its computer system:

1. as it deems appropriate for the administration and maintenance of the computer system;
2. when the College determines that such access or disclosure is necessary to investigate a possible breach of security, misuse of College resources, violation of law, or infringement of College rules;
3. when the College determines that such access and disclosure is necessary in connection with an academic, disciplinary, or administrative inquiry, or legal proceeding; or
4. for all other purposes permitted by law.

The College may routinely monitor and log usage data such as network session connection times and end-points, computer and disk utilization for each user, security audit trails, network loading, etc. Each user’s use of the computer system constitutes consent to the College’s access, disclosure, and monitoring. Users of the computer system should not have any expectation of privacy in any electronic communications stored in or transmitted via the College’s computer system. Intellectual property rights for content of electronic communications are not governed by this Acceptable Use Policy.

3.5.2 Data Privacy. The College reserves the right to access, monitor, remove, and disclose any use of resources, or to block access to resources, without notice to users, after:

1. obtaining approval from an authorized College administrator, or,
2. receiving a court order or other legal demand, or,
3. determining that a compelling need exists to do so.

While the College diligently safeguards its resources, it cannot guarantee the security of resources against unauthorized access or disclosure. Users, therefore, should exercise extreme caution in using electronic messaging to communicate confidential or sensitive matters, and should not assume that their electronic messaging is private or confidential.

In addition, the College is subject to public records statutes that require us to make available records we maintain—both paper and electronic—for public inspection.

3.5.3 Remote Work. The use of an employee’s personal computer to access work-related sites, applications, systems, and other information, is dependent on the use of appropriate security protocols. All employees must adhere to the following:

1. Under no circumstance may the employee allow college issued equipment to be used by any other person except as appropriate with their campus work obligation.
2. Use a Virtual Private Network (VPN) access to access Banner and Argos from remote locations.
3. Use multi-factor authentication to access all services.
4. Employees should log off and secure any computer being utilized to conduct official business when not in use, consistent with campus computer use policies.
5. Keep all applications and operating systems patched and updated with the latest supported releases.
6. Maintain up-to-date anti-virus software.
7. Safeguard all passwords used in connection with college files or programs and ensure sensitive information is protected.
8. Only take confidential information offsite when authorized in advance by their immediate supervisor/manager.
9. Protect and safeguard personal identifying information (PII), official records, information, files, documents, equipment, and other materials transported back and forth between the official work site and the alternate work site.
10. Avoid transferring or storing official data or information to any personal device or transferring work email to personal email addresses, text messaging, and social media services.
11. Do not share or make available any SUNY/campus information to other individuals except as appropriate and consistent with campus work obligation.
12. Comply with all established policies and procedures regarding protecting confidential and sensitive information. Securely store all hard copy documents or office media so that others cannot access it.
13. Do not communicate confidential information where others can listen.
14. Contact the Records Retention officer to properly dispose of confidential/sensitive documents requiring destruction.
15. Take appropriate action to protect the items from damage or theft. Loss or theft of equipment must immediately be reported to the remote worker’s immediate supervisor/manager.

3.5.4 Unauthorized Access or Disclosure. Unauthorized access to or disclosure of official information or systems must be immediately reported to the immediate supervisor/manager and the Chief Information Officer, consistent with the SUNY Cyber Incident Reporting requirements. The employee must complete any required documentation of the suspected breach.

Unauthorized access or disclosure, including the release of confidential information or personally identifiable information due to employee neglect, will be addressed through administrative actions.

4.0 Reporting Violations

4.1 Reporting. To report a violation of this policy, send an e-mail message to helpdesk@corning-cc.edu, or call the Helpdesk at (607) 962-9555.

4.2 Violators. The College reserves the right to limit, restrict, revoke, suspend, or deny privileges and access to College Resources as it deems in its best interests, including:

- For the efficient and effective administration and maintenance of its Resources;
- When necessary to investigate the possible breach of security, misuse of College Resources, violation of law, or infringement of College rules;
- When required in connection with an academic, disciplinary, or administrative inquiry, or legal proceeding;
- Such other times or instances as permitted by law.

In order to enforce this policy and to comply with the enforcement of federal, state and local laws, IT may monitor, inspect, and retain contents of transmissions and files of College Resources. If unauthorized use is found, IT will take immediate actions to remediate such abuse.

Violators of the Acceptable Use Policy will be subject to the College's existing student or employee disciplinary procedures. Illegal acts involving College Resources may also subject Users to prosecution by local, state, or federal authorities.

In addition to these procedures, employees are responsible for adhering to the SUNY Information Security Policy (Document 6900).

5.0 Training and Review

5.1 Training. Employees shall complete annual information security training, which includes reviewing and acknowledging the review of the College's acceptable use policy.

5.2 Policy and Procedure Review. The College reserves the right to change this policy and procedures at any time. The Information Security Committee reviews the policy and procedures annually. The College will post updates and will inform users of such changes through College communications.

6.0 Definitions

6.1 Multi Factor Authentication (MFA). Authentication using two or more factors to achieve authentication. Factors include: (i) something you know (e.g., password/personal identification number [PIN]); (ii) something you have (e.g., cryptographic identification device, token); or (iii) something you are (e.g., biometric).

6.2 Personal Identifying Information (PII). Per FTC guidance, PII is defined as any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including:

1. name, Social Security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number;
2. unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;
3. unique electronic identification number, address, or routing code; or
4. telecommunication identifying information or access device (as defined in 18 U.S.C. 1029(e)).”

6.3 Virtual Private Network (VPN). A virtual network built on top of existing physical networks that can provide a secure communications mechanism for data and IP information transmitted between networks

7.0 References

7.1 SUNY Information Security Guidelines: Campus Programs & Preserving Confidentiality #6608

7.1 SUNY Information Security Policy # 6900

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SOCIAL NETWORKING POLICY

SUNY Corning Community College Board Policy and Administrative Procedures

Policy Title: Social Networking Policy	RBOT Resolution #3407-11
Issue/amendment date: October 5, 2011	Approval Date: October 5, 2011
Author: Technology/Information Steering Committee; Information Systems	
Referenced in additional documents: College Personnel Policy Handbook	

Social Media Policy

The Social Media Policy is established to utilize social mediums effectively so that the College may protect its confidential and proprietary information; respect copyright and intellectual property; safeguard its institutional voice; and, protect the professional and personal reputations of the College community.

Introduction

Social media are powerful communications tools that have significant impact on organizations and professional reputations. Sometimes there is confusion between personal voice and institutional voice, SUNY Corning Community College has provided the above policy and following document to clarify how best to enhance and protect personal and professional reputation and to promote one voice when participating in social media.

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples would include but not be limited to Twitter, Facebook, YouTube, and MySpace.

Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. The same laws, professional expectations and guidelines for interacting with students, parents, alumni, donors, media, and other college constituents apply online as in the real world. The College and its employees are liable for anything they post to social media sites.

Section 1: Policies for College Related Social Media Sites, Including College Related Personal Sites

1.1 Protect confidential and proprietary information: Do not post confidential or proprietary information about SUNY Corning Community College (CCC), students, employees, or alumni. Employees must still follow the applicable federal requirements such as FERPA and HIPAA, as well as National Junior College Athletic Association (NJCAA) regulations. Adhere to all applicable college privacy and confidentiality policies, including policies concerning the images of individuals. If there is ever a question concerning these requirements contact the Chief Information Officer of the College.

1.2 Respect copyright and intellectual property: Sharing of images, video, audio, or newspaper/journal articles is subject to copyright law. When posting content, be mindful of the copyright and intellectual property of others and of the College. For guidance and questions about use of copyrighted material, contact the Associate Dean of Learning Resources in the Library.

1.3 Don't use CCC logos for endorsements: Do not use the CCC logo or any other college image or iconography on **personal** social media sites. Do not use CCC's name to promote a product, cause, or political party or candidate.

1.4 Respect college time and property: College computers and time on the job are reserved for college related business as approved by supervisors and in accordance with the Acceptable Use Policy of the college.

Section 2: Institutional Social Media

If you post on behalf of an official college unit, including official student organizations and clubs, the following policies must be adhered to in addition to all policies listed above in Section 1.

2.1 Notify the College: Departments or college units that have a social media page (prior to the ratification of this policy) or would like to start one should contact their supervisor and/or senior staff representative. Units that are unsure who to contact should contact the college Marketing Office at 607-962-9109. Departmental site(s) must be registered with the Associate Director of Marketing and the College Chief Information Officer (CIO) of the college. A manager of the site will be designated. Forms are available from either of these offices.

2.2 Appropriately established: Social media sites that represent the College or any of its departments should be established in a way that will not expose users to inappropriate advertising or links to other posts that do not reflect well on the College.

2.2 Acknowledge who you are: If you are representing CCC when posting on a social media platform, acknowledge this.

2.3 Keep current: It is the responsibility of the site manager to keep the information on social media sites up-to-date, taking into account the desired messages, audiences, and goals.

2.4 Link back to the College: When appropriate, link back to the CCC Website. Posts should be brief; redirecting a visitor to content that resides within the CCC Web environment. When linking to a news article about CCC, check first to see whether you can link to a release on the CCC site instead of to a publication or other media outlet.

2.5 Protect the institutional voice: Posts on social media sites should protect the College's institutional voice by remaining professional in tone and in good taste. No individual or CCC unit should construe its social media site as representing the College as a whole. Consider this when naming pages or accounts, selecting a profile picture or icon, and selecting content to post—names, profile images, and posts should all be clearly linked to the particular department or unit rather than to the institution as a whole.

Section 3: Best Practices

This section applies to those posting on behalf of an official college unit, though the guidelines may be helpful for anyone posting on social media in any capacity.

3.1 Think twice before posting: Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect on both a poster and the College. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. If you wouldn't say it at a conference or to a member of the media, consider whether you should post it online. If you are unsure about posting something or responding to a comment, ask your supervisor for input.

3.2 Strive for accuracy: Get the facts accurately before posting them on social media. Review content for grammatical and spelling errors. This is especially important if posting on behalf of the College in any capacity.

3.3 Be respectful: Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they reflect on the poster and/or the College and its institutional voice.

3.4 Remember your audience: Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes prospective students, current students, current employees and colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, or provoke any of these groups.

3.5 On personal sites, identify your views as your own: If you identify yourself as a CCC faculty or staff member online, it should be clear that the views expressed are not necessarily those of the institution.

3.6 Photography: Photographs posted on social media sites easily can be appropriated by visitors. Consider adding a watermark and/or posting images at a resolution that will not be easily printed. Remember that CCC policies relating to the publishing and use of College images apply to online postings as well as to print media. Contact the Marketing Office at 607-962-9109 with questions.

Original Issue date: October 5, 2011

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**INSTITUTIONAL ADVANCEMENT/
DEVELOPMENT FOUNDATION**

ACCEPTANCE OF NON-MONETARY GIFTS TO THE COLLEGE

SUNY Corning Community College Administrative Procedure

Issue/Amendment Date: June 2014	Donations of Non-Monetary Gifts
Author: Office of Institutional Advancement	Administrative Procedure #2014-04

This Procedure provides a mechanism through which the College may accept non-monetary gifts.

Policy

The primary goal in the acceptance of non-monetary gifts is to acquire only the material and equipment most relevant to institutional needs, which may include material and equipment that aids in direct program support, or in meeting the basic needs of students, faculty and staff. Such non-monetary gifts may be required to strengthen current programs or to broaden the scope of program offerings.

Principles

These principles apply to any non-monetary gift offered to the College that has not been previously identified as a College need and/or requires dedicating College property.

- The College has the right to refuse non-monetary gifts;
- Donors may not place restrictions on non-monetary gifts;
- Donors will transfer ownership of non-monetary gifts to the College;
- The College reserves the right to use non-monetary gifts for another purpose as future needs may require;
- Donors will provide financing for any costs incurred by the College and for maintenance required in perpetuity as applicable, depending on the nature of the gift;
- Such financing may be used as the College deems fit, should the original purpose of the non-monetary gift change;
- The College may dispose of non-monetary gifts as it deems fit.

Requirements

Gifts classified as real estate, construction, architectural services, engineering services, or other such services or in-kind contributions may require that notice be given to The State University of New York but will require that notice be given to the three regional county legislatures.

Gifts of real estate, personal property, equipment and other in-kind items will be assessed at fair market value. Documentation of gifts at fair market value must be provided to comply with IRS rules and guidelines and to insure accurate records and asset control. The donor will furnish the fair market value of non-cash gifts. For gifts valued at \$5,000 or higher, a written certification

by a qualified appraiser may be required in accordance with IRS regulations (Form 8283). It is the donor's responsibility to obtain the gift appraisal.

Gifts may not be contingent upon any conditions, whether by gratis advertising, monetary, or any form of financial gain to the donor.

Responsibilities

The Vice President and Dean of Academic Affairs will determine the appropriate connection of the gift to the College's academic programs.

The Vice President and Dean of Student Development will determine the appropriate connection of the gift to the College's student services.

The Vice President of Administrative Services will ensure that the gift may be reasonably acquired, installed and maintained.

The Executive Director of Institutional Advancement, acting as the Executive Director of the SUNY Corning Community College Development Foundation, will record, receipt, and acknowledge all gifts to the College and will collect any information necessary to comply with IRS regulations.

The President will make a recommendation to the Board of Trustees based on the input received from Academic Affairs, Student Development, Administrative Services and Institutional Advancement.

Procedure

- The department manager will obtain a letter (the "Letter") from the company or owner proposing a Non-Monetary Gift to the College. The Letter will (1) describe the Gift being donated; (2) estimate the value of the Gift; and (3) state that title is being transferred to SUNY Corning Community College without restriction. If there is any question regarding the value of the Gift, the College may request an independent appraisal. The cost of that appraisal will be paid by the owner according to IRS regulations governing charitable gifts.
- The department manager will forward a written memorandum (the "Memorandum") to the VP/Dean of Academic Affairs and/or the VP/Dean of Student Development. That Memorandum will (1) recommend whether to accept the Gift; (2) identify the value of the Gift to a specific academic program or student service; (3) establish a "useful life" in years for the remaining life of the Gift; and (4) specify any costs to acquire, install, and/or maintain the Gift. A copy of the Letter will accompany the Memorandum.
- The VP/Dean will review both Memorandum and Letter (the "Package") and will determine whether the Gift is relevant to institutional needs and will prepare a written recommendation (adding the recommendation to the Package). The Package will be submitted to Administrative Services.

- Administrative Services will review the Package and detail any costs necessary to acquire, install and maintain the Gift over the estimated useful life of the Gift (adding the estimates to the Package). The Package will be submitted to Institutional Advancement for processing.
- Institutional Advancement will determine the value of the Gift (including additional costs to acquire, install, and/or maintain the Gift):
 - If the value of the Gift is over \$5,000, Institutional Advancement will develop a Gift acceptance resolution and will forward the Package to the President for review with the Board of Trustees.
 - If the value of the Gift is under \$5,000, Institutional Advancement will forward the Package to the President for acceptance.
- Once accepted, Institutional Advancement will notify the owner of the Non-Monetary Gift, and accept that Gift on behalf of the College. Institutional Advancement will record the receipt of the Gift as a charitable donation, and thank the original owner for the Gift.
- If the useful life of the Gift is estimated to be 5 (five) years or longer, and/or the cost to maintain the Gift is estimated to exceed \$5,000 over the useful life of the Gift, the Board of Trustees may request the SUNY Corning Community College Development Foundation (the “Foundation”) to establish a maintenance fund (the “Fund”) earmarked for the maintenance of the Gift. A separate Memorandum of Understanding between the College and Foundation will be executed to establish this Fund and will follow prevailing Foundation Policy, and will be fully funded prior to the creation of the Fund and the signing of the Memorandum of Understanding.
 - The Foundation’s Endowment Policy sets the terms and conditions of such Funds.
- Once accepted, Administrative Services will record the asset in the College’s fixed asset system.

Disposal

The department manager will forward a written memorandum to the VP/Dean of Academic Affairs and/or the VP/Dean of Student Development, stating the College no longer has need for the donated Non-Monetary Gift. All disposals of Gifts must comply with IRS regulations, which will be ascertained by Institutional Advancement.

Administrative Services will be responsible for the removal of the asset from the College's fixed assets and will determine how the asset will be disposed (i.e. junked, auctioned, etc.). If, through the disposal of the Gift, there is any money received, that money becomes the property of the College, not the department to whom the gift was made. There is no allowance under this procedure for the transfer or trade of the Gift.

If appropriate, the Board of Trustees will be informed of the disposal of the Gift.

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**Contract between SUNY Corning Community College and the SUNY Corning Community
College Development Foundation, Inc.**

AGREEMENT

Resolution #3736-13

THIS AGREEMENT is made this 8 day of August, 2013, by and between SUNY Corning Community College, with its principal office located at One Academic Drive, Corning, NY 14830 ("College"), and SUNY Corning Community College Development Foundation, Inc., a New York State not-for-profit corporation ("Foundation").

WHEREAS, the College is a New York community college and part of the State University of New York system; and

WHEREAS, the Foundation was created in 1982 to support the interests of SUNY Corning Community College, to help enable the College to maintain a measure of excellence, and to undertake development programs to enhance the College's educational and public service mission; and

WHEREAS, the parties, as independent legal entities united in common goals, desire to define their respective roles in the solicitation of gifts and administration of assets for the benefit of the College;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

1. The College and Foundation agree to coordinate their respective operations in the areas of fundraising and asset management.
2. The Foundation shall reserve seats on the Foundation's Board of Directors for the President of the College and for the Chair of the College's Regional Board of Trustees. The Foundation shall also reserve one seat for an additional representative from the Regional Board of Trustees as designated by the Trustees from time to time.
3. The College shall regularly communicate the short-term objectives and long-term goals of its strategic plan to the Foundation Board. The Foundation shall align its short-term objectives and long-term goals with the College's strategic plan.
4. The Foundation shall solicit, accept, and manage assets to benefit the operations and mission of the College. The College shall refer all potential donors to the Foundation, and the Foundation shall accept all donations that are consistent with the objectives and goals of the College, with the objectives and goals of the Foundation, and with the laws, policies, and practices governing the operations of the Foundation. The College may, from time to time, directly accept donations

when the parties and the donor deem such acceptance appropriate under the circumstances. The Foundation shall not accept any gift which obligates the College in any significant way without prior approval of the Regional Board of Trustees.

5. The College shall maintain an institutional advancement office to manage the College's fundraising functions. The institutional advancement office shall have a chief executive officer who reports directly to the College President. The Foundation acknowledges that said office and said chief executive officer shall have such specific titles and duties as the College determines in its sole discretion.

6. The Foundation shall appoint the chief executive officer of the College's institutional advancement office as the Foundation's executive director. The College acknowledges that when acting as the Foundation's executive director, said chief executive officer shall act under the sole direction of, and only to the extent authorized by, the Foundation Board of Directors; provided, further, that the Foundation shall not give any directives to said executive director that cause him/her to violate his/her obligations to the College. The Foundation President shall provide to the College President, upon the latter's requests from time to time, anonymized feedback from the Foundation's Board of Directors that can be used in the chief executive officer's employee evaluation.

7. The Foundation shall provide support to the institutional advancement office in accordance with the strategic plan of the Foundation. Such support shall include, but not be limited to, advice, guidance, recommendations, donations, and volunteer time.

8. The President of the College is authorized to assign College personnel, and specifically institutional advancement office personnel, to tasks or projects recommended by the Foundation, but it is acknowledged by both parties that such assignments of personnel are made under the sole direction of the College and such recommended tasks or projects are undertaken as the work of the College. No employee of the College shall be deemed an employee of the Foundation while working under the direction of the College.

9. The President of the College is also authorized, to the extent deemed appropriate in the President's sole discretion, to coordinate the schedules of College employees when such College employees are directly employed by the Foundation to engage in tasks or projects under the sole direction of the Foundation. It is acknowledged by both parties that such employment with the Foundation is under the sole direction of the Foundation and that such tasks or projects are undertaken as the work of the Foundation. No employee of the College shall be deemed an employee of the College while working under the direction of the Foundation. No employee of the Foundation shall be deemed an employee of the College while working under the direction of the Foundation. Both parties agree to implement such practices and provide such notices to accurately reflect an individual's employment status.

10. The operations of the Foundation shall be in compliance with all applicable laws. All assets received and administered shall be accounted for in accordance with generally accepted accounting principles. An annual audit of the Foundation's accounts, at the expense of the

Foundation, shall be made by an independent certified public accountant. The annual report of the Foundation shall be provided to the Regional Board of Trustees.

11. The parties shall share information about prospective and actual donors, including but not limited to students, employees, and alumni, as appropriate and to the extent permitted by law. All records received by the Foundation from the College shall be used only for fundraising and development for the benefit of the College.

12. The parties shall establish coordinated policies and practices for the transfer of funds to or for the benefit of the College, including but not limited to the administration of scholarships and the disposition of annual fund proceeds. When such policies and practices are subscribed by each party's President, such policies and practices shall be deemed addenda to this Agreement.

13. The term of this Agreement shall be perpetual. This Agreement may be terminated by either party upon ninety (90) days' prior written notice in accordance with the notice provisions of this Agreement.

14. All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered in person, or mailed by certified mail, postage prepaid, to the addresses set forth below, or to such other address as the party in question may specify in writing to the other from time to time:

SUNY Corning Community College SUNY Corning Community College
Office of the President Development Foundation
One Academic Drive President
Corning, NY 14830 One Academic Drive
Corning, NY 14830

15. This Agreement constitutes the entire agreement of the parties hereto with respect to the subject matter hereof and shall not be modified or amended except by written agreement of the College and the Foundation.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the day and year first above written.

Resolution #3736-13

Approved: 08/08/13

Replaced:

Resolution #2035-04

Resolution #1304-99

Referenced: Trustee Reference Manual

MEMORANDUM OF UNDERSTANDING

Resolution #3794-13

This Memorandum of Understanding is entered into as of the 12 day of December, 2013, by and between the **SUNY CORNING COMMUNITY COLLEGE DEVELOPMENT FOUNDATION, INC.** (“Foundation”) and **SUNY CORNING COMMUNITY COLLEGE** (“College”).

WHEREAS, the SUNY Corning Community College Development Foundation, Inc., and SUNY Corning Community College have a contractual agreement, dated December 12, 2013, pertaining to the relationship of the two parties; and

WHEREAS, the Foundation has a fiduciary responsibility to donors and the College to ensure proper stewardship of all funds held by the Foundation such that said funds ultimately benefit the College; and

WHEREAS, the College will, from time to time, desire to access funds held by the Foundation; and,

WHEREAS, the Foundation and the College desire to establish procedures for the processing of requests for funds from, and distributions to, the College;

NOW, THEREFORE, the parties state their understanding as follows:

1. The College recognizes that the Foundation holds assets that may be subject to a variety of restrictions, imposed by donors or by law, on use and distribution.
2. The College will make written requests to the Foundation for distributions by resolution of the Regional Board of Trustees (“RBOT”). When the RBOT acts to initiate such a request, the College will provide the Foundation with a certified resolution.
3. Requests made by the College to the Foundation will include the supporting information deemed necessary by the Foundation so that the Foundation can confirm that the intended use matches any restrictions that may apply. Supporting information provided to the Foundation will include, but not be limited to, the following:
 - a. A description of the project, including the purposes thereof;
 - b. The total cost of the project;
 - c. The amount of money requested from the Foundation;
 - d. The sources and amounts of other funds used for the project;
 - e. The timetable for the project; and

- f. The requested date for the transfer of funds from the Foundation to the College.
4. Unless the request from the College specifies other necessary time constraints, the Foundation will review the request no later than its next regularly scheduled Board meeting and will provide a written response to the College within 14 days thereafter as to the action taken by the Foundation.
5. If the request from the College meets applicable restrictions, the Foundation will approve the transfer of funds.
6. Requests for unrestricted funds will be approved to the extent that the Foundation determines that funds are available. Once the transfer of funds has been approved, such transfers will be made on or about the requested date. If funds are unavailable for transfer, the Foundation will provide the College with a timetable for such distributions. Transfers will be made solely to the extent funds are actually received and available, or will be made from other unrestricted assets, as the Foundation deems appropriate.
7. Both parties recognize that each utilizes certain protocols and is the subject of various legal requirements regarding the disbursement and expenditure of funds. The College and the Foundation will rely upon the representations made by the other. Any action by either party will not be construed as any type of confirmation that the process followed by the other meets that other party's own policy and/or legal requirements.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be effective as of the date written above.

Resolution #3794-13
Approved: 12/12/13

Referenced: Trustee Reference Manual

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NAMING OF BUILDINGS, ROOMS AND GROUNDS AT SUNY CORNING COMMUNITY COLLEGE

Resolution #3166-10

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College previously approved Resolution #1162-98 and Resolution #2075-04 *Policy for Naming of Buildings, Rooms and Grounds at SUNY Corning Community College*, and

WHEREAS, the External Affairs Committee has reviewed the Chancellor's Guidelines for Naming Opportunities on Campuses of the State University of New York,

WHEREAS, the SUNY Corning Community College Development Foundation formally amends Policy #006 Gift Acceptance to increase permanent designated fund levels from \$10,000 to \$25,000,

THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the attached revision of *Guidelines for Naming Opportunities at CCC*.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Resolution #2075-04 be rescinded.

Guidelines For Naming Opportunities At CCC

Naming Existing Buildings	amount from which interest that is generated equals yearly operational costs
Naming Future Buildings	50% of construction costs
Naming Rooms and Features of Buildings	\$ 50,000 to \$100,000
The President's Fund for Excellence (Endowment)	\$ 50,000
Naming Endowed Chairs This includes providing full support for an outstanding scholar	\$ 1,000,000

Naming Professorships	\$ 600,000
Support for an outstanding faculty member	
Naming Supplemental Professorial Chairs	\$ 300,000
Quasi-endowment income providing support	
for special projects/programs or to supplement	
faculty salaries	
Naming Scholarships	\$ 25,000
To provide financial assistance for CCC students	
Great Teachers Award	\$ 100,000
Support for Academic Teaching and Research	

Approved: 05/12/10

Replaced:
Resolution #2075-04
Resolution #1162-98

Referenced: Trustee Reference Manual

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SHARED GOVERNANCE

SUNY CORNING COMMUNITY COLLEGE ASSEMBLY BY-LAWS

Resolution #2173-05

WHEREAS, the SUNY Corning Community College community and the Regional Board of Trustees have both approved the constitution of the College Association, inclusive of all employees of SUNY Corning Community College, and

WHEREAS, the respective three Assemblies and Joint Council of the College Association have reviewed and approved the By-laws of each Assembly,

BE IT RESOLVED, that the Regional Board of Trustees accepts the By-laws approved by each Assembly of the College Association of SUNY Corning Community College.

Approved: 04/20/05

Referenced: MyCCC: Governance; Shared Governance:

Faculty Assembly By-Laws

Administrators Assembly By-Laws

PaSS Assembly By-Laws

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SUNY CORNING COMMUNITY COLLEGE ASSOCIATION CONSTITUTION

Resolution #2043-04

WHEREAS, the College Community, by a vote of 179 to 24, has chosen to accept a new governance model that is inclusive of all employees of SUNY Corning Community College,

BE IT RESOLVED, that the Regional Board of Trustees accepts the Constitution approved by the College Community as the foundation of the College Association of SUNY Corning Community College.

Approved: 05/18/04

Referenced: MyCCC: Governance; Shared Governance: The Constitution for College Governance

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SUNY CORNING COMMUNITY COLLEGE JOINT COUNCIL BY-LAWS

Resolution #2294-05

WHEREAS, the SUNY Corning Community College community and the Regional Board of Trustees have both approved the constitution of the College Association, inclusive of all employees of SUNY Corning Community College, and

WHEREAS, the Joint Council of the College Association has developed, reviewed and approved the By-Laws of the Joint Council,

BE IT RESOLVED, that the Regional Board of Trustees accepts the By-Laws of the Joint Council of the College Association of SUNY Corning Community College.

Approved: 11/16/05

Referenced: MyCCC: Governance; Shared Governance: Joint Council By-Laws:

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STUDENT FINANCE

STUDENT TRUSTEE AWARD

Resolution #2271-05

WHEREAS, SUNY Corning Community College has identified specific projects through the Major Gifts Campaign that require financial support, and

WHEREAS, it is the focus of the SUNY Corning Community College Development Foundation to solicit, receive, and manage assets in order to contribute to the long-range goals, objectives, and success of SUNY Corning Community College, and

WHEREAS, the SUNY Corning Community College Development Foundation recently approved the establishment of the CCC Student Trustee Award as a fund that will encourage and support Student Trustees transferring to a 4-year college from CCC,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College does hereby endorse the CCC Student Trustee Award.

Approved: 10/05/05

Referenced: Referenced: Trustee Reference Manual

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TUITION AND FEE REFUND POLICY

Resolution #873-95

WHEREAS, revisions to the Student Assistance General Provisions under 34 CFR 668 issued by the Department of Education effective July 1, 1995, among other things, require changes in the refund policy for students receiving financial assistance under Title IV of the Higher Education Act, and

WHEREAS, SUNY Corning Community College participates in Federal student assistance programs under Title IV of the Higher Education Act of 1965, and needs to revise its current refund policy consistent with the revisions issued by the Department of Education,

NOW, THEREFORE, BE IT RESOLVED that SUNY Corning Community College hereby adopts the Refund Policy established by the revisions to the Student Assistance General Provisions under 34 CFR 668 issued by the Department of Education effective July 1, 1995.

Approved: 08/09/95

Replaced:
Resolution #605-93

Referenced: College Catalog

Available: MyCCC Welcome Page: College Catalog: REFUND OF TUITION AND FEES

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VARIABLE TUITION

Resolution #1100-97

WHEREAS, the State University of New York has amended regulations contained in section 602.10(c) of the SUNY Code, pertaining to rates established for course offerings and

WHEREAS, the amended regulations allow community colleges to provide discounted tuition rates for part-time students during off-session, off-campus or off-peak hours and

WHEREAS, the College wishes to take advantage of these amended regulations beginning with the 1997-98 fiscal year,

NOW, THEREFORE BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees hereby adopts a variable tuition plan to discount the approved part-time tuition rate, by up to 66%, for those courses that fit the definitions contained in section 602.10(c) of the SUNY code and for which the College deems a variable rate is appropriate.

BE IT FURTHER RESOLVED, that this resolution shall be forwarded to the State University of New York as an amendment to our 1997-98 Tuition and Fee schedule.

Approved: 07/16/97

Referenced: College Catalog

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HISTORY

ADOPTION OF MUTUAL FUNDS OPTION UNDER THE TAX-DEFERRED ANNUITY PROGRAM

Resolution #2893-08

WHEREAS, the State University administers tax-deferred special annuity and custodial account supplemental retirement programs on behalf of employees of the State University and community colleges under the program of the State University, and designates the insurers and companies that provide investment vehicles under such programs, pursuant to Art. 8-C of the Education Law and Section 403(b) of the Internal Revenue Code; and

WHEREAS, the State University wishes to simplify the programs by reducing the number of insurers and companies that provide investment vehicles under the program in order to address comprehensive changes effected by final regulations promulgated by the Internal Revenue Service (72 FR, No. 143, p. 41128 et seq., July 26, 2007); and

WHEREAS, it is the intention of the State University to administer the special annuity and custodial account supplemental retirement programs as a single program under a single written plan for purposes of Section 403(b) of the Internal Revenue Code and such regulations of the Internal Revenue Service, and

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College has previously authorized, via resolution, the offering of TIAA-CREF, AIG, ING, MetLife and Fidelity and 14 other financial service companies to provide SUNY approved tax deferred investment vehicles in which employees may voluntarily invest a portion of their earned income, and

WHEREAS, the State University of New York Board of Trustees recently approved a resolution approving TIAA-CREF, AIG, ING, MetLife and Fidelity to be the financial service companies authorized to provide investment vehicles under the program,

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2009, the Regional Board of Trustees of Corning County Community College hereby authorizes the College to permit only TIAA-CREF, AIG, ING, MetLife and Fidelity to offer SUNY approved tax deferred investment vehicles to its employees and to rescind the authorization for the other 14 companies to provide tax deferred investment vehicles, and

BE IT FURTHER RESOLVED that the College grants employees currently utilizing the other previously approved financial service companies until December 31, 2008 to execute new salary reduction agreements for calendar year 2009 utilizing one or more of the following financial service companies: TIAA-CREF, AIG, ING, MetLife and Fidelity, and

BE IT FURTHER RESOLVED, that Resolution #1798-02 is hereby rescinded.

Approved: 08/13/08

Rescinds: Resolution #1798-02

ADOPTION OF THE STATE OF NEW YORK DEFERRED COMPENSATION PLAN

Resolution #1686-02

WHEREAS, SUNY Corning Community College wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, SUNY Corning Community College is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law; and

WHEREAS, SUNY Corning Community College has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with SUNY Corning Community College by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of SUNY Corning Community College are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Approved: 03/13/02

ANNUAL CAMPAIGN

Resolution #981-96

BE IT RESOLVED, that the Business, Finance and Facilities Committee recommends that an Annual Campaign for \$50,000 be authorized and that the funds received through this Campaign be focused on the following for support: Student Scholarships, Equipment, Faculty Development, or as otherwise designated by the donor.

Approved: 08/14/96

APPROVAL OF CAPITAL PROJECTS

Resolution #2274-05

WHEREAS, the Facilities Master Plan for SUNY Corning Community College calls for the renovation and renewal of various campus facilities and,

WHEREAS, it is necessary that the following critical maintenance projects, with cost estimates generated by Joy, McCoola and Zilch, architects, be undertaken at the College's earliest opportunity:

Projects to begin in fiscal year 2006	2,636,580
Projects to begin in fiscal year 2007	3,035,610
Projects to begin in fiscal year 2008	1,982,440

Total Capital Projects	\$7,654,630
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NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees, Sponsor of SUNY Corning Community College, hereby approves these projects in the amount of \$7,654,630 and requests \$3,827,315 from the State University of New York and agrees to provide the local share of \$3,827,315 and,

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the State University of New York for their approval of our application for funding these projects.

Approved: 10/05/05

Replaced:

Resolution #2176-05
Resolution #2129-04
Resolution #2128-04
Resolution #2127-04
Resolution #1858-03
Resolution #1203-98
Resolution #1099-97
Resolution #1083-97
Resolution #926-96
Resolution #918-96
Resolution #917-96
Resolution #886-95
Resolution #707-94
Resolution #676-93
Resolution #608-93
Resolution #588-92
Resolution #579-92

Resolution #534-92
Resolution #455-91
Resolution #377-90
Resolution #362-90
Resolution #361-90
Resolution #272-89
Resolution #183-88
Resolution #182-88
Resolution #159-87
Resolution #126-87
Resolution #102-87
Resolution #101-87
Resolution #19-86
Resolution #46-85
No Resolution Number:
Approved 05/02/84

APPROVAL OF LAND APPRAISALS AND REQUEST FOR SUNY FUNDING

Resolution #1788-02

WHEREAS, SUNY Corning Community College purchased the current President's residence in July 1967 for the sum of \$45,186.96 and has invested significant sums in the upgrading of the property, and,

WHEREAS, the State University of New York did not participate in the original funding of the house and land, nor in any subsequent property improvements, and,

WHEREAS, the Regional Board of Trustees has approved the appraisals of the land by two certified appraisers,

NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees, Sponsor of SUNY Corning Community College, hereby approves the appraisals, and sets the value of the land at a market price of \$165,000, and,

BE IT FURTHER RESOLVED, that the SUNY Corning Community College Regional Board of Trustees hereby requests \$82,500 from the State University of New York as its 50% share of the market value of this land, and,

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the State University of New York for their approval on our application for funding of this land.

Approved: 10/16/02

Note: Rejected by SUNY

CHANGE OF FISCAL YEAR FOR SMALL FUNDS

Resolution #456-91

The College is in the process of installing a new computerized financial system. In order to take full advantage of the capabilities of this system, all of the funds must be on the same fiscal year. The Regional Board of Trustees recommends authorization of the change of the fiscal year for the Scholarship, Gift and Grant Funds, The Legislative Act Funds, and the Faculty-Student Association, Inc. to the fiscal year ending August 31.

Approved: 05/08/91

Note: Taken from Board minutes. Actual Resolution passed in this format.

COLLEGE COURSES FOR HIGH SCHOOL STUDENTS

Resolution #43-85

BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby approve permitting all regional high school students to enroll in college courses without charge if they do not require college credit, effective August 26, 1985.

Approved: 09/26/85

**DESIGNATION OF THE LARGE LOUNGE IN THE COMMONS as
THE RICHARD L. KELLY LOUNGE**

Resolution #1775-02

WHEREAS, the SUNY Corning Community College Commons student lounge on the lower level was designated as the Richard Kelly Lounge in the late 1960s, and

WHEREAS, said space has since been commonly used as the student smoking lounge, and

WHEREAS, the Kelly family felt this was in conflict with the values espoused by Mr. Kelly and asked that Richard Kelly's memory be honored by designating a different space in the Commons,

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees hereby approve the designation of the Large Lounge in the Commons as the Richard L. Kelly Lounge.

Approved: 10/16/02

DISPOSITION OF REQUEST FOR RECOGNITION BY PECCC

Resolution #1925-03

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby denies the request by the Professional Educators of SUNY Corning Community College (PECCC) to be recognized as the exclusive bargaining agent for full-time teaching employees of SUNY Corning Community College.

Approved: 08/08/03

EXTENSION INTO PENNSYLVANIA

Resolution #1839-03

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College does approve extension of the accelerated college experience program and other academic initiatives into Pennsylvania and hereby authorizes the Academic Affairs Office of the College to submit an application for approval to conduct an educational enterprise in the Commonwealth of Pennsylvania.

Approved: 02/05/03

ENDORSEMENT OF A MAJOR GIFTS CAMPAIGN

Resolution #2007-04

WHEREAS, SUNY Corning Community College has identified specific projects through its Master Facilities Plan that require financial support, and

WHEREAS, it is the focus of the SUNY Corning Community College Development Foundation to solicit, receive, and manage assets in order to contribute to the long-range goals, objectives, and success of SUNY Corning Community College, and

WHEREAS, the Clements Group recently conducted a Feasibility Study on behalf of the SUNY Corning Community College Development Foundation and recommended that it immediately begin further preparations to launch a major gifts campaign with a goal of \$5 - \$7 million in cash and three- to five-year pledges.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College does hereby endorse activities necessary for the implementation of a Major Gifts Campaign by the SUNY Corning Community College Development Foundation.

Approved: 03/31/04

ENDORSEMENT OF THE ELMIRA BRANCH CAMPUS CONCEPT

Resolution #1932-03

WHEREAS, SUNY Corning Community College has examined at length the feasibility of developing a branch campus in the City of Elmira, and

WHEREAS, the College has worked with campus and community groups, as well as contracting with architect Scott Page, Educational Facilities Programmer, an external consultant, for the completion of an enrollment feasibility study and a space needs assessment based on anticipated enrollment, and,

WHEREAS, the College's Internal Task Force has endorsed the concept of a branch campus in the City of Elmira and has developed an academic program for such campus, and,

WHEREAS, the Elmira Community External Task Force has endorsed the concept of a branch campus in the City of Elmira and pledges its continued support and participation during the next phase of planning,

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College authorizes continued planning to identify an appropriate location, to develop a financing plan for such location, and establish a five-year operational plan for the branch campus for Regional Board of Trustees consideration for approval at a later date, therefore, endorses the concept of a branch campus in the City of Elmira.

Approved: 09/24/03

**ENDORSEMENT OF THE ELMIRA ACADEMIC AND WORKFORCE
DEVELOPMENT CENTER**

Resolution #2400-06

WHEREAS, SUNY Corning Community College has examined the feasibility of developing an Academic and Workforce Development Center in Chemung County, and,

WHEREAS, the College has worked with Chemung County officials, campus and community groups, to develop an innovative model to meet public and private sector education and training needs, and,

WHEREAS, the College has served on the Chemung County Task Force on Educational & Skills Development to complete a space assessment based on anticipated enrollment and community needs, and,

WHEREAS, Chemung County officials, the Chemung County Task Force on Educational & Skills Development, and the Chemung Schuyler Steuben Workforce New York Board, Inc. has endorsed the concept of the Center and pledge its continued support and participation during the next phase of planning, and,

WHEREAS, Senator George H. Winner, Jr. and Chemung County Executive Thomas Santulli announced that the New York State Legislature has approved \$5 million in the 2006-07 state budget to cover the cost of renovating the former Lagonegro building, and,

WHEREAS, Senator George H. Winner, Jr. has secured \$500,000 through new SUNY Construction funds and Chemung County Executive Thomas Santulli has secured another \$500,000 to support the Center, and,

WHEREAS, SCT BOCES, the Chemung County Department of Social Services, the Child Care Connection, the New York State Labor Department and Chemung Schuyler Steuben Workforce New York, Inc. support renting space and providing services at the Elmira One-Stop Career Center, and,

WHEREAS, Chemung County Executive Thomas Santulli has reported the City of Elmira will donate the former Lagonegro building to the IDA who will contract with a developer to renovate the facility and donate the property to the College upon completion,

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College will accept ownership and operation of the renovated property when satisfactorily completed and so found by the Board to be acceptable for our use.

Approved: 05/31/06

FLEXIBLE SPENDING PROGRAM

Resolution #517-91

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the establishment of a Flexible Spending Account Program, which allows employees to pay certain expenses with pretax money according to IRS Code 125, effective January 1, 1992.

Approved: 12/11/91

Referenced: Personnel Policies

http://inside.corning-cc.edu:81/shared/shared_sshumanresources/Board_Policy_Manual.pdf

MARTIN LUTHER KING, JR. HOLIDAY

Resolution (Not Numbered)

WHEREAS, the Congress of the United States has authorized making Dr. Martin Luther King Jr.'s birthday a federal holiday beginning in 1986 (the third Monday in January), and

WHEREAS, the New York State Legislature has authorized making Dr. King's birthday a State holiday beginning in 1985,

THEREFORE, BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby approve the birthday of Dr. Martin Luther King, Jr. as an official College holiday, beginning in 1985, to be celebrated on the third Monday of January, and hereby approve increasing the number of official College holidays from thirteen to fourteen each year.

Approved: 11/28/84

MEMORANDUM OF UNDERSTANDING WITH SUNY

Resolution #1538-01

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the Memorandum of Understanding between the State University of New York and SUNY Corning Community College.

Approved: 01/31/01

MISSION REVIEW II

Resolution #2098-04

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the Mission Review II Guidance Document, a part of SUNY's *Rethinking SUNY* efforts to ensure that the State University provides services of the highest academic quality, and is recognized as the premier comprehensive system of public higher education in the world.

Approved: 11/10/04

NAMING THE PLANETARIUM THEATER AFTER HARRY AND EDITH TREININ

Resolution #1370-99

WHEREAS, Mr. Harry Treinin served in a distinguished capacity as counsel for the Regional Board of Trustees of SUNY Corning Community College, and

WHEREAS, Mr. Harry Treinin's interest in the firmament has resulted in significant contributions to the restoration of the Hale Telescope, and

WHEREAS, Mr. Harry Treinin's interest has also resulted in a significant contribution to an endowment for the newly-constructed Planetarium, and

WHEREAS, friends of Mr. Harry Treinin have significantly contributed to this endowment, and

WHEREAS, friends of Mr. and Mrs. Treinin will continue to be approached to provide funding for an endowment to be used for the purchase of new programming for the benefit of CCC students, area school children, and the community-at-large,

THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees desires to honor the significant contributions of Edith and Harry Treinin by naming the Planetarium Theater in their honor, and

BE IT FURTHER RESOLVED, that the interest from the Planetarium endowment be used exclusively towards the purchase of programs, materials and promotions needed to keep the Planetarium shows current and informative.

Approved: 11/10/99

PEACE OFFICER STATUS FOR PUBLIC SAFETY EMPLOYEES

Resolution #1973-03

WHEREAS, the SUNY Corning Community College Regional Board of Trustees passed Resolution #T1405-03 (April 26, 2000) endorsing the pending proposal to enable community colleges to have peace officer status for its security force, and:

WHEREAS, Governor Pataki signed into law Bill #A02317 on October 21, 2003, authorizing the Board of Trustees of a community college or the Regional Board of Trustees of a regional community college to designate security officers as peace officers for its respective campus, and:

WHEREAS, an additional 360 hours of Peace Officer training is required within one year of an individual's appointment, and:

WHEREAS, nothing in this resolution shall be deemed to authorize such Peace Officers to carry, possess, repair, or dispose of a firearm while on SUNY Corning Community College property.

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the granting of Peace Officer status to one or more members of its Department of Public Safety.

Approved: 12/17/03

PRESIDENT'S RESIDENCE

Resolution #1787-02

WHEREAS, the SUNY Corning Community College Regional Board of Trustees has stated their desire to address the significant inadequacies of the current President's residence and,

WHEREAS, the Regional Board of Trustees has reviewed various alternatives to addressing these inadequacies and has selected, as the most economically sound and financially advantageous option, the demolition of the current residence and the construction of a new residence on the current property,

NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees, Sponsor of SUNY Corning Community College, hereby approves the demolition of the current residence and the construction of a new residence, and,

BE IT FURTHER RESOLVED, that the SUNY Corning Community College Regional Board of Trustees hereby approves the expenditure of funds in the amount of \$400,000 for the construction of a new President's residence and requests \$200,000 from the State University of New York and agrees to provide the local share of \$200,000 and,

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the State University of New York for their approval of our application for funding a new residence.

Approved: 10/16/02

PRESIDENT'S RESIDENCE

Resolution #1786-02

BE IT RESOLVED, that Resolution #1638-01, Sale and Construction of President's Residence is hereby rescinded.

Approved: 10/16/02

Replaced:
Resolution #1638-01

**POLICY ALLOWING ADMINISTRATIVE AND STAFF/TECH PROMOTIONS TO BE
EFFECTIVE ON THE EMPLOYEES' ANNIVERSARY DATE**

Resolution #2159-05 Approval of the Amended SUNY Corning Community College Personnel Policies of the Regional Board of Trustees

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Personnel Policies of the Regional Board of Trustees, as amended.

Approved: 02/23/05

Replaced:
Resolution #1005-96

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve a policy allowing Administrative and Staff/Tech promotions to be effective on the employees' anniversary date, effective September 1, 1996.

Approved: 11/06/96

RATIONALE FOR OFF-CAMPUS CREDIT PROGRAMS

Resolution #2752-08

WHEREAS, SUNY Corning Community College's mission is committed to providing equal access to educational opportunities, programs and services for all learners, and

WHEREAS, the College's Strategic Plan seeks to assess, develop, and establish the appropriate mix of programs and training; to offer opportunities, resources, and accommodations that address individual needs, and

WHEREAS, the College has added extension centers and sites to increase course offerings and convenient services to meet the needs of a diverse student population and regional employers, and

WHEREAS, the College acknowledges circumstances such as employment and family obligations, travel time and expense, and workforce training needs preclude many of the region from traveling to the main campus to satisfy their post-secondary educational needs.

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees endorses offering credit activities at off-campus locations and hereby replaces Resolution #330-89.

Approved: 02/27/08

**REMOVAL OF THE DESIGNATION OF FUND BALANCE FOR EARLY
RETIREMENT INCENTIVE PAYMENTS**

Resolution #1472-00

WHEREAS, SUNY Corning Community College offers an Early Retirement Incentive Program, which provides for a salary adjustment equal to a percentage of the employee's base pay for the last year of employment, and

WHEREAS, the Regional Board of Trustees approved resolution T1054-97 designating a portion of Fund Balance to provide for this Early Retirement Incentive Program, and

WHEREAS, it has been recommended by the College's external auditions, Deloitte and Touche, LLP, that the College would more appropriately be served by using an accrual method of accounting for the Early Retirement Incentive Program,

NOW, THEREFORE, BE IT RESOLVED, that the SUNY Corning Community College Regional Board of Trustees hereby dissolves the designation of Fund Balance for the purposes of an Early Retirement Incentive.

Approved: 07/26/00

Replaced:
Resolution #1054-97
Resolution #976-96

**RESCISSION OF ADOPTION OF THE NEW YORK STATE EARLY RETIREMENT
INCENTIVE PROGRAM**

Resolution #2767-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #1749-02.

Approved: 02/27/08

Rescinded:
Resolution #1749-02

Replaced:
Resolution #1345-99
Resolution #1223-98
Resolution #1101-97
Resolution #814-95

RESCISSION OF AFFIRMATIVE ACTION OF THE DORMITORY AUTHORITY

Resolution #2755-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #129-87.

Approved: 02/27/08

Rescinded:
Resolution #129-87

RESCISSION OF AMENDMENT TO EARLY RETIREMENT PLAN

Resolution #2795-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #70-87.

Approved: 04/16/08

Rescinded:

Resolution #70-87

BE IT RESOLVED, that the Board of Trustees of SUNY Corning Community College hereby approve amending the College Early Retirement Plan to define “fifteen years full-time continuous service” to “include time spent on sabbatic leaves and leaves of absence, if in the judgment of the President and the Board of Trustees the sabbatic leaves and leaves of absence were of substantial benefit to the College.” The Board of Trustees also approve amending the notification date to July 1 of the calendar year preceding the year of elected retirement.

RESCISSION OF CONTINUING EMPLOYMENT POLICY

Resolution #2766-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #945-96.

Approved: 02/27/08

Rescinded:

Resolution #945-96

CONTINUING EMPLOYMENT POLICY

Resolution #2766-08

Civil Service has its own layoff/termination procedure which must be implemented in layoff and termination situations. Continuing Employment is a four-part concern: layoff of the individual, non-renewal of the salary agreement, termination for cause, and financial exigencies. Grant-funded people are eligible to participate if their grant allows for such participation.

1. Layoff of the individual for lack of work
 - A. College option to transfer individual to another department
 - (1) If need exists and person is qualified for the position
 - (2) And, performance appraisals are satisfactory
 - B. If individual is laid off for lack of work
 - (1) College Nonrenewable Appointment Pay Policy is in effect*
 - (2) Career Counseling Services provided for up to six months
2. Nonrenewal of Salary Agreement
 - A. Applies to those who serve at the pleasure of the President and the Regional Board of Trustees
 - B. College Nonrenewable Appointment Pay Policy is in effect*
 - C. At-Will doctrine in effect
3. Termination of Salary Agreement
 - A. For cause, other than criminal and immoral acts
 - (1) Six months paid nonrenewable appointment notice after 10 years of service or

(2) One week for each year of service up to ten years

B. Specific Cause: Poor Work Performance

(1) Six months nonrenewal notice during performance appraisal

(2) “Intensive” Appraisal during six month notice period

4. College Retrenchment

A. Staff and Faculty retrenchment follow similar procedures

B. Civil Service regulations implemented

C. Cabinet and Faculty Council Consultation

D. Crisis Management Team in place

E. Immediate notice of final decisions provided to affected employees:

- a. Six months employment continuation from notice of termination. Depending on the needs of the College, one week of pay for each year of service may be substituted for the six month notice.

F. Career Counseling Services provided for six months

5. *College Nonrenewable Appointment Pay Policy

A. Two weeks severance for one year of service

B. One month severance for two years of service

C. Three months severance for three to five years of service

D. Six months severance for more than five years service

**RESCISSION OF ENCOURAGEMENT FOR PROFESSIONAL DEVELOPMENT
POLICY**

Resolution #2765-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #627-93.

Approved: 02/27/08

Rescinded:
Resolution #627-93

RESCISSION OF FACULTY MEMBERS WHO ASSUME ADMINISTRATIVE DUTIES

Resolution #1268-98

WHEREAS, it has become apparent that by enforcing the policy enabled by Resolution #830-95 it could stifle the possibility of members of the faculty to accept administrative appointments,

BE IT THEREFORE RESOLVED, that Resolution #830-95 be rescinded.

Approved: 12/02/98

Rescinded:
Resolution #830-95

**RESCISSION OF POLICY TO ENCOURAGE FACULTY MEMBERS TO ACCEPT
ADMINISTRATIVE DUTIES AND APPOINTMENTS**

Resolution #2797-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #1269-98.

Approved: 04/16/08

Referenced: PECCC Contract

Resolution #1269-98

WHEREAS, to encourage faculty members to accept administrative duties and appointments,

BE IT THEREFORE RESOLVED, that faculty members who assume administrative duties or appointments may retain their tenure status within the Institution and seniority to the academic divisions. In such case that a faculty member returns to an academic position, their tenure status would be reinstated with only a loss of seniority for the period they were away from their tenured position. If and when the faculty member returns to a tenure position their academic division would receive adequate notification prior to the faculty members' actual return. The Academic division will be able to hire a tenure-track replacement for the faculty member after three years of service or before depending on divisional needs and the recommendation of the Dean of Academic Affairs.

RESCISSION OF SABBATICAL LEAVE PROCEDURES

Resolution #2798-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #1682-02.

Approved: 04/16/08

Rescinded:
Resolution #1682-02

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby approve the changes to the Sabbatical Leave Section (Section IV Employee Benefits Subsection L Sabbatical Leave for Faculty, Counselors, and Librarians, Item 3 Sabbatical Procedures, part c. of the Personnel Policies of the Regional Board of Trustees Handbook as follows:

- c. The Sabbatical Leave Committee will have sole authority to decide on the basis of educational merit which applications will be approved by the committee and will reach a decision on leaves for the following academic year by November 15 (change from December 15). The committee will transmit its recommendations to the President of the College. The President of the College will present his/her recommendations to the Regional Board of Trustees and will then notify the applicant and the committee of the final decision by the first business day in January (change from February 1).

RESCISSION OF SICK LEAVE FOR FAMILY ILLNESS

Resolution #2796-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #663-93.

Approved: 04/16/08

Rescinded:

Resolution #663-93

RESCISSION OF TUTORIAL AND INDEPENDENT STUDY COURSES

Resolution #2751-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College hereby rescinds Resolution #44-85 to handle tutorial and independent study courses (effective August 26, 1985) as this is a negotiable item to be determined by SUNY Corning Community College and the Professional Educators of SUNY Corning Community College (PECCC).

Approved: 02/27/08

Rescinded:
Resolution #44-85

RETIREMENT INCENTIVE FOR CSEA and NON-BARGAINING UNIT EMPLOYEES

Resolution #2768-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve offering a retirement incentive to members of the CSEA bargaining unit and to non-bargaining unit employees, aged 55 or older for whom the sum of age and service equals or exceeds eighty (80) as of the effective date of retirement, and,

BE IT FURTHER RESOLVED, that said retirement incentive shall equal 50% of the base pay for the current year of employment, and,

BE IT FURTHER RESOLVED, that within 90 days of the adoption of this Resolution, eligible employees must submit an irrevocable notice of intent to retire, and that retirement must occur no later than June 30, 2008.

BE IT FURTHER RESOLVED, that Resolution #2210-05 is hereby replaced.

BE IT FURTHER RESOLVED, that this Resolution will automatically expire, effective May 27, 2008.

Approved: 02/27/08

Replaced:

Resolution #2210-05

Resolution #1917-03

Resolution #1797-02

Resolution #1058-97

Resolution #946-96

Resolution #568-92

Resolution #481-91

**RETIREMENT INCENTIVE FOR PROFESSIONAL EDUCATORS OF SUNY
CORNING COMMUNITY COLLEGE (PECCC)**

Resolution #2800-08

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College passed Resolution #2768-08 Retirement Incentive for CSEA and Non-Bargaining Unit Employees,

BE IT FURTHER RESOLVED, that Resolution #2768-08 be amended to include the Professional Educators of SUNY Corning Community College (PECCC) for inclusion in the retirement incentive.

Approved: 04/16/08

RETIREMENT PLANS

Resolution (Not Numbered)

Resolutions are required by the Employees' Retirement System under the Regional College Designation: #1) Participation in the New York State Employees' Retirement System; #2) Providing a 1/60 Pension Under a Non-Contributory Plan, Section 65-c; #3) Providing an Additional Pension Benefit Under Section 75 -e; #4) Providing a Career Retirement Plan Under Section 75-6; #5) Providing for An Improved Career Retirement Plan Section 75-i; #6) Providing for An Allowance of Unused sick Leave Credits Under Section 41-j; #7) Providing for A Guaranteed Ordinary death Benefit Section 60-b; #8) Providing Participation In, and Designating the Effective Date of Coverage For, Old-Age and Survivors Insurance.

Approved: 03/27/85

STRATEGIC PLAN

Resolution #1931-03

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College values the importance of strategic planning and its significance in the long range planning of the College, and,

WHEREAS, the Regional Board of Trustees of SUNY Corning Community College recognizes that the implementation and subsequent evaluation of the strategic plan and resource allocation support the development and change necessary to improve and to maintain institutional quality,

BE IT THEREFORE RESOLVED, that the Regional Board of Trustees hereby accept and approve the SUNY Corning Community College Strategic Plan.

Approved: 09/24/03

Replaced:
Resolution #1062-97

TERMINATION FOR CAUSE POLICY FOR TENURED EMPLOYEES

Resolution #2159-05 Approval of the Amended SUNY Corning Community College Personnel Policies of the Regional Board of Trustees

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Personnel Policies of the Regional Board of Trustees, as amended.

Approved: 02/23/05

Replaced:
Resolution #1774-02

Resolution #1774-02 Approval of the 2002 SUNY Corning Community College Personnel Policies of the Regional Board of Trustees

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approve the Personnel Policies of the Regional Board of Trustees, as amended.

Approved: 12/11/02

Rescinded:
Resolution #929-96

WHEREAS, the Administration of SUNY Corning Community College wishes to implement a fair, effective and participative Termination for Cause Policy for Tenured Employees,

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College adopt the revised Termination for Cause Policy for Tenured Employees.

Approved: 03/13/96

Replaced:
Resolution #620-93

**TRANSFER OF QUASI-ENDOWMENT FUNDS TO THE SUNY CORNING
COMMUNITY COLLEGE DEVELOPMENT FOUNDATION, INC.**

Resolution #1789-02

WHEREAS, SUNY Corning Community College has identified certain cash assets that are maintained by the College in its Quasi-Endowment Funds, and,

WHEREAS, it is the focus of the SUNY Corning Community College Development Foundation, Inc. to solicit, receive, and manage assets in order to contribute to the long-range goals, objectives, and success of SUNY Corning Community College, and

WHEREAS, it is in the best interests of the College to transfer these cash assets to the SUNY Corning Community College Development Foundation, Inc.,

NOW, THEREFORE, BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College does hereby authorize transfer of \$800,000 from its Quasi-Endowment Fund to the SUNY Corning Community College Development Foundation, Inc., which will exercise complete fiduciary responsibility for these funds.

Approved: 10/16/02

VOLUNTARY SEPARATION INCENTIVE PROGRAM

Resolution #3434-12 Voluntary Separation Incentive Program

BE IT RESOLVED, that the Regional Board of Trustees of SUNY Corning Community College approves the offering of a voluntary separation incentive to all full-time employees, age 50 or older with at least ten years of full-time service for whom the sum of age and service equals or exceeds seventy (70) as of the effective date of resignation, and,

BE IT FURTHER RESOLVED, that said voluntary separation incentive shall equal 50% of the base pay for the current year of employment, and,

BE IT FURTHER RESOLVED, eligible employees must submit an irrevocable notice of intent to resign no later than March 30, 2012, and that resignation must occur no later than July 1, 2012.

Approved: 02/08/12

Policy Master Index

Academic Assessment Plan
Academic Calendar
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