

3354: 1-60-01 College policy on Discrimination, Harassment, Sexual Misconduct, Retaliation and Title IX

1. Cuyahoga Community College is committed to providing a workplace and educational environment, benefits, programs, and activities free from discrimination, harassment, sexual misconduct and retaliation based on an individual's federally protected status as it relates to race, sex, and gender. These commitments are moral imperatives consistent with an intellectual community, which celebrates individual differences, diversity, and meaningful individual freedom to pursue professional and educational goals. To ensure compliance with federal and state laws and regulatory bodies and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the College community, the College has developed internal policies and procedures which will provide a prompt, fair, and impartial process for those involved in allegations of discrimination or harassment on the basis of a protected class status.
2. This Policy applies to all forms of prohibited conduct defined by any college policy, in compliance with Title IX of the Educational Amendments of 1972, and Title II and Title VII of the Civil Rights Act of 1964, as such laws may be amended. Discrimination may involve exclusion from activities, admission, athletics, or employment. Discrimination may take the form of harassment, or in the case of sex-based discrimination, may encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating or domestic violence. When an alleged violation of this policy is reported, the allegations are subject to a prompt and equitable resolution, conducted by the Office of Institutional Equity. Procedures for conducting investigations and determining a resolution of complaints shall be set forth in the Procedure on Discrimination, Sexual Harassment and Title IX. The accused retains the presumption of innocence until determined otherwise by the Procedure outlined by the Office of Institutional Equity.
3. The Office of Institutional Equity shall oversee the implementation of this policy and shall be supervised by the Office of Legal Services. The Office of Institutional Equity has the primary responsibility for coordinating the College's efforts related to investigation, resolution, implementation of interim actions and/or supportive measures and monitoring to stop, prohibit, eliminate, remediate, and prevent discrimination, harassment, sexual misconduct, retaliation and violations of Title IX under this policy.
4. This policy applies to all students, employees, visitors and other individuals participating in a College activity, educational opportunity or program, admission or employment with the College. This policy covers conduct prohibited by Title IX of the Educational Amendments of 1972, and Title II and Title VII of the Civil Rights Act of 1964, as such laws may be amended which occurs on College property, off-campus during a College activity, or off-campus outside of a college activity when the conduct has continuing adverse effects on or creates a hostile environment for students, employees, visitors or other individuals participating in a College activity, subject to the jurisdictional limitations of Title IX.
5. The Office of Institutional Equity shall act with independence and authority free from bias and conflicts of interest. The Office of Institutional Equity shall oversee all resolutions under this policy and the related procedures. The Office of Institutional Equity shall at all times be staffed by a Title IX Coordinator and any other personnel as deemed appropriate by the College. The

Assistant Deans of Student Affairs at each campus shall serve as Deputy Coordinators Institutional Equity/Title IX. All individuals involved in the resolution and appeals process shall be vetted and trained to ensure they are not biased against any party in a specific case, or for or against Complainants and/or Respondents, generally.

6. To raise any concern involving bias or conflict of interest by an employee of the Office of Institutional Equity, contact the College's Office of Legal Services. Reports of misconduct or discrimination committed by any member of the Office of Institutional Equity should be reported to the Director of the Office of Institutional Equity, the Title IX Coordinator or the next highest-ranking employee not involved in the misconduct or discrimination.
7. The Procedure on Discrimination, Sexual Harassment and Title IX sets forth the manner in which individuals can report or file a complaint of conduct prohibited by Title IX of the Educational Amendments of 1972, and Title II and Title VII of the Civil Rights Act of 1964, as such laws may be amended, as well as the grievance procedure that shall be used to provide for the prompt and equitable resolution of such reports or formal complaints.
8. For purposes of the College's process, the subject of the Prohibited Conduct is referred to as the Complainant, and the alleged perpetrator of the Prohibited Conduct is referred to as the Respondent. The Complainant may or may not be the reporter of the Prohibited Conduct. Both the Complainant and Respondent are referred to as the parties for purposes of this policy and related procedure. In certain circumstances, the College may serve as a Complainant in a formal complaint.

Allegations of violations of policy, or inquiries about or concerns regarding this policy and procedure, may be made internally to:

Office of Institutional Equity
Attention: Legal Services
District Administration
700 Carnegie Avenue, Cleveland Ohio 44115
216-987-3949

Complainants are not required to use the College's Formal Grievance process and thus a Complainant may, at any time, choose to file a complaint directly with the Department of Education, Office for Civil Rights. The Office for Civil Rights may be contacted as follows:

Office for Civil Rights, Cleveland
U.S. Department of Education
600 Superior Avenue East, Suite 750
Cleveland, OH 44114
Tel: (216) 552-4970 Fax: (216) 522-2573

A Complainant may also choose to file a complaint directly with the Ohio Civil Rights Commission. The Ohio Civil Rights Commission may be contacted as follows:

Ohio Civil Rights Commission
Cleveland Regional Office
615 W. Superior Avenue, Suite 885
Cleveland, OH 44113-1897

Tel: (216) 787-3150 Fax: (216) 787-3549

Complaints who are employees may also choose to file an action with the Equal Employment Opportunity Commission. The Equal Employment Opportunity Commission may be contacted as follows:

Equal Employment Opportunity Commission

Cleveland Field Office

Anthony J. Celebrezze Federal Building

1240 E. 9th Street, Suite 3001

Cleveland, OH 44199

Tel: (800) 669-4000 Fax (216) 522-7395

TTY: (800) 669-6820