

NORTH COUNTRY COMMUNITY COLLEGE
Statement of Policy
Affirmative Action for Human Rights
October 1979 (Revised Summer 1993)

TO: All Applicants for Admission and Employment
All Employees and Students
All Sources of Referral of Applicant for Admission and Employment
All Unions and Professional Organizations

It being in the public interest and in compliance with Title VII of the Civil Rights Act, Executive Order 11246, Title IX of the Office of Civil Rights, and/or other State and Federal regulations and guidelines, North Country Community College makes itself known as:

"An Equal Opportunity College and pledges to permit no illegal discrimination for or against any individual or group of its students, prospective students, employees, or prospective employees on the basis of race, color, religion, national origin, age, sex, physical disability, or marital status.

In order to implement the above policy, regulations, and/or directives, the following practices have been or will be instituted:

An employee of the College has been designated as Affirmative Action Office for Human Rights. The designated officer is:

Meredith A. Neverett, Esq.
10 Oak Street
Plattsburgh, NY 12901

I. Affirmative Action Plan for Hiring Faculty and Professional Staff

In order to strengthen and to refine campus affirmative action commitments, the Affirmative Action Officer is involved in and oversees the preparation of recruitment materials, mailings, advertisements, and the processing of applicants. The Area Chairpersons, in consultation with their staff, screen the applicants and make recommendations for hiring to the President.

The extent of the advertising and recruitment should be in proportion to the responsibilities of the position and the time frame available for recruitment.

A. Vacancy Announcements

1. The appropriate Area Chairperson will notify Division Chairpersons or supervisors and the Affirmative Action Officer of vacancies which will be filled, stipulating rank, salary, who the person reports to, time of appointment, and any special condition(s) of employment.
2. A current position description will provide the basis for the vacancy announcement by the Division Chairperson. Position qualifications should be refined to assure that the description does not in itself discriminate against the selection of minority or women applicants. The vacancy announcement will be forwarded to the Affirmative Action Officer where it will be reviewed in consultation with the Area Chairperson prior to publication.

B. Hiring Process

1. The appropriate Area Chairperson's or Supervisor's Office will prepare and send the advertisement to national/regional/local newspapers and appropriate publications and placement offices. In order to consolidate advertising costs, group ads will be placed as often as is feasible. All advertising will include the statement "**an equal opportunity/affirmative action employer**".
2. The appropriate Area Chairperson or Supervisor will send job descriptions to those on supplemental lists of specialized agencies, organizations, or journals in their particular discipline which should be notified of the vacancy.
3. When a vacancy requires a replacement in less than five weeks, full compliance with the Affirmative Action procedures may adversely affect College function. In such circumstances, the Affirmative Action Officer and appropriate Area Chairperson may waive some of the steps. However, as much of an Affirmative Action procedure as is possible will be maintained. Such vacancies will be treated on a case-by-case basis.
4. Application Review and Candidate Interviews:
 - a. A Screening Committee for the position to be filled should be established by the appropriate Area Chairperson. The principal functions shall be to screen applicants for interview, to consult with faculty members, and/or staff as may be appropriate, to establish a set of questions to be asked of each candidate, and to make written recommendation to the Area Chairperson. The Area Chairperson will assure that all applicants for employment will receive adequate and open appraisal.
 - b. In the selection of finalists, the functional supervisor and staff should be aware of the College commitment to hire qualified minorities and women who are qualified. The Affirmative Action Officer will review the College's policy and goals for Affirmative Action with the persons who will be screening and interviewing applicants. Whenever possible and relevant, the interviewers should include women and minorities. A record will be kept of all questions asked in the interviewing process.
 - c. The Area Chairperson shall furnish the Affirmative Action Officer with a summary statement about each applicant, stating the reasons(s) why a candidate is not interviewed; and for those who are interviewed, the date of the interview and the final disposition, stating the reason(s). Applicants may be identified by number only.
 - d. The Area Chairperson will contact the finalists for interview, either by phone or by ordinary mail.
 - e. The Area Chairperson will notify by mail the interviewed finalists who were not selected for the position including a statement of reason(s).

C. Recommendations and Reports

1. A copy of the Screening Committee's written recommendations for the appointment of a candidate will be sent to the Affirmative Action Officer.
2. When a position is filled, all applications should be filed in the office of the Area Chairperson for a period of three years.

II. Affirmative Action Policy for the Accommodation of the Handicapped:

On April 28, 1977, the Secretary of the Department of Health, Education, and Welfare signed the final regulations which implement Section 504 of the Rehabilitation Act of 1973, with regard to federal financial assistance administered by the Department of Health, Education, and Welfare.

Section 504 provides that "no otherwise qualified handicapped individual.... shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The regulation, which applies to all recipients of federal assistance from HEW, is intended to carry out Section 504 by insuring that the federally-assisted programs and activities of recipients are operated without discrimination on the basis of handicap. The regulation defines and forbids acts of discrimination against qualified handicapped persons in employment and in the operation of programs and activities receiving assistance from the Department. As employers, recipients must make reasonable accommodation to the handicaps of applicants and employees unless the accommodation would cause the employer undue hardship. As providers of services, recipients are required to make programs operated in existing facilities accessible to handicapped persons to ensure that new facilities are constructed so as to be readily accessible to handicapped persons, and to operate their programs in a non-discriminatory manner. The effective date of the regulation is June 3, 1977.

III. Affirmative Action Policy Regarding Sexual Harassment and Discrimination Based on Gender and/or Sexual Preference

The College observes the New York State Policy on Sexual Harassment in the Workplace which states that sexual harassment which discriminates on the basis of gender is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 as amended and the New York State Human Rights Law.

Guidelines approved by the Equal Employment Opportunity Commission on September 23, 1980, state:

Unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature will constitute sexual harassment when:

1. Submission to the conduct is either an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct; or
3. The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance, or creates an intimidating, hostile, or offensive work environment.

IV. A grievance procedure providing for student and employee complaints alleging any violation of State and Federal rules or directives is as follows:

- A. Within 45 days of the alleged violation, a written grievance must be filed with the Affirmative Action Officer for Human Rights who has the power and authority to investigate said grievance and attempt a resolution.
- B. The investigation conducted by the Affirmative Action Officer may include a hearing conducted by the Affirmative Action Officer or his/her designee. At the conclusion of the investigation, the Affirmative Action Officer will report findings and recommendations to the President for resolution of the matter.
- C. The grievance procedure under this Policy is not intended to deny employees their right to file a complaint with the appropriate State or Federal Office.

V. General Conditions in implementing and maintaining Affirmative Action for Human Rights at North Country Community College:

- A. North Country Community College adheres to the policy that no person on the basis of race, color, creed, national origin, age, sex, or handicap is excluded from participating in, or is denied the benefit of, or is subject to discrimination under, any education program or activity. Such policy includes, but is not limited to, all educational programs and activities or employment therein and/or admission thereto.
- B. Any inquiries concerning the application of the above policy may be referred to the Affirmative Action Officer for Human Rights as named above.
- C. Notification that this policy exists will be published by the College in its catalog and on its website (nccc.edu). Additional copies or information can be obtained from the Affirmative Action Office.
- D. Written communication of this policy will be posted.
- E. A statement of this non-discrimination policy will be included in each appropriate announcement, bulletin, catalog, or application form made available to any applicant for admission or employment, student or employee, or any other device which is used in connection with the recruitment of students or employees.
- F. The College will inform each admission and employment recruitment representative of this policy of non-discrimination and will require such representatives to adhere to such policy.
- G. The College will conduct an ongoing self-evaluation which:
 - 1. Evaluates current policies and practices and effects thereof concerning admission of students, treatment of students and employees of both academic and non-academic personnel.
 - 2. Outlines planned modification of any of the policies or practices which do not meet the criteria of the stated objectives of the Affirmative Action Plan for Human Rights.
 - 3. Indicates appropriate remedial steps to eliminate the effect of any discrimination which resulted or may have resulted from these policies or practices.
 - 4. This evaluation will be done by an Ad Hoc Committee of faculty, students, administrators, and supporting service staff.

The basis underlying the above is the sound premise that equal opportunity in education is fundamental to equality in all other forms of human endeavor. Every member of the College community is urged to support these rights as an affirmation of the principles of equality upon which our nation was founded. Above all, we are reminded that the most effective enforcement of all human rights is a public which supports the law. Much of the discrimination that has existed or still exists today has existed unconsciously or through practices long enshrined in tradition. The College's annual self-examination should identify any discrimination policies which may exist within the College for which necessary remedial action will be taken.