

URGE Complaints and Reporting Policy for University/Organization

This is what was found by the Earth and Environmental Sciences pod at the CUNY Graduate Center on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public; answers that were only found through follow up with contacts are noted. Note: information that was public is in **blue** text and information only found through follow up with contacts (specifically, Chief Diversity Officers) is indicated in **orange** text.

- The link(s) to the reporting policy at our organization are here:
 - [\[Link\] \[1\] The CUNY Policy on Equal Opportunity and Non-Discrimination](#)
 - Are reporting policies regularly reviewed? What is the process for changing policy?
The CUNY Policy on Equal Opportunity and Non-Discrimination [1] appears to have last been updated in 2016.
 - Are the rates of reporting made publicly available (e.g. # of reports each year)?
CUNY's Office of Legal Counsel requires CUNY campuses to track all complaints annually that may include discrimination complaints that overlap with Title IX (CUNY's Sexual Misconduct Policy) cases that require annual reporting to NYS. The Clery Act also requires campus Public Safety Directors to publish annual crime statistics, should a discrimination case also involve a crime (i.e.: sexual assault, domestic violence, assault) on campus Public Safety Office webpages.
- What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?
"Applicants, employees, visitors and students with discrimination complaints should raise their concerns with the Chief Diversity Officer at their location. Following a discussion, the Chief Diversity Officer will inform the complainant of the options available. These include seeking informal resolution of the issues the complainant has encountered or the college conducting a full investigation. Based on the facts of the complaint, the Chief Diversity Officer may also advise the complainant that his or her situation is more suitable for resolution by another entity within the University." [1]
"Following the discussion with the Chief Diversity Officer, individuals who wish to pursue a complaint of discrimination and/or retaliation should be provided with a copy of the University's [complaint form \[Link\]](#). Complaints should be made in writing whenever possible, including in cases where the complainant is seeking an informal resolution." [1]
"... If no informal resolution of a complaint is reached, the complainant may request that the Chief Diversity Officer conduct a full investigation of the complaint." [1]
- Who are the designated individuals/positions for reporting incidents?

All reports go to the Chief Diversity Officer.

- Can reports be made online? Where? Anonymously?

The complaint form can be downloaded (link above) but appears must be submitted by email or in person to the CDO. Complaints can be anonymous.

- Who do in-person and online reports go to? Who has access to see reports?

From the policy [1], it appears that the CDO, complainant, respondent and President see the report. If the respondent is an employee covered by a collective bargaining agreement a union representative may see the report. If the respondent or claimant is a student, the Chief Student Affairs Officer may see the report. It is not clear if the Chancellor always sees the report or just a recommendation from the President. If the respondent is the President, the Vice Chancellor of Human Resources Management will appoint an investigator who will report his/her findings to the Chancellor. It is not clear if the Chancellor always sees the report or just a recommendation.

- Are police included in the process? When and how?

Due to the broad range of discrimination categories, it depends if our Campus Public Safety Director deems it necessary and if so, campuses are required to work with NYPD on investigations and or other agencies regarding Title IX, Domestic Violence or Workplace Violence, in accordance with those other policies [CUNY HR Policies and Procedures – The City University of New York](#)

- Are individuals accompanied by an advocate or someone from the organization?

Any claimant or respondent may be accompanied by an advocate, union representative or attorney if they wish during the investigation process

- What are the outcomes or consequences for reported individuals?

“Action to discipline the respondent under applicable University Bylaws or collective bargaining agreements” [1]

For Faculty and Staff these are specifically, outlined in [\[Link\] \[2\] Article 21 of the PSC-CUNY Contract](#) :”Members of the Instructional Staff may be disciplined by removal, suspension with or without pay, or any lesser form of discipline”. Penalties up to permanent dismissal from the University are possible if the respondent is a student [1].

- Who decides the outcomes/consequences? What is the process?

"The President will review the complaint investigation report and, when warranted by the facts, authorize such action as he or she deems necessary to properly correct the effects of or to prevent further harm to an affected party or others similarly situated.”[1]

- Are reports tracked? Yes/No How are they tracked? By who?

Yes. The Chief Diversity Officer/Public Safety Director/VP of Student Affairs: ADA Coordinator/HR Executives and or Labor/Legal Designee -depending on the type of discrimination complaint- collaborate on behalf of students and employee claims. The President ultimately signs off on actions to be taken that is attached to the final investigation report provided by the Chief Diversity Officer as required by CUNY Non-Discrimination Policy.

- Are repeated complaints escalated to a disciplinary board? What is the process?

Yes, if it involves a student or employee as outlined in the [Student Handbook web.pdf \(cuny.edu\)](#) and required by relevant CUNY Bylaws and GC Governance Policies and Procedures [Governance, Policies, & Procedures \(cuny.edu\)](#)

- What resources are available for individuals reporting?

- Counselors or advocates, especially those of the same race, ethnicity, and gender.

Employees through our HR dept. are made aware of [CUNY Work/Life Program](#) and students are provided a host of resources through the GC Wellness Center [Health & Wellness \(cuny.edu\)](#)

. The GC's Ombuds Officer whom directly reports to the President is also available to resolve informal discrimination allegations for faculty, staff and students who do not wish to file a formal complaint [Ombuds \(cuny.edu\)](#) but instead seeks informal advice and guidance. Other GC resources are listed in the [Student Handbook web.pdf \(cuny.edu\)](#) ; [Executive Officer Essentials \(cuny.edu\)](#) ; and [FAQ \(cuny.edu\)](#).

○ Are there automatic or requested investigations of potential impact on grades or evaluations. No. Campuses provide accommodations during the investigation process when necessary and or when requested by any student or employee.

○ Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.

Retaliation can be reported as per an act of discrimination. [1] states "Managers must take steps to create a workplace free of discrimination, harassment and retaliation, and must take each and every complaint seriously. Managers must promptly consult with the Chief Diversity Officer if they become aware of conduct that may violate the Policy"

● What resources are available to groups raising issues or proposing changes?

○ Petitions of # signatures trigger a town hall, meeting with organizational leadership, or policy change. What is the follow-up process for town halls and meetings?

Graduate Center community meetings hosted by the President, provides a forum for the GC community to discuss issues and follow up. Further, CUNY Bylaws provide processes and procedures for Brough meetings [Article II – CUNY Policy](#), code of conduct, [Article V – CUNY Policy](#) student complaints for reporting alleged misconduct by faculty [Article V – CUNY Policy](#) as well as CUNY's Affirmative Action Policy.

○ Working groups or committees with power to change or propose changes to policy.

In some cases DEI committees can propose policy but I'm not certain change policy.

○ Cultural surveys, regular or only after wide-spread reports or high-profile incidents.

Offices of Institutional Research Surveys - ad hoc and irregular)

○ Leadership proactively asks students and/or staff for input on how to improve.

Unclear

Outstanding queries from our pod, currently seeking resolutions.

Is there a mechanism through Faculty Senate governance to raise issues or propose changes via resolutions?

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