

## **AFFIRMATIVE ACTION ADVISORY COMMITTEE (AAAC)**

Individuals are free to contact any member of the Affirmative Action Advisory Committee for informal consultation and referral. The members' names and contact information can be obtained at [www.oneonta.edu/admin/oei](http://www.oneonta.edu/admin/oei) or by calling at (607) 436-2830.

The College's Affirmative Action Officer is also a resource person for informal consultation. Additionally, all discrimination complaints or claims must be filed with the Affirmative Action Officer.

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Affirmative Action Officer  
133 Netzer Administration Building  
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## **FREQUENTLY ASKED QUESTIONS**

### **What if I am not sure if what has happened to me is really discrimination?**

Talk with the Affirmative Action Officer, a member of the Affirmative Action Advisory Committee, or Director of Judicial Affairs. Any of them will assist you. They will provide "confidentiality on the right to know basis." Only those persons who must be aware of the situation will be informed.

### **Will the College impose penalties in the case of discrimination?**

Yes, the College has imposed and will impose penalties, if appropriate. They can range from informal counseling to termination of employment or expulsion from the College. The penalty will be according to the severity of the case.

### **If I speak with the Affirmative Action Officer or an AAAC member, will my supervisor know about it?**

Your supervisor will know only if he or she must know within the scope of "confidentiality on the right to know basis."

### **Can I speak on behalf of a co-worker/classmate who may be experiencing discrimination with someone identified in the Procedure for Grievance of Discrimination section?**

Yes, you can speak on behalf of someone else, knowing that he or she may be approached by the Affirmative Action Officer, and the College will maintain confidentiality as appropriate and to the fullest extent allowed by law.

### **If I am charged with a discrimination act, should I bring a lawyer or a co-worker/classmate with me when I meet the Affirmative Action Officer or the Tripartite Panel?**

You may bring a lawyer or co-worker/classmate with you. That person cannot speak for you, but he or she can assist you in understanding the proceedings.

### **Will I receive a copy of the complaint before I meet with the Affirmative Action Officer?**

Yes, you will be given a copy of the complaint and the opportunity to prepare a response.



# **Discrimination Policy and Grievance Procedures for SUNY Employees and Students**

## DISCRIMINATION POLICY

The State University of New York College at Oneonta completely subscribes to all Federal and State Civil Rights Laws prohibiting discrimination at institutions of higher education.

The State University of New York College at Oneonta aspires to provide an environment of inclusion for all its employees and students.

It is the policy of our College to provide equal employment and educational opportunities for all qualified people. The College shall not discriminate against any employee or applicant for employment or admission to the College because of race, color, gender, religion, age, pregnancy, national origin (including ancestry), disability, being a disabled veteran or veteran of the Vietnam era, sexual orientation, gender expression and gender identity, marital status, or any other protected category.

The College encourages the prompt reporting of any perceived violation of the Discrimination Policy to ensure that appropriate measures are in place to assure a working, living, and learning environment free of discrimination.

An act of discrimination shall be defined as violation of discrimination laws or the College's discrimination policy. The State University of New York College at Oneonta takes violation of its discrimination policy seriously. The College will attempt to handle complaints and investigations with fairness to the rights of the individual perceiving discrimination and the rights of the individual being accused.

The College will maintain confidentiality throughout the process as appropriate and to the fullest extent allowed by law. All individuals involved are informed about the confidentiality and the consequences of retaliation, defamation or false accusation.

Research Foundation, Sodexo, O.A.S., and employees of College contractors should follow the policies and procedures established by their respective employers in compliance with Federal and State Laws. Please contact your Human Resources Office for assistance.

## PROCEDURES FOR GRIEVANCE OF DISCRIMINATION

### Grievance Procedures

The College encourages a person(s) who perceives discrimination (Complainant) by a member(s) of the campus community (Respondent) to notify the College promptly. The College has knowledgeable individuals who can assist. Among them are members of the Affirmative Action Advisory Committee (AAAC), Student Development Office, Office of Judicial Affairs Director, Employee Services Associate Vice President, and the Affirmative Action Officer. These individuals are supportive and can provide impartial information.

Concerns that are discussed with the above individuals or with an administrator, faculty, manager or supervisor concerning acts of discrimination shall be immediately referred to the Affirmative Action Officer. Claims and complaints shall be made directly to the Affirmative Action Officer.

The College uses the SUNY Discrimination Complaint Procedure. Please refer to the SUNY website at [http://www.suny.info/policies/groups/public/documents/policies/pub\\_suny\\_pp\\_037887.htm](http://www.suny.info/policies/groups/public/documents/policies/pub_suny_pp_037887.htm)

To file a written discrimination complaint, the Complainant has 90 calendar days following the alleged discriminatory act, or after a final grade is received, if that date is later.

The alleged discriminatory act shall be resolved through a) Informal Resolution Procedure, or b) Formal Complaint Procedure.

### a) Informal Resolution Procedure

The Affirmative Action Officer shall assess the discriminatory claim, and if informal resolution is possible, the Affirmative Action Officer will work with the parties involved to resolve the problem. If a satisfactory resolution is reached within 24 calendar days through voluntary informal resolution from the filing of the complaint, the case shall be closed and written notices will be sent to the Complainant and the Respondent.

If the Informal Resolution Procedure cannot resolve the discriminatory claim within the 24 calendar days from the filing of the complaint, the Affirmative Action Officer will notify the Complainant and advise the person of his or her rights and the Formal Complaint Procedure to proceed with the discriminatory claim.

### b) Formal Complaint Procedure

This process begins by filing a complaint form (available from the Office of Equity and Inclusion, 133 Netzer Administration Building). The complaint is forwarded to the Affirmative Action Advisory Convener (the Affirmative Action Officer), who then notifies the Complainant, the Respondent, and the College's President, that the investigation of the complaint shall be conducted by a Tripartite Panel. The selection of the Tripartite Panel shall be completed within 10 calendar days from the date in which the Complainant, Respondent, and the College President were notified.

This Panel shall be composed of three persons selected from a standing Tripartite Committee: one member is selected by the Complainant, one is selected by the Respondent, and the third member is chosen by two selected members of the Affirmative Action Advisory Committee. The three-member Panel will choose one of its members to act as the Chair of the Tripartite Panel.

The Tripartite Panel shall review all relevant information, interview witnesses, and hear testimony from the Complainant and Respondent. Within 48 calendar days from the selection of the Panel, the Tripartite Chairperson shall submit a report which includes the findings and recommendations for resolution to the College President, the Complainant, and the Affirmative Action Officer.

Within 24 calendar days of the submission of the Panel's report, the College President will issue a written statement indicating the action he or she proposes to take. The action taken by the College President is final.

In the case that the College President is the Respondent, then the Chancellor will decide the action to be taken to address the discriminatory claim.

If the complainant is dissatisfied with the College President's or Chancellor's decision, the Complainant may choose to file a complaint with the New York Human Rights Commission or a Federal agency. The Complainant may choose to file with an outside agency at any time. If an internal procedure has begun, this process will stop when a complaint is filed with an outside agency.