

Office of the Dean

CUNY School of Law

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To: CUNY Law Community

From: Dean Sudha Setty

Date: Fall 2024

**Re: Reaffirmation of Commitment to Diversity/Equal Opportunity/Affirmative Action**

The first prong of CUNY Law’s dual mission is to create access to legal education for students from communities that have been historically and are currently excluded from the profession. People of color, low-income individuals, people with disabilities, and LGBTQ2IA+ people have been and continue to be excluded from and grossly underrepresented in the legal profession. The Law School has, since its inception, deliberately and consistently admitted a student body whose representation from those excluded communities far surpasses the diversity of law school populations nationally and even further surpasses diversity numbers for the profession, which helps build a better and more inclusive profession.

Because the Law School has the unique privilege of providing an educational environment and a work environment that are enriched by its diversity, it has a special moral obligation to take steps to ensure that (1) our policies and practices prohibit discrimination as defined by law, (2) we continue to work to employ best practices in support of diversity, equity, and equal opportunity in our admissions and scholarship processes and academic policies; in our hiring and employment practices; and in our classrooms and offices, and (3) we move the Law School community to a progressively more inclusive educational and work environment. We are committed to adjudicating discrimination; to surfacing, acknowledging, and rooting out systems and practices that reflect racism, sexism, ageism, homophobia, transphobia, religious discrimination, and ableism; and to regularly and continuously provide training and educational opportunities that lead us individually and as a community to diminishing implicit bias and microaggressions, as well as institutional and systemic racism and all institutionalized and systemic forms of discrimination.

MEETING LAW SCHOOL DIVERSITY REGULATIONS

Beyond moral and aspirational imperatives, the Law School operates within the policies, regulations, and guidelines of the City University of New York (detailed below), the New York State Court of Appeals, the American Bar Association, and the Association of American Law Schools. The New York State Court of Appeals has no specific regulations related to diversity for law schools; however, effective January 2017, the Court of Appeals added a one-credit Diversity, Inclusion, and Elimination of Bias requirement to its annual mandatory continuing legal education (CLE) obligation for practicing attorneys.

The American Bar Association has adopted standards for all accredited law schools prohibiting discrimination; requiring each school to adopt concrete plans to diversify the student body, the faculty, and the staff; requiring each school to adopt concrete plans to promote inclusion and to provide reasonable accommodations for students with disabilities. In February 2022, the ABA adopted a requirement that each accredited law school provide education to law students on bias, cross-cultural competency, and racism in order to eliminate bias and enhance diversity. They have also added categories such as “ethnicity,” “gender identity or expression” and “military status” to language in Standard 205, which deals with Non-Discrimination and Equality of Opportunity. The Association of American Law Schools has similar requirements. Its standards affirmatively and specifically prohibit discrimination based on gender expression or identity.

Thus, as a matter of expression of institutional values and identity, as well as to comply with University, accreditation, and professional regulation, the Law School prioritizes the creation of a discrimination-free, inclusive work and learning environment.

MEETING CUNY DIVERSITY REGULATIONS

The City University of New York has a long-standing commitment to diversity and equal opportunity. The Law School actively supports these policies and practices, implemented to foster non-discrimination, affirmative action, and diversity and inclusion in the workplace and our classrooms. I take seriously my responsibility to oversee the Law School’s compliance with the CUNY Policies and Procedures on Equal Opportunity, Non-Discrimination, and Sex-Based Misconduct.

The Equal Opportunity and Non-Discrimination Policy states CUNY’s commitment to recruit, employ, retain, promote, and provide benefits to employees regardless of race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, unemployment status, pregnancy, or status as a victim of domestic violence/ stalking/sex offenses, or any other legally prohibited basis in accordance with federal, state, and city laws. Under CUNY’s policy, Italian-Americans are included among protected groups. As a federal contractor, CUNY engages in affirmative action consistent with federal requirements.

Further, the Law School does not tolerate acts of hate or bigotry of any kind. This includes discrimination or harassment based on national origin or heritage – including shared Jewish, Israeli, Palestinian, Arab, Muslim or South Asian ancestry – and/or the association with these national origins and ancestries. The Law School will promptly take all necessary and appropriate actions to address any such discrimination and remedy its effects. We encourage students and employees who believe they have been subjected to such discrimination, or who have information about an incident or situation, to report it to the Law School. Anyone who believes they have been a victim of harassment, discrimination or retaliation should use the [University-wide Discrimination and Retaliation Reporting Portal](https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmaestro.cuny.edu%2Ftrk%2Fclick%3Fref%3Dzqtbwp23f_3-1uc942a-0-27b1_0x39347x019724&data=05%7C02%7Canne.chamberlain%40cuny.edu%7C3033642ff134422bb03c08dca0f45951%7C6f60f0b35f064e099715989dba8cc7d8%7C0%7C0%7C638562218539495036%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=4hGKBtTCCaxrESgoOfFKdKcEv4k%2F%2BssoVjjwM582feE%3D&reserved=0).

The Law School desires to expand its inclusivity and accessibility to both students and employees with disabilities. As per Governor Hochul’s [Executive Order 31](https://www.governor.ny.gov/sites/default/files/2023-07/EO_31.pdf), CUNY is developing a Strategic Plan to enhance recruitment, advancement, and support of individuals with disabilities. Any CUNY employee requiring one or more accommodations to perform their job duties should contact Human Resources as per our policy on Reasonable Accommodations and Academic Adjustments.

I encourage you to visit the Law School’s [Office of Equal Opportunity & Diversity website](https://www.law.cuny.edu/office-of-equal-opportunity-diversity/) to view the Equal Opportunity Policy and its complaint procedures, prohibitions against retaliation for filing discrimination or harassment complaints in good faith, workplace and academic accommodations procedures, and Title IX policies and resources to combat sex-based misconduct.

I have assigned the responsibility for the implementation and monitoring of our compliance programs to our **Chief Diversity Officer (CDO), Michael J. Valente, Esq.**, who is located in room 4/321 and can be reached at 718.340.4285, or emailed at: Michael.valente@law.cuny.edu. Any individual who believes that they have experienced employment discrimination should immediately contact the CDO. Also, our deans, directors, managers, and supervisors share responsibility for ensuring our compliance with these policies and laws, and are required to report discrimination complaints to the CDO.

For sex-based misconduct complaints and issues, you may contact **Michael J. Valente, Esq.**, who is our designated **Title IX Coordinator**. Additionally, I wish to remind you that, pursuant to CUNY’s 2024 Policy on Sex-Based Misconduct, most employees (*except,* for example, confidential employees such as a mental health counselor) are required to report sex-based misconduct to the Title IX Coordinator.

Below, I have provided you with quick links to relevant policies and procedures.

Non-Discrimination Policy

<https://www.cuny.edu/about/administration/offices/legal-affairs/policies-resources/equal-opportunity-and-non-discrimination-policy/>

Policy on Reasonable Accommodations and Academic Adjustments (including religious accommodations)

<https://www.cuny.edu/about/administration/offices/legal-affairs/policies-resources/reasonable-accommodations-and-academic-adjustments/>

Policy on Sex-Based Misconduct

<https://www.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/legal-affairs/policies-resources/Sex-Based-Misconduct-Policy.pdf>

CUNY-Wide Discrimination and Retaliation Report Portal:

<https://www.cuny.edu/about/administration/offices/hr/discrimination-and-retaliation-report-form/>

Policy on Reporting Alleged Misconduct:

<https://www.cuny.edu/about/administration/offices/legal-affairs/policies-resources/reporting-of-alleged-miscounduct/>