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# Office for Civil Rights Discrimination Complaint Form: Submission #736417

## 1. Enter information about yourself

First Name:

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You: Day

Primary Phone Number:

Alternative Phone Number: {Empty}

Your Email Address:

## 2. Who else can we call if we cannot reach you?

Contact's Name: {Empty}

Daytime Phone Number: {Empty}

Relationship to you: {Empty}

## 3. Who was discriminated against?

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Yourself or Someone else Myself?

If someone other than yourself please include:

Injured Person's Name: {Empty}

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You  
(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: {Empty}

State: {Empty}

Zip Code: {Empty}

#### **4. What institution discriminated?**

Institution Name: SUNY Rockland Community College

Address: 145 College Rd

City: Suffern

State: New York

Zip Code: 10901

School or department involved: (b)(6);  
(b)(7)(A);@sunyrockland.edu (b)(6); (b)(7)(A);  
(b)(7)(C)@sunyrockla

#### **5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?**

Have you tried to resolve the complaint? No

## 6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? national origin, retaliation because you filed a complaint or asserted your rights

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: On [redacted], i met with @sunyrockland's [redacted]

[redacted] following my [redacted] [redacted] expressed bias against me throughout this entire meeting. he [redacted]

[redacted], when i told him violence is against my religion. he spoke to me in a hostile tone, he kept shaking his head and making grimaces (when i told him that i was a [redacted] he full-on recoiled) and everything i said to defend myself, he had something to say against it. i asked [redacted] during the meeting how i specifically allegedly violated the student code of conduct, and he refused to answer me. instead, he asked me why i thought it was appropriate to [redacted]

[redacted] he told me he is surprised that i "won't acknowledge [my] behavior" because of my high intelligence, bringing up my [redacted] gpa. i told him it is because of my intelligence that i refuse to be held accountable for @sunyrockland's false allegations and unjust sanctions against me. i will say it again: from the river to the sea, palestine will be free! [redacted]

Do you have written information that you think will help us understand your complaint?

yes or no Yes

## 7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did

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the last act of discrimination occur?

## When did the last act of discrimination occur?

Enter the date: Thu,  - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

## Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

## 8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? Financial compensation,

## 9. Option to Participate in OCR's Early Mediation Process

I am interested in participating in early mediation: No



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

26 FEDERAL PLAZA, SUITE 31 – 100  
NEW YORK, NEW YORK 10278

REGION 2

NEW JERSEY  
NEW YORK  
PUERTO RICO  
U.S. VIRGIN ISLANDS

March 4, 2024

Sent via email only to: president@sunyrockland.edu

Lester Edgardo Sandres Rápalo, Ed.D.  
President  
State University of New York  
Rockland Community College  
145 College Road  
Suffern, New York 10901

Re: Case No. 02-24-2088 – State University of New York, Rockland Community College

Dear Dr. Rápalo:

On November 17, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR) received a complaint filed against the State University of New York, Rockland Community College (the College). The Complainant alleged that the College retaliated against her for, among other things, her (b)(6); (b)(7)(A); (b)(7)(C) by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (Allegation 1). The Complainant also alleged that the College discriminated against her on the basis of her national origin (shared Jewish ancestry) when a College staff member demonstrated bias and hostility toward her during (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C) (Allegation 2).

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, color, and national origin (including shared ancestry) in programs and activities receiving federal financial assistance from the Department. The regulation implementing Title VI, at 34 C.F.R. § 100.7(e), provides that no recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing held in connection with a complaint. As a recipient of federal financial assistance from the Department, the College is subject to Title VI and its implementing regulations.

OCR will investigate the following issues: whether the College subjected the Complainant to retaliation and/or discrimination, including harassment, based on her national origin (shared Jewish ancestry) in violation of Title VI and its implementing regulations.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

Please understand that opening an investigation does not mean that OCR has made a decision with regard to the merits. During the investigation, OCR is neutral, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient as required by OCR's Case Processing Manual (CPM) (July 18, 2022). You may find additional information in OCR's Complaint Processing Procedures. Individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR may close this case prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the CPM. For example, under Section 201(b) of OCR's CPM, if both parties are interested and OCR determines that the individual allegations are appropriate for mediation, the parties may voluntarily resolve these complaint allegations through mediation that OCR will facilitate. Note that in such a case, OCR does not monitor or enforce the agreement reached between the parties. Please inform OCR if you are interested in resolving this complaint through mediation.

When appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient expresses an interest to OCR to resolve the complaint. In such cases, OCR obtains a resolution agreement signed by the recipient. This agreement must be aligned with the complaint allegations or the information obtained during the investigation, and it must be consistent with applicable regulations.

To reach an efficient resolution of this case, OCR is providing an opportunity for the College to present its response to the complaint's allegations and to submit supporting documentation. **Within 20 days of the date of this letter**, please provide to OCR the information listed in the attached data request. The regulation implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be necessary for it to determine whether a recipient is in compliance with the regulations it enforces. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. OCR will take all proper precautions to protect the identity of any individuals named in the documents.

Please be advised that the College must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the College with OCR.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Case Number 02-24-2088

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If you have any questions, please contact Charles Skriner, Compliance Team Attorney, at (646) 428-3890 or [charles.skriner@ed.gov](mailto:charles.skriner@ed.gov); or Stacy Bobbitt, Compliance Team Investigator, at (646) 428-3823 or [stacy.bobbitt@ed.gov](mailto:stacy.bobbitt@ed.gov); or me, at (646) 428-3796 or [jocelyn.panicali@ed.gov](mailto:jocelyn.panicali@ed.gov).

Sincerely,

(b)(6); (b)(7)(C)

(b)(6); Jocelyn Panicali

Compliance Team Leader

Attachment

## Data Request

Case No. 02-24-2088

State University of New York, Rockland Community College (the College)

(b)(6); (b)(7)(A); (b)(7)(C) (the Complainant)

OCR requests that this information reach our office within **20 days from the date of the attached letter, which is March 24, 2024**. If any of the required items are available to the public on the Internet, you may provide the website address. While OCR prefers electronic submissions, you may send documents by any of the following means:

**SharePoint:** OCR may create an external sharing site through a browser-based portal in which the requested documents and information may be uploaded. Please contact Stacy Bobbitt or Charles Skriner to receive online portal information to upload data.

**Email:** [Stacy.Bobbitt@ed.gov](mailto:Stacy.Bobbitt@ed.gov) or [Charles.Skriner@ed.gov](mailto:Charles.Skriner@ed.gov)

**Fax:** (646) 428-3843

Please do **not** provide the information via an electronic cloud format such as Google Docs. Because email is not reliably secure, please do not email any document that contains personally identifiable or private information without first encrypting this information. You may upload this information using the SharePoint option described above.

Please do not include Social Security numbers in your responses. If any responsive documents or data contain Social Security numbers, please redact them before sending OCR the information.

**Preservation of requested and relevant data and documents:** OCR may request supplemental data and documents that are relevant to the allegation under investigation. To ensure that OCR can assess the College's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that College employees preserve the data and documents requested below for the time frame specified in these requests and going forward until OCR closes this case. Please also ensure that College employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case. The regulation implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination.



**RESPONSE DUE: March 24, 2024**

Please provide the following information for academic year (b)(6); (b)(7)(A); (b)(7)(C) unless otherwise indicated, or indicate in writing if any of the requested items do not exist:

1. Provide a narrative response to the issue(s) OCR is investigating and a copy of any documents or data relied upon in the narrative or supporting the facts stated in the narrative.
2. Indicate whether the allegations raised in Case No. 02-24-2088 are pending elsewhere. If so, please provide a copy of the complaint filed and indicate the status of the complaint. If it is not possible to provide a copy of the complaint, please indicate the allegations raised in the other complaint and the forum in which the complaint was filed (e.g., another federal, state, or local civil rights enforcement agency, through the College's internal grievance procedures, or in state or federal court).
3. Copies of the College's policies and procedures, and/or a description of the College's practices, governing student conduct and student discipline, issuing (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) including the process for appealing such decisions.
4. Explain how the College informs students and employees of the policies and procedures set forth in Item 3 above. Submit copies of all materials disseminated, or links to the College's website. Also provide the name(s) and job title(s) of the individuals responsible for implementing the policies and procedures.
5. A list of students (including the Complainant) whom the College (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) For each student, provide:
  - a. the student's national origin, ancestry, and/or ethnicity;
  - b. whether the student, and/or anyone acting on the student's behalf, engaged in protected activity. A protected activity involves making a complaint, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the regulations enforced by OCR or similar activities, such as advocating for rights guaranteed by OCR's regulations. OCR enforces federal laws and regulations that prohibit discrimination on the bases of race, color, national origin, disability, sex, and age in education programs and activities. OCR is also responsible for enforcing the Boy Scouts of America Equal Access Act;
  - c. the reason(s) the student (b)(6); (b)(7)(A); (b)(7)(C)
  - d. the name(s) and job title(s) of the individual(s) involved in making the decision regarding the student's (b)(6); (b)(7)(A); (b)(7)(C)
  - e. the College's conditions for the student's (b)(6); (b)(7)(A); (b)(7)(C) if applicable;
  - f. the name(s) and job title(s) of the individual(s) involved in making the determination regarding the student's (b)(6); (b)(7)(A); (b)(7)(C)
  - g. the date and description of the student's appeal, if applicable;
  - h. an explanation of the appeal decision, including the date of the decision;
  - i. the name(s) and job title(s) of the individual(s) involved in making the appeal determination; and

- j. all related documentation, including but not limited to correspondence, emails, telephone logs, internal memoranda, reports, notes, meeting minutes, complaints, appeals.
6. Copies of the College's policies and procedures, and/or a description of the College's practices, governing the investigation of complaints or incidents of harassment of and other discrimination against students on the basis of national origin, including shared ancestry. Provide a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained. Also provide the name(s) and job title(s) of College staff responsible for handling complaints of discrimination, including harassment, on the basis of national origin, including shared ancestry, at each level of the process.
  7. Explain how the College informs students and employees of the policies and procedures referred to in Item 6 above. Submit copies of all materials disseminated and websites that contain this information.
  8. Copies of the College's policies and procedures, and/or a description of the College's practices, governing:
    - a. disciplinary or corrective actions that may be taken to address harassment of and other discrimination against students on the basis of national origin, including shared ancestry; and
    - b. the provision of supports and remedies to students, employees, and other individuals found to have been discriminated against/harassed on the basis of national origin, including shared ancestry.
  9. Copies and/or descriptions of all formal and informal oral and written reports and complaints of harassment and other discrimination based on national origin, including shared ancestry. For each report/complaint/incident, please provide:
    - a. the name(s) and job title(s) of the person(s) to whom the report/complaint was made, and the date the report/complaint was made;
    - b. the name and relation to the College of the person making the report/complaint (e.g., student, faculty members, parent/guardian, counsel, member of the public);
    - c. a detailed description of the report/complaint, including the name(s) of the alleged target(s) of discrimination/harassment and the alleged discriminators/harassers if not evident from the copy of the report/complaint;
    - d. a detailed description of the grievance procedures or other complaint processing procedures employed to resolve the report/complaint;
    - e. the length of the investigation and complaint resolution process;
    - f. the name, national origin, ancestry, and/or ethnicity of each student, employee, or other individual involved in the alleged incident(s) of discrimination/harassment;
    - g. the name(s) and relation to the College of any individual(s) who witnessed the alleged incident(s), including any College students, employees, or others;
    - h. the name(s) and relationship to the College of any witnesses interviewed by the College;
    - i. the name(s) and job title(s) of the individual(s) involved in the response to, investigation of, and resolution of the report/complaint;

- j. all actions the College has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, supportive services and remedies offered and/or provided to individuals (e.g., counseling, safety measures); and/or individual and/or College-wide remedies;
  - k. the final outcome of any investigation of the report/complaint, including copies of any incident/investigative reports, final determination, and any appeals;
  - l. if the College did not investigate any particular report/complaint, the reason(s) for not investigating, and the name(s) and job title(s) of the person(s) who made the decision;
  - m. any notice of the investigative findings provided to the complainant and/or other notice regarding the report/complaint, including notice of any outcomes on appeal; and
  - n. the complete case file for the report/complaint identified, including internal emails or other correspondence, internal and external memoranda, incident/investigative reports, video and audio recordings, witness statements, logs, forms, interview notes, notes regarding remedies provided, hearing transcripts, meeting minutes, and notes generated.
10. State whether the College conducts focus groups, other meetings, or trainings, and/or holds informational sessions with students and/or staff regarding students' rights under Title VI, how to report possible violations of Title VI, and/or the College's obligation to respond to Title VI complaints. If so, provide the dates of such events, a description of the attendees, and any materials presented and/or distributed.
  11. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry, that the College provided to staff responsible for responding to such complaints. For each such training provide the date(s) it was delivered, a description of the training, a list of the names and job titles of the individuals who attended the training, and copies of any materials distributed during the training.
  12. A copy of the Complainant's academic transcript, disciplinary records, and an explanation of her current status at the College.
  13. The name, job title, email address, and telephone number of the College's designated contact person for this complaint.
  14. Any additional information that the College would like to submit in connection with this complaint.