

Discrimination Complaint Process

Section 46a-68-89

Central Connecticut State University has an established system to process and resolve employee allegations of discrimination consistent with Chapters 67 and 68 of the Connecticut General Statutes. The system provides for the expeditious resolution of grievances to assure that legal options for filing complaints are not foreclosed.

The discrimination complaint procedure includes:

- Periodic training in counseling and grievance investigation for agency counselors;
- Confidential counseling and procedures for informal resolution at the institution level by the Interim Vice President of Equity & Inclusion or Designee
- Notice to employees that the discrimination complaint process is available
- A guarantee of no retaliation for the exercise of rights granted pursuant to Connecticut General Statutes
- Advisement of legal options to file complaints with the Connecticut Commission on Human Rights and Opportunities (CHRO); United States Equal Employment Opportunity Commission (EEOC); United States Department of Education Office of Civil Rights (OCR) ; United States Department of Labor (USDOL), Wage and Hour Division; and any other agencies, state, federal or local, that enforce laws concerning discrimination in employment or public services.
- Time frames not exceeding ninety (90) days for filing, processing and resolution of such matters.

All records of internal discrimination complaints and dispositions thereof are maintained and reviewed on a regular basis by the Office of Equity & Inclusion (OEI) to detect any patterns in the nature of the grievances. Records so retained shall be confidential except where disclosure is required by law.

The Plan contains a summary of the matters alleged, the results thereof, and the length of time required to resolve the grievance/complaint. Where informal allegations have resulted in complaints to enforcement agencies, the Plan provides information on the number of such complaints, investigating agency, whether such matter is currently pending or the outcome thereof.

All records relevant to complaints/grievances filed under this section are maintained by the agency for examination by the Commission on Human Rights and Opportunities (CHRO).

The Office of Equity & Inclusion (OEI) has developed a website that provides all relevant policies, procedures and contacts to all members of the University community and community at large. After the reporting period ended, the department name has been changed to the Office of Equity and Inclusion (OEI) and they will continue to handle these responsibilities and report on it in the future Affirmative Action Plans.

I believe that I was discriminated/harassed/retaliated against by:

Name of Respondent :

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff External (Non-campus)

Specify

Name of k :

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff External (Non-campus)

Specify

Name of Witness : _____

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff External (Non-campus)

Specify

Name of ‡

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff ##### External (Non-campus)

Specify

Name of Witness :

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff External (Non-campus)

Specify

Name of Witness : _____

Address:

City: State: Zip:

Sex: Male Female Work Phone:

Other: Home/Cell Phone:

Status: Student Faculty Staff External (Non-campus)

Specify

Explain your complaint in detail. Include the following information. Add additional pages if necessary. Attach documents you believe may be helpful in investigating your complaint.

1. Describe the specific incident(s) of discrimination/harassment/retaliation. List dates, times, locations, names, and titles of the people involved in the incident(s).
2. Explain why you believe that you were discriminated/harassed/retaliated against because of your protected class status (race, age, sex, disability, etc.)
3. Provide the names and titles of people you believe were treated more favorably than you due to your protected class status. List the protected class status (race, age, sex, disability, etc.) of each person.

If more space is needed please attach to this form.

Remedy Sought:

Signature

Date:

Please return form to:

Central Connecticut State University
Office of Equity & Inclusion
Davidson Hall, room 119
1615 Stanley St.
New Britain, CT 06050

If you have additional questions or to schedule an appointment, call **860-832-1652**.

BOR\CSCU Sexual Misconduct Reporting, Support Services and Processes Policy

Central Connecticut State University Statement

Central Connecticut State University (CCSU) will not tolerate sexual misconduct against students, staff, faculty, or visitors, whether it comes in the form of intimate partner violence, sexual assault, sexual exploitation or sexual harassment, as defined in the BOR policy. In an ongoing effort to prevent sexual misconduct and intimate partner violence on the CCSU campus, the University provides education and prevention programs for the CCSU community and pursues all criminal and administrative remedies for complaints of sexual misconduct.

CCSU is a community dependent upon trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. As noted in CCSU's Violence Free Campus Policy, members of the University community have the right to a safe and welcoming campus environment. Acts of sexual misconduct and intimate partner violence threaten personal safety and violate the standards of conduct expected of community members.

Individuals and Entities Affected by this Policy

This policy applies to anyone on the property of Central Connecticut State University, as well as anyone present at CCSU-sponsored programs or events. This policy extends to off-campus violations of both students and employees in limited circumstances as noted below:

- Students: "Off-campus misconduct may be subject to the jurisdiction of the University and addressed through its disciplinary procedures if one of the following conditions is met: (i) a student engages in prohibited conduct at an official University event, at a University-sanctioned event, or at an event sponsored by a recognized student organization; or (ii) a student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the accused student poses a threat to the life, health or safety of any member of the University community or to the property of the University."¹
- Employees: The decision of whether to investigate and discipline employees for off-campus misconduct will be made by the appropriate university administrator on a case-by-case basis in accordance with collective bargaining agreements, CSU/university policies, and state regulations.

Statement of Policy

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct and intimate partner violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

The BOR strongly encourages victims to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college and university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct. Each and every BOR governed college and university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. All BOR and CSCU employees, victim support persons and community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all BOR and CSCU employees are required to immediately

¹ CCSU Student Code of Conduct, Part B

communicate to the institution's designated recipient any disclosure or report of sexual misconduct received from a student as well as communicate any disclosure or report of sexual misconduct the employee received from another employee when misconduct is related to the business of the institution.

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff, faculty and students are discouraged pursuant to BOR policy.

The Board of Regents for Higher Education hereby directs the Connecticut State Colleges and Universities to implement the Policy stated above pursuant to the following provisions:

Terms, Usage and Standards

Consent must be affirmed and given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is a mutually affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent may be revoked at any time during the sexual activity by any person engaged in the activity.

Affirmative consent may never be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have affirmatively consented to any such activity which occurs after that consent is withdrawn. It is the responsibility of each person to assure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that affirmative consent is sustained throughout the sexual activity. It shall not be a valid excuse to an alleged lack of affirmative consent that the student or employee responding to the alleged violation believed that the student reporting or disclosing the alleged violation consented to the activity (i) because the responding student or employee was intoxicated or reckless or failed to take reasonable steps to ascertain whether the student or employee reporting or disclosing the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting or disclosing the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of drugs, alcohol or medication. The existence of a past or current dating or sexual relationship between the persons involved in the alleged violation shall not be determinative of a finding of affirmative consent.

Report of sexual misconduct is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution.

Disclosure is the receipt of any communication of an incident of sexual misconduct that is not accompanied by a request for an investigation or adjudication by the institution.

Sexual misconduct includes engaging in any of the following behaviors:

(a) ***Sexual harassment***, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment. Examples of conduct which may constitute sexual harassment include but are not limited to:

- Sexual flirtation, touching, advances or propositions
- Verbal abuse of a sexual nature
- Pressure to engage in sexual activity
- Graphic or suggestive comments about an individual's dress or appearance
- Use of sexually degrading words to describe an individual

- Display of sexually suggestive objects, pictures or photographs
- Sexual jokes
- Stereotypic comments based upon gender
- Threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

Retaliation is prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation.

(b) **Sexual assault** shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent.

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

(c) **Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

Sexual exploitation is further defined as a crime in Connecticut State Law.

(d) **Intimate partner, domestic and/or dating violence means** any physical or sexual harm against an individual by a current or former spouse of or person in a dating or cohabitating relationship with such individual that results from any action by such spouse or such person that may be classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic or family violence as designated under section 46b-38h of the general statutes. This includes any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

Offenses that are designated as "domestic violence" are against family or household members or persons in dating or cohabitating relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical abuse, threat of abuse, and emotional abuse.

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.

- Emotional abuse includes but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a "dating relationship" existed is to be based upon the following factors: the reporting victim's statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

(e) **Stalking**, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term "contacting" includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

Confidentiality

When a BOR governed college or university receives a report of sexual misconduct all reasonable steps will be taken by the appropriate CSCU officials to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of personally identifiable student information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the campus community.

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the University community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. For the Colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

Information provided to a confidential resource by a victim of a sexual misconduct or the person reported to have been the victim of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, she/he must speak with a confidential resource. Each BOR governed college and university will provide a list of such confidential resources in the College or University's geographic region to victims of sexual misconduct as well as publish these resources on-line and in various publications.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

Mandated Reporting by College and University Employees

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from a student regardless of the age of the reported victim. All employees are also required to communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from an employee that impacts employment with the institution or is otherwise related to the business of the institution.

Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

Further, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer who, in the ordinary course of their employment, has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by law and Board policy to report the incident within twelve hours to their immediate supervisor and to the Department of Children and Families.

Rights of Parties

Those who report any type of sexual misconduct to any BOR governed college or university employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. When choosing a reporting resource the following information should be considered:

- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or university employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s), a University counseling center psychologist, a University health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

Options for Changing Academic, Housing, Transportation and Working Arrangements

The colleges and universities will provide assistance to those involved in a report of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each and every BOR governed college and university shall create and provide information specific to its campus detailing the procedures to follow after the commission of such violence, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

Support Services Contact Information

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using any appropriate campus resources, or local advocacy, counseling, health, and mental health services. All CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

Right to Notify Law Enforcement & Seek Protective and Other Orders

Those who report being subjected to sexual misconduct shall be provided written information about her/his right to:

- (1) notify law enforcement and receive assistance from campus authorities in making the notification; and,
- (2) obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order.

Such orders include:

- standing criminal protective orders;
- protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;

- temporary restraining orders or protective orders prohibiting the harassment of a witness;
- family violence protective orders.

Employee Conduct Procedures

Employees who are reported to have engaged in sexual misconduct are subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

Student Conduct Procedures

The **Student Code of Conduct** provides the procedures for the investigation, definitions of terms, and resolution of complaints regarding student conduct, including those involving sexual misconduct, as defined herein.

The Title IX Coordinator can assist in explaining the student conduct process. The Student Code of Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for reported victims and accused students.

Reported victims of sexual misconduct shall have the opportunity to request that an investigation or disciplinary proceedings begin promptly; that such disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more likely than not) standard in making a determination concerning the alleged sexual misconduct.

Both the reported victim of sexual misconduct and the accused student are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled and provided such an advisor or support person may not directly address the Hearing Body, question witnesses or otherwise actively participate in the hearing process or other meeting pertaining to a report of sexual misconduct and each student shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential.

Dissemination of this Policy

Upon adoption by the Board all CSCU institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel. Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.

12/5/2014 – BOR Academic & Student Affairs Committee; 1/15/2015 – Board of Regents; 6/16/2016 – Board of Regents

To report an incident at Central Connecticut State University

Office of Equity & Inclusion (All complaints)

Dr. Nancy "Rusty" Barceló
Interim Vice President, Office of Equity & Inclusion
Davidson Hall, Rm. 119
860-832-1652

Pamela Whitley
Diversity Associate, Office of Equity & Inclusion
Davidson Hall, Rm. 119
860-832-1653

Office of Student Conduct (Complaints against students)

Stephanie Reis, Director
Willard DiLoreto Hall, Rm. W105
860-832-1667

University Police (All criminal complaints except sexual harassment) 860-832-2375

Human Resources (Complaints against employees)

Anna E. Suski-Lenczewski, Chief Human Resources Officer
Davidson Hall, Rm. 101
860-832-1757

Office of Student Affairs (Complaints against students)

Dr. Michael Jasek, Vice President for Student Affairs
Davidson Hall, Rm. 103
860-832-1605

If you want to speak with someone at CCSU

Office of Victim Advocacy and Violence Prevention

Joanna Flanagan, Victim Advocacy and Violence Prevention Specialist
Willard DiLoreto Hall, Rm. D305
860-832-3795

Women's Center

Jacqueline Cobbina-Boivin, Coordinator
Student Center, Rm. 215
860-832-1655

Counseling and Wellness Center (Confidential)

Willard DiLoreto Hall, Rm. W101
860-832-1945

If you want to speak with a Community Partner

Sexual Assault Crisis Services (confidential)--860-223-1787 (English); 888-568-8332 (Español)

Prudence Crandall Center for Domestic Violence (confidential)--888-774-2900 (24-hour hotline)

To report an incident to an Outside Agency

An individual has the right to file his or her complaint of discrimination with any or all of the relevant agencies listed below. The individual can also simultaneously avail himself or herself of the University's Internal Discrimination Grievance Procedure.

1. The Connecticut Commission on Human Rights & Opportunities (All)

Capitol Region
450 Columbus Blvd, Ste 2
Hartford, CT 06103
Tel: (860) 566-7710

Eastern Region
100 Broadway
Norwich, CT 06360
Tel: (860) 886-5703

Southwest Region
1057 Broad Street
Bridgeport, CT 06604
(203) 579-6246

West Central Region
Rowland State Government Center
55 West Main Street, Suite 210
Waterbury, CT 06702-2004
(203) 805-6530

Complaints should be filed with the Commission on Human Rights and Opportunities no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred.

2. The Equal Employment Opportunities Commission (Employees)

John F. Kennedy Federal Office Building
Government Center, Room 475
Boston, MA 02203
Tel: 1-800-669-4000

Complaints should be filed with the Equal Employment Opportunities Commission no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred, except, that in a case when the aggrieved person has initially filed a complaint with the Commission on Human Rights and Opportunities, such complaint should be filed no later than three hundred (300) days after the alleged act of employment discrimination occurred.

3. State of Connecticut: Employee Grievance Procedure

Contact Human Resources Office or union representatives for Grievance forms and/or procedures.

4. U.S. Department of Education, Office for Civil Rights (Students)

33 Arch Street
Ninth Floor
Boston, MA 02110
Tel: (617) 289-0111
Fax: (617) 289-0150

Revised:

October 29, 2018 – updated address for CHRO Capitol Region office.

November 5, 2019 – updated names and contact information for CCSU resources.

DISCRIMINATION COMPLAINT AGENCIES

An individual has the right to file his or her complaint of discrimination with any or all of the relevant agencies listed below. The individual can also simultaneously avail himself or herself of Central Connecticut State University (CCSU).

1. The Connecticut Commission on Human Rights & Opportunities

Southwest Region Office

350 Fairfield Avenue
6th Floor
Bridgeport, CT 06604
Tel: (203) 579-6246
TDD (203) 579 – 6246

West Central Region Office

Rowland State Government Center
55 West Main Street, Suite 210
Waterbury, CT 06702-2004
Tel: (203) 805-6530
TDD (203) 805-6579

Capitol Region Office

450 Columbus Blvd
Hartford, CT 06103
Tel: (860) 566-7710
TDD (860) 566 – 7710

Eastern Region Office

100 Broadway
Norwich, CT 06360
Tel: (860) 886-5703
TDD (860) 886 - 5707

Complaints should be filed with the Commission on Human Rights and Opportunities (CHRO) no later than three hundred (300) days after the alleged act of employment discrimination occurred.

2. The Equal Employment Opportunities Commission

John F. Kennedy Federal Office Building
Government Center, Room 475
Boston, MA 02203
Tel: (617) 565-3200

Complaints should be filed with the Equal Employment Opportunities Commission (EEOC) no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred, except, that in a case when the aggrieved person has initially filed a complaint with the Commission on Human Rights and Opportunities, such complaint should be filed no later than three hundred (300) days after the alleged act of employment discrimination occurred. Alternatively:

3. Department of Education, Office of Civil Rights

United States Department of Education
Boston Office
8th Floor
5 Post Office Square
Boston, Massachusetts 02109-3921
Tel: (617) 289-0111

4. Department of Justice, for ADA complaints

United States Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section
Washington, D.C 20530

<https://www.ada.gov/complaint/>

This is the email to complete the required ADA complaint form.

To file ADA complaint by facsimile, send completed ADA complaint form to

Tel: (202)-307-1197

5. Connecticut Commission on Women, Children and Seniors, Equity & Opportunity

18-20 Trinity Street
Hartford, CT 06106
Tel: (860) 240-1424

6. State of Connecticut: Employee Grievance Procedure

(Contact Human Resources Office or union representatives for Grievance forms and/or procedures).

200 Folly Brook Boulevard
Wethersfield, CT 06109
Tel: (860) 566-3450

7. Wage and Hour and Public Contracts Division

United States Labor Department
135 High Street
Hartford, CT 06103
Tel: (860) 240-4277

8. Wage and Workplace Standards Division

Connecticut Department of Labor
200 Folly Brook Boulevard
Wethersfield, CT 06109
Tel: (860) 263-6790

Central Connecticut State University

Nondiscrimination in Education and Employment Policy

Policy

Central Connecticut State University (CCSU) is committed to a policy of nondiscrimination in education and employment. No person shall be discriminated against in terms and conditions of employment, personnel practices, or access to or participation in programs, services, and activities with regard to: age; ancestry, color; gender identity and expression; intellectual disability; learning disability; mental disability; physical disability; marital status, national origin; race; religious creed; sex, including pregnancy, transgender status, sexual harassment and sexual assault; sexual orientation; veteran status; or any other status protected by federal or state laws. Discrimination in employment based on genetic information is prohibited. In addition, CCSU will not refuse to hire solely because of a prior criminal conviction, unless that refusal is permitted by Connecticut law.

Harassment on the basis of any of the above protected classes is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, CCSU will give due consideration to an individual's constitutionally protected right to free speech and academic freedom.

Retaliation is illegal. No individual who opposes an allegedly discriminatory act or practice shall suffer retaliation as a result of such participation. Complaints of retaliation may be filed within a reasonable time of the alleged retaliatory act with the Senior Equity & Inclusion Officer or any manager not directly involved in the alleged retaliation who will then notify the Office of Equity and Inclusion.

This policy shall apply to all individuals affiliated with CCSU including, but not limited to, students, employees, applicants, agents and guests and is intended to protect the rights of concerned individuals.

Definitions

Discrimination. Discrimination is defined as conduct that is directed at an individual because of his or her protected class and subjects the individual to different treatment so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the university or otherwise adversely affects the individual's employment or education.

Discriminatory Harassment. Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and is sufficiently severe, persistent, or pervasive so as to have the purpose or effect of unreasonably interfering

with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.

Retaliation. Retaliation is subjecting a person to a materially adverse action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation under this policy.

Responsibility

The responsibility for implementation of this policy is assigned to the Senior Equity & Inclusion Officer, who may delegate duties as appropriate. The Office of Equity and Inclusion will promptly address each complaint and make reasonable efforts to expeditiously affect a resolution. The investigation of such complaints will be managed with appropriate sensitivity.

Related policies or procedures:

- CCSU Procedures and Timetables for Processing of Discrimination and Sexual Harassment Complaints
- Policy on Consensual Relationships between Employees of the Connecticut State University System
- Policy on Consensual Relationships between Employees and Students of the Connecticut State University System
- Sexual Harassment Policy
- BOR/CSSU Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy
- Student Code of Conduct and Statement of Disciplinary Procedures

Revised: October 25, 2011

June 13, 2014: mental disorder changed to mental disability

October 20, 2017: veteran status added as a protected class

Central Connecticut State University

Procedures and Timetables for Processing of Discrimination, Harassment Intimate Partner Violence and Sexual Misconduct Complaints

In accordance with Section 46a-68-78 of the Affirmative Action Regulations of Connecticut State Agencies, the following procedures provide an internal process for the handling of complaints involving claims of discrimination or harassment, including sexual misconduct/violence.

This procedure is designed to further implement the Nondiscrimination in Education and Employment and BOR/CSCU Sexual Misconduct Reporting, Support Services, and Processes policies by providing a process through which individuals alleging violation of these policies may pursue a complaint. This includes allegations of retaliation, discrimination, harassment based on age, ancestry, color, disability, gender identity or expression, genetics, national origin, marital status, race, sex (including pregnancy, transgender status, sexual harassment and misconduct), religious creed, veteran status, sexual orientation, prior criminal conviction and any other status protected by federal or state laws.

When responding to an internal complaint, disclosure of information relating to the internal complaint and the identity of the complainant will be handled with appropriate sensitivity and in accordance with applicable laws.

A. Process for Filing Internal Complaints of Alleged Discrimination or Sexual Harassment and Misconduct

1. Who may file:

Any employee, applicant for employment, student, applicant for admission or any other person, including visitors.

2. When to file:

To provide adequate opportunity for a prompt investigation, complainants are encouraged to file as soon as possible but, except in cases involving sexual misconduct, must file no later than ninety (90) calendar days following the complainant's first knowledge of the alleged discriminatory act.

For cases involving allegations of sexual misconduct, there is no time limit for the filing of complaints. In extenuating circumstances, the Senior Equity & Inclusion Officer has the discretion to waive the deadline for the filing of complaints involving matters other than sexual misconduct. Once filed, the internal complaint must be resolved within ninety (90) calendar days unless the complainant consents to extend this time period.

3. Where to File:

The Office of Equity & Inclusion handles internal complaints alleging violations of the Nondiscrimination Opportunity in Education and Employment and/or the BOR/CSCU Sexual Misconduct Reporting, Support Services, and Processes policies. The Senior Equity & Inclusion Officer (SEIO) or his/her designee reviews and, if necessary, conducts an investigation into each complaint that, if proven, would constitute a violation of CCSU policies. Complaints against students are file with the Office of Student Conduct. See CCSU Student Code of Conduct and Statement of Disciplinary Procedures.

All complaints

Pamela Whitley, Senior Equity & Inclusion Officer
Office of Equity & Inclusion
Davidson Hall 119
860-832-1652

Complaints against Students

Stephanie Reis, Director
Office of Student Conduct
Willard DiLoreto Hall, Room W-105
860-832-1667

The SEIO serves as the Title IX Officer. Complaints against students may be referred to the Office of Student Conduct.

Reports against the President or Office of Equity & Inclusion Employees

If a discrimination complaint is made against the President or an Office of Equity & Inclusion employee alleging that these employees directly or personally engaged in discriminatory conduct, the complaint shall be referred to the Commission on Human Rights and Opportunities (CHRO) for review and, if appropriate, investigation by the Department of Administrative Services, except if any such complaint has been filed with the Equal Employment Opportunity Commission or the Commission on Human Rights and Opportunities, the CHRO or Department of Administrative Services may rely upon the process of the applicable commission in lieu of such investigation.

4. Process for filing complaints

At the time an individual makes his/her complaint, the SEIO or designee will provide the individual with the University's respective policies on CCSU Nondiscrimination in Education and Employment Policy and/or the BOR/CSCU Sexual Misconduct Reporting, Support Services, and Processes Policy and the procedures and timetables for processing internal complaints.

No Basis to Proceed.

At any point during the processing of the complaint, the SEIO or designee may determine that there is no basis to proceed under the Nondiscrimination in Education and Employment Policy, BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy. The SEIO or designee shall refer the complaint as appropriate. The SEIO or designee shall notify the complainant and, if necessary, the respondent of the outcome as appropriate, in accordance with applicable state and federal laws.

Investigatory Process.

The Office of Equity & Inclusion shall provide the respondent with a written summary of the complaint, including a description of the alleged discriminatory acts, within ten (10) business days of the filing of the complaint. If the complaint is in writing, the Office of Equity & Inclusion shall provide the respondent with a copy of the written complaint or summary of the complaint. Disclosure of information shall be in accordance with applicable state and federal laws.

The SEIO or designee shall weigh all evidence pertaining to the internal complaint, make findings of fact, recommendations, and, with the consent of the parties and appropriate executive officer, propose settlements to the University President. Without investigation, the SEIO or designee may also mediate issues between parties where the allegations, if proven, would not constitute a violation of CCSU policies.

The complainant and the respondent (person accused) will be allowed to have one non-participating support person present for the interview(s). For represented employees, this support person could be a union representative; however, if the support person is not a union representative, the employee who is the respondent will be asked to sign a union waiver. For more information, see the Right to Union Representation section.

Timeline

Internal complaints shall be investigated and resolved within ninety (90) calendar days of the receipt of the complaint, including the written notification to the complainant(s) and respondent(s) regarding the results of the investigation. Whenever possible, complaints should be resolved in accordance with relevant University policies at the supervisory, Dean or Director's level with the concurrence of the SEIO.

Right to Union Representation.

In accordance with federal law and applicable collective bargaining agreements, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel policy or law.

Determination.

Upon the conclusion of its investigation, the SEIO or designee will determine whether or not discrimination or harassment in violation of CCSU policy occurred. A preponderance of the evidence standard is used to make this determination. A copy of the investigatory report will be provided to the University President.

1. **Unsupportable Complaints.** If the SEIO or designee determines that the evidence is insufficient to support the allegation, he or she shall dismiss the complaint.
2. **Supportable Complaints.** If the SEIO concludes that the allegations are supported by the evidence, he or she will report his or her findings and recommendations to the appropriate administrator.

5. Disciplinary Action

If the SEIO or designee believes that disciplinary action against the respondent may be warranted at this or a subsequent stage, a recommendation will be made to the Chief Human Resource Office (for employees) or the Office of Student Conduct (for students).

B. Process for Filing an Appeal

Within fifteen (15) calendar days of the issuance of the Office of Equity & Inclusion's determination, the complainant or respondent may file an appeal of the determination. The appeal and all supporting documentation shall be submitted in writing to the University President, with copies to the SEIO and other parties to the complaint.

The President or designee shall review the investigation and determine whether to affirm or modify the decision. The President or designee may receive additional information if the President or designee believes such information would aid in the consideration of the appeal.

If an appeal of the SEIO's determination is filed, the University President or designee shall conduct a review of said appeal and issue a written decision within thirty (30) calendar days of the appeal. The University President shall notify all parties in writing of his/her decision.

AAUP members have the option of appealing the decision using a review panel as outlined in the AAUP Complaint Procedure.

The decision on appeal exhausts the complainant's and the respondent's administrative remedies under this procedure except as provided herein.

Appeal Process for AAUP Members

The complaint will be processed according to an agreed-upon procedure consistent with the CSU-AAUP Collective Bargaining Agreement, Appendix F. See AAUP Complaint Review Procedure.

C. Records Maintenance

The SEIO shall create and maintain a file of each internal complaint received under these procedures. All information, including records and correspondence pertaining to said internal complaint will be kept in this file. Access to the file will be in accordance with applicable State and Federal statutes and collective bargaining agreements. The SEIO will secure these files. All such files shall be maintained indefinitely, unless otherwise required by applicable State and Federal statutes and collective bargaining agreements.

All records of internal complaints and dispositions shall be reviewed on a regular basis by the Office of Equity & Inclusion to discern any pattern in the nature of the internal complaints.

Related policies and procedures:

- Nondiscrimination in Education and Employment Policy
- BOR/CSCU Sexual Misconduct Reporting, Support Services, and Processes
- Consensual Relationship Policy
- Student Code of Conduct and Statement of Disciplinary Procedures

Revised October 25, 2011

Revised June 6, 2014—added BOR Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy, and revised the following sections: Investigatory process; Reports against CDO

Revised June 15, 2016 the following section: Investigatory Process: removal of sexual harassment policy from related policies and procedures; update notification timeframe for responding parties; clarification of support person for represented employees

Revised June 12, 2017 the following section: Investigatory Process: The right to a support person has been modified to expressly state a respondent or complainant is entitled to only one support person during the investigatory process.

Revised November 27, 2017 the following section: Introduction: added veteran status to protected class listing.

Revised April 23, 2018 the following section: When to file section.

Revised May 6, 2018 – updated the name of the BOR/CSCU Sexual Misconduct Reporting, Support Services, and Processes and records retention section to maintain files indefinitely.

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Revised November 1, 2019 – updated the change in the name of the Office and the Senior Equity & Inclusion Officer and regulation number change.

