

Section L

Element No. 12

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DISCRIMINATION  
COMPLAINT  
PROCESS

Sec. 46a-68-89

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## **Discrimination Complaint Process**

Under Section 46a-68-89(a) of the Affirmative Action Regulations of Connecticut State Agencies, the 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 complaints to assure that legal options for filing complaints are not foreclosed.

The University's Discrimination Complaint Process includes:

- (1) Periodic training in counseling and grievance investigation for agency designated personnel;
  - (2) Confidential counseling and procedures for informal resolution at the institution by the Chief Diversity Officer;
  - (3) Notice to employees that the university discrimination complaint process is available;
  - (4) A guarantee of no retaliation for the exercise of rights granted pursuant to the Connecticut General Statutes;
  - (5) Advisement of legal options to file complaints with the Connecticut Commission on Human Rights and Opportunities (CHRO); United State Equal Employment Opportunity Commission (EEOC); United States Department of Education Office of Civil Rights (OCR); United States Department of Labor (DOL), Wage and Hour Division; and any other agencies, state, federal, or local, that enforce laws concerning discrimination in employment or public services.
  - (6) Time frames not exceeding ninety (90) days for filing, processing and resolution of such matters.
- (b) The University maintains all records of grievances and dispositions and such records are reviewed on a regular basis by the Office of Diversity and Equity ("ODE") to detect any patterns in the nature of the grievances. The records maintained are kept confidential except where disclosure is required by law.
- (c) The University's Affirmative Action Plan contains a summary of the employee discrimination complaints alleged, the results thereof, and the length of time taken to resolve the complaint. Where informal allegations have resulted in complaints to enforcement agencies, the University's Affirmative Action Plan provides information on the number of such complaints, investigating agency, whether such matters are currently pending or the outcome thereof. All records relevant to complaints filed under this section are maintained by the agency for examination by the Commission on Human Rights and Opportunities (CHRO).

Enclosed is the completed Form #89A (Discrimination Complaint Log) with the filed University's internal complaints, reported allegations, the length take to resolve the complaint, and the results thereof, during the reporting period. This form includes complaints filed and action taken with outside enforcement agencies.

On January 30, 2018, the Office of Diversity and Equity ("ODE") developed in its general website and content a detailed repository of the most current and relevant policies, procedures and contacts to all members of the university community and community at large.

Section L

Element No. 12

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DISCRIMINATION  
COMPLAINT  
PROCESS

Sec. 46a-68-89

(ATTACHMENTS AND DOCUMENTATION)

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**DISCRIMINATION COMPLAINT LOG**

AGENCY: WESTERN CONNECTICUT STATE UNIVERSITY

REPORTING DATE: March 31, 2018

NUMBER	COMPLAINANT RACE/SEX	DATE FILED	TYPE*	ACCUSED**	BASIS CLAIMED	FINDING	RESOLUTION	LENGTH OF TIME TO RESOLVE
1	Hispanic/Male (Employee)	10/5/17	Within Agency (Internal)	Supervisor	Color, National Origin	No Probable Cause	No Action Taken	60 days
2	Hispanic/Female (Student)	10/23/17	Within Agency (Internal)	Faculty (Supervisor)	Sexual Harassment	Probable Cause	Termination	90 days
3	White/Female (Student)	11/2/17	Within Agency (Internal)	Student	Sexual Harassment	Probable Cause	Judicial/Disciplinary Action	19 days
4	White/Female (Employee)	11/14/17	Within Agency (Internal)	Co-Workers	Gender/Sex, Hostile Work/Academic Environment	Withdrawn	No Action Taken	3 days
5	Black/Female (Student)	11/30/17	Within Agency (Internal)	Employee	Gender, Race	No Probable Cause	No Action Taken	90 days
6								
7								
8								
9								
10								

\*Internal (within Agency) or External (CHRO, DOL, EEOC, etc.)  
 \*\*Co-worker, Supervisor, Manager, etc.



- ABOUT /
- ADMISSIONS (/ADMISSIONS/)
- ACADEMICS (/ACADEMICS/)
- FINANCIAL AID (/FINAID/)
- HOUSING (/HI)
- STUDENT LIFE (/STUDENTLIFE/)
- ATHLETICS ([HTTP://WWW.WCSUATHLETICS.COM](http://www.wcsuathletics.com))
- APPLY! (/APPLY)

## Office of Diversity and Equity (/diversity)

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### Office of Diversity and Equity (/diversity/ (ODE)

Mission(/diversity/mission/)

Americans With Disabilities Act (ADA) University Statement (/diversity/americans-with-disabilities-act-ada-university-statement/)

Affirmative Action Policy Statement (/diversity/affirmative-action-policy-statement/)

Affirmative Action Plan - 2017 (PDF) (/diversity/wp-content/uploads/sites/37/2017/09/2017-Affirmative-Action-Plan.pdf)

Committees and Working Groups (/diversity/committees-and-working-groups/)

University Minority Recruitment and Retention Resources (new page coming soon) (/diversity/minority-recruitment-and-retention-resources-new-page-coming-soon/)

Cultural Diversity Programming and Training(s) (/diversity/cultural-programming-and-training/)

Discrimination Complaints (/diversity/discrimination-complaints/)

Diversity Resources and Information (/diversity/resources/)

Policies and Procedures (/diversity/policies-procedures/)

Search Procedures (/diversity/search-procedures/)

What is Title IX and CaRRT? (/diversity/what-is-title-ix-and-cart/)

Campus Response & Resource Team (/diversity/carrt/)

Undocumented Student Support Services (<http://www.wcsu.edu/undocumented>)

## Discrimination Complaints

### NONDISCRIMINATION POLICY STATEMENT

Western Connecticut State University is an affirmative action/equal opportunity educator and employer, fully committed to the goal of providing equal and full participation in its educational programs, activities and employment without discrimination because of race, color, religious beliefs or associations, national origin, marital status, sexual orientation, physical disability, including but not limited to blindness, learning disability or mental retardation, past history of mental disorder, or prior conviction of a crime, in accordance with state and federal laws. To that end, this statement of policy has been put that no qualified person be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or university.

To file a complaint of discrimination, or for inquiries concerning the University's Nondiscrimination Policy Statement, related laws and regulations for Title Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, please contact Mrs Minier-Delgado, Chief Diversity Officer, University Hall, Room 217, (203) 837-8277 or TTY (203) 837-8284.

### Protection from Adverse Action

All individuals shall be free from all restraint, interference, coercion or reprisal on the part of their associates, supervisors and all others in making any appeal, in serving as a representative for a complaint, in appearing as a witness, or in seeking information. The above principles apply with equal force complaint has been resolved. Should these principles be violated, the facts shall be brought to the attention of the Chief Diversity Officer by the aggrieved his/her representative or any person affected. The Chief Diversity Officer shall bring all such situations to the attention of the President for confidential review, the potential for early proactive intervention and appropriate action.

Individuals are advised of their legal options to file complaints with the Connecticut Commission on Human Rights and Opportunities (CHRO), U.S. Equal Employment Opportunity Commission (EEOC), U.S. Department of Labor, Wage and Hour Division, and any other agencies, state, federal or local, that concerning discrimination.

### Accreditation and Policy

#### ACCREDITATION

Western Connecticut State University is accredited by the New England Association of Schools and Colleges, Inc., through its Commission on Institutional Education.

Inquiries regarding the accreditation status by the New England Association should be directed to the university's administrative staff. Individuals may the Commission on Institutions of Higher Education, New England Association of Schools and Colleges, 3 Burlington Woods Drive, Suite 100, Burlington 01803-4531. Call (855) 886-3272, Fax (781) 425-1001 or email [cihe@neasc.org](mailto:cihe@neasc.org).

Accreditation by the New England Association has reference to the institution as a whole. In addition, the university is accredited by the Connecticut State Regents for Higher Education.

Individual programs at the university are accredited by:

- The Connecticut State Department of Education
- The Council for Accreditation of Educator Preparation
- The Council for Accreditation of Counseling and Related Educational Programs
- The National Association of Schools of Music
- The American Chemical Society
- The Commission on Collegiate Nursing Education
- The Council on Social Work Education

### RIGHTS RESERVED STATEMENT

Students attending Western Connecticut State University are required to familiarize themselves with this catalog. Primary responsibility for knowing an requirements rests with the individual student. The catalog in effect at the time of the student's admission or readmission to a degree program govern requirements.

The Western Connecticut State University administration reserves the right, whenever advisable: (1) to change or modify its schedule of tuition and fees withdraw, cancel, reschedule or modify any course, program of study, or degree or any requirement in connection with any of the foregoing.

### BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy (revision effective June 16, 2016)

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

University (/diversity/workplace-  
Transgender transgender-  
Guidance guidance/)

LGBTQ+ Resources(/diversity/lgbtq-  
/new page coming resources-new-page-  
coming-soon/)

Contact Us(/diversity/contact-us/)

and administrative remedies for complaints of sexual misconduct.

WCSU is a community dependent upon trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary or noted in University's Violence in the Workplace Prevention 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.

**Definitions:**

**Consent** is defined as an affirmed and given freely, willingly, and knowingly of each participant to desired physical/sexual involvement. Consent is a mutual, 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** is defined as a known, not assumed permission, to engage someone with 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. 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 the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a 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 defined as the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation and adjudication by the institution.

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

**Sexual misconduct** is defined as 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 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 defined as prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a report under this policy or assisted or participated in any manner in an investigation.

b) Sexual assault is defined as a violent act that shall include but is not limited to a sexual act directed against another person without the consent (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-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

c) Sexual exploitation is defined as an incident(s) when a person takes non-consensual or abusive sexual advantage of another for anyone's advance 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 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 sexual intercourse);
- 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** is defined as a means of any physical or sexual harm against an individual by a current or former spouse 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 defined 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-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 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 harassment in a spousal or cohabitating 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 sexual assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical 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 foe 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 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 a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported involved in the relationship.

e) **Stalking** is defined as repeatedly contacting another person when the contacting person knows or should know that the contact is unwanted by that 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" but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication remaining in the physical presence of the other person.

#### **Report Sexual Harassment**

**Mrs. Jesenia Minier-Delgado, the University's Title IX Coordinator**, is responsible for oversee and monitor (in conjunction with other University Title IX programming, resources and services related to sexual harassment and violence, investigating all Title IX claims and filed complaints.

To request a copy of the policy, complaint procedures and related forms, or to discuss a known concern or file a sexual harassment complaint, you may contact Mrs. Jesenia Minier-Delgado, Chief Diversity Officer, Office of Diversity & Equity, University Hall, Room 214, telephone: (203) 837-8277, TTY (203) 837-8284, email: minierdelgadoj@wcsu.edu (mailto:minierdelgadoj@wcsu.edu).

#### **Protection from Adverse Actions**

All individuals shall be free from restraint, interference, coercion or reprisal on the part of their associates, supervisors and all others in making any appeal, in serving as a representative for a complaint, or in appearing as a witness or in seeking information. The above principles apply with equal force whether the complaint has been resolved. Should these principles be violated, the facts shall be brought to the attention of the Chief Diversity Officer by the aggrieved individual, his/her representative, or any person affected. The Chief Diversity Officer shall bring all such situations to the attention of the President for confidential review, the potential for early proactive intervention and appropriate action.

Individuals are advised of their legal options to file complaints with the Connecticut Commission on Human Rights and Opportunities, U.S. Equal Employment Opportunity Commission, U.S. Department of Labor, Wage and Hour Division and any other agencies, state, federal or local, that enforce laws concerning discrimination.

Confidential counseling is also available. For more information, please contact Mrs. Jesenia Minier-Delgado, Chief Diversity Officer, Office of Diversity & Equity, University Hall, Room 214, telephone: (203) 837-8277, TTY (203) 837-8284, email: minierdelgadoj@wcsu.edu (mailto:minierdelgadoj@wcsu.edu).

#### **University's Interpersonal Violence Policy**

Western Connecticut State University (WCSU) asserts that all students have the right to be free from interpersonal violence such as stalking, intimate partner violence, and sexual harassment or assault. To treat all violence with the utmost seriousness, all non-confidential WCSU employees (including faculty) to submit an Anonymous Report Form when aware of any interpersonal violence; although student information will remain secure, it may be shared with appropriate WCSU officials. Confidential, on-campus locations not required to report include the Counseling Center, Women's Center, and Health Services. **Information is available at [www.wcsu.edu/diversity/CarRT.asp](http://www.wcsu.edu/diversity/CarRT.asp) (<http://www.wcsu.edu/diversity/carrt/>).**

### **Confidentiality**

When the University receives a report of sexual misconduct, all reasonable steps will be taken by the designated University Title IX Coordinator and staff to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the University 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 University must also fulfill its duty to protect the campus community.

Confidential resources are defined as follows: The University has a campus based counseling center, health center and pastoral counseling staff members. 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 University's Women's Center for Greater Danbury. The personnel of these centers 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 disclosed legally to any other person **without consent**, except under very limited circumstances, such as an imminent threat of danger to self or other 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. The 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 University to take steps to protect the safety of the reported victim and/or other members of the campus community, the University 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 possible. Therefore, the University Title IX Coordinator, as well as the University Police and Director for the University Office of Judicial Affairs have the temporary no contact orders to protect both the victim and other parties from any form of contact during the commission of an investigation.

### **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, employees are required to immediately communicate to the University designated recipient (i.e., University 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 University'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 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 accommodations and to provide a referral for support and other services to either the University designated recipient (i.e., University Title IX Coordinator) or to file an Anonymous Report Form.

Furthermore, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director

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 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 the University designated recipient (i.e., University Title IX Coordinator) will be informed in a timely manner of 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 counseling and medical services will be made available immediately and will be confidential, whether or not those who report feel free to make any decisions about reporting to the University/local police, to a University employee or the University Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take all available action, with the University, criminal and/or 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 Women's Center of Greater Danbury and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and ethics to maintain confidentiality **without written releases**.

## Options for Changing Academic, Housing, Transportation and Working Arrangements

The University 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. The University will also provide information detailing the procedures to follow after the commission of an incident and/or any sexual 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/CSCU policy that whenever the University Title IX Coordinator or other University employees receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the University Title IX Coordinator or other affiliated employee(s) 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, and/or local counseling, health, and mental health services. The University 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 local law enforcement and receive assistance from the University Police Department 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; or
  - the University's new temporary no contact order.

## 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 University Title IX Coordinator can assist in explaining the student conduct process, but will not work with the Director for the University Office of Judicial Affairs, on actions related to student misconduct from non-academic matters. Please note that there can be multiple investigations that occur between the University Title IX Coordinator and the Director for the University Office of Judicial Affairs. 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 proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more 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 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, call 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, within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the behavior committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and 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 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 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 are 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



confidential.

## ANNUAL SECURITY REPORT

Western Connecticut State University is committed to assisting all members of the WCSU community in providing for their own safety and security. In with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act, the university compiles an Annual Campus Security Report, which is downloaded at <http://www.wcsu.edu/police/pdf/Annual-Campus-Security-Report-2015.pdf> (<http://www.wcsu.edu/police/pdf/Annual-Campus-Security-Report-2015.pdf>). The report may be requested from the Western Connecticut State University Police Department at any time, day or night. A copy can be requested by calling (203) 837-9304.

Both the website and annual reports provide information about campus security and topics such as crime prevention, university police law enforcement and crime reporting procedures. Information also is provided about crime statistics for the previous three calendar years of reported crimes that occur on-and off-campus facilities. This information is required by federal and state law and is provided by the university's police department. The Annual Fire Report is available at [www.wcsu.edu/efs/EHS/fireprevention.asp](http://www.wcsu.edu/efs/EHS/fireprevention.asp) (<http://www.wcsu.edu/efs/EHS/fireprevention.asp>).

## Forms

[University Discrimination Complaint Form \(PDF\) \(/diversity/wp-content/uploads/sites/37/2017/09/University-Discrimination-Complaint-Form-rev.-7.18.2017.pdf\)](#)

[University Discrimination Complaint Withdrawal Form \(PDF\) \(/diversity/wp-content/uploads/sites/37/2017/09/University-Withdrawal-Form-compl.-8.04.2017.pdf\)](#)

[University Discrimination Complaint Procedures \(PDF\) \(/diversity/wp-content/uploads/sites/37/2017/09/WCSU-Discrimination-Complaint-Procedures.pdf\)](#)

## Other state and federal agencies that process discrimination complaints

There are several state and federal agencies that enforce laws concerning discrimination in employment and education. Because each agency has its own limitation/period for filing complaints, the Complainant should contact the agency for accurate advice. The following is a list of some of those agencies:

### Offices of the Connecticut Commission on Human Rights and Opportunities (CHRO)

999 Asylum Avenue, Hartford, Connecticut 06105 (860) 566-7710

100 Broadway, Norwich, Connecticut (860) 886-5703

55 W. Main Street, Suite 210, Waterbury, Connecticut 06702 (203) 805-6530

350 Fairfield Avenue, 6th Floor, Bridgeport, Connecticut 06604 (203) 579-6246

### United States Department of Labor Wage and Hour Division

135 High Street

Hartford, Connecticut 06103

(860) 240-4277

### United States Department of Education, Office for Civil Rights (OCR)

33 Arch Street, Ninth Floor

Boston, MA 02110

(617) 289-0111

### Connecticut Labor Department

Regulation of Wages Division

200 Folly Brook Boulevard

Wethersfield, CT 06109 (860) 566-3450

### United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Office Building

Government Center, Room 475

Boston, MA 02203 (617) 565-3200

### Connecticut Permanent Commission on the Status of Women

18-20 Trinity Street

Hartford, CT 06106 (860) 240-8300

## Who are you?

- ▶ [Future Students \(/admissions/\)](#)
- ▶ [Current Students \(/currentstudents/\)](#)
- ▶ [Alumni & Parents \(/alumni/\)](#)
- ▶ [Faculty & Staff \(/facultystaff/\)](#)
- ▶ [Donors & Friends \(/ia/\)](#)
- ▶ [Colonial Sports Fans \(http://wcsuathletics.com\)](#)

## Quick Links

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- ▶ [Maps & Directions \(/directions/\)](#)
- ▶ [Academics \(/academics/\)](#)
- ▶ [Athletics \(http://wcsuathletics.com\)](#)
- ▶ [Blackboard Learn \(/technology/elearning/\)](#)

## Contact us

- ▶ [Western Connecticut State University  
181 White Street  
Danbury, CT 06810](#)
- ▶ [203-837-9000](#)
- ▶ [Contact the University \(/contact.asp\)](#)

**f** (<http://www.facebook.com/>)

**yt** (<http://www.youtube.com/w>)

**in** (<https://www.linkedin.com/edu/western-connecticut-state>  
18041)

**g+** (<https://plus.google.com/>)



ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: \_\_\_/\_\_\_/\_\_\_

COMPLAINT NO.: \_\_\_\_\_

INTAKE INITIALS: \_\_\_\_\_

OFFICE OF DIVERSITY & EQUITY

### DISCRIMINATION COMPLAINT FORM

**INSTRUCTIONS:** Please provide all of the information requested. It is highly encouraged that you be as specific as possible when discussing incident(s) by including date(s) the incident(s) occurred, the name(s) of the person(s) involved and the name(s) of those who may have witnessed the incident(s). To investigate your complaint, it will be necessary to interview you (Complainant), the alleged accused and any witnesses with direct knowledge of the allegations or defenses. The Office of Diversity and Equity will notify all persons involved in the investigation that all communications are confidential and that unauthorized disclosure of information concerning the investigation could result in disciplinary action. The complaint is not limited to the space provided. You are encouraged to attach additional materials which may assist in the investigation process. Please note that the information provided on this and/or any other form is not considered an official complaint unless it is signed by you and dated.

#### COMPLAINANT INFORMATION:

Complainant's Name: \_\_\_\_\_  
First Name MR Last Name

Home Address: \_\_\_\_\_  
City State Zip Code

Work Address: \_\_\_\_\_  
City State Zip Code

Telephone: ( ) \_\_\_\_\_  Home  Work  Mobile  Other: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_  Home  Work  Mobile  Other: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_  Home  Work  Mobile  Other: \_\_\_\_\_

Email Address: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

Please identify one (or more) preferred Mode(s) of Contact:  Phone Call  Email  Letter

#### COMPLAINT DETAILS:

Complaint Status:  Applicant  Admin./Staff  External (Non-Campus Related)  
 Faculty  Student/Student Employee  Other: \_\_\_\_\_

Complaint Type:  Discrimination  Hostile Work/Academic Environment  
 Harassment  Retaliation

Basis:  Age  Marital Status  
 Ancestry  Mental Disorder  
 Color  National Origin  
 Criminal Record (State Employment)  Sex (Including Pregnancy or Sexual Harassment)  
 Gender Identity (or Expression)  Sexual Orientation  
 Intellectual Disability  Race  
 Learning Disability  Religious Creed  
 Physical Disability

#### Terms and Conditions of Academic/Employment Status

Assignments  Performance Evaluation  Transfer  
 Benefits/Leave  Promotion  Salary/Compensation  
 Demotion/Discharge  Testing  Unknown Conditions  
 Employment/Hiring  Training Opportunities  Working Conditions

Under "Unknown Conditions", please specify: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

[WWW.WCSU.EDU](http://www.wcsu.edu)

WESTERN CONNECTICUT STATE UNIVERSITY IS AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER



ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: \_\_\_/\_\_\_/\_\_\_

COMPLAINT NO.: \_\_\_\_\_

INTAKE INITIALS: \_\_\_\_\_

OFFICE OF DIVERSITY & EQUITY

Respondent Information

Name of person(s) (called the Respondent(s) you believe have subjected you to the conduct described in your complaint. When asking about affiliation/relationship, this is information as it relates to your contact (i.e., if the Respondent is a supervisor, co-worker, student, faculty, etc.). Timeframe is asking about the length of time you have known the Respondent(s).

Respondent's Name: \_\_\_\_\_

Respondent Status: [ ] Applicant [ ] Admin./Staff [ ] External (Non-Campus Related) [ ] Faculty [ ] Student/Student Employee [ ] Other: \_\_\_\_\_

Affiliation/Relationship: \_\_\_\_\_ Timeframe: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent Status: [ ] Applicant [ ] Admin./Staff [ ] External (Non-Campus Related) [ ] Faculty [ ] Student/Student Employee [ ] Other: \_\_\_\_\_

Affiliation/Relationship: \_\_\_\_\_ Timeframe: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent Status: [ ] Applicant [ ] Admin./Staff [ ] External (Non-Campus Related) [ ] Faculty [ ] Student/Student Employee [ ] Other: \_\_\_\_\_

Affiliation/Relationship: \_\_\_\_\_ Timeframe: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent Status: [ ] Applicant [ ] Admin./Staff [ ] External (Non-Campus Related) [ ] Faculty [ ] Student/Student Employee [ ] Other: \_\_\_\_\_

Affiliation/Relationship: \_\_\_\_\_ Timeframe: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent Status: [ ] Applicant [ ] Admin./Staff [ ] External (Non-Campus Related) [ ] Faculty [ ] Student/Student Employee [ ] Other: \_\_\_\_\_

Affiliation/Relationship: \_\_\_\_\_ Timeframe: \_\_\_\_\_

Add additional pages, as needed



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: \_\_\_/\_\_\_/\_\_\_

COMPLAINT NO.: \_\_\_\_\_

INTAKE INITIALS: \_\_\_\_\_

**COMPLAINT DESCRIPTION:**

Please explain the specifics and/or situation(s) that resulted in your allegation(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe why you believe the incident(s) you described were related to the identified basis of your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List and describe all documents, e-mails, records, materials and/or evidence pertaining to your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the corrective action you are seeking:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List the identified witnesses to the above described incident(s):

Witness 1.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>
Witness 2.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>
Witness 3.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>
Witness 4.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>
Witness 5.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>
Witness 6.	_____	_____	_____
	<small>Name</small>	<small>Relationship</small>	<small>Contact Information</small>

Add additional pages, as needed



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

COMPLAINT NO.: \_\_\_\_\_

INTAKE INITIALS: \_\_\_\_\_

Complaint Acknowledgment

I, \_\_\_\_\_, understand that, regardless of any contact with the Office of Diversity and Equity, I also retain the right to file an external complaint of discrimination or discriminatory harassment with the Connecticut Commission on Human Rights and Opportunities (CHRO), United States Equal Employment Opportunity Commission (EEOC) and/or the United States Department of Education Office of Civil Rights (OCR). Furthermore, I understand the relevant timeline for filing with these agencies varies from 180 days to 300 days from the date of the alleged discriminatory act/actions, and is independent of any internal complaint filed with the Office of Diversity and Equity.

I, \_\_\_\_\_, understand that under state and federal law, as a Complainant, I may not be retaliated against with regards to my prospective or current employment status, for filing a discrimination complaint, participating in an investigation or opposing an unlawful discriminatory practice.

I, \_\_\_\_\_, hereby attest that the facts asserted in this complaint are true and accurate, and that I have been advised of the other avenues of appeal/redress:

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

Please forward this form and any evidence pertaining to your complaint to the Office of Diversity and Equity upon completion to:

Office of Diversity and Equity  
Western Connecticut State University  
181 White Street  
University Hall, Suite 214  
Danbury, Connecticut 06810

If you have any additional questions or would like to schedule an appointment to submit this form, please contact a member of the Office of Diversity and Equity at (203) 837-8278.



**OFFICE OF DIVERSITY AND EQUITY  
WITHDRAWAL FORM**

*NOTE: Any filed action, including a discrimination complaint form, may be withdrawn at any time during the informal resolution and/or investigation process. Only the Complainant may withdraw a filed inquiry, complaint or request. Requests for withdrawals must be submitted in writing to the Chief Diversity Officer. The University reserves the right to continue with any filed investigation, if it is warranted. In a case where the University decides to continue with a filed investigation, the Complainant will be notified. In either event, as it pertains to complaint investigations, the Respondent/Accused will also be notified in writing that the Complainant has withdrawn a filed complaint and/or whether University officials determined that continuation of an investigation is warranted for corrective purposes.*

Today's Date: \_\_\_ / \_\_\_ / \_\_\_

BANNER ID: \_\_\_\_\_

Name of Complainant/Requestor: \_\_\_\_\_  
(First Name) (MI) (Last Name)

**If the Complainant/Requestor is an Employee/Faculty:**

Department Name: \_\_\_\_\_

Office Title: \_\_\_\_\_ Office Location: \_\_\_\_\_

I, \_\_\_\_\_, voluntarily request to withdraw one or more of the identified action(s) with the university's Office of Diversity and Equity:

- EEO Inquiry – Informal Complaint/Review
- University Discrimination Complaint Form
- Request for Reasonable Accommodation for a Medical Disability
- Request for Reasonable Accommodation for Religious Observance in the Workplace
- Other: \_\_\_\_\_

Please describe/state your reason for this withdrawal:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complainant/Requestor's Signature: \_\_\_\_\_



OFFICE OF DIVERSITY AND EQUITY

## UNIVERSITY POLICY IMPLEMENTATION ON NON-DISCRIMINATION

### I. CONNECTICUT STATE COLLEGES AND UNIVERSITIES AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

As the statewide policy making authority for public higher education in Connecticut, the Connecticut State Colleges and Universities (CSCU) is committed to leading, by example, in the areas of equal employment opportunity and affirmative action. Additionally, the Connecticut State Colleges and Universities has been charged by state statutes to promote representative racial and ethnic diversity among the students, faculty administrators and staff at public institutions of higher education. The Connecticut State Colleges and Universities (CSCU) policies also advances compliance with Title IX requirements and the Americans with Disabilities Act (ADA) at all Connecticut State Colleges and Universities. Equal employment opportunity and affirmative action are essential to achieving higher education's goals of academic excellence and equity.

The Connecticut State Colleges and Universities (CSCU) recognizes that affirmative action is positive action undertaken with diligence and conviction to:

1. Overcome any remaining effects of past practices, policies or barriers to equal employment opportunity, and;
2. Achieve the full and fair participation of all protected class members found to be underutilized in the workplace, or adversely impacted by policies or practices.

The Connecticut State Colleges and Universities (CSCU) deems equal employment opportunity to be the education or employment of individuals without consideration of race, color, age, sex, including pregnancy, sexual harassment and sexual assault, religious creed, marital status, national origin, ancestry, physical or mental disabilities (including learning disabilities, intellectual disabilities, past or present history of mental disability), gender identity or expression, sexual orientation, transgender status, workplace hazards to reproductive systems or other factors which cannot lawfully be the basis for employment actions, unless there is a bona fide occupational qualification. The Connecticut State Colleges and Universities (CSCU) will not request or require genetic information from job applicants or employees, or otherwise discriminate against any person in employment conditions on the basis of genetic information. Additionally, the Connecticut State Colleges and Universities (CSCU) will not unlawfully discriminate against persons with a prior criminal conviction. Equal employment opportunity is the purpose and goal of affirmative action.

It is the policy of the Connecticut State Colleges and Universities to administer all personnel policies in manners that insure that there is no discrimination based upon race, color, age, sex, including pregnancy, sexual harassment and sexual assault, religious creed, marital status, national





OFFICE OF DIVERSITY AND EQUITY

origin, ancestry, physical or mental disabilities (including learning disabilities, intellectual disabilities, past or present history of mental disability), gender identity or expression, genetic information, sexual orientation, transgender status, criminal record, workplace hazards to reproductive systems or other factors which cannot lawfully be the basis for employment actions.

The Connecticut State Colleges and Universities recognizes the hiring difficulties experienced by persons with disabilities and by many older persons. If necessary, program goals shall be established with the Affirmative Action Plan for action eliminating hiring barriers and actively recruiting members from these groups, to overcome any remaining effects of past discrimination against these groups and to achieve full and fair participation of such persons in the workforce.

The Connecticut State Colleges and Universities shall explore alternative approaches wherever personnel practices have a negative impact on protected classes and establish procedures for the extra effort deemed necessary to assure that the recruitment and hiring of protected group members reflect their availability in the job market. To this end, the Connecticut State Colleges and Universities shall continuously review its personnel policies and procedures to ensure that barriers that unnecessarily exclude protected classes and practices that have a discriminatory impact are identified and eliminated. Recognizing that there are residual effects of past discrimination, the CSCU pledges not only to provide services in a fair and impartial manner, but also establish, through this policy, affirmative action and equal employment opportunity as immediate and necessary objectives throughout all of the Connecticut State Colleges and Universities.

The Connecticut State Colleges and Universities is committed to maintaining a work environment free from influence or prejudicial behavior and sexual harassment and a workplace in which all terms, conditions, privileges and benefits are administered in an equitable manner. The Connecticut State Colleges and Universities has an internal discrimination complaint procedure and system to process and resolve grievances.

It is also the University's policy to provide reasonable accommodations when appropriate to individuals with disabilities, individuals observing religious practices, employees who have pregnancy or childbirth-related medical conditions, or employees who are victims of domestic violence/stalking/sex offenses. This Policy also prohibits retaliation for reporting or opposing discrimination, or cooperating with an investigation of a discrimination complaint.

Dr. John B. Clark, the President of the Western Connecticut State University (WCSU) is committed to successfully implementing the Affirmative Action Plan and goals within timetables set forth. The President assures that all employees, especially managers and supervisors understand the policies and their responsibilities for implementing such and take positive steps to ensure compliance with the Affirmative Action Plan, AA/EEO policies, procedures and programs and also Americans with Disabilities Act (ADA) and Title IX requirements and mandates.

Effective July 7, 2017, Mrs. Jesenia Minier-Delgado has been appointed to serve as the Chief Diversity Officer and is responsible for overseeing the Office of Diversity and Equity and to



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monitor and execute the Affirmative Action and Equal Employment Opportunity programs at the University. Mrs. Minier-Delgado is the University's full-time Affirmative Action Officer. To this end, the Chief Diversity Officer shall be concerned with equitable treatment to all in the University community. Mrs. Minier-Delgado is located at the Midtown Campus, University Hall 217, 181 White Street, Danbury, Connecticut, 06810, and can be reached by telephone at (203) 837-8444 or by email at [minierdelgadoj@wcsu.edu](mailto:minierdelgadoj@wcsu.edu). Employees and others who wish to file a complaint of discrimination pertaining to Western Connecticut State University may do so by contacting Mrs. Minier-Delgado.

## II. Definitions of Prohibited Conduct<sup>1</sup>

**Discrimination** is treating an individual differently or less favorably because of his or her protected characteristics—such as race, color, religion, sex, gender, national origin, or any of the other bases prohibited by this Policy.

**Harassment** is a form of discrimination that consists of unwelcome conduct based on a protected characteristic that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or abusive work or academic environment. Such conduct can be spoken, written, visual, and/or physical. This policy covers prohibited harassment based on all protected characteristics other than sex. Sex-based harassment and sexual violence are covered by University Policy on Sexual Misconduct Reporting, Support Services and Processes linked at <http://www.ct.edu/files/pdfs/hr-policy-sexual-misconduct.pdf>.

**Retaliation** is adverse treatment of an individual because he or she made a discrimination complaint, opposed discrimination, or cooperated with an investigation of a discrimination complaint.

## III. Discrimination and Retaliation Complaints

WCSU is committed to addressing discrimination and retaliation complaints promptly, consistently and fairly. The Chief Diversity Officer (or an assigned designee) shall be responsible for, among other things, addressing discrimination and retaliation complaints under this Policy. There shall be procedures for making and investigating such complaints, which shall be applicable to the University.

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<sup>1</sup> As a public university system, WCSU adheres to federal and state laws and regulations regarding non-discrimination and affirmative action. Should any federal or state law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this Policy, discrimination on those additional bases will also be prohibited by this Policy.



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**IV. Academic Freedom**

This Policy shall not be interpreted so as to constitute interference with academic freedom.

**V. Responsibility for Compliance**

The President will have ultimate responsibility for overseeing compliance with these policies at their respective units of the University. In addition, each vice president, dean, director, or other person with managerial responsibility, including department chairpersons and executive officers, must promptly consult with the Chief Diversity Officer at his or her school, department or unit if he or she becomes aware of conduct or allegations of conduct that may violate this Policy. All members of the University community are required to cooperate in any investigation of a discrimination or retaliation complaint.



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***DISCRIMINATION COMPLAINT PROCEDURES***

1. Reporting Discrimination and/or Retaliation

The University is committed to addressing discrimination and/or retaliation complaints promptly, consistently and fairly. Members of the University community, as well as visitors, may promptly report any allegations of discrimination or retaliation to the individuals set forth below:

- a) Applicants, employees, visitors and students with discrimination complaints should raise their concerns with the Chief Diversity Officer.
- b) Applicants, employees, visitors and students with complaints of sexual harassment or sexual violence, including sexual assault, stalking, domestic and intimate violence, should follow the process outlined in the University Policy on Sexual Misconduct Reporting, Support Services and Processes linked at <http://www.ct.edu/files/pdfs/hr-policy-sexual-misconduct.pdf> and the CSCU Discrimination Complaint Policy and Procedures.
- c) There are separate procedures under which applicants, employees, visitors and students may request and seek review of a decision concerning reasonable accommodations for a disability, which are set forth in the procedures on Reasonable Accommodation. (must include drafted link upon approval)

2. Preliminary Review of Employee, Student, or Visitor Concerns

Individuals who believe they have experienced discrimination and/or retaliation should promptly contact the Chief Diversity Officer to discuss their concerns, with or without filing a complaint. Following the discussion, the Chief Diversity Officer will inform the complainant of the options available. These include seeking informal resolution of the issues the Complainant has encountered or the University conducting a full investigation. Based on the facts of the complaint, the Chief Diversity Officer may also advise the Complainant that his or her situation is more suitable for an alternate resolution.

3. Filing a Complaint

Following the discussion with the Chief Diversity Officer, individuals who wish to pursue a complaint of discrimination and/or retaliation should be provided with a copy of the University's newly revised discrimination complaint form. Complaints should be made in writing whenever possible, including in cases where the Complainant is seeking an informal resolution.



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#### 4. Informal Resolution

Individuals who believe they have been discriminated or retaliated against may choose to resolve their complaints informally. Informal resolution is a process whereby parties can participate in a search for fair and workable solutions. The parties may agree upon a variety of resolutions, including but not limited to modification of work assignment, training for a department, or an apology. The Chief Diversity Officer will determine if informal resolution is appropriate in light of the nature of the complaint. Informal resolution requires the consent of both the complainant and the respondent and suspends the complaint process for up to thirty (30) calendar days, which can be extended upon consent of both parties, at the discretion of the Chief Diversity Officer.

Resolutions should be agreed upon, signed by, and provided to both parties. Once both parties reach an informal agreement, it is final. Because informal resolution is voluntary, sanctions may be imposed against the parties only for a breach of the executed voluntary agreement.

The Chief Diversity Officer or either party may at any time, prior to the expiration of thirty (30) calendar days, declare that attempts at informal resolution have failed. Upon such notice, the Chief Diversity Officer may commence a full investigation. If no informal resolution of a complaint is reached, the Complainant may request that the Chief Diversity Officer conduct a full investigation of the complaint.

#### 5. Investigation

A full investigation of a complaint may commence when it is warranted after a review of the complaint, or after informal resolution has failed. It is recommended that the intake and investigation include the following, to the extent feasible:

##### a) Interviewing the Complainant

In addition to obtaining information from the Complainant (including the names of any possible witnesses), the Complainant should be informed that an investigation is being commenced, that interviews of the Respondent and possibly other people will be conducted, and that the President will determine what action, if any, to take after the investigation is completed.

##### b) Interviewing the Respondent

In addition to obtaining information from the Respondent (including the names of any possible witnesses), the Respondent should be informed that a complaint of discrimination has been received and should be provided a copy of the complaint unless circumstances



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warrant otherwise. Additionally, the Respondent should be informed that an investigation has begun, which may include interviews with third parties, and that the President will determine what action, if any, to take after the investigation is completed. A Respondent employee who is covered by a collective bargaining agreement may consult with, and have, a union representative present during the interview.

The Respondent must be informed that retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited under this policy and federal, state, and city laws. The Respondent should be informed that if retaliatory behavior is engaged in by either the Respondent or anyone acting on his/her behalf, the Respondent may be subject to disciplinary charges, which, if sustained, may result in penalties up to and including termination of employment, or permanent dismissal from the University if the Respondent is a student.

#### c) Reviewing other evidence

The Chief Diversity Officer should determine if, in addition to the complainant, the respondent, and those persons named by them, there are others who may have relevant information regarding the events in question, and speak with them. The Chief Diversity Officer should also review documentary evidence that may be relevant to the complaint.

#### 6. Withdrawing a Complaint

A complaint of discrimination may be withdrawn at any time during the informal resolution or investigation process. Only the Complainant may withdraw a complaint. Requests for withdrawals must be submitted in writing to the Chief Diversity Officer. The University reserves the right to continue with an investigation if it is warranted. In a case where the University decides to continue with an investigation, it will inform the complainant.

In either event, the Respondent must be notified in writing that the Complainant has withdrawn the complaint and whether University officials have determined that continuation of the investigation is warranted for corrective purposes.

#### 7. Timeframe

While some complaints may require extensive investigation, whenever possible, the investigation of a complaint should be completed within ninety (90) calendar days of the receipt of the complaint.



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8. Action Following Investigation of a Complaint

- a) Promptly following the completion of the investigation, the Chief Diversity Officer will report his or her findings to the President. In the event that the Respondent or Complainant are student, the Chief Diversity Officer will also report his or her findings to the Chief Student Affairs Officer and the Office of Judicial Affairs (if action is needed).
- b) Following such report, the President will review the "investigation report" and, when warranted by the facts, authorize such action as he or she deems necessary to properly correct the effects of or to prevent further harm to an affected party or others similarly situated. This can include commencing action to discipline the Respondent under applicable University by-laws and/or collective bargaining agreements.
- c) The Complainant and the Respondent should be apprised in writing of the outcome and action, if any, taken as a result of the complaint.
- d) The President will sign a form that will go into each investigation file, stating what, if any, action will be taken pursuant to the investigation.
- e) If the President is the Respondent, the CSCU System Office will appoint an Investigator who will report his/her findings to the CSCU President. The CSCU President will determine what action will be taken, and such decision will be final.

9. Immediate Preventive Action

The President may take whatever action is appropriate to protect the University community in accordance with applicable University by-laws and collective bargaining agreements.

10. False and Malicious Accusations

Members of the University community who make false and/or malicious complaints of discrimination, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to immediate, corrective action.

11. Anonymous Complaints

All complaints will be taken seriously, including anonymous complaints. In the event that a complaint is anonymous, the complaint should be investigated as thoroughly as possible under the circumstances.



**OFFICE OF DIVERSITY AND EQUITY**



## **DISCRIMINATION COMPLAINT AGENCIES**

Under Section 46a-68-89 (a) (b) (c) of the Affirmative Action Regulations of Connecticut State 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 the University's Internal Discrimination Complaint Process and file a complaint of discrimination with the following external agencies:

### **1. The Connecticut Commission on Human Rights & Opportunities:**

Capitol Region  
450 Columbus Blvd.  
Hartford, Connecticut 06103  
Tel: (860) 566-7710

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

Southwest Region  
350 Fairfield Avenue, 6<sup>th</sup> Floor  
Bridgeport, Connecticut 06604  
Tel: (203) 579-6246

West Central Region  
Rowland State Government Center  
55 West Main Street, Suite 210  
Waterbury, Connecticut 06702-2004  
Tel: (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**

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

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.

Alternatively:

3. **Connecticut Permanent Commission on the Status of Women**

18-20 Trinity Street  
Hartford, Connecticut 06106  
Tel: (860) 240-8300

4. **State of Connecticut: Employee Grievance Procedure**

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

5. **Regulation of Wages Division, Connecticut Labor Department**

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

6. **Wage and Hour and Public Contracts Division**

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

7. **U.S. Department of Education, Office for Civil Rights**

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