

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 Western Connecticut State University ("WCSU" or "University") 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 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.

The WCSU Office of Diversity and Equity ("ODE") developed a website and detailed content/repository of the most current and relevant policies, procedures and contacts to all members of the university community and community at large.

## **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 Western Connecticut State University ("WCSU" or "University") 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

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**DISCRIMINATION  
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Sec. 46a-68-89

(ATTACHMENTS AND DOCUMENTATION)

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**DISCRIMINATION COMPLAINT LOG**

AGENCY: WESTERN CONNECTICUT STATE UNIVERSITY REPORTING DATE: June 8, 2022

NUMBER	COMPLAINANT RACE/SEX	DATE FILED	TYPE	ACCUSED	BASIS CLAIMED	FINDING	RESOLUTION	LENGTH OF TIME TO RESOLVE
1	White/Female (Student)	8/30/21	Within Agency (Internal)	White/Male (Student)	Sexual Harassment	Probable Cause	Action Taken (Judicial)	45 days
2	Other/Female (Student)	10/19/21	Within Agency (Internal)	Black/Male (Student)	Sexual Harassment	Probable Cause	Action Taken (Judicial)	45 days
3	White/Female (Student)	4/6/21	Within Agency (Internal)	Hispanic/Male (Employee)	Sexual Harassment	No Probable Cause	No Action Taken	30 days
4	White/Female (Student)	9/11/21	Within Agency (Internal)	Hispanic/Male (Student)	Sexual Harassment	No Probable Cause	No Action Taken	90 days
5	Black/Male (Student)	11/19/21	Within Agency (Internal)	White/Male (Employee)	Race	No Probable Cause	No Action Taken	90 days
6	Black/Male (Employee)	11/30/21	Within Agency (Internal)	Other/Male (Student)	Race	No Probable Cause	No Action Taken	90 days
7	White/Female (Employee)	10/27/21	Within Agency (Internal)	White/Male** (Manager/Employee)	Gender and Religious Observance	Probable Cause	Action Taken (HR)	90 days
8	White/Female (Student)	10/18/21	Within Agency (Internal)	White/Female (Student)	Stalking/Harassment	No Probable Cause	No Action Taken	90 days
9	White/Female (Student)	8/19/21	Within Agency (Internal)	White/Male (Student)	Sexual Harassment	Probable Cause	Action Taken (Judicial)	90 days
10	White/Female (Student)	9/30/21	Within Agency (Internal)	White/Male (Student)	Sexual Harassment	No Probable Cause	No Action Taken	90 days
11	White/Female (Student)	11/4/21	Within Agency (Internal)	White/Male (Employee)	Gender Identity and Expression	Probable Cause	Action Taken (HR)	90 days
12	White/Female (Student)	1/21/22	Within Agency (Internal)	Hispanic/Male (Student)	Sexual Harassment	No Probable Cause	No Action Taken	45 days



13	White/Female (Student)	1/6/22	Within Agency (Internal)	Other/Male (Student)	Stalking/Harassment	No Probable Cause	No Action Taken	90 days
14	Other/Male (Student)	2/22/22	Within Agency (Internal)	White/Male (Student)	Sexual Harassment	No Probable Cause	No Action Taken	45 days

\*Internal (within University - Agency) or identify if External (CHRO, DOL, EEOC, etc.)

\*\*Co-worker, Supervisor, Manager, etc.





# Office of Diversity and Equity (https://www.wcsu.edu/diversity)

You are here: Home (/) > Office of Diversity and Equity (https://www.wcsu.edu/diversity) > Information about filing a discrimination complaint

## Office of Diversity and Equity (ODE) Information about filing a discrimination complaint

Last updated: 10/20/2020

### WCSU NON-DISCRIMINATION POLICY STATEMENT

Western Connecticut State University ("WCSU" or "University") is an affirmative action/equal opportunity educator and employer. It is committed to the goal of providing equal opportunity and full participation in its educational programs, activities and employment because of age, color, religious beliefs or association, gender/sex, gender identity or expression, national origin, race, 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 has been put forth to ensure that no qualified person be excluded from participation in, be denied the benefits of, or otherwise be discriminated under any program or activity of the university.

To file a complaint of discrimination, or for inquiries concerning the University's Nondiscrimination Policy Statement, related regulations for Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, please contact either:

**Jesenia Minier, Chief Diversity Officer/ADA and Title IX Coordinator**

**Scott Towers, Pride Center Coordinator/Deputy Title IX Coordinator**

University Hall (Midtown Campus), Room 200B, phone#: (203) 837-8444, TTY (203) 837-8284, or by email at [ode@wcsu.edu](mailto:ode@wcsu.edu) (<mailto:ode@wcsu.edu>).

### Discrimination Complaint Forms

WCSU Discrimination Complaint Form (</diversity/wp-content/uploads/sites/37/2020/08/University-Discrimination-Compl-rev-8.06.2020.pdf>) (PDF print only) (rev. 8.06.2020)

WCSU Discrimination Withdrawal Form (</diversity/wp-content/uploads/sites/37/2020/08/University-Withdrawal-Form-compl-9.25.2019.pdf>) (PDF)

WCSU Waiver of Representation Form (</diversity/wp-content/uploads/sites/37/2020/08/WCSU-Waiver-of-Representation-rev-8.11.2020.pdf>) (PDF)

WCSU Discrimination Complaint Procedures (</diversity/wp-content/uploads/sites/37/2020/08/WCSU-Discrimination-Compl-Procedures-rev-8.06.2020.pdf>) (PDF)(rev. 8.06.2020)

### Protection from Adverse Action

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

Individuals are advised of their legal options to file complaints with the Connecticut Commission on Human Rights and Opp (CHRO), U.S. Equal Employment Opportunity Commission (EEOC), U.S. Department of Labor, Wage and Hour Division, and ar 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 Off Diversity & Equity, University Hall (Midtown Campus), Room 202B, telephone: (203) 837-8444, TTY (203) 837-8284, email: [ode@wcsu.edu](mailto:ode@wcsu.edu) (<mailto:ode@wcsu.edu>).

Procedures [procedures/](https://www.wcsu.edu/diversity/proc...)

Western Connecticut State University ("WCSU" or "University") is accredited by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education.

What is [\(https://www.wcsu.edu/diversity/what-is-title-ix-and-cart/\)](https://www.wcsu.edu/diversity/what-is-title-ix-and-cart/)

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

Title IX is [\(https://www.wcsu.edu/diversity/not-any-more-title-ix-online-training-portal/\)](https://www.wcsu.edu/diversity/not-any-more-title-ix-online-training-portal/)

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

Not Any more Title IX Online Training Portal [\(https://www.wcsu.edu/diversity/carrt/\)](https://www.wcsu.edu/diversity/carrt/)

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

Campus Response & Resource Team [\(https://www.wcsu.edu/diversity/recruitment-and-retention-resources/\)](https://www.wcsu.edu/diversity/recruitment-and-retention-resources/)

Diversity Recruitment and Retention Resources [\(https://www.wcsu.edu/diversity/recruitment-and-retention-resources/\)](https://www.wcsu.edu/diversity/recruitment-and-retention-resources/)

**Rights Reserved Statement**

Students attending WCSU are required to familiarize themselves with this catalog. Primary responsibility for knowing and fulfilling requirements rests with the individual student. The catalog in effect at the time of the student's admission or readmission to WCSU governs degree requirements. WCSU administration reserves the right, whenever advisable:

1. to change or modify its schedule of tuition and fees;
2. to withdraw, cancel, reschedule or modify any course, program of study, or degree or any requirement in connection with an ongoing program.

CSCU-WCSU Committee(s) and Groups [\(https://www.wcsu.edu/diversity/program-sponsorship-requests/\)](https://www.wcsu.edu/diversity/program-sponsorship-requests/)

**Report Sexual Harassment/Misconduct**

**Jesenia Minier, WCSU Title IX Coordinator and Scott Towers, WCSU Deputy Title IX Coordinator**, are responsible for overseeing (in conjunction with other university affiliates) all Title IX programming, resources and services related to sexual harassment and investigating all Title IX claims and filed complaints.

**Fred Cratty, Chief Human Resources Officer**, is responsible for investigating and monitoring all (employee-related) Title IX files.

Please review the below linked documents and webpage(s) on the following applicable Title IX policies:

- [CSCU Sexual Misconduct Reporting, Supportive Services and Processes Policy \(PDF\)](#) (to be posted on or after 8.14.2020)
- [WCSU Title IX Complaint Procedures](#) ([/diversity/wp-content/uploads/sites/37/2020/08/WCSU-Title-IX-Complaint-Procedures-rev-8.06.2020.docx](#)) (PDF)(rev. 8.10.2020)

Event- Program Sponsorship Requests [\(https://www.wcsu.edu/diversity/lgbtq-on-and-off-campus-resources/\)](https://www.wcsu.edu/diversity/lgbtq-on-and-off-campus-resources/)

LGBTQ+ On and Off Campus Resources [\(https://www.wcsu.edu/diversity/minority-based-scholarships/\)](https://www.wcsu.edu/diversity/minority-based-scholarships/)

Minority-Based Scholarships and Grants [\(https://www.wcsu.edu/undocumented-student-support-services/\)](https://www.wcsu.edu/undocumented-student-support-services/)

United States Department of Education Overview of Title IX Changes (<https://www2.ed.gov/about/offices/list/ocr/docs/titleix-overview-08-14-2020.pdf>) (PDF web link) (effective 8.14.2020)

Undocumented Student Support Services [\(https://www.wcsu.edu/diversity/workplace-transgender-guidance/\)](https://www.wcsu.edu/diversity/workplace-transgender-guidance/)

If you wish to discuss a known concern or file a sexual harassment complaint, you may contact (either) Ms. Jesenia Minier, Title IX Coordinator or Mr. Scott Towers, Deputy Title IX Coordinator, Office of Diversity & Equity, University Hall (Midtown Campus), RC telephone: (203) 837-8444, TTY (203) 837-8284, email: [ode@wcsu.edu](mailto:ode@wcsu.edu) (<mailto:ode@wcsu.edu>).

University Transgender Guidance [\(https://www.wcsu.edu/diversity/committees/\)](https://www.wcsu.edu/diversity/committees/)

**University's Interpersonal Violence Policy**

Western Connecticut State University ("WCSU" or "University") 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, confidential WCSU employees (including faculty) are required to submit an Anonymous Report Form when aware of any interpersonal violence. Although student information will remain secure, it may be shared with the appropriate WCSU officials. Confidential locations not required to report include the Counseling Center, Women's Center, and Health Services. *More information is available at [www.wcsu.edu/diversity/CaRRT](http://www.wcsu.edu/diversity/CaRRT) ([/diversity/carrt/](#))*

WCSU Diversity Council [\(https://www.wcsu.edu/diversity/scholarship-webster-diversity-scholarship/\)](https://www.wcsu.edu/diversity/scholarship-webster-diversity-scholarship/)

**Additional links to resources on:**

University Policies and Procedures [\(https://www.wcsu.edu/diversity/contact-us/\)](https://www.wcsu.edu/diversity/contact-us/)

- Confidentiality ([/diversity/confidentiality/](#))
- Mandated Reporting by College and University Employees ([/diversity/mandated-reporting-by-university-employees/](#))
- Rights of Parties ([/diversity/1217-2/](#))
- Options for Changing Academic, Housing, Transportation and Working Arrangements ([/diversity/options-for-changing-academic-housing-transportation-and-working-arrangements/](#))
- Support Services Contact Information ([/diversity/support-services-contact-information/](#))
- Right to Notify Law Enforcement & Seek Protective and Other Orders ([/diversity/right-to-notify-law-enforcement-protective-and-other-orders/](#))
- Employee Conduct Procedures ([/diversity/employee-conduct-procedures/](#))
- Student Conduct Procedures ([/diversity/student-conduct-procedures/](#))
- WCSU Security Reports and other state and federal agencies that process discrimination complaints ([/diversity/wcsu-security-report-and-other-state-and-federal-agencies-that-process-discrimination-complaints/](#))

- Online/Virtual Title IX Training and Training Resource(s) ([/diversity/title-ix-online-virtual-training-and-training-r](#))
- United States Department of Education Title IX Resources webpage (<https://sites.ed.gov/titleix/>) 8.14.2020)

## Who are you?

- ▶ Future Students (<https://www.wcsu.edu/admissions/>)
- ▶ Current Students (<https://www.wcsu.edu/currentstudents/>)
- ▶ Alumni & Parents (<https://www.wcsu.edu/alumni/>)
- ▶ Faculty & Staff (<https://www.wcsu.edu/facultystaff/>)
- ▶ Donors & Friends (<https://www.wcsu.edu/giving/>)
- ▶ Colonial Sports Fans (<https://www.wcsu.edu/sports/>)

## Quick Links

- ▶ A to Z Index (<https://www.wcsu.edu/az-index/>)
- ▶ Maps & Directions (<https://www.wcsu.edu/campustour/directions/>)
- ▶ Academics (<https://www.wcsu.edu/academics/>)
- ▶ Athletics (<https://www.wcsu.edu/sports/>)
- ▶ Blackboard Learn (<https://www.wcsu.edu/iti/elearning/>)

## Contact us

📍 Western Connecticut State University  
181 White Street  
Danbury, CT 06810

☎ 203-837-9000

✉ Contact the University (<https://www.wcsu.edu/contact/>)

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📺 (<http://www.youtube.com/wcsu>)

🌐 (<https://www.linkedin.com/edu/western-connecticut-university-18041>)

👤 (<https://plus.google.com/wcsu>)







OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

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

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

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

### DISCRIMINATION COMPLAINT FORM

**INSTRUCTIONS:** *It is highly encouraged that you be as detailed 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 the filed complaint, it will be necessary to schedule meetings with you (Complainant), the alleged accused/Respondent and any witnesses with direct knowledge of the alleged allegations. The Office of Diversity and Equity will notify all persons involved in the investigation that all communications are to be held with your choice of representative(s) for appropriate guidance throughout this investigation. The filed 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 the Complainant and affirmed with a date signed.*

#### COMPLAINANT INFORMATION:

Complainant's Name: \_\_\_\_\_  
First Name MI 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  Assigned Advocate: \_\_\_\_\_

#### 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  
 Sexual Assault/Misconduct  Interpersonal Violence/Domestic Violence

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  Working Conditions  
 Employment/Hiring  Training Opportunities  Other

Initial: \_\_\_\_\_

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

Under "Other", please specify: \_\_\_\_\_

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

(1) Respondent's Name: \_\_\_\_\_  
First Name MI Last Name

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

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

(2) Respondent's Name: \_\_\_\_\_  
First Name MI Last Name

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

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

(3) Respondent's Name: \_\_\_\_\_  
First Name MI Last Name

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

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

(4) Respondent's Name: \_\_\_\_\_  
First Name MI Last Name

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

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

(5) Respondent's Name: \_\_\_\_\_  
First Name MI Last Name

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

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

Initial: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

[WWW.WCSU.EDU](http://WWW.WCSU.EDU)

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



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

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

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

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

**COMPLAINT DESCRIPTION:**

Please write (in chronological order) in your own words (or to the best of your recollection) the specifics and/or incident(s) that resulted in either one (or more) of your allegation(s):

Lined area for writing the complaint description.

Initial: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

[www.wcsu.edu](http://www.wcsu.edu)

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



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

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

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

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

NOTE: Copy page 3 to add additional pages, as needed

List and describe all of the materials and/or evidence pertaining to your complaint:

- Mobile Text Message(s)                       Phone Conversation/Voicemail                       Email
- Social Media Profile(s)/Chat(s)                       Image(s)/Photograph(s)                       Videos Clips/Videos
- Correspondence/Letters                       General/Personnel Records                       Memorandums/Notes
- Other: \_\_\_\_\_                       Other: \_\_\_\_\_                       Other: \_\_\_\_\_

Describe the corrective action you are seeking from this investigation:

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Do you wish to receive one (or more) referral(s) for assistance to:

- Counseling Center                       Office of Judicial Affairs                       Office of the Dean of Students
- CHOICES                       Univ. Police Department                       Women's Center of Greater Danbury
- Office of Health Services                       Housing and Residence Life                       Other: \_\_\_\_\_

List the identified witnesses to (any of) the described incident(s):

Witness 1.			
	Name	Relationship	Contact Information
Witness 2.			
	Name	Relationship	Contact Information
Witness 3.			
	Name	Relationship	Contact Information
Witness 4.			
	Name	Relationship	Contact Information
Witness 5.			
	Name	Relationship	Contact Information
Witness 6.			
	Name	Relationship	Contact Information
Witness 7.			
	Name	Relationship	Contact Information
Witness 8.			
	Name	Relationship	Contact Information
Witness 9.			
	Name	Relationship	Contact Information
Witness 10.			
	Name	Relationship	Contact Information

Initial: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

[WWW.WCSU.EDU](http://WWW.WCSU.EDU)

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



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 Western Connecticut State University ("WCSU") Office of Diversity and Equity ("ODE"), 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 WCSU ODE.

I, \_\_\_\_\_, understand that, regardless of any contact with the Western Connecticut State University ("WCSU") Office of Diversity and Equity ("ODE"), I also retain the right to file a criminal complaint with (either) the WCSU Police Department, Danbury Police Department and/or the local police authority within the jurisdiction of my home residence. Furthermore, I understand the relevant timeline for filing with these police agencies varies from the date of the alleged criminal action, and is independent of any internal complaint filed with the WCSU ODE.

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 \_\_\_\_\_

Upon completion, please forward this form and any attachments/evidence pertaining to your complaint to:

Office of Diversity and Equity ("ODE")
Western Connecticut State University
181 White Street
University Hall, Suite 202B
Danbury, Connecticut 06810
Phone: (203) 837-8444

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) 837-8444.

Initial: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

WWW.WCSU.EDU

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



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)  
 COMPLAINT DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 COMPLAINT NO.: \_\_\_\_\_  
 INTAKE INITIALS: \_\_\_\_\_

For any additional assistance to support you on campus, please reach the following campus office(s):

Office of Health Services  
 Western Connecticut State University  
 181 White Street  
 Litchfield Hall  
 Danbury, Connecticut 06810  
 Phone: (203) 837-8594

Womens Center (on campus office)  
 Western Connecticut State University  
 181 White Street  
 White Hall 003A  
 Danbury, Connecticut 06810  
 Phone: (203) 837-3939

Counseling Center  
 Western Connecticut State University  
 181 White Street  
 Midtown Student Center, Room 222  
 Danbury, Connecticut 06810  
 Phone: (203) 837-8690

Police Department  
 Western Connecticut State University  
 181 White Street  
 Police Headquarters, Beyond Newbury Hall  
 Danbury, Connecticut 06810  
 Phone: (203) 837-9300

Human Resource Department  
 Western Connecticut State University  
 181 White Street  
 Midtown Campus, University Hall, 1<sup>st</sup> Fl.  
 Danbury, Connecticut 06810  
 Phone: (203) 837-8678

Initial: \_\_\_\_\_

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

[WWW.WCSU.EDU](http://WWW.WCSU.EDU)

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



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:

Multiple horizontal lines for describing the reason for withdrawal.

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







OFFICE OF DIVERSITY & EQUITY

## WAIVER OF REPRESENTATION FORM

**Note:** The rights of unionized employees to have present a union representative and/or choice of representation or support person available during investigatory proceedings were announced by the U.S. Supreme Court in a 1975 case (NLRB vs. Weingarten, Inc. 420 U.S. 251, 88 LRRM 2689). These rights have become known as the *Weingarten rights*. Employees have Weingarten rights the course of an official investigation and/or scheduled investigatory proceedings. During an official investigation, university officials will arrange investigatory proceedings (i.e., interviews) to occur in order to question an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his or her alleged conduct. If you do not wish to invoke these rights, or do not require any representation, then please review and sign the below form to ensure you understand your rights.

I, [INSERT NAME], have been advised that I have a right to a choice of union (or non-union) representation present during my scheduled meeting(s)/interview(s) with, Ms. Jesenia Minier, Chief Diversity Officer/ADA and Title IX Coordinator for the Western Connecticut State University ("WCSU" or "University") Office of Diversity and Equity on [INSERT MEETING DATE]. I have chosen to participate in the scheduled meeting(s)/interview(s) without an identified choice of representation availed and/or present. I, [INSERT NAME], understand however, that I may stop the scheduled meeting(s)/interview(s) at any time and request a choice of representation if I choose to do so.

I have waived this right freely and voluntarily without any threats or promises of any kind by those present for the scheduled meeting(s)/interview(s) on [INSERT MEETING DATE].

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
(ACCUSED/RESPONDENT)

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

2<sup>nd</sup> Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_





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.



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It is the policy of the Connecticut State Colleges and Universities ("CSCU") 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 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.

CSCU recognizes the hiring difficulties experiences 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.

CSCU 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, CSCU 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.

Western Connecticut State University ("WCSU" or "University") 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. WCSU 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, President of the Western Connecticut State University ("WCSU" or "University") 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



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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, Ms. Jesenia Minier has been appointed to serve as the Chief Diversity Officer/ADA and Title IX Coordinator and is responsible for overseeing the Office of Diversity and Equity and to monitor and execute the Affirmative Action and Equal Employment Opportunity programs at the University. Ms. Minier is the University’s full-time Affirmative Action Officer. To this end, the Chief Diversity Officer/ADA and Title IX Coordinator shall be concerned with equitable treatment to all in the University community. Ms. Minier is located at the Midtown Campus, University Hall, Room 202, 181 White Street, Danbury, Connecticut, 06810, and can be reached by telephone at (203) 837-8444 or by email at [ode@wcsu.edu](mailto:ode@wcsu.edu). Employees and others who wish to file a complaint of discrimination pertaining to Western Connecticut State University may do so by contacting Ms. Minier.

## 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.

Gender-based (sexual harassment) discrimination is covered by the University’s Sexual Misconduct Reporting, Supportive Services and Processes Policy 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.

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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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**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.

**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**

Western Connecticut State University (“WCSU” or “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 or sexual misconduct complaints should raise their concerns with the Chief Diversity Officer/ADA and Title IX Coordinator (and/or an assigned designee<sup>2</sup>).
- 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’s Sexual Misconduct Reporting, Supportive Services and Processes Policy linked at: XXXXX 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/ADA and Title IX Coordinator (and/or an assigned designee<sup>3</sup>) to discuss their concerns, with or without filing a complaint. Following the discussion, the Chief Diversity Officer/ADA and Title IX Coordinator (and/or an assigned designee<sup>4</sup>) 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/ADA and Title IX Coordinator (and/or an assigned

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<sup>2</sup> An assigned designee is identified as the University’s Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University’s Campus Response and Resource Team.

<sup>3</sup> An assigned designee is identified as the University’s Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University’s Campus Response and Resource Team.

<sup>4</sup> An assigned designee is identified as the University’s Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University’s Campus Response and Resource Team.



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designee<sup>5</sup>) may also advise the Complainant that the situation is more suitable for an alternate resolution.

### 3. Filing a Complaint

Following the discussion with the Chief Diversity Officer/ADA and Title IX Coordinator (and/or an assigned designee<sup>6</sup>), individuals who wish to pursue a complaint of discrimination and/or retaliation should be provided with a copy of the newly revised discrimination complaint form. Complaints should be made in writing whenever possible, including in cases where the Complainant is seeking an informal resolution. The Complainant will be asked to write out (in chronological order) the event(s) and/or incident(s) to describe in their own words the allegation(s) set forth in the filed complaint. During this time, the Complainant may have assistance from a representative/advocate of their choice at any time during this process.

### 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/ADA and Title IX Coordinator will determine if an 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/ADA and Title IX Coordinator.

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/ADA and Title IX Coordinator 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/ADA and Title IX Coordinator may commence a full investigation. If no informal resolution of a complaint is reached, the Complainant may request that the Chief Diversity Officer/ADA and Title IX Coordinator conduct a full investigation of the complaint.

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<sup>5</sup> An assigned designee is identified as the University's Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University's Campus Response and Resource Team.

<sup>6</sup> An assigned designee is identified as the University's Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University's Campus Response and Resource Team.





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5. Investigation

A full investigation of the filed complaint may commence when it is warranted after a review and determination by the Chief Diversity Officer/ADA and Title IX Coordinator (and/or an assigned designee<sup>7</sup>) that the complaint has merit for investigation, or after informal resolution has failed. It is recommended that the intake and investigation include the following, to the extent feasible:

a) Formal intake for the Complainant

An intake designee (i.e., WCSU Deputy Title IX Coordinator) will review the information obtained from the Complainant (including the names of any possible witnesses), and explain to the Complainant (if the basis is merited) that an investigation will commence by the Chief Diversity Officer/ADA and Title IX Coordinator.

b) Formal interview(s) of the Complainant and other parties

The Chief Diversity Officer/ADA and Title IX Coordinator will schedule and conduct interview(s) needed with the Complainant, arrange the scheduled interviews with all involved parties (i.e., Complainant – as follow up, identified witnesses and the Accused/Respondent) and possibly other people will be contacted, and that the President will determine what action, if any, to take after the investigation is completed.

c) Interviewing the Accused/Respondent

The Chief Diversity Officer/ADA and Title IX Coordinator will notify and provide a written notice of the filed complaint to the Accused/Respondent unless circumstances warrant otherwise. Additionally, the Accused/Respondent is informed that an investigation will commence and that the Accused/Respondent is entitled to a choice of representation, which can be:

- A collective bargaining/union representative;
- A support person who is unaffiliated with your employer (i.e., family member, friend, counselor, etc.);
- A retained legal advisor and/or counsel; or
- An assigned WCSU representative

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<sup>7</sup> An assigned designee is identified as the University's Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University's Campus Response and Resource Team.



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The Accused/Respondent will be provided with a list of their rights and interim support measures during the investigation for the use and discretion of the Accused/Respondent.

An Accused/Respondent employee who is covered by a collective bargaining agreement may consult with, and have, a union representative present at any time of the investigation.

The Accused/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 Accused/Respondent should be informed that if retaliatory behavior is engaged by either the Accused/Respondent or anyone acting on his/her behalf, the Accused/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 Accused/Respondent is a student.

#### d) Reviewing other evidence

The Chief Diversity Officer/ADA and Title IX Coordinator should determine if, in addition to the Complainant, the accused/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/ADA and Title IX Coordinator 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/ADA and Title IX Coordinator (and/or an assigned designee<sup>8</sup>). 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 Accused/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.

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<sup>8</sup> An assigned designee is identified as the University's Deputy Title IX Coordinator, the Chief Human Resources Officer and/or a member of the University's Campus Response and Resource Team.



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7. Timeframe

While some complaints may require extensive investigation, whenever possible, the investigation of a complaint should be completed within a ninety (90) calendar days of the receipt of the complaint unless there are mitigating circumstances where more time is needed. In the event of a Title IX Complaint, please review the timeframe per the *Title IX investigation procedures* as timeframe varies in these circumstances.

8. Action Following Investigation of a Complaint

- a) Promptly following the completion of the investigation, the Chief Diversity Officer/ADA and Title IX Coordinator will report and document the investigation findings in an investigative report to the President. In the event that the Accused/Respondent or Complainant are student(s), the Chief Diversity Officer/ADA and Title IX Coordinator will also report the investigative 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 deem 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 Accused/Respondent under applicable university by-laws and/or collective bargaining agreements.
- c) The Complainant and the Accused/Respondent should be apprised in writing of the outcome and action, if any, taken as a result of the filed complaint.
- d) The President will sign the investigative report that will go into an investigation file, stating what, if any, action will be taken pursuant to the investigation.
- e) If the President is the Accused/Respondent, the CSCU System Office will appoint an Investigator who will report the investigation 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.



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**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.