

TUNXIS COMMUNITY COLLEGE

BOARD OF REGENTS STATE OF CT

POLICY INFORMATION



Dual Employment Policy & Procedures

When an employee holds more than one position within the same state agency or at another state agency, a dual employment form must be completed to prove that conflict of interest does not exist for services performed. Employee must inform Human Resources when they have accepted a secondary position and that by accepting the secondary position that they are dually employed with the state.

- **A dual employment form must be completed each time a contract is issued**
- **It is your responsibility to make sure that the form is completed by the primary and secondary agencies**
- **Return the dual employment form to Human Resources**

Public Act No. 87-253, An Act Concerning the State Personnel Act, Section 3, provides that *“No state employee who holds multiple job assignments within the same state agency shall be compensated for services rendered to such agency during a biweekly pay period unless the appointing authority of such agency or his designee certifies that the duties performed are not in conflict with the employee’s primary responsibility to the agency, that the hours worked on each assignment are documented and revised to preclude duplicate payment, and that there is no conflict of interest between the services performed.”*

When an employee of a CTC college is retained for additional employment at the same college, a dual employment form (available via the Human Resources Office) must be executed. Signature by the President or designee certifies that the additional responsibilities are not in conflict with the employee’s primary responsibility to the agency, that the hours worked on each assignment are documented and reviewed to preclude duplicate payment and that there is no conflict of interest between the services performed. The following procedure will be used:

1. The staff member consults with the primary agency supervisor (e.g., Division Director at TCC) and has the section under primary agency filled out with appropriate signatures.
2. Once approved, the form is transmitted by the employee to the secondary agency. If the secondary agency is also Tunxis Community College (e.g., overload, T.V. courses, non-credit courses, special program), then the division sponsoring the additional activity is the secondary agency. The supervisor signs and transmits the form to the appropriate Dean with the Personnel Worksheet (PW) form. The PW form is processed. The Dean sends the Dual Employment Request form to the Human Resources Office. If the secondary agency is TCC, the Human Resources Office must approve the overload.
3. If the secondary agency is not Tunxis Community College, the individual will forward the Dual Employment Request form to the supervisor of that state agency for approval/signature.

Records Retention

The CT State Library is responsible for implementing the public records program for all state agencies. Each agency must appoint a Records Management Liaison Officer (RMLO) to coordinate records management activities on the agency level. The RMLO for Tunxis is the Dean of Administration

The vast majority of college documents are covered under the State Library's Records Retention schedules. The schedules may be found here:

<http://www.ctstatelibrary.org/publicrecords/records-retention-schedules-records-management-general-schedules>

Before discarding or shredding records, including electronic records and emails, the college must obtain permission from the State Library.

The Dean of Administration folder on the intranet contains information on records retention. Contact the Dean of Administration with any questions on records retention or before destroying any documents or electronic records.

From the Board of Trustees Policy Manual:

- **Equal Opportunity Policy Statement**
- **Affirmative Action Grievance Procedure**
- **Racism and Acts of Intolerance Policy Statement**

2.1.2 Equal Opportunity Policy Statement

This statement establishes a policy framework for the implementation of equal opportunity and affirmative action principles within the community college system. The purpose is to set forth an appropriate and consistent standard for each college and the system office. The statement constitutes the policy statement required by section 46a-68-63 of the regulations of Connecticut state agencies.

The chancellor is authorized to promulgate a supplement to this statement in order to achieve compliance with paragraphs 3 and 8 of the subject regulation, which supplement shall be an integral part of this policy statement. The chancellor is further authorized to establish systemwide standards for the implementation of affirmative action and equal opportunity consistent with the requirements of applicable law, regulation, and executive orders.

The Role and Purpose of Affirmative Action

The board of trustees recognizes that historically certain groups have been excluded from full participation in educational and employment opportunities and that if they are to overcome the present effects of this past exclusion affirmative steps beyond simple neutrality are required. Without such affirmative action, society runs the risk of the perpetuation of the status quo ante.

Affirmative action in employment involves taking additional steps to recruit, employ, and promote members of protected groups. More particularly, the board endorses and expects full compliance with the requirements of law, including but not limited to positive action designed to

identify and remove practices, policies, or other job related requirements which act as barriers to equal employment opportunity for women, blacks, hispanics, and other protected groups found to be underutilized in the work force or affected by policies or practices having an adverse impact.

Similarly, the board endorses and expects that there will be efforts made to reach out to groups within our society which have historically been excluded from or are disproportionately represented in postsecondary education. The mission of the community colleges is particularly well suited to include and provide an environment of success for members of such historically underrepresented groups.

Need for Immediate Action

Both the executive and legislative branches of government have identified the need for positive and effective affirmative action in employment and services offered to the public through the agencies of the state of Connecticut. The board recognizes, adopts, and pledges its support for such affirmative action as a necessary and immediate objective for all the community colleges and the system office of the board of trustees.

In considering the need for affirmative action, it is useful to distinguish between affirmative action and equal employment opportunity. The latter implies an absence of discrimination. In contrast, affirmative action recognizes that a simple stance of neutrality is not sufficient to surmount existing patterns of underrepresentation and underutilization both in employment and education.

While it is understood that affirmative action relates to societal groups based on such characteristics as race and sex, the board of trustees also recognizes the special problems of the aged and people with disabilities as requiring particular attention and sensitivity in the implementation of equal opportunity and affirmative action. To this end, each college and the system office shall identify problem areas, if any, and where appropriate establish program goals to achieve full and fair utilization of such individuals in the workplace.

Nondiscrimination Policy

The community college system of the state of Connecticut will not discriminate against any person on the grounds of race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disorder, marital status, mental retardation, sexual orientation, learning disability, or physical disability, including, but not limited to, blindness, or prior conviction of a crime, unless the provisions of sections 46a-60(b), 46a-80(b), or 46a-81(b) of the Connecticut general statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups. With respect to the foregoing, discrimination on the basis of sex shall include sexual harassment as defined in section 46a-60(8) of the Connecticut general statutes. Although it is recognized that there are bona fide occupational qualifications which provide for exception from employment prohibitions, it is understood these exceptions are to be applied pursuant to section 46a-68-33 of the administrative regulations.

Further, the system will not discriminate against any person on the grounds of political beliefs or veteran status.

Affirmative Action in Employment

The employment process consists of recruitment, selection, placement, promotion, transfer, tenure consideration, salary and fringe benefit determination, separation and termination, and job training. The role of affirmative action is to provide an environment for the application of equal opportunity principles and to monitor the employment process to prevent instances of illegal discrimination from arising or existing.

The affirmative action influence on the employment process seeks to assure that

1. recruitment and hiring of protected group members reflect their availability in the job market;
2. selection, tenure, placement, and related activities are based upon job-related factors, and criteria and practices which have an illegal discriminatory impact have been identified and eliminated;
3. salary and fringe benefits, including opportunities for training and education, are administered in an equitable manner;
4. transfer, reassignment, separation, and termination decisions are nondiscriminatory and do not result in an illegal adverse impact upon members of protected groups, and, where there is a negative impact upon protected groups, alternative approaches to separation and termination are explored.

(Adopted October 10, 1975; amended May 17, 1982, July 19, 1982, April 15, 1985, November 17, 1986, February 26, 1990 and March 22, 1993)

2.1.3 Affirmative Action Grievance Procedure

Purpose. The purpose of the affirmative action grievance procedure is to provide an informal structure for expeditious resolution of allegations of unlawful discrimination while assuring that legal options for filing complaints with enforcement agencies are not foreclosed. Employees who utilize the grievance procedure will not be subject to retaliation.

Who may use this procedure? The board of trustees encourages employees to use this internal grievance procedure when an employee believes that he or she has been subjected to discrimination in violation of the board's equal opportunity policy statement.

Equal Opportunity Policy Statement. The community college system of the state of Connecticut will not discriminate against any individual on the grounds of race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disorder, marital status, mental retardation, learning disability or physical disability, including, but not limited to, blindness, sexual orientation, or prior conviction of a crime, unless the provisions of sections 46a-60(b), 46a-80(b), or 46a-81(b) of the Connecticut general statutes are controlling, or there is a bona fide occupational qualification excluding persons in one of the above protected groups. Although it

is recognized that there are bona fide occupational qualifications which provide for exception from employment prohibitions, it is understood these exceptions are to be applied pursuant to section 46a-68-33 of the administrative regulations.

Further, the system will not discriminate against any individual on the grounds of political beliefs or veteran status.

How to file an informal grievance. A complaint must be made in writing to the college affirmative action person within fifteen calendar days of the alleged discrimination. Where the action complained of relates to an opportunity for appointment to a position for which a single vacancy exists, the complaint is to be filed with the chancellor as soon as possible.

A written complaint consists of a statement of the facts which relate to the alleged discrimination, the date of the alleged discrimination, the basis of the grievant's complaint (e.g., sex, race, disability), and the remedy requested.

Recourse to other procedures. Utilization of this grievance procedure does not preclude the grievant from filing complaints under applicable collective bargaining agreements and state or federal law. Employees may file formal discrimination complaints with state and/or federal agencies.

Complaints may be filed with the Connecticut commission on human rights and opportunities; United States equal employment opportunity commission; United States department of labor, wage and hour division; and any other agencies, state, federal, or local, that enforce laws concerning discrimination in employment. The Connecticut commission on human rights and opportunities can provide assistance in filing complaints and determining the legal options which may be available. In general, complaints must be filed within 180 days of the alleged discrimination. An exception exists for complaints which allege unlawful reliance on criminal records; Connecticut law requires that the complaint be filed within thirty days.

Noncompliance with affirmative action program. If an employee believes that there has been a failure to comply with the board's affirmative action program, a written complaint may be submitted to the president. If the response of the president is unsatisfactory or if the alleged violation is attributed to the president, a written complaint may be filed with the chancellor. If the response of the chancellor is unsatisfactory or if the alleged violation is attributed to the chancellor, a complaint may be filed with the chairperson of the board of trustees. Review hereunder is separate from the grievance steps below.

Notice. The college president or designee is responsible for providing a notice to all employees indicating that an affirmative action grievance procedure is available. This notice shall provide a guarantee of nonretaliation for the exercise of rights granted pursuant to the affirmative action grievance procedure and state the name and work location of the college affirmative action person.

It will further provide advisement to employees of the legal options to file complaints with the Connecticut commission on human rights and opportunities; the United States equal opportunity commission; the United States department of labor, wage and hour division; and any other

agencies, state, federal, or local that enforce laws concerning discrimination in employment. A model notice to grievants is attached.

Training. A plan for periodic training in counseling and grievance investigations will be developed and implemented by the affirmative action officer at the system office in cooperation with the equal opportunity council and such other individuals and agencies as the chancellor may designate. Periodic training will be made available to all appropriately designated personnel responsible to administer affirmative action grievances.

Affirmative action plan reports. In accordance with section 46a-68-46(c), a summary of matters alleged in grievances, the results of the grievance, and the time required to process it will be provided to the commission on human rights and opportunities. Where an informal complaint results in a formal complaint with an enforcement agency, such complaint and its status shall also be reported to the commission.

All records of grievances shall be reviewed on a regular basis by the affirmative action officer to detect any patterns in the nature of the grievances. All records relevant to employee grievances filed under this section shall be maintained by the college.

Grievance procedure steps.

1. The grievant must file a written complaint, as provided above. Although not mandatory, grievants are encouraged to seek informal resolution of complaints filed with the college affirmative action person. The affirmative action person or other designated representative is available to the grievant for counseling. Such counseling shall be confidential, consistent with applicable law.
2. Upon receipt of the complaint, the affirmative action person should meet with the grievant. The purpose of this meeting is to clarify the complaint and to elicit relevant information and documents from the grievant.
3. The affirmative action person or other designated representative of the president will investigate all grievances. Following completion of his or her investigation, the affirmative action person shall make a report to the president. The report shall summarize the claim and the factual basis asserted by the grievant, the facts which the investigation has revealed, and whether the affirmative action person recommends (a) informal resolution or (b) further review by the president. The affirmative action person is not expected to determine the merits of the complaint or to make conclusions with respect to facts in dispute. Where the conduct complained of relates to the president, a copy of the report shall be submitted to the chancellor. After consultation with the president, the affirmative action person may be authorized to attempt to mediate the dispute. The purpose of this mediation is to effect prompt resolution of informal grievances.
4. The disposition of the complaint at the college level shall be determined by the president and communicated in writing to the grievant. Steps (2) through (4) should be completed within fifteen working days, except where informal resolution is implemented. In this case, the president may extend this period for up to an additional fifteen working days. If the process

is not completed within thirty working days, the grievant may move the grievance to the level of the chancellor, as provided in paragraph (5).

5. Within fifteen calendar days of receipt, the grievant may appeal the president's response by submitting a written statement of appeal to the chancellor.
6. The appeal shall be reviewed by a designee of the chancellor and two campus affirmative action persons. In the case of appeals made directly to the chancellor (claims regarding single vacancies), he or she shall make or authorize such investigation as is appropriate to the time frame. The responses of the chancellor shall be made in writing to the grievant within thirty working days of the date the grievance is received at his or her level or within seventy-five days of the initiation of the process specified in paragraph (2), whichever is later.

(Adopted October 10, 1975; amended February 19, 1983, April 23, 1984, November 17, 1986, March 23, 1987, February 26, 1990, and March 16, 1998)

MODEL NOTICE

MEMORANDUM

TO: Employees who may wish to utilize the affirmative action grievance procedure

FROM: President

The affirmative action grievance procedure is a component of the college's commitment to ensure that employment decisions are free from unlawful discrimination. The procedure affords an informal means to raise concerns and for the college to make adjustments where appropriate. Employees who utilize the grievance procedure will not be subject to retaliation.

The affirmative action officer will investigate all grievances. After consultation with the president, the affirmative action officer may attempt to mediate the dispute. The purpose of this mediation is to effect informal resolution of the complaint. The affirmative action officer does not make conclusions about the merits of a complaint or resolve disputes about the facts of a case. If it is not possible to reach an amicable understanding, the employee retains the right to pursue other options.

Complaints may be filed with the Connecticut commission on human rights and opportunities; United States equal employment opportunity commission; United States department of labor, wage and hour division; and any other agencies, state, federal, or local, that enforce laws concerning discrimination in employment. The Connecticut commission on human rights and opportunities can provide assistance in filing and determining the legal options which may be available. In general, complaints must be filed within 180 days of the alleged discrimination. An exception exists for complaints which allege unlawful reliance on criminal records; Connecticut law requires that the complaint be filed within thirty days.

2.1.4 Affirmative Action Grievance Procedure - Technical Revision

The board of trustees authorizes the chancellor to revise the affirmative action grievance procedure in order to effect technical compliance with evolving interpretations of applicable regulations.

(Adopted June 15, 1987)

2.1.5 Racism and Acts of Intolerance - Policy Statement

POLICY ON RACISM AND ACTS OF INTOLERANCE

The community colleges have long been committed to providing educational opportunities to all who seek and can benefit from them, as evidenced in the mission statements and policies concerning student rights, affirmative action, and equal opportunity. The board and the colleges recognize that an important part of providing opportunity is creating a welcoming environment in which all people are able to work and study together, regardless of their differentness. At the same time, colleges and universities have traditionally been at the cutting edge of protection of our most cherished freedoms, most notably freedom of speech and non-violent action, which protect even unpopular or divisive ideas and perspectives.

Such constitutionally-protected expression can contribute to an unwelcoming and even offensive social and educational environment for some individuals in the college community, particularly when it concerns race, religion, sex, sexual orientation, disability, national origin, or ethnicity, and the first amendment does not preclude colleges from taking affirmative steps to sensitize the college community to the effects of creating such a negative environment.

Therefore, the community colleges recognize that they have an obligation not only to punish proscribed actions, but also to provide programs which promote pluralism and diversity and encourage the college community to respect and appreciate the value and dignity of every person and his or her right to an atmosphere not only free of harassment, hostility, and violence but supportive of individual academic, personal, social, and professional growth.

Acts of racism or harassment directed against individuals or specific groups of individuals will not be tolerated and will be dealt with under the employee affirmative action grievance procedures and the student grievance and disciplinary procedures.

Each college will provide a comprehensive educational program designed to foster understanding of differentness and the value of cultural diversity. This will include plans to (1) promote pluralism, (2) educate the college community about appropriate and inappropriate behaviors to increase sensitivity and encourage acceptance, and (3) widely disseminate this policy statement to the entire college community.

(Adopted February 26, 1990)

I.T. POLICIES

Updated Board of Regents IT Policies can be found at:
<http://bor.ct.edu/it/policy/>

Acceptable Use Policy

I. INTRODUCTION

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I. INTRODUCTION

This Policy governs the acceptable use of Connecticut Community Colleges (CCC) Information Technology (IT) resources. These resources are a valuable asset to be used and managed responsibly to ensure their integrity, security, and availability for appropriate academic and administrative use.

Users of CCC IT resources are responsible for using those resources in accordance with CCC policies and the law. Use of CCC IT resources is a privilege that depends upon appropriate use of those resources. Individuals who violate CCC policy or the law regarding the use of IT resources are subject to loss of access to those resources as well as to CCC disciplinary and/or legal action.

II. GENERAL PROVISIONS

A. PURPOSE

The purpose of this Policy is to:

- Ensure that CCC IT resources are used for purposes appropriate to the CCC mission and goals;
- Prevent disruptions to and misuse of CCC IT resources;
- Ensure that the CCC community is aware that use of CCC IT resources is subject to state and federal laws and the CCC policies; and
- Ensure that IT resources are used in compliance with those laws and the CCC policies.

B. SCOPE

This Policy applies to:

- All IT resources owned or managed by the CCC;
- All IT resources provided by the CCC through contracts and other agreements with the CCC; and
- All users and uses of CCC IT resources.

C. DEFINITIONS

The following terms are used in this Policy. Knowledge of these definitions is important to an understanding of this Policy:

Appropriate CCC Authority: Chancellor, College President or designee.

Compelling Circumstances: Circumstances in which time is of the essence or failure to act might result in property loss or damage, adverse effects on IT resources, loss of evidence of one or more violations of law or of the CCC policies or liability to the CCC or to members of the CCC community.

IT Resources: This includes, but is not limited to, computers, computing staff, hardware, software, networks, computing laboratories, databases, files, information, software licenses, computing-related contracts, network bandwidth, usernames, passwords, documentation, disks, CD-ROMs, DVDs, magnetic tapes, and electronic communication.

D. RESPONSIBILITIES

Policy. This Policy was issued by the Chancellor of the CCC after consultation with appropriate councils, including the Council of Presidents and the Information Technology Policy Committee.

Implementation. In support of this Policy, system standards and procedures shall be developed, published and maintained. And where CCC standards and procedures do not exist, each college is responsible for policy implementation.

Informational Material. Each college shall ensure that users of CCC IT resources are aware of all IT policies, standards and procedures as appropriate.

E. VIOLATIONS OF LAW AND POLICY

The CCC considers any violation of acceptable use to be a serious offense and reserves the right to copy and examine any files or information resident on CCC IT resources to ensure compliance. Violations of this policy should be reported to the appropriate CCC authority.

Sanctions of Law. Both federal and state law prohibit theft or abuse of IT resources. Abuses include (but are not limited to) unauthorized entry, use, transfer, tampering with the communications of others, and interference with the work of others and with the operation of IT resources. Any form of harassing, defamatory, offensive, illegal, discriminatory, obscene, or pornographic communication, at any time, to any person is also prohibited by law. Violations of law may result in criminal penalties.

Disciplinary Actions. Violators of this Policy may be subject to disciplinary action up to and including dismissal or expulsion pursuant to applicable Board policies and collective bargaining agreements.

F. NO EXPECTATION OF PRIVACY

There is no expectation of privacy in the use of CCC IT resources. CCC reserves the right to inspect, monitor, and disclose all IT resources including files, data, programs and electronic communications records without the consent of the holder of such records.

III. ACCEPTABLE USE

In making acceptable use of CCC IT resources you must:

- use resources solely for legitimate and authorized administrative and academic purposes.
- protect your User ID and IT resources from unauthorized use. You are responsible for all activities on your User ID or that originate from IT resources under your control.
- access only information that is your own, that is publicly available, or to which you have been given authorized access.
- use only legal versions of copyrighted software in compliance with vendor license requirements.
- use shared resources appropriately. (e.g. refrain from monopolizing systems, overloading networks with excessive data, degrading services, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources).

In making acceptable use of CCC IT resources you must NOT:

- use CCC IT resources to violate any CCC policy or state or federal law.
- use another person's IT resource, User ID, password, files, or data.
- have unauthorized access or breach any security measure including decoding passwords or accessing control information, or attempt to do any of the above.
- engage in any activity that might be harmful to IT resources or to any information stored thereon, such as creating or propagating viruses, disrupting services, damaging files or making unauthorized modifications to computer data.
- make or use illegal copies of copyrighted materials or software, store such copies on CCC IT resources, or transmit them over CCC networks.
- harass or intimidate others or interfere with the ability of others to conduct CCC business.
- directly or indirectly cause strain on IT resources such as downloading large files, unless prior authorization from the appropriate CCC authority is given.
- use CCC IT resources for personal purposes including but not limited to, monetary gain, commercial or political purposes.
- engage in any other activity that does not comply with the general principles presented above.

IV. ACCESS RESTRICTIONS

Use of CCC IT resources may be wholly or partially restricted or rescinded by CCC without prior notice and without the consent of the user under conditions such as:

- when required by and consistent with law;
- when there is reason to believe that violations of law or the CCC policies have taken or may take place; or
- when there are compelling circumstances.

Restriction of use under such conditions is subject to appropriate procedures or approval of appropriate CCC authority.

V. DISCLAIMER

CCC disclaims any responsibility for and does not warranty information and materials residing on non-CCC systems or available over publicly accessible networks. Such materials do not necessarily reflect the attitudes, opinions or values of CCC, its faculty, staff or students.

VI. NOTICE TO USERS

As laws change from time to time, this Policy may be revised as necessary to reflect such changes. It is the responsibility of users to ensure that they have reference to the most current version of the CCC Acceptable Use Policy.

BOT Information Technology Resources Policy

(Adopted on October 21, 2002, this policy replaced that adopted on July 22, 1985. The following policy can also be found in the [BOT Policy Manual](#): <http://www.ct.edu/hr/policies#ccc>)

The Connecticut Community College (CCC) System provides information technology resources (IT resources) to faculty, staff and students for academic and administrative use. IT resources may also be available to members of the college community through college libraries and websites. This policy applies to all users of IT resources.

IT resources include, but are not limited to, computers and peripheral hardware, software, networks, databases, electronic communications and Internet connectivity. CCC IT resources are the property of the Board of Trustees. Use of such resources is a privilege and is subject to such IT policies, standards and procedures as may be promulgated from time to time.

IT resources shall be used solely for legitimate and authorized academic and administrative purposes, and in furtherance of CCC mission and goals. They shall not be used for personal purposes, including monetary gain. Use of IT resources may be monitored by the appropriate CCC authority to ensure proper and efficient usage, as well as to identify problems or to check for security violations.

Any unauthorized or illegitimate use of IT resources may subject the user to disciplinary action, up to and including dismissal or expulsion, as well as loss of computing privileges. Users must comply with all applicable state and federal laws and may be subject to criminal prosecution for violation thereof under state and federal laws.

The Chancellor is authorized to promulgate necessary and appropriate IT policies, standards and procedures, including but not limited to those affecting acceptable uses of IT resources, electronic communications and network security. Colleges shall ensure that users of IT resources are aware of all IT policies, standards and procedures, as appropriate.

In accordance with the BOT IT Resource Policy, the Chancellor of the CCC has promulgated IT policies, standards and procedures (e.g. Acceptable Use, Electronic Communications, Network Security, etc.). They can be found in the following location:

<http://www.ct.edu/hr/policies#ccc>

Nondiscrimination Policy of the Board of Trustees

(Excerpted from the Board of Trustees' Policy 2.1.2; Amended March 22, 1993)

The Community College System of the State of Connecticut will not discriminate against any [individual] person on the grounds of race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disorder, marital status, mental retardation, sexual orientation, learning disability or physical disability, including, but not limited to blindness, or prior conviction of a crime, unless the provisions of Sections 46a-60(b), 46a80(b) or 46a-81(b) of the Connecticut General Statutes are controlling, or there is a bona fide occupational qualification excluding persons in one of the above protected groups. With respect to the foregoing, discrimination on the basis of sex shall include sexual harassment as defined in Section 46a-60(8) of the Connecticut General Statutes. Although it is recognized that there are bona fide occupational qualifications which provide for exception from employment prohibitions, it is understood these exceptions are to be applied pursuant to Section 46a-68-33 of the administrative regulations.

Further, the system will not discriminate against any [individual] person on the grounds of political beliefs or veteran status [or sexual preference].

Background. The Nondiscrimination Policy, which is a part of the Affirmative Action Policy Statement, tracks in the first paragraph the Connecticut statutory prohibitions. The second paragraph reflects additional prohibitions which have been adopted by the Board but which are not included in the Connecticut Statute.

The changes that are recommended incorporate recent changes to the Connecticut law. The specific reference to sexual harassment will provide the basis for development of an interpretive policy document in furtherance of the 1992 statutory mandate to conduct sexual harassment training.

People with Disabilities in the Community Colleges

(Excerpted from the Board of Trustees' Policy, 2.1.6, adopted November 20, 1989)



The Board of Trustees of Community Colleges and all of the colleges under its jurisdiction are committed to the goal of achieving equal educational opportunity and full participation for people with disabilities in the community colleges. To that end, this statement of policy is put forth to reaffirm our commitment to ensure that no qualified person be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity on a community college campus or in the Chancellor's Office of the Board of Trustees.

The Board recognizes that a physical or functional impairment is a disability only to the extent that it contributes to cutting the person off from some valued experience, activity, or role. Higher education is therefore especially important to people with disabilities, since it aims to increase every student's access to valued experiences, activities, and roles. Improving access for

students and employees means removing existing barriers that are physical, programmatic, and attitudinal; it also means taking care not to erect new barriers along the way.

The efforts of the community colleges to accommodate people with disabilities should be measured against the goals of full participation and integration. Services and programs best promote full participation and integration of people with disabilities when they complement and support, but do not duplicate, the regular services and programs of the College.

Achieving the goal of full participation and integration of people with disabilities requires cooperative efforts within and among higher education. The Board of Trustees will work with the Board of Governors to achieve a higher level of services and appropriate delivery methods at all Connecticut community colleges.

This statement is intended to reaffirm the Board's commitment to affirmative action and equal opportunity for all people and in no way to replace the equal opportunity policy statement.

Racism & Acts of Intolerance

(Excerpted from the Board of Trustees' Policy; 2.1.5; Adopted February 26, 1990)

The Community Colleges have long been committed to providing educational opportunities to all who seek and can benefit from them, as evidenced in the mission statements and policies concerning student rights, affirmative action, and equal opportunity. The board and the colleges recognized that an important part of providing opportunity is creating a welcoming environment in which all people are able to work and study together, regardless of their differentness. At the same time, colleges and universities have traditionally been at the cutting edge of protection of our most cherished freedoms, most notably freedom of speech and non-violent action, which protect even unpopular or divisive ideas and perspectives.

Such constitutionally-protected expression can contribute to an unwelcoming and even offensive social and educational environment for some individuals in the college community, particularly when it concerns race, religion, sex, sexual orientation, disability, national origin, or ethnicity, and the first amendment does not preclude colleges from taking affirmative steps to sensitize the college community to the effects of creating such a negative environment. Therefore, the community colleges recognize that they have an obligation not only to punish proscribed actions, but also to provide programs which promote pluralism and diversity and encourage the college community to respect and appreciate the value and dignity of every person and his or her right to an atmosphere not only free of harassment, hostility, and violence but supportive of individual academic, personal, social, and professional growth.

Acts of racism or harassment directed against individuals or specific groups of individuals will not be tolerated and will be dealt with under the employee affirmative action grievance procedures and the student grievance and disciplinary procedures.

Each college will provide a comprehensive educational program designed to foster understanding of differentness and the value of cultural diversity. This will include plans to (1) promote pluralism, (2) educate the college community about appropriate and inappropriate

behaviors to increase sensitivity and encourage acceptance, and (3) widely disseminate this policy statement to the entire college community.

POLICY AGAINST SEXUAL HARASSMENT: Implementing Statement

What is Sexual Harassment?

Sexual harassment is a form of sex discrimination which is illegal under state and federal law and is also prohibited by the Board of Trustees' Nondiscrimination Policy. The Board's policy recognizes that sexual harassment undermines the integrity of employer-employee and student-faculty-staff relationships and interferes with the right of all members of the College community to work and learn in an environment free from harassment. Such conduct will not be tolerated.

Sexual harassment may be described as:

Any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, (2) submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting the individual, or (3) 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 employment or educational environment.

Sexual harassment may be verbal, visual or physical. It may be overt or implicit and may, but need not, have tangible adverse effects on the victim's employment or learning experience.

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 employment or educational status is contingent upon toleration of or acquiescence in sexual advances.

The perpetrator of sexual harassment, like the victim of such conduct, may be a man or a woman. Sexual harassment may involve individuals of the same or opposite sex and, in the College environment, may involve an employee and a student, an employee and another employee or a student and another student. Harassment in any of these relationships is a violation of the Board's policy.

Because of the power relationship between faculty and student, and between supervisor and subordinate employee, freedom of choice may be compromised in such relationships. Accordingly, this policy holds that where a faculty member or professional staff member has responsibility for a student through teaching, advising, supervision or other obligation, romantic or sexual liaisons between such persons shall be deemed a violation of this policy. Romantic or sexual liaisons between supervisors and subordinate employees, while not prohibited, are strongly discouraged.

It should be noted, additionally, that retaliation against a person for complaining or being associated in any way with the resolution of a complaint of sexual harassment also violates Board policy.

What To Do If You Are The Victim of Sexual Harassment

When an employee or student feels that he or she has been the victim of sexual harassment, he or she should report such incident(s) to a College official.

- Employees may report incidents of sexual harassment to the Dean of the area of the College in which the individual is involved, the College Affirmative Action Officer, or another College official who has been designated by the President as a recipient of such complaints.
- Students may report incidents of sexual harassment to the Dean of Students or to such other College official as the President may have designated. Nothing shall prevent students from speaking to a college counselor about their concerns. However, such communication is not a substitute for filing a complaint of sexual harassment with an appropriate College designee.
- A claim that an employee of a third party contractor has engaged in sexual harassment on College premises or in connection with the performance of the third party contract should be reported immediately either to the President or to another appropriate College official as set forth in this document. The President will ensure that appropriate follow-up action is taken.

Depending on the nature of the complaint and the desires of the complainant, the College official to whom the complaint has been made may attempt to resolve the complaint informally. Any informal resolution of a complaint must be approved by the College

President. No person shall be forced to pursue informal avenues of resolution before filing a formal complaint of sexual harassment.

If informal resolution is not possible or appropriate, a written complaint should be filed in accordance with the existing Affirmative Action Grievance Procedure for Employees (see Board Policy 2.1.3) or Student Grievance Procedure for students (see Board Policy 5.2.2).

- For employees, a written complaint should be filed within fifteen (15) calendar days of the alleged harassment. This time frame may be extended by up to fifteen (15) additional calendar days if efforts at informal resolution have been made.
- For students, a written complaint should be filed within thirty (30) days of the date the grievant knew or should have known of the alleged harassment. However, a delay in filing a formal complaint will not be a reason for refusing to investigate such complaints. Although the ability to investigate may be compromised by delay, a written complaint will be treated in the manner prescribed by this policy if filed within 180 days of the date the student knew or should have known of the alleged harassment.

When a formal complaint of sexual harassment is received, the College will investigate it. The rights of all persons involved in the investigation shall be respected and every effort will be made to protect the confidentiality of both the alleged victim and the alleged harasser. Toward this end, only persons with a need to know shall be made privy to the complaint. However, complete anonymity cannot be assured, given the College's obligation under law to investigate and take appropriate action in all cases of sexual harassment.

All complaints of sexual harassment shall be taken seriously. It is expected that complaints will be made in good faith, however. Frivolous or vexatious complaints can cause irremediable damage to the reputation of an accused person, even though he or she is subsequently vindicated. Therefore, any person who files a false complaint of sexual harassment shall himself or herself be subject to disciplinary action, up to and including termination, if an employee, or expulsion, if a student.

In addition to invoking the available grievance procedure, an employee who believes he or she has been sexually harassed may file a complaint with the Connecticut Commission on Human Rights and Opportunities, 21 Grand Street, Hartford, CT 06106 and/or with the Equal Employment Opportunity Commission, One Congress Street, Boston, Massachusetts 02114, within 180 days of the date when the harassment occurred.

A student who believes he or she has been sexually harassed may, in addition to the available grievance procedure, file a complaint with the federal Office for Civil Rights, U.S. Department of Education (Region 1), John W. McCormack Post Office and Courthouse, Room 222, Post Office Square, Boston, Massachusetts 02109.

Publication of Sexual Harassment Policy

This document shall be distributed to all members of the College community. Notice of the Board's policy against sexual harassment also shall be given to any independent contractor with whom a College has a business relationship, as a mandatory part of that contract.

Training

Training in the implementation of the Board's policy against sexual harassment and in sexual harassment prevention shall be provided for all supervisory employees, in accordance with the provisions of State law. Attendance at such training sessions shall be mandatory. In addition, awareness and sensitivity training for all employees and students is strongly encouraged.

From the Board of Trustees Policy Manual:

Section 2.13 Policy on Violence Prevention and Response

On August 4, 1999, Governor John G. Rowland signed Executive Order No. 16 instituting a “zero tolerance” Violence in the Workplace Prevention Policy for all state agency personnel, contractors, subcontractors and vendors. In accordance with this directive and in an effort to provide a safe environment for employees, students, visitors and guests while on the premises of the Community Colleges, the Board of Trustees of Community-Technical Colleges has adopted and expanded the application of the Governor’s policy. Executive Order No. 16 is attached to this Board policy and is fully incorporated herein.

For purposes of this policy, “violence” is defined as an overt act or threat of harm to a person or property, or any act that poses a substantial threat to the safety of any person or property. “Premises” is defined as any space owned or leased by the Community Colleges or any of its constituent units, including vehicles and any location where college or system business or activities are conducted. Conduct that may violate this policy includes, but is not limited to, the following:

- Intimidating, harassing or threatening behaviors
- Physical abuse, including hitting, slapping, poking, kicking punching, grabbing, etc.
- Verbal abuse, including yelling, shouting, use of sexually, racially or ethnically charged epithets, etc.
- Vandalism
- Carrying or possessing weapons or dangerous instruments of any kind on Community College premises, unless properly authorized
- Using such weapons
- Any other act that a reasonable person would consider to constitute a threat of violence, including oral or written statements, gestures or expressions that communicate a direct or indirect threat of physical harm

Reporting Threats or Violent Act

A person who feels that he or she has been subjected to threats or acts of violence as defined herein, or a person who witnesses such threats or acts, must report the incident to a supervisor, manager or to the Human Resources office. Supervisors and managers who receive such reports shall seek advice from the Human Resources office regarding investigating the incident and initiating appropriate action. **Serious incidents or serious threats of imminent danger to the safety of persons or property should immediately be reported to proper law enforcement authorities and/or to the campus Public Safety/Security Department.**

Any individual who has applied for or obtained a protective or restraining order which lists the premises of the Community Colleges as protected areas, must provide to the Human Resources

office a copy of the petition and declaration used to seek the order, a copy of any temporary protective or restraining order that is granted, and a copy of any protective or restraining order that is made permanent. The sensitivity of the information requested is understood and colleges are responsible for treating such information in a manner that recognizes and respects the privacy of the reporting person.

Enforcement of this Policy

All reported incidents of violence will be taken seriously and will be dealt with appropriately, including prompt evaluation, investigation and response. An individual who makes a substantial threat of violence or commits an act of violence as defined in this policy shall be removed from the premises. Any weapon or dangerous instrument will be confiscated and turned over to appropriate law enforcement/public safety authorities. There is no reasonable expectation of privacy with respect to such items on college premises.

Violations of this policy, including knowingly providing a false report, or failing to cooperate fully with an investigation, may lead to disciplinary action up to and including dismissal from employment or expulsion from the college. Violations may also result in criminal penalties.

Threat Assessment Team

Each college will establish a Threat Assessment Team to oversee the implementation of this policy. The Threat Assessment Team should include representatives of management, human resources, employee unions, public safety, and facilities management.

One goal of the team approach is to ensure that people are prepared to work together to deal with violent or potentially violent situations. Although violence cannot always be prevented, planning ahead and being prepared to act swiftly to deal with threats, intimidation and other disruptive behavior at an early stage can reduce the risk. The Assessment Team has three major functions:

- **Identifying the potential for violence.** This involves analyzing trends in incidents relating to particular units, jobs, activities, time of day and so forth.
- **Prevention.** This includes recommending procedures to prevent violence, such as conducting violence prevention and response training for employees and students, establishing mechanisms for employees, students and others to discuss their concerns about violence, conducting inspections of college premises, evaluating working environments of employees and students to ascertain any unusual risks, conducting employee/student surveys, recommending changes in physical plant, equipment and practices to enhance campus safety.
- **Responding to individual acts of violence.** Incidents reported to the Human Resources office and/or the Public Safety department should be shared with the Threat Assessment Team which may advise and assist in the investigation if appropriate. The Team may also assist in the management of threats or incidents of violence by planning a response to

mitigate further damage, coordinating responses with local law enforcement and the community and managing media inquires.

Publication of Policy on Violence Prevention and Response

This policy shall be distributed to all members of the college community and shall be posted prominently in areas where students, staff and guests may gather. The policy should also be included in orientation materials for new employees and students and published in college newsletters, catalogues, handbooks, as appropriate. The policy should be reissued once a year as a reminder of the importance of this issue in our community. Contractors, subcontractors, and vendors doing business with the college shall be advised that compliance with this policy is mandatory.

For further information on the subject of workplace violence. . . Human Resources Professional, **April 2012**, which can be found on the **Department of Administrative Services** website at the following address: <http://das.ct.gov/images/5510/WorkplaceViolenceManual2012.pdf>

(Adopted December 20, 1999)

