Personnel -- Certified/Non-Certified

Nondiscrimination/Equal Employment Opportunity

It is the policy of the CREC Council to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with CREC and to further the principle of equal employment opportunity in all actions that affect employees and applicants, including but not limited to, recruitment, selection, assignment, classification, compensation, promotion, benefits, leaves, demotion, disciplinary action or termination. As an equal opportunity employer, the CREC Council does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, disability, pregnancy, veteran status, genetic information, or any other basis prohibited by state or federal law.

The CREC Council recognizes that the effective application of its equal employment opportunity policy may require that certain positive steps be taken; and it will, therefore, undertake a program of affirmative action where necessary to effectuate such policy. Additionally, the CREC Council will assert its leadership within the community to achieve full employment and effective utilization of the capabilities and productivity of all persons without regard to race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, disability, pregnancy, veteran status, or genetic information.

All CREC programs and personnel shall demonstrate a commitment to nondiscriminatory practices and affirmative action.

The Council directs the Executive Director to develop administrative regulations in order to implement this policy. Compliance with this policy is a responsibility of all administrators.

Legal Reference: Connecticut General Statutes
10-153 Discrimination on the basis of sex, gender identity or expression or marital status prohibited.
46a-60 et seq., Connecticut Fair Employment Practices Act

Federal Law
Age Discrimination in Employment Act, 29 U.S.C. 621 et seq.
Americans With Disabilities Act, 42 U.S.C. 12101 et seq.
Personnel -- Certified/Non-Certified

Nondiscrimination/Equal Employment Opportunity
The Director of Human Resources is hereby designated as CREC’s Civil Rights Compliance Coordinator. S/he will contact programs as necessary to review program materials and to insure that CREC’s guidelines are being met. S/he will also hear any discrimination or harassment grievances at the first level, and provide information regarding nondiscrimination/equal employment opportunity policies as requested.

Discrimination Grievance Procedure

The purpose of this grievance procedure is to secure, at the lowest possible administrative level, equitable and speedy resolution of claims of discrimination, including harassment, and it shall be utilized by any employee or official who wishes to make a complaint of discrimination.

The Civil Rights Grievance Form and information on nondiscrimination laws and regulations will be reviewed with all CREC staff. This information will also be included in orientation materials.

Evidence of reprisal against a complainant or witness shall be viewed as a violation of CREC’s nondiscrimination policy.

Level I: The complainant will first discuss the alleged discriminatory act or practice with the immediate supervisor. This will normally be a principal, teacher, counselor, department chairperson, division director, head custodian, or cafeteria manager.

Level II: If the complaint cannot be resolved through discussion with the immediate supervisor, the complainant may continue the process by putting the complaint in writing on forms provided, and filing it with the Director of Human Resources, within forty (40) calendar days of the alleged incident. Within five (5) working days of receipt of a complaint the Director of Human Resources will hold a conference with the complainant. If the complaint is not resolved within five (5) working days following the conference, the Director of Human Resources will refer the complaint to the Executive Director, and will notify the employee of such referral. These timelines may be extended by mutual agreement.

Level III: The Executive Director will notify the Council of the receipt of a complaint. Within ten (10) working days after receipt of such complaint, the Executive Director will hold a hearing in order to receive information and address the complaint. Within five (5) working days after the hearing the Executive Director will make a decision, which may: resolve the complaint; negotiate a
long-term solution; or refer the complaint to the Council for consideration and resolution. These timelines may be extended by mutual agreement.

**Level IV:** The Council will address the complaint in accordance with its established operating procedures and will render a decision. The Council’s decision will be final.

Upon learning of, or having reason to suspect, the occurrence of discrimination or harassment, supervisors shall notify the Director of Human Resources in order to ensure that appropriate corrective action is taken, whether or not the affected employee reports the matter.

**Affirmative Action**

1. CREC programs are offered without discrimination against any person because of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, disability, pregnancy, veteran status, genetic information, or any other basis prohibited by state or federal law. CREC’s Affirmative Action Program is designed to recruit as fully and as completely as possible for each employee opening. CREC’s Executive Director is responsible for establishing, maintaining and carrying out affirmative action efforts to promote equal opportunity.

2. A pool of applicants will be established when filling any position other than through internal program transfer. The pool is established through an online posting. Additional suggestions for posting may be received from the CREC Administrative Offices.

3. The online posting is the primary resource for affirmative action recruitment, and may be supplemented by: advertising within CREC, college interviewing, and soliciting assistance from interested citizens and groups. A newspaper ad in a local paper may be used to supplement the online posting.

4. A position must be posted through the online posting for a minimum of one week before it can be filled internally or externally. Applicant pools may be used to fill comparable positions for no more than 90 days following the original online posting. Applicant pools are established by CREC Human Resources. The pool files resulting from the online posting are maintained at CREC Central.

5. A Hiring Report form is to be completed using the survey compiled from the CREC Applicant Survey. This survey is included with applications completed by job applicants for all positions.

When the information is received, it is to be separated from the application, returned to the Human Resources Office and maintained in a separate file in the Human Resources Office. That file is not to be made available to any person involved in the
selection process. Its use is restricted to compiling data for the Hiring Report form.

If a selection committee is used in the interviewing process, efforts should be made to ensure that its membership is diverse.

Once a candidate has been selected, the hiring coordinator will submit electronically all associated hiring packet documents.

**Employees or applicants with disabilities**

CREC does not use employment tests or other selection criteria that would screen out disabled persons unless these criteria are demonstrably job-related and unless effective alternatives are not available; nor does it make pre-employment inquiries as to whether the applicant is disabled.

A qualified applicant or employee may request a reasonable accommodation and CREC must make a reasonable effort to determine the appropriate accommodation. Although cases will arise in which the appropriate reasonable accommodation is obvious to both CREC and the qualified applicant/employee, in most cases the accommodation will be determined best through a flexible, interactive process that involves both CREC and the qualified applicant/employee.

Making a reasonable accommodation determination involves four steps, which will be handled by the Director of Human Resources:

**Step 1. Assessment and analysis of the job**

This is a three part process under which CREC 1) analyzes the particular job involved (including the work site and equipment used); 2) determines the purpose or object of the job; and 3) identifies the essential function(s) of the job.

**Step 2. Consultation with the qualified applicant/employee**

In consultation with the qualified applicant/employee, CREC assesses the specific job-related limitations presented by the applicant's or employee's disability.

**Step 3. Identification of potential accommodation and assessment of its effectiveness**

In consultation with the qualified applicant/employee, CREC identifies potential accommodations and assesses the effectiveness of each in enabling the applicant/employee to perform the essential function(s) of the job.

**Step 4. Selection and implementation of a reasonable accommodation**

Once reasonable accommodations have been identified, CREC must select and implement the accommodation that is most appropriate for both CREC and the
qualified applicant/employee, giving primary consideration to the preference of the qualified applicant/employee, but retaining discretion to make the final choice. CREC may choose the less expensive accommodation or the accommodation that is easier to provide.

A qualified applicant/employee may provide his or her own accommodation. However, CREC is not relieved of the duty to provide reasonable accommodation in the event the qualified applicant or employee is (for any reason) unwilling or unable to continue to provide the accommodation.

CREC is not obligated to provide an accommodation if doing so would result in undue hardship. An accommodation would result in undue hardship if it would be unduly costly, extensive, substantial, disruptive, or if it would fundamentally alter the nature or operation of CREC's business in light of the following factors:

- the nature and net cost of the accommodation needed, taking into consideration the availability of outside funding;
- the overall financial resources of the program(s) involved in the provision of the reasonable accommodation, the number of persons employed at such program(s) and the effect on expenses and resources;
- the overall financial resources of CREC, the overall number of CREC employees and the number, type and location of its programs;
- the type of operation or operations of CREC, including the composition, structure and functions of its work force, the geographic separateness and administrative or fiscal relationship of the program(s) in question; and
- the impact of the accommodation upon the operation of the program, including the impact on the ability of other employees to perform their duties and the impact on the program's ability to conduct business.

Unless exigent circumstances exist, a request for a reasonable accommodation must be made at least ten days in advance of the need for such accommodation.

Harassment

CREC strives to provide a safe, positive work environment for its employees. Harassment, in any form, whether by students, staff members, board members, parents, vendors, contracted individuals, volunteers, employees or visitors - on CREC grounds or property or on property within CREC’s jurisdiction; on buses operated by or for CREC; while attending or engaged in CREC activities - will not be tolerated.

Harassment consists of verbal, written, graphic, or physical conduct relating to an
individual’s race, color, religion, sex, national origin/ethnicity, physical attributes, disability, parental or marital status, sexual orientation, gender identity/expression or age when such conduct:

- is sufficiently severe, persistent or pervasive that it affects an individual’s ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive education environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance;
- otherwise adversely affects an individual’s learning opportunities;
- is made either explicitly or implicitly a term or condition of an individual’s education, or participation in district programs or activities; and
- exposure to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.

Harassment may include, but is not limited to: verbal, physical, or written intimidation or abuse; repeated remarks of a demeaning or condescending nature; repeated demeaning jokes, stories, or activities directed at the individual.

Each staff member shall be responsible for maintaining an educational environment free from all forms of harassment. Each student shall be responsible for respecting the rights of all students and staff and refraining from all forms of harassment.

All allegations of harassment shall be investigated thoroughly and addressed appropriately. There shall be no retaliation against the complainant and/or victim of the alleged harassment.
CAPITOL REGION EDUCATION COUNCIL
Hartford, Connecticut

Civil Rights Grievance Form

Complete this questionnaire and forward it to the attention of the Director of Human Resources. Attach additional pages as necessary.

1. Describe the actions/statements/behaviors to which you object. Give specifics.

2. Have you alerted your supervisor, or the person(s) with responsibility in the problem area, of your dissatisfaction, as described in number one? If no, state reason why.

3. In reference to your particular problem, what specific changes do you feel are necessary to create a satisfactory situation? Be specific.
4. After you have completed the above three sections, sign below and send the completed questionnaire to the Director of Human Resources.

________________________ ________________________             _______________
Grievant Name   Signature                           Date

__________________________   _________________________
Grievance Reviewed by Signature                           Date