



To: Zulma Toro, President, CCSU; John Maduko, President, CT State; Ed Klonoski, President; Charter Oak State College; Karim Ismaili, President, ECSU; Dwayne Smith, Interim President, SCSU; Manohar Singh, Interim President, WCSU

CC: Terrence Cheng, Chancellor, CSCU; Jessica Paquette, Vice Chancellor for System Affairs & Chief of Staff, CSCU; Danny Aniello, Senior Advisor, CSCU; Karen Buffkin, General Counsel, CSCU; Adam Joseph, Vice Chancellor of External Affairs, CSCU

From: Cameron Liston, Chief Compliance Officer, CSCU

Re: Civil Rights Compliance Guidance

Date: March 5, 2025

---

## **I. Affinity Groups, Centers, Spaces, and Events**

Affinity groups, centers, spaces, and events sponsored by or endorsed by CSCU continue to be compliant and lawful. Affinity groups, centers, spaces, and events may not limit membership or participation based on protected characteristics. However, they can recruit members and offer programming related to a shared interest in the success of a particular demographic group or other lawful subjects. Affinity groups, centers, spaces, and events may limit participation or access, consistent with CSCU policy, based on disruptive, harassing, or discriminatory behavior.

Institutions should review related publications and ensure that there are no web pages or other materials that inaccurately indicate that membership or participation in an affinity group, center, space, or event is limited based on any protected characteristics.

## **II. Academic Freedom**

For decades, academic freedom has been recognized as a constitutional right protected by the First Amendment. Academic freedom is expansive and government interference in speech is unlawful but for limited exceptions, such as unlawful harassment, inciting imminent violence, etc. Disparaging comments on any topic should not be directed at an individual or individuals in a manner that could limit their access to the space, course, or institution in general.

Faculty, staff, and students should feel comfortable respectfully engaging in uncomfortable or controversial topics in the pursuit of knowledge.

### **III. Scholarships and Other Financial Awards**

Scholarships and awards are essential to students' access to CSCU. Strategically offering scholarships to expand access is lawful. However, scholarships offered by or through CSCU should not be based on any protected characteristics, such as race or sex. Students may receive such scholarships from unaffiliated organizations. Scholarships and awards may be based on non-protected characteristics such as socio-economic status, first generation students, region, and more.

Institutions may offer or facilitate awards that are contingent on personal experiences and some characteristics but may not offer or facilitate awards contingent on protected characteristics.

### **IV. Sanctions and Discipline**

Individuals have a right to an objective response to allegations of discrimination, harassment, and retaliation. External enforcement of this right may come in the form of OCR inquiries, or more commonly private litigation or complaints through external agencies such as CHRO. It is paramount to our response efforts that individuals tasked with performing objective compliance response work do not have any apparent or actual conflicts of interest in other work assignments. For example, individuals engaging professionally in protected characteristic-conscious advocacy, promotion, or other similar work pose substantial risk to the integrity of our processes through apparent preference for certain demographics. Employees may, in their personal capacity, engage in activities that may otherwise indicate bias without impact on their professional objectivity.

Leadership should review their organizational charts, job titles, and job descriptions to ensure that individuals tasked with performing objective compliance response work, i.e., investigation or informal resolutions, are not also tasked with duties that create an apparent or real conflict of interest.

### **V. Hiring, Promotion, and Compensation**

Institutions, leadership, and hiring managers must make all hiring, promotion, and compensation decisions based on merit and consistent with relevant comparators, i.e. industry standards, similar responsibilities, etc. As required by CHRO, it is not unlawful to recognize underutilized populations through tools such as our state affirmative action plans. The purposes of the affirmative action plan are to ensure that all hirings are justified and to eliminate the risk of unlawful discrimination in CSCU hiring practices. Search compliance reviews should never reject a legitimately justified hiring or promotion decision because it does not accomplish an affirmative action plan goal.

Institutions should continue to fulfill all expectations related to state affirmative action while ensuring that employment decisions are not based on protected characteristics.