

## Is the CHRO Expanding its Reach into Schools and Police Actions?

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### Education Law Notes

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I recently attended a meeting where Charles Krich, the Principal Attorney for the Connecticut Commission on Human Rights and Opportunities (“CHRO”), spoke about the future of the agency. Attorney Krich stated that the agency is seeking to become a more active “civil rights agency” and is expanding its reach beyond the landlord-tenant and employer-employee relationships into academic institutions, specifically public school, to investigate and ferret out bullying and other civil rights violations.

CHRO is seeking to become an agency for parents to turn to when they believe that their child is being bullied or harassed in school and are dissatisfied with the response of the school’s administration. It also seeks to become a forum for people who are the subject of a traffic stop and believe that they were racially profiled.

You are probably thinking to yourself: does the CHRO have the authority to inject itself into these spheres? The answer is, maybe.

Connecticut General Statutes 46a-58(a) states that “[i]t shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, sexual orientation, blindness or physical disability.” The CHRO has relied on this broadly worded statute to expand the scope of its authority in the past. For instance, the CHRO has continued to insist that it has the authority to award complainants emotional distress damages even though the Connecticut Supreme Court stated otherwise in *Bridgeport Hospital v. Comm’n on Human Rights & Opportunities*, 232 Conn. 91 (1995), which happened to be argued by my colleague, Michael LaVelle. While the Connecticut Supreme Court previously held that the CHRO has jurisdiction over claims by students of discrimination and harassment that may arise in the schools, *Comm’n on Human Rights & Opportunities v. Board of Education of Town of Cheshire*, 270 Conn. 121 (2004), Attorney Krich’s comments may indicate that the CHRO will be taking a more aggressive approach in investigating and pursuing such claims.

With this new expansive plan in the works, Boards of Education, school administrators and public safety personnel must take notice: the CHRO may come knocking in a way that we have not seen before.

**Posted in** Board of Education, State Legislation

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