



# Equal Opportunity and Equity **GUIDELINES**

**NC STATE**  
UNIVERSITY

Office for Institutional Equity and Diversity

The Equal Opportunity and Equity section of the Office for Institutional Equity & Diversity works to ensure that the university and its agents engage in practices that are compliant with the equal opportunity laws and policies. OIED is a neutral entity which does not favor either side (student or faculty, management or employee), but instead works to find facts and rectify any known policy violations or resolve related concerns.

### **Office for Institutional Equity & Diversity**

Campus Box 7530, 231 Winslow Hall,  
Raleigh, NC 27695  
Complaints & Accommodations Line  
(919) 513-0574  
Website: [diversity.ncsu.edu/equal-opportunity](https://diversity.ncsu.edu/equal-opportunity)

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## Quick Contacts

Office for Institutional Equity & Diversity  
(919) 515-3148

Office of Student Conduct  
(919) 515-2963

Counseling Center  
(919) 515-2423

Human Resources - Employee Relations  
(919) 515-6575

FASAP (Faculty and Staff Assistance Program)  
866-467-0467

ADA Coordinator  
(919) 513-0574

Title IX Coordinator  
(919) 513-0574

Disability Resource Office  
Holmes Hall Suite 304  
919-515-7653  
Web: [dro.dasa.ncsu.edu](https://dro.dasa.ncsu.edu)

Bias Impact Response Team (BIRT)  
[bias-impact.ncsu.edu](https://bias-impact.ncsu.edu)

Sexual Assault Helpline  
(24 hour Relationship & Sexual Violence Phone Line)  
(919) 515-4444

Military and Veteran Services  
100 Witherspoon Student Center  
(919) 515-5041

## University Police

**9-1-1** Emergencies  
**(919) 515-3000** Non-emergencies

Assistance with  
criminal complaints





Equal Opportunity and Equity

# Guidelines



**MEMORANDUM****TO:** All University Faculty, Staff and Students**FROM:** W. Randolph Woodson  
Chancellor**SUBJECT:** Equal Opportunity & Nondiscrimination**DATE:** August 1, 2016

NC State University strives to create a campus culture that values diversity and respects the inherent worth of each member of our community. It is essential that NC State demonstrate its strong position against discrimination, harassment, and retaliation. NC State's Equal Opportunity and Nondiscrimination Policy (POL 04.25.05) (<https://policies.ncsu.edu/policy/pol-04-25-05>), provides that discrimination and harassment based on age (40 and over), color, disability, gender identity, genetic information, national origin, race, religion, sex (including pregnancy), sexual orientation or veteran status will not be tolerated.

As Chancellor, I commit NC State to fulfilling its duties to prevent and address the intolerance and incivility that can lead to discriminatory actions, not only out of legal obligation but out of moral responsibility. Every employee and student in the university community should behave in a manner that contributes to an environment free of discrimination and harassment and should bring concerns about these behaviors to the attention of one's supervisor, the Office for Institutional Equity and Diversity, the Office of Student Conduct, Human Resources or the Office of General Counsel. NC State promptly investigates and addresses equal opportunity complaints, and appropriate action will be instituted when necessary. NC State's Discrimination, Harassment and Retaliation Complaint Procedure (REG 04.25.02) (<https://policies.ncsu.edu/regulation/reg-04-25-02>) explains how complaints may be filed, investigated and resolved.

In addition to reminding all students, faculty, and staff that NC State will not tolerate the discrimination or harassment of any individual within our community, I fully endorse NC State's discrimination and harassment prevention efforts. Incoming students and new employees are informed of their equal opportunity rights during orientation programs, while all other employees are required to complete an approved training program on discrimination and harassment prevention and response every three (3) years. For more information on this training, refer to NC State REG 04.25.06 (Equal Opportunity, Title IX and Non-Discrimination Training for Employees <http://policies.ncsu.edu/regulation/reg-04-25-06>). Copies of equal opportunity-related policies are located on NC State's policy website (<http://policies.ncsu.edu/>).

For more information specific to NC State's efforts regarding sex discrimination, sexual harassment, and sexual violence, please see my related memorandum on "Title IX" and visit NC State's Title IX website (<https://oied.ncsu.edu/titleix/>).

NC State's Office for Institutional Equity and Diversity (<https://oied.ncsu.edu/home/>), is a resource on campus dedicated to addressing equal opportunity-related questions or concerns. Thank you for your attention to this important matter and for everything you do to make NC State an exceptional place to work and to learn.





# Welcome

With over 36,000 students and nearly 8,500 faculty and staff, North Carolina State University is a comprehensive institution globally recognized for its leadership in education and research.

NC State is committed to diversity and excellence in its faculty, staff, students, and program offerings. Accordingly, NC State seeks to foster an environment conducive to teaching and learning, facilitates integrity and social justice, and promotes intellectual growth and development. As an institution of higher education in an increasingly diverse and pluralistic society, the university has the responsibility for enhancing openness to a range of ideas and human possibilities.

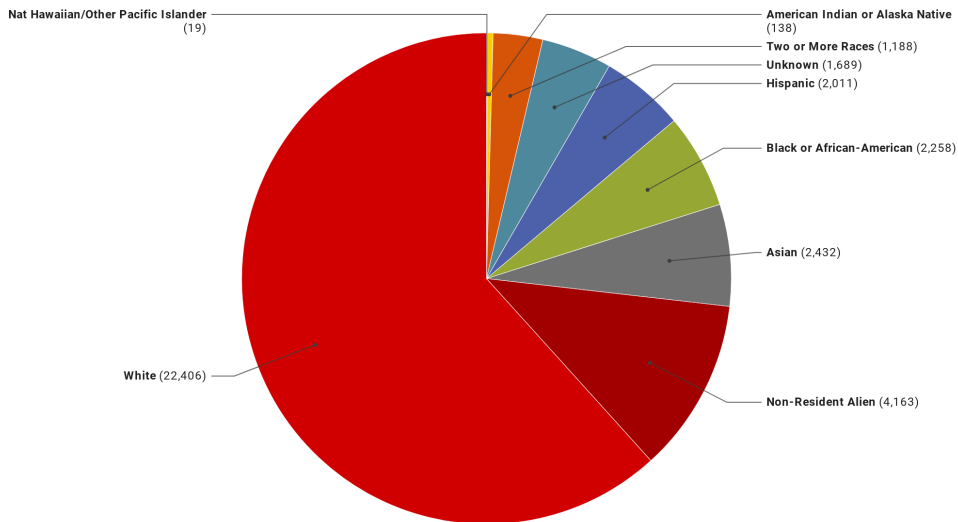
To achieve its educational mission, NC State must foster an atmosphere of mutual respect, one which is free from intolerance and offers equal opportunity to all. Every member of the university community shares the responsibility for addressing incidents of disrespect for the dignity of others, including acts of discrimination, bigotry, harassment, exclusion, abusive language, or mistreatment of individuals or groups.

Every member of the campus community has the responsibility to work collectively to ensure non-discrimination and to enhance diversity among the faculty, staff, and students. The information contained in these "Guidelines" is intended to assist you in helping to make NC State a great place to work and to learn.

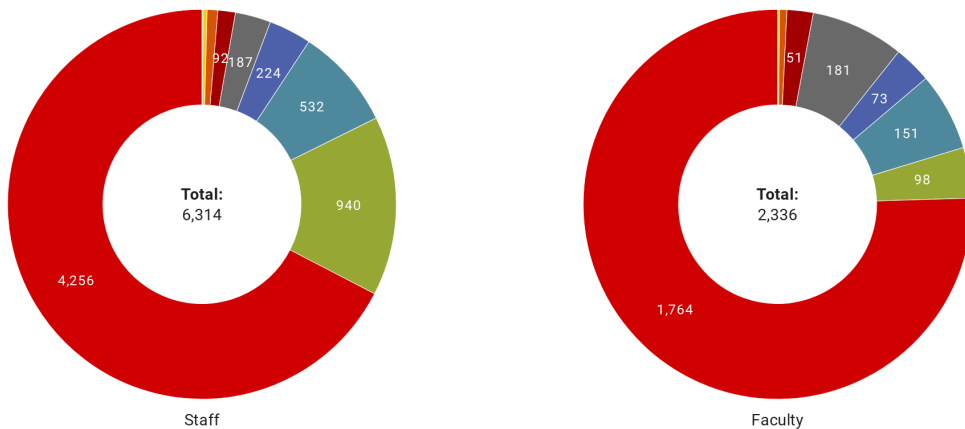
# What is Equity and Diversity and Why Does it Matter at NC State?

NC State University is a land grant institution. The mission of land grant institutions is to serve the people of North Carolina and promote the economic, social, and political welfare of the State. This requires the community at NC State to be open and inclusive to meet the needs of North Carolina's citizens.

Racial/Ethnic Distribution of Total NC State Enrollment, Fall 2019



Demographics of NC State Employees, Fall 2019



Legend for Demographics of NC State Employees, Fall 2019:  
 Nat Hawaiian/Other Pacific Islander (19), American Indian or Alaska Native - 21, Two or More Races - 1188, Non-Resident Alien (4,163), Asian (2,432), Hispanic (2,011), Unknown (1,689), Black or African American (2,258), White (22,406)

Gender of NC State Employees, Fall 2019



## Who Benefits From Equity and Diversity?

We all do! Studies show that people engaged in developing cultural competence experience:

- Increased cognitive complexity (Antonio, et al., 2004) and increased cognitive benefits (Bowman 2010)
- Better problem-solving (Chang, 2002), increased innovation (DeSimone and Farrell, 2014), and
- Enhanced perspective taking and improved decision making (Gurin, Dey, Hurtado, & Gurin, 2002)





# Laws and Protected Classes

There are federal and state laws as well as university policies, that promote equal opportunity. A protected class is a group of people who share common characteristics or factors that cannot be targeted for harassment or discrimination. Everyone belongs to one or more protected class.

## Protected Classes

Protected classes, also referred to as protected categories, are the groups to which people can belong that have been afforded protections from discrimination and harassment under federal or state law, or university policy. The protected classes are:

race	disability
color	national origin
religion	veteran status
sex	genetic information
gender identity	sexual orientation
age	



## The Laws That Govern Protections

### Federal Laws

- Title VII of the Civil Rights Act of 1964  
Protects people from discrimination and harassment on the basis of one's race, color, religion, national origin, or sex. Recent interpretations of this law now specifically include adverse treatment based on sexual orientation as a form of sex discrimination or harassment. Discrimination and/or harassment based sexual orientation and/or gender identity are considered forms of sex discrimination.
- Title IX of the Education Amendments of 1972  
Protects people from discrimination and harassment on the basis of one's sex. This law promotes gender equity at institutions that receive federal funds.
- Age Discrimination in Employment Act of 1967  
Protects people age 40 and over from discrimination and harassment on the basis of age.
- Vietnam-Era Veterans Readjustment Assistance Act of 1974  
Protects United States military veterans from discrimination and harassment in employment on the basis of their military service.
- Americans with Disabilities Act of 1990  
Protects people from discrimination and harassment on the basis of a mental or physical handicapping condition, or the perception thereof.
- Genetic Information Non-Discrimination Act of 2008  
Protects people from discrimination and harassment on the basis of one's protected genetic (health-related) information.





# Discrimination, Harassment and Retaliation

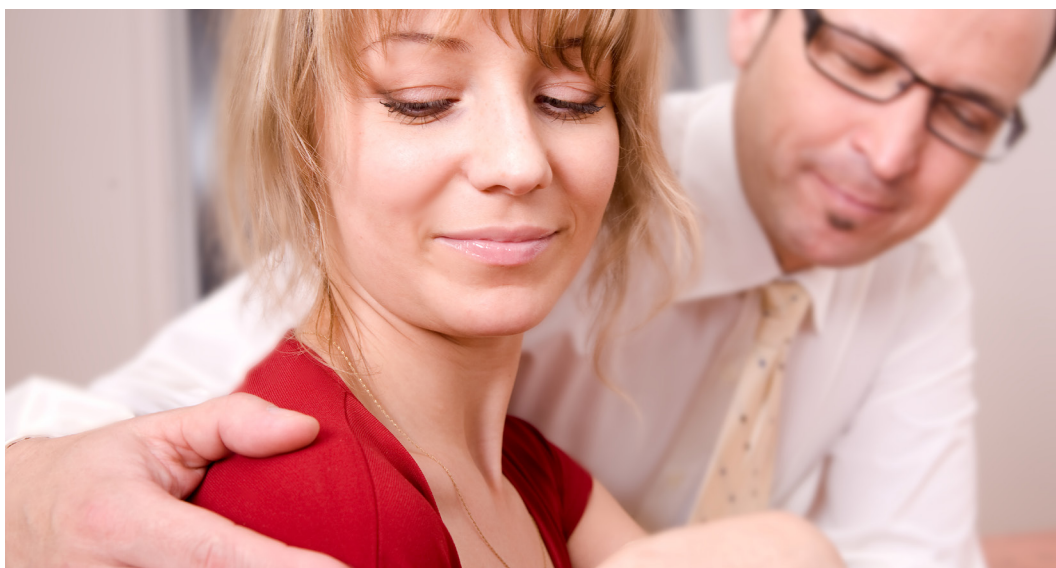
At NC State University, discrimination is unfavorable treatment with regard to a term or condition of employment, or participation in an academic program or activity based upon one's membership in a protected group. Discrimination also includes the denial of a request for a reasonable accommodation based upon disability or religion.

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Harassment is unwelcome conduct based upon membership in one or more protected classes that creates either (1) a quid pro quo ("this for that") situation, or (2) a hostile working or learning environment.

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Retaliation is defined as conduct causing any interference, coercion, restraint, or reprisal against a person complaining of discrimination or harassment or participating in the resolution of a complaint of discrimination or harassment.



## **If You Feel Discriminated Against or Harassed**

Members of the university community have both rights and responsibilities related to resolving harassment complaints. Make sure you understand these clearly and seek assistance if you need clarification.

### **Your Rights**

It is your right to work and/or learn in a harassment-free, discrimination-free environment.

It is your right to have your concerns treated in a prompt and confidential manner.

It is your right to seek assistance from someone other than your direct supervisor.

### **Your Responsibilities**

You are responsible for understanding and complying with the equal opportunities-related policies.

You are responsible for knowing whom to contact for assistance in resolving your concerns.

## **What You Should Do**

- Say “No!” If you feel safe doing so, inform the other party that the behavior is offensive and unacceptable. Ignoring the behavior will often be taken as tacit consent. Say no. Make it clear. But remember that it’s usually not necessary to blast the other party. Talk about how you might interact more effectively and what changes are desired.
- Document! Keep a record of dates, places, times, and witnesses of harassing behavior.
- Be Informed! Read the Equal Opportunity and Non-Discrimination Policy and the Resolution Procedures for Discrimination, Harassment and Retaliation Complaints found at the end of this book.
- Seek Help! Seek advice and be informed about the options for resolving concerns.
- File a Complaint! You may submit a harassment complaint online by using the online Complaint Form, or you may contact the Office for Institutional Equity & Diversity at (919) 513-0574.

**Special note to SHRA Employees:** You must follow the SHRA Grievance Process if you wish to retain your appeal rights through the Office of State State Human Resources. Be sure to discuss your concerns with someone in the Employee Relations section of Human Resources at (919) 515-6575.



# Can You Recognize Discrimination and Harassment?

Sometimes discrimination and harassment can become so severe that it is easily recognized. However, there are times when people do not recognize that they are being treated unfairly or that they are treating others in a manner that is offensive. Read the scenarios below. Can you recognize discrimination and harassment?

## Is this harassment or discrimination?

**A. "I always knew you people couldn't do this kind of work."** The words seemed to hang in the air. Was she serious? "Everyone knows that Mexicans are good for two things, and two things only!" She scowled as she deleted everything I had just typed into the spreadsheet. I didn't know what to say. Tears filled my eyes. I couldn't let her see me cry. I got up and walked to the door. All I could muster was a feeble protest, "I'm from Bolivia." Never turning to see if she had even reacted, I shut the door behind me.

**B. "That will be the last phone call you make here!"** He glared over the rim of his glasses as my outstretched arm froze in place just inches from the guest phone receiver on the side table of his office. "Is that a threat?" I retorted, partly in confusion and partly in disgust. His response was as cold. "It's not a threat, Love. It's a promise." With that, he turned his back and looked casually out of his window. The courtyard below was littered with students scrambling to and fro. "Why me?" I thought. "Why now? I'm so close to graduation. I need this reference for grad school. Maybe if..." I finally broke the silence that had enveloped the room. "No one will find out, right?" I could see a smug grin crawling across his face.

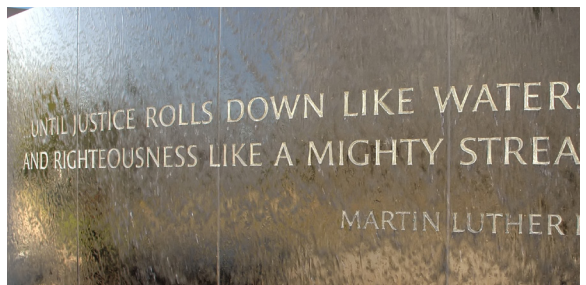
**C.** Clark, an administrative assistant who is also the receptionist at the front desk of the building, is a nice man who talks to everyone. Recently, he became more involved with his religion. Clark has placed some pictures and figurines on the front desk that reflect Christian sayings and events. Clark now constantly talks to all of the employees about his personal salvation and their spiritual well-being. One day, Clark is talking adamantly about his Christian-based beliefs to Bonnie, an employee who many people believe is Muslim. Bonnie's body language and facial expressions tighten like the conversation is making her uncomfortable. Clark, sees her discomfort but gets louder and more passionate about his religious views as the conversation continues.

## Answers:

**A.** In this example, the person from Bolivia is being treated negatively because of the other person's assumption about ethnicity. This certainly seems to be creating an unwelcomed environment and determining whether any additional actions are taken (e.g., exclusion from other work assignments, taunting or name calling, etc) would help clarify whether this is enough to substantiate a claim of harassment or discrimination. At minimum, it is disrespectful behavior that is not appropriate for the NC State community.

**B.** This is an example of quid pro quo sexual harassment. In addition, this may be a violation of NC State's Interpersonal Relationships Policy.

**C.** Bonnie may feel that she is in a hostile environment because of Clark's persistence on spreading his religious beliefs. If Clark continues this behavior, he could be setting himself up for a claim of workplace harassment based on religion.



In each of these situations there are obviously different points of view and different beliefs and/or values being shown. The world around us, including NC State is filled with differences. **Differences are not divisive, but disrespect is.** When we assume that our ideas and our beliefs supersede those of another, our behavior reflects that assumption. Typically, the most common cause of disagreements, disputes, and even violence against one another stems from disrespectful words and actions towards someone else. Be fair, be inclusive, be thoughtful. It is possible to respectfully disagree with someone. It is possible to misunderstand what someone's intentions are. Have the difficult conversations and truly get to know the people with whom you live, work, and learn.

**That is the Wolfpack Way!**



# Title IX

Title IX of the Education Amendments of 1972 is a law designed to promote equity in education with regard to sex. Title IX prohibits discrimination based on sex in all federally funded educational programs and activities, which includes (but is not limited to) recruitment, student admissions, financial assistance, housing, access to academic offerings, and athletics. Title IX includes protections for pregnant and parenting students and employees, gay, lesbian, and bisexual students and employees, gender non-conforming students and employees, and survivors of sexual violence, relationship violence and stalking.





**Institutions have several obligations under Title IX. Institutions must:**

- Provide assurances that all educational programs and activities are in compliance with Title IX,
- Designate a responsible employee, the Title IX Coordinator, to oversee compliance efforts,
- Establish procedures to resolve student and employee Title IX complaints,
- Provide notification to students and employees that sex discrimination is prohibited within the university's programs and activities, and
- Ensure that all administrators, managers, deans and chairs familiarize themselves with, and implement, Title IX provisions.

Title IX's prohibition of sex discrimination includes sexual harassment and sexual violence. In 2011, the Office for Civil Rights issued a "Dear Colleague Letter" offering guidance as to how incidents of sexual violence should be responded to by educational institutions. Important points in the guidance include:

- Sexual violence is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., rape, sexual assault, sexual battery, and sexual coercion).
- Once a school knows (or reasonably should have known) of possible sexual violence, it must take immediate and appropriate action to investigate or otherwise determine what occurred.
- A school may be held liable if a school official with the authority to take corrective action knew or should have known of the harassment but failed to adequately respond.
- A school must take steps to protect the complainant as necessary, and must provide a procedure for students to file complaints of sex discrimination, including sexual violence.

**For more information:**

Title IX Coordinator

Office for Institutional Equity & Diversity

Phone: (919) 513-0574

Web: [go.ncsu.edu/titleix](http://go.ncsu.edu/titleix)



# ADA

The Americans with Disabilities Act (ADA) is a law designed to reduce or eliminate additional barriers and challenges experienced by individuals due to disabilities. One way in which the ADA reduces barriers is by requiring institutions to provide reasonable accommodations for individuals who are eligible under the law.



The ADA defines an individual with a disability as one who:

- has
- has a record of, or
- is regarded as having

a physical or mental impairment that substantially limits a major life activity.

A major life activity is a basic activity that the average person in the general population can perform with little or no difficulty. Examples include, but are not limited to:

- Caring for Oneself
- Performing Manual Tasks
- Walking
- Seeing
- Hearing
- Speaking
- Lifting
- Breathing
- Concentrating
- Learning
- Working
- Sitting
- Standing

A reasonable accommodation may be requested by a student, employee, or community member participating in a university program or event. A reasonable accommodation is any change in the working or learning environment or the way things are done that enables a person with a disability to enjoy equal opportunity. Reasonable accommodations must be provided to qualified individuals unless they pose an undue hardship to the university.

To be a qualified individual with a disability means that one satisfies the requisite skill, experience, education, and other job- or academic-related requirements of the program/position, and that the individual can fulfill the essential functions of the program/position with or without a reasonable accommodation.

**For more information:**

Faculty/Staff:

Phone: (919) 513-0574

Web: [go.ncsu.edu/equity](http://go.ncsu.edu/equity)

For inquiries about accommodations and adjustments:

Faculty/Staff

Equal Opportunity and Equity

Phone: (919) 513-0574

Web: [go.ncsu.edu/equity](http://go.ncsu.edu/equity)

Students:

Disability Resource Office

Holmes Hall Suite 304

919-515-7653

Web: [dso.dasa.ncsu.edu](http://dso.dasa.ncsu.edu)





# Interpersonal Relationships

NC State has high standards of professional and ethical conduct, specifically with respect to interpersonal relationships. The university's Interpersonal Relationships Policy provides assurance that all students and employees are able to learn and work in an environment where they can be objectively supervised, instructed, or evaluated.



At NC State, building personal relationships, in addition to existing professional relationships, is encouraged within our community. Getting to know others and gaining friendships are key components to a welcoming and respectful environment. In building relationships, it is natural to become closer to some individuals over others. In an effort to ensure objectivity and equal opportunity, NC State outlines certain relationships that are prohibited in a supervisor/supervisee capacity.

NC State employees should not have any professional authority over employees or students with whom they are engaged in amorous or familial relationships. It is more difficult to objectively supervise one's brother, or one's girlfriend.

The issue of interpersonal relationships in the professional context is related to equal opportunity because it is not uncommon for these relationships to lead to sexual harassment complaints, for instance:

- An employee or student feels compelled to agree to romantic overtures offered by an authority figure due to the power imbalance in the professional relationship (i.e., "If I don't go on a date with this professor, I may not get the 'A' I need in this class.").
- Third party complaints when an individual perceives that a colleague is in a relationship with an authority figure, such as a department head or director, and consequently believes that individual is being treated more favorably than others due to that non-professional relationship (i.e., "Mike was just offered a great new lab space, but I'm sure it's because he's married to the department head.").

Any individual who finds her/himself in a situation that may fall under the Interpersonal Relationships Policy should contact the Office for Institutional Equity and Diversity. In many circumstances, alterations can be made to the supervisory hierarchy so that the reality, and the semblance, of objectivity is protected.





# Resources

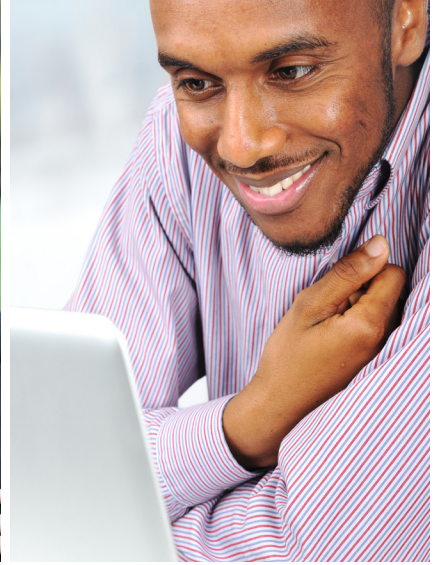
## University Police

**9-1-1** Emergencies  
**(919) 515-3000** Non-emergencies

Assistance with  
criminal complaints







## **Whom You Should Contact for Assistance**

You are encouraged, and you should feel free, to seek assistance, information, and guidance within NC State from any of these resources:

### **Your Supervisor**

*Employees with a concern in the workplace*

### **Your Advisor**

*Students with a concern about any other person, university policy, or procedure*

### **Office for Institutional Equity & Diversity**

(919) 513-0574

*Any person with an equal opportunity-related concern about any other person*

### **Human Resources - Employee Relations**

(919) 515-6575

*Employees with a workplace-related concern about any other employee*

### **Office of Student Conduct**

(919) 515-2963

*Any person with a concern about a student*

### **University Police**

911 for Emergencies

(919) 515-3000 for Non-emergencies

*Any person who wishes to file a criminal complaint about another person*

# NC STATE UNIVERSITY

OIED provides education, compliance, and outreach programming to the NC State community with a commitment to engaging the campus in best practices that advance cultural competency among students, faculty, and staff.

## **Become Involved**

Check out this website for a list of committees, advisory groups, and other great involvement opportunities.

[diversity.ncsu.edu](https://diversity.ncsu.edu)

## **Stay Informed**

Weekly news and information related to equal opportunity and diversity delivered to your inbox.

[go.ncsu.edu/digest](https://go.ncsu.edu/digest)

## **Get Educated**

These sites will provide you information about upcoming workshops, programs, and certification series on a wide variety of equal opportunity-related and diversity-related topics.

[diversity.ncsu.edu/workshops](https://diversity.ncsu.edu/workshops)

## **Office for Institutional Equity & Diversity**

Campus Box 7530, 231 Winslow Hall,  
Raleigh, NC 27695

Phone: (919) 515-3148

Website: [diversity.ncsu.edu/equal-opportunity](https://diversity.ncsu.edu/equal-opportunity)

OIED brings the offices of Equal Opportunity and Equity and Diversity Engagement, Training and Education together with four campus centers: the African American Cultural Center; Multicultural Student Affairs; the Gay, Lesbian, Bisexual, and Transgender (GLBT) Center; and the Women's Center. Together, we aim to foster an inclusive, accessible and diverse intellectual and cultural campus experience.

### **Multicultural Student Affairs (MSA)**

4261 Talley Student Union, Campus Box 7314

Phone: (919) 515-3835

Fax: (919) 515-8078

[multicultural@ncsu.edu](mailto:multicultural@ncsu.edu)

### **African American Cultural Center**

355 Witherspoon Student Center, Campus Box 7318

Raleigh, NC 27695-7318

Phone: (919) 515-5210

Fax: (919) 515-5173

[aaculturalcenter@ncsu.edu](mailto:aaculturalcenter@ncsu.edu)

### **Women's Center**

5210 Talley Student Union, Campus Box 7295

Raleigh, NC 27695-7306

Phone: (919) 515.2012

Fax: (919) 515.1066

[womens-center@ncsu.edu](mailto:womens-center@ncsu.edu)

### **GLBT Center**

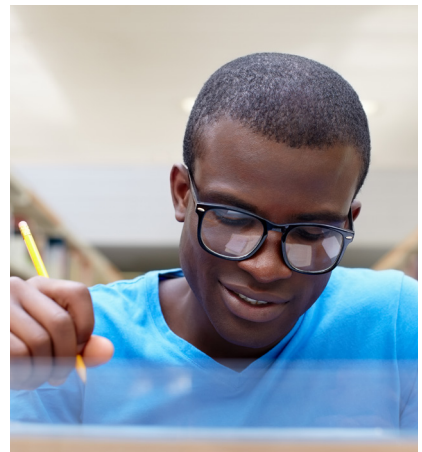
5230 Talley Student Union, Campus Box 7295

Raleigh, NC 27695-7295

Phone: (919) 513.9742

Fax: (919) 513.3144

[glbtcenter@ncsu.edu](mailto:glbtcenter@ncsu.edu)





# NC STATE UNIVERSITY

The Office for Institutional Equity and Diversity coordinates the university's efforts to implement the policies and procedures prohibiting Discrimination, Harassment, and Retaliation of the Protected Statuses. The policies and procedures listed below outline the expectations of all NC State community members to ensure an inclusive, ethical, and respectful institution.

Equal Opportunity, Non-Discrimination and Affirmative Action Policy

[policies.ncsu.edu/policy/pol-04-25-05](https://policies.ncsu.edu/policy/pol-04-25-05)

Discrimination, Harassment and Retaliation Complaint Procedure

[policies.ncsu.edu/regulation/reg-04-25-02](https://policies.ncsu.edu/regulation/reg-04-25-02)

Interpersonal Relationships among Faculty, Staff and Students

[policies.ncsu.edu/policy/pol-04-20-06](https://policies.ncsu.edu/policy/pol-04-20-06)

**Office for Institutional Equity & Diversity**

Campus Box 7530, 231 Winslow Hall,  
Raleigh, NC 27695

Main Number: (919) 515-3148

Website: [diversity.ncsu.edu](https://diversity.ncsu.edu)

## About Us

The Office for Institutional Equity and Diversity (OIED) is committed to fostering an inclusive, accessible, and diverse intellectual and cultural campus experience related to the mission of North Carolina State University (NC State). The OIED facilitates efforts to ensure equity and opportunity, increases awareness of diversity issues through education, and strengthens relationships across diverse groups. Through these efforts, the OIED promotes cultural competence development. By providing guidance, programming, and outreach to constituent groups and the community, and by adhering to accountability and compliance standards, the OIED prepares NC State students, faculty, and staff for local, state, national, and global collaboration.

**NC STATE**  
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