

**From:** [All NDSU Employee list](#) on behalf of [Bilen-Green, Canan](#)  
**To:** [NDSU-EMPLOYEE-OFFICIAL@LISTSERV.NODAK.EDU](mailto:NDSU-EMPLOYEE-OFFICIAL@LISTSERV.NODAK.EDU)  
**Subject:** Equity: policies, non-discrimination statement/posters, accommodations, training, resources, climate/diversity/inclusion, NSF requirements  
**Date:** Monday, November 19, 2018 2:44:12 PM

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Dear NDSU Community:

I am writing today to remind our university community of the [policies](#) prohibiting discrimination, harassment, retaliation, and sexual misconduct; [accommodations](#) for disability, temporary conditions, and pregnancy; required non-discrimination [statement and posters](#); employee and supervisor [training requirements](#) and optional training resources; employee [reporting responsibilities](#); [resources](#) available at NDSU to address your questions, concerns, or complaints, including the new [resource guide](#) for sexual and gender-based harassment and sexual misconduct; and equal opportunity in announcement of positions and [affirmative action plan](#). Below you will also find updates on [climate work/life survey](#) and the new [National Science Foundation](#) harassment reporting requirements.

- 1. Policies. NDSU is committed to providing a safe and non-discriminatory learning, living, and working environment for every member of our university community.** Specifically, NDSU is committed to taking action against discrimination, harassment, retaliation, and sexual misconduct in order to: (1) stop it; (2) remedy its effects; and (3) prevent its recurrence. **If you believe you have been subjected to discrimination, harassment, retaliation, or sexual misconduct, you are encouraged to complete [Discrimination/Harassment/Retaliation/Sexual Misconduct Complaint Form](#) and submit to the [Equity Office](#).**

The Equity Office investigates all discrimination, harassment, retaliation, and sexual misconduct complaints involving students and employees and will coordinate the resolution of those complaints as described in [Policy 156](#). For complaints alleging a violation by a student, please see [Student investigation flowchart and timeline](#). For all other complaints please see [Faculty and Staff investigation and timeline](#). The list of NDSU's policies related to equal opportunity, ADA, and Title IX can be found at the end of this email. For more information on NDSU's complaint resolution process, including "what you can expect/can't expect" once a complaint is filed, see [https://www.ndsu.edu/equity/filing\\_a\\_complaint\\_at\\_ndsu/](https://www.ndsu.edu/equity/filing_a_complaint_at_ndsu/).

**Questions, concerns, or complaints related to equal opportunity, discrimination, harassment, retaliation, and sexual misconduct, including those related to Title IX, may be directed to Equity Office/Dr. Canan Bilen-Green, Title IX/ADA Coordinator, Old Main 201, NDSU Main Campus, Fargo, ND 58108, 701-231-7708, [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).**

- 2. Accommodations for students with disabilities, temporary medical conditions, and pregnant students.** Disability Services is designated as the office that students with a disability, temporary medical condition, or pregnancy work with to request services/accommodations. Please note that per NDSU [Policy 333](#) "*Absences due to pregnancy or related conditions, including recovery from childbirth, shall be excused for as long as the student's health care provider deems the absences medically necessary. When the student returns to class the student must be provided the opportunity to make up any work missed. Alternatives include allowing the student to take an incomplete and complete the course at a later date, or retaking the course or taking an online course.*"

**If you have a student that is requesting accommodation** without presenting documentation from Disability Services, **please refer the student to Disability Services.** For more information see <https://www.ndsu.edu/disabilityservices/>.

**Employee requests for accommodations on the basis of disability** are processed through the [Office of Human Resources/Payroll](#). Per NDSU [Policy 168](#), "*Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.*"

- 3. Required non-discrimination statement and posters. The following statement must be included in all** bulletins, announcements, manuals, publications, guidebooks, brochures, pamphlets, catalogs, application forms, or recruitment **materials that are made available to NDSU participants, students, applicants, or employees:**  
NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to: Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).

Equal opportunity and Title IX related **posters are required to be placed where they are visible to students, employees, applicants, and other participants** in NDSU's educational programs and activities. For more information and link to required posters see [https://www.ndsu.edu/equity/required\\_posters/](https://www.ndsu.edu/equity/required_posters/).

- 4. Employee training requirements.** All employees are expected to complete in-person **Equal Opportunity/Title IX Training**. Attending the in-person session meets this training obligation for three years. Employees are also encouraged to complete **Community of Respect** and **Safe Zone Ally** training. For more information and to register for an in-person training session see [https://www.ndsu.edu/equity/education\\_and\\_training/](https://www.ndsu.edu/equity/education_and_training/).

Several **online training modules**, focused on equity, respect, and inclusion, are available to NDSU employees and students, including: **Preventing Discrimination and Sexual Violence; The Bystander Effect; Power of Respectful Language; Uncovering Implicit Bias; and the Americans with Disabilities Act**. Additional information and log-in instructions are available at

[https://www.ndsu.edu/equity/education\\_and\\_training/online\\_training\\_opportunities/](https://www.ndsu.edu/equity/education_and_training/online_training_opportunities/). An **online training module** specifically designed for **parents and families of NDSU students**, called "Parent and Family Empower", is available by following the instructions posted at [https://www.ndsu.edu/studentsuccess/family\\_resources/](https://www.ndsu.edu/studentsuccess/family_resources/).

**Supervisor training requirements.** In addition to the EO/Title IX training, supervisors are required to complete the annual **Supervisor Supplement – Equal Opportunity/Title IX Training**. Supervisors include managers, department heads, deans, directors, and administrators. These are individuals with assigned supervisory duties over employees. For more information and to register for a **Supervisor Supplement** session see [https://www.ndsu.edu/equity/education\\_and\\_training/](https://www.ndsu.edu/equity/education_and_training/).

In September 2018, Sara G. McGrane, attorney, partner, and litigator at the Felhaber Larson Law Firm, facilitated workshops for supervisors on resolving discrimination, harassment, and Title IX complaints. The materials reviewed in those sessions are available at [https://www.ndsu.edu/equity/training\\_resources/](https://www.ndsu.edu/equity/training_resources/).

- 5. Employee reporting responsibilities.** All NDSU **employees who observe** discrimination, including harassment, retaliation, or sexual misconduct must document the discrimination using the form at [https://www.ndsu.edu/fileadmin/equity/Equity/Title\\_IX\\_Forms/Report\\_Form.pdf](https://www.ndsu.edu/fileadmin/equity/Equity/Title_IX_Forms/Report_Form.pdf) and contact the Equity Office/Title IX Coordinator. All NDSU **employees who receive a report** of discrimination **involving a student**, including harassment, retaliation, or sexual misconduct, must document the report, **including the name of the involved student(s)**, and contact the Equity Office/Title IX Coordinator. NDSU **supervisors, managers, department heads, deans, directors, or administrators who receive a report** of discrimination **involving employees**, including harassment, retaliation, or sexual misconduct, must document the report using the form at [https://www.ndsu.edu/fileadmin/equity/Equity/Title\\_IX\\_Forms/Report\\_Form.pdf](https://www.ndsu.edu/fileadmin/equity/Equity/Title_IX_Forms/Report_Form.pdf) and contact the Equity Office. **Equity Office will keep the complaint and its investigation confidential to the extent that it is possible without compromising NDSU's commitment and obligation to investigate allegations of discrimination, harassment, retaliation, and sexual misconduct, to protect the university community.**
- 6. Resources.** NDSU Equity Office serves, in part, as a centralized resource for matters related to equity, Title IX, and non-discrimination at NDSU. As a part of its responsibility to promote equity, safety, and non-discrimination, this office reviews and revises policies and procedures; provides training; receives, investigates, and addresses discrimination, harassment, retaliation, and sexual misconduct complaints and bias reports; and offers institutional guidance and support regarding equity and nondiscrimination.  
  
**Sexual and Gender-Based Harassment and Sexual Misconduct Resource Guide and Quick Reference for On-Campus Contacts.** These new resources for students, faculty, and staff were created by the Equity Office, Residence Life, Student Health Services, University Police, and Student Affairs Office. The guide provides information on how to assist someone who has experienced sexual misconduct; campus resources; recognizing and addressing abuse and violence; safety and bystander intervention; and complaint resolution process. To view these resources see: [https://www.ndsu.edu/equity/sexual\\_and\\_gender\\_based\\_harassment\\_and\\_sexual\\_misconduct\\_resource\\_guide/](https://www.ndsu.edu/equity/sexual_and_gender_based_harassment_and_sexual_misconduct_resource_guide/). Printed copies of the resource guide can be requested from the Equity Office.
- 7. Climate/Work-life Survey.** In Fall 2017, employees were asked to complete a Campus Climate/Work-life Survey to help assess the climate for work-life and diversity at NDSU. The Equity Office and [NDSU's Inclusion Committee](#) in late spring 2018 hosted two community forums to review and reflect on the results of the survey to help identify priorities for enhancing NDSU's learning, living, and working environment. Community forum presentation slides and the full report can be accessed at [https://www.ndsu.edu/equity/ndsu\\_inclusion\\_committee/ndsu\\_2017\\_campus\\_climatework\\_life\\_survey\\_presentation/](https://www.ndsu.edu/equity/ndsu_inclusion_committee/ndsu_2017_campus_climatework_life_survey_presentation/). *If interested in serving on the Inclusion Committee please contact the Equity Office or the committee co-chairs.* See <https://www.ndsu.edu/equity/diversity/> for list of campus units and committees that strive to create a welcoming and supportive environment for NDSU employees and students.
- 8. Equal opportunity in announcement of positions and Affirmative Action Program.** Announcement of positions is an important part of employee recruitment and advancement at NDSU. Per [NDSU Policy 103](#), an announcement is required for all titled or compensated appointments that are interim and/or part time. This means that graduate coordinator, program director, assistant chair, interim chair, and similar part-time or interim faculty, administrator

and staff positions minimally require announcement on an internal or local basis. The Equity Office is responsible for maintaining an Affirmative Action Program (AAP) for the campus. This plan includes information on job group analysis, identification of employee recruitment and advancement problem areas, and placement goals. For more information about AAP or to schedule a viewing of the plan, please contact the Equity Office at (701) 231-7708 or [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).

**9. National Science Foundation (NSF) harassment reporting requirements. NDSU is required to notify NSF if any funded researcher** has been investigated for sexual or other forms of harassment and **found to have violated** related policies of NDSU. If an individual was placed on administrative leave or other action was taken through a complaint process, NSF is also to be notified. **This notification requirement applies to new NSF awards and funding amendments to existing awards since October 21, 2018.** Full term and conditions can be viewed at [Federal Register Notice](#). A fact sheet from NSF is at [https://nsf.gov/news/news\\_summ.jsp?cntn\\_id=296671](https://nsf.gov/news/news_summ.jsp?cntn_id=296671). NSF encourages anyone with a harassment complaint involving an NSF-funded researcher to report the incident to their home institution and visit [NSF's sexual harassment webpage](#). Individuals can also submit harassment complaints directly to the NSF Office of Diversity and Inclusion at [programcomplaints@nsf.gov](mailto:programcomplaints@nsf.gov).

Thank you for your efforts to help NDSU foster a safe, respectful, and non-discriminatory environment, one that benefits our entire campus community. Please contact me if you have any questions, comments, or concerns related to equity and non-discrimination at NDSU.

Sincerely,

Dr. Canan Bilen-Green  
Title IX/ADA Coordinator  
Vice Provost for Faculty Affairs and Equity

**NDSU's Equal Opportunity, Discrimination, Harassment, Retaliation, and Sexual Misconduct Policies:**

**100** - Equal Opportunity and Non-Discrimination Policy

**100.1** - Non-Discrimination on the Basis of Disabilities and Reasonable Accommodation

**100.2** - Use of Service and Assistance Animals

**103** - Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings

**156** - Discrimination, Harassment, and Retaliation Complaint Procedures

**162** - Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy

**162.1** - Consensual Relationships

**168** - Reasonable Accommodation on the Basis of Disability - Guidelines for Employee Requests

**601** - Code of Student Conduct

**606** - Guidelines for Student Requests for Reasonable Accommodation

**606.1** - Course Substitution

**606.2** - Confidentiality of Documentation

**606.3** - Reduced Course Load

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