

From: [All NDSU Employee list](#) on behalf of [Bilen-Green, Canan](#)
To: NDSU-EMPLOYEE-OFFICIAL@LISTSERV.NODAK.EDU
Subject: EO/Title IX policies, non-discrimination statement/posters, announcement of positions, accommodations, inclusion, training, resources
Date: Wednesday, December 9, 2020 2:03:27 PM

Dear NDSU Community:

Recent incidents highlight the importance of our shared responsibility to make NDSU a welcoming, safe, and inclusive campus. We each have an essential role in shaping campus climate and safeguarding our students and one another. I hope each of you will take a moment and review this **annual reminder** of the [policies](#) prohibiting discrimination, harassment, retaliation, and sexual misconduct; [accommodations](#) for disability, temporary medical conditions, and pregnancy; religious accommodations; required non-discrimination [statement and posters](#); employee [reporting responsibilities](#); employee and supervisor [training requirements](#) and optional training, including upstander and anti-racism training, to foster a safe, respectful, inclusive, accessible, and non-discriminatory environment; [resources](#) available at NDSU to address your questions; [climate work/life survey](#); the [National Science Foundation](#) harassment reporting requirements; [inclusive excellence initiatives](#), including research series on engaged citizenship and inclusion and the ASPIRE program for inclusive teaching, research mentoring, advising, and leadership; equal opportunity in announcement of all positions and [search training requirements](#); and [affirmative action plan](#). Below you will also find updates on the [President's Council on Diversity, Inclusion, and Respect](#) (formerly the Inclusion Committee) and the new [Title IX regulations](#).

- 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 and submit [Discrimination/Harassment/Retaliation/Sexual Misconduct Complaint Form](#) to the [Equity Office](#)/Title IX Coordinator.**

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](#) and [Policy 156.1](#). 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/.

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.

- 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 accommodations 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. Religious accommodations for students.** Per NDSU [Policy 333](#), "*Religious observances may require absence from a class session and other required class activities. A student who is to be excused from class for a religious observance is not required to provide a second party certification of the reason for the absence.*" The

Office of Multicultural Programs maintains a list of common [religious holidays and events](#).

- 4. 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: Canan Bilen-Green, Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, 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/.

- 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 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 and contact the Equity Office/Title IX Coordinator. Additional information regarding reporting responsibilities can be found in [Policy 156, Section 10](#). **Equity Office/Title IX Coordinator 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. Employee training requirements.** All full-time employees are required to complete in-person (*currently via Zoom*) **Equal Opportunity/Title IX Training**. Attending the in-person session meets this training obligation for three years. This training is no longer offered online. For more information and to register for an in-person training session see https://www.ndsu.edu/equity/education_and_training/.

Supervisor training requirements. In addition to the Equal Opportunity/Title IX training, supervisors (*managers, department heads, deans, directors, and administrators*) are required to complete **Supervisor Supplement – Equal Opportunity/Title IX Training**. 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/.

To check your unit's **compliance training requirements**, contact Heather Higgins-Dochtermann (heather.higginsdocht@ndsu.edu).

Employees are also encouraged to complete optional **Community of Respect, Safe Zone Ally, Anti-Racism, and Upstander** training:

Community of Respect. Designed to teach participants about cultural differences and to encourage them to think critically about the impact of their cultural values in their relationships with others. The curriculum is organized into four separate modules with distinct learning outcomes outlined in each. Contact Angela Bachman (angela.bachman@ndsu.edu).

Safe Zone. Designed to educate people about sexual orientation and gender identity/expression issues; create a visible network of allies to support the NDSU lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) community; and provide accurate information about sexual orientation and gender identity/expression diversity, issues, and resources within the community. The curriculum is organized into four separate modules in each. Contact Angela Bachman (angela.bachman@ndsu.edu).

Anti-Racism Training. Designed to educate participants about implicit bias and systemic racism in the US, for the purpose of combatting racism. This training may be requested for classes and student groups. Contact Alison Bertolini (alison.bertolini@ndsu.edu).

Upstander Training. Designed to equip participants with basic techniques to safely assist those facing potentially harmful and dangerous situations. This training may be requested for classes and student groups. Contact Alison Bertolini (alison.bertolini@ndsu.edu).

White Anti-Racism and Action Self-Study Course and Discussion Sessions. This course is designed for faculty and staff who are ready to begin the lifelong process of unlearning racism and taking anti-racist actions. The effectiveness of this experience rests on your commitment to deep self-reflection, unlearning what you think you know, getting comfortable with being uncomfortable, and taking action. For information on the course and/or to participate in the discussion sessions contact Alison Bertolini (alison.bertolini@ndsu.edu).

Diversity and Cultural Competency Training for Incoming Students. Designed to educate new students about cultural differences and explore the benefits of diversity for our society generally and for the college experience. The goal is to make this a requirement for all incoming students via Blackboard. Currently on track for rollout in Fall 2021.

- 7. EO/Title IX 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, Student Affairs, Residence Life, Student Health Service, University Police, and Student Affairs. 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/. Printed copies of the resource guide can be requested from the Equity Office.

Sexual Assault Prevention and Advocacy. The goal of NDSU Sexual Assault Prevention and Advocacy (SAPA) is to help students understand their rights as a student, the resources/options available on and off campus, and work towards a campus free from violence. Megan Talcott, SAPA Coordinator, is a confidential resource for students and can be contacted at megan.talcott@ndsu.edu or 701-231-5733.

- 8. Inclusive Excellence Initiatives.** The goal of NDSU Inclusive Excellence Initiatives is to design and implement accessible, equitable, and inclusive practices in teaching, advising, mentoring, and research; to retain and support a diverse faculty, staff, and student body; and to foster cross-campus partnerships and collaborations to support a welcoming environment for all.

Accessibility Committee. The Accessibility Committee monitors facilities, programs, and activities to assure the identification, prevention, and elimination of physical, digital, and/or programmatic barriers that interfere with student, staff, and faculty access to and benefit from University programs, facilities, and resources. Jason Blosser (Assistant VP for ITS, jason.blosser@ndsu.edu) and Mark Coppin (Director of Disability Services, mark.coppin@ndsu.edu) serve as co-chairs. **If you are interested in serving on the committee, please contact the co-chairs.**

Including U. The goal of these sessions is to engage in conversations around some of the many identities and experiences of those who make up the NDSU family. This year's series include conversations on Midwestern Nice, Indigenous Perspectives, Changing LGBTQ+ Realities, Veteran Students and PTSD, Experiencing Homelessness, Non-Traditional Students, Higher Ed and Different Abilities, Black Lives on Campus, New American and Refugee Realities, Women in Higher Ed, and Underrepresented Campus Faiths. If you have an interest in being part of these panels, or have an idea for a future topic please contact Julie Nash (Excellence Programs Manager, julie.nash@ndsu.edu).

Equity at the Intersections. Speaker series highlighting the value of diversity and inclusive excellence by exploring the impact of intersectional identities. The mission of the program is to provide an educational opportunity for all on campus; inspire and continue conversations about the social impact of intersectional identities, power and privilege; offer actionable ideas for advancing/promoting diversity and inclusion; and to draw together resources to inspire partnerships for diversity. The speaker series is funded through the Sue Fergus Andrews Fund, an endowment gifted to NDSU.

NDSU Faculty Research Series on Engaged Citizenship and Inclusion. Designed to showcase the scholarly research of NDSU faculty who have published on matters of social responsibility, equality, inclusion, and/or open-minded, ethical decision-making and action as related to topics including race, gender, sexuality, ethnicity, class, ability, religion, or issues facing the LGBTQ+ community. FRS welcomes proposals from NDSU faculty about their published (or soon-to-be published) research. Submit ideas to Alison Bertolini (alison.bertolini@ndsu.edu.)

NDSU ASPIRE Program. NDSU is participating in the nationwide Aspire program to help faculty use inclusive teaching, research mentoring, advising, and leadership practices and to increase faculty diversity. For more information, please go to the NDSU Aspire Website: https://www.ndsu.edu/otl/programs/aspire_grant/. Direct inquiries to Jill Motschenbacher (jill.motschenbacher@ndsu.edu).

- 9. Climate/Work-life Survey.** Thank you to everyone who participated in Fall 2019 Climate/Work Life survey. The Office of Institutional Research and Analysis hosted a series of 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. Results of the climate and work-life surveys conducted at NDSU can be accessed at <https://www.ndsu.edu/oira/institutionalreports/>. 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.
- 10. Equal opportunity in announcement of ALL positions and search training requirements.** 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 as well those 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 and a recruiting period (of at least ten working days for academic staff and executive/administrative positions). **For all academic staff and executive/administrative positions**, prior to posting, **the search committee chair must have received the in-person search training** within the last three years provided through Faculty Affairs and Equity. All search committee members are strongly encouraged to complete search training. Direct inquiries to Angela Bachman (angela.bachman@ndsu.edu).
- 11. Affirmative Action Program.** 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.
- 12. 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. 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.
- 13. President's Council for Diversity, Inclusion, and Respect.** This year the President elevated the Inclusion Committee to a President's Council. The Council is composed of faculty, staff, and students, and advises and guides institutional efforts to create a welcoming and inclusive environment for all students, staff, and faculty. Drs. Gregory Lardy (gregory.lardy@ndsu.edu) and Canan Bilen-Green (canan.bilen.green@ndsu.edu) serve as co-chairs. **If you are interested in serving on the Council, please contact** Julie Nash (julie.nash@ndsu.edu). For more information on the work of the Council, please visit: <https://www.ndsu.edu/inclusioncouncil/>.
- 14. New Title IX Regulations.** NDSU updated nine existing policies and created one new policy pursuant to Title IX regulatory changes mandated by the Department of Education and NDUS policy [SBHE 520](#). Full term and conditions can be viewed at [Federal Register Notice](#). These mandated changes incorporate how Title IX is now defined and the procedures by which Title IX allegations are reviewed and investigated. The NDSU policy updates can be found here [151, 156.1, 162, 183, 220, 230, 231, 350.3, 350.4, 601](#).

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, 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

156.1 – Title IX Complaint Procedures

162 - Sexual and Gender-Based Harassment, Sexual Misconduct

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

Dr. Canan Bilen-Green

Vice Provost | Faculty Affairs and Equity

Professor, Title IX/ADA Coordinator

NORTH DAKOTA STATE UNIVERSITY, Old Main 103/201

o: 701.231.7040 | c:701.799.3658 | canan.bilen.green@ndsu.edu

Scheduling questions: Ann.Fredrickson@ndsu.edu, 701.231.8453

Calendly scheduling: <https://calendly.com/cananbilengreen>

Zoom instant meeting space: <https://ndsu.zoom.us/j/9190568776>

Pronouns: she, her, hers