



BOV Policy # 04 (2014) Equal Opportunity and Non-Discrimination

Policy Title: Equal Opportunity and Non-Discrimination

Policy Type: Board of Visitors

Policy Number: BOV Policy # 04 (2014)

Approval Date: May 9, 2014

Responsible Office: Department of Human Resources

Responsible Executive: President

Applies to: University Community

POLICY STATEMENT

The Board of Visitors of Norfolk State University (“NSU” or “University”) is committed to fostering a culture of inclusion, diversity and mutual respect for all members of the University community. The Board of Visitors is equally committed to maintaining and promoting equal access and opportunity in employment, admissions, programs and facilities for all members of the University community without regard to factors such as race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, or against otherwise qualified persons with disabilities. This policy specifically prohibits discrimination based on any or all of these factors in addition to retaliation, consistent with the policies of the Commonwealth of Virginia, Governor’s Executive Order No. 1 (2014) *Equal Opportunity*, and in compliance with relevant Federal and State statutes.

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DEFINITIONS

Retaliation. Retaliation includes any adverse treatment which is reasonably likely to deter the complainant or others from filing a charge of discrimination/harassment or participating in a discrimination/harassment investigation. Retaliation can be verbal, written, graphic, electronic, or physical.

University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

CONTACTS

All inquiries, complaints, questions, or concerns shall be directed to the Director of Human Resources and Title IX Coordinator at:

Norfolk State University
700 Park Avenue
Norfolk, Virginia 23504
Telephone (757) 823- 8160
Fax (757) 823-2805
Email: TitleIX@nsu.edu

Website: <https://www.nsu.edu/finance/human-resources/index>

Student inquiries, complaints, questions or concerns shall be directed to the Dean of Students Office located in Room 307 Student Services Building, Norfolk State University, 700 Park Avenue, Norfolk, Virginia 23504. Telephone number (757) 451-7768. *See page 3.*

POLICY

Equal Opportunity Statement

As a recipient of Federal financial assistance, Norfolk State University provides equal employment and educational opportunity for all persons without regard to race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, and for all otherwise qualified persons with disabilities in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, whether carried out directly or through a third-party, or any other entity with which Norfolk State University arranges to carry out its programs and activities. In accordance with Governor's Executive Order No. 1 (2014) *Equal Opportunity*, this policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans.

Norfolk State University does not tolerate discrimination or harassment on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or disability. The prohibition against discrimination and harassment applies to all levels and areas of college operations and programs, to students, faculty, staff, volunteers, vendors, and contractors, and the Board of Visitors. This policy does not permit or require alteration of *bona fide* job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment.

Reporting Complaints

Allegations of sexual harassment or sexual assault are covered by [BOV Policy # 5 \(2014\) Sexual Misconduct](#) and other policies and procedures of the Department of Human Resources and Division of Student Affairs at Norfolk State University. For assistance in determining which procedure is applicable, contact the Title IX Coordinator at (757) 823-8160 or email an inquiry to TitleIX@nsu.edu.

Student complaints or allegations of violations of this policy shall be brought to the attention of the Dean of Students within the Division of Student Affairs. The Student Grievance Process in the [NSU Student Handbook](#) may be used to address student complaints of unlawful discrimination on the basis of sex. Students may also file an incident report online by clicking on [NSU Student Incident Report](#). The Dean of Students Office is located in Room 307 Student Services Building, Norfolk State University, 700 Park Avenue, Norfolk, Virginia 23504. Telephone number (757) 451-7768.

All other allegations of violations of this policy shall be brought to the attention of the Department of Human Resources; any retaliatory action against persons making such allegations shall be investigated by the Department of Human Resources without delay.

Knowingly filing a false complaint of discrimination/harassment or of retaliation is a violation of this policy and may be pursued using the steps followed for a complaint of discrimination/harassment. If a false complaint is found to have occurred, such conduct will result in disciplinary action that may include termination or expulsion.

The President is hereby directed to review and update annually all policies and procedures related to procurement, employment, student affairs, University programs and activities, and other relevant policies or areas to ensure full compliance with the non-discrimination mandates articulated by Federal and State statutes, and with Governor's Executive Order No. 1 (2014) Equal Opportunity. Any member of the University community found in violation of this policy shall be subject to appropriate disciplinary action.

Notice Requirement

To comply with the requirements under Federal law protecting the rights of beneficiaries in programs or activities that receive financial assistance from the U.S. Department of Education, every effort shall be made to provide notice of the University's Equal Opportunity Statement in all Norfolk State University publications, including but not limited to the University catalog, student handbook, employee handbook(s), University website, program brochures, institutional materials, and student newspapers or periodicals:

Norfolk State University does not discriminate against any person on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, or against otherwise qualified persons with disabilities in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, whether carried out directly or through a third-party, or any other entity with which Norfolk State University arranges to carry out its programs and activities.

All written materials, including but not limited to letterhead and notices, shall include the following tagline in its footer: “*Norfolk State University - An Equal Opportunity Employer*”.

PUBLICATION

This policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board’s Website; and
- Educate and train all stakeholders and appropriate audiences on the policy’s content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: March 2016
- Approval by, date: Board of Visitors, May 9, 2014
- Revision History:
 - May 8, 2015: Board Review
 - October 10, 2014: updated hyperlinks to the Student Handbook, BOV Policy # 5 (2014) Sexual Misconduct, and NSU Student Incident Reporting tool (page 3).
- Supersedes: *None- New Policy*

RELATED DOCUMENTS

- Commonwealth of Virginia Executive Order No. 1 (2014) Equal Opportunity <https://governor.virginia.gov/policy/executive-orders/eo-1-equal-opportunity/>
- Virginia Department of Human Resource Management Policy No. 2.05 Equal Employment Opportunity (rev. February 5, 2010; 2006; 2000) <http://www.dhrm.virginia.gov/hrpolicy/policy.html#eeo>
- Title VII of the Civil Rights Act of 1964 (Title VII)

- Equal Pay Act of 1963 (EPA)
- Age Discrimination in Employment Act of 1967 (ADEA)
- Title I and Title V of the Americans with Disabilities Act of 1990, as amended (ADA)
- Sections 501 and 505 of the Rehabilitation Act of 1973; Section 504 of the Rehabilitation Act of 1973
- Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq.
- Civil Rights Act of 1991 and Title VI of the Civil Rights Act of 1964
- Regulations of the U.S. Department of Health and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91
- Norfolk State University Employee Code of Ethics
<https://www.nsu.edu/Assets/websites/human-resources/forms/pdf/Employee-Code-of-Ethics.pdf>
- [NSU Student Handbook Link](#)

FORM

- Online [NSU Student Incident Report](#) – tool