

OFFICE OF EQUAL OPPORTUNITY AND ACCESS

Annual Report 2022-23



Oregon State
University



Executive Summary: Access In Action

The Office of Equal Opportunity and Access (EOA) is responsible for overseeing compliance across the university for equal opportunity, civil rights, Title IX, and affirmative action laws, regulations, and policies.

EOA safeguards a fair and respectful learning and working environment for students, faculty, and staff — including coordinating the university's Title IX, Americans with Disabilities Act, and Section 504 activities. We not only respond to concerns, reports, and complaints, we proactively work to create an equitable and inclusive experience for our university community.

What We Do

1. Receive, respond to, and address complaints of policy violations that fall under EOA's jurisdiction
2. Provide reasonable accommodations through an interactive process
3. Develop and implement OSU's Affirmative Action Plans
4. Review and approve waivers and exceptions to the university employment search process
5. Promote the creation of a more accessible and inclusive university environment
6. Deliver prevention, awareness, and educational training programs
7. Serve on university, local, and national councils and committees

FY22-23 EOA Updates & Accomplishments

Kim Kirkland, EOA's Executive Director since 2017, retired in early 2023. After a competitive national search, Becky Bangs was hired to be EOA's next Executive Director.

EOA received a large volume of requests and reports from the university community. We engaged in 842 reports and requests in Fiscal Year 2022-2023 (FY23), including accommodation requests, consultations, informal resolutions, and investigations. Additionally, EOA provided a significant amount of prevention education and awareness training to the campus community, with over 4,000 individuals receiving live (in-person or via Zoom) training and nearly 6,000 employees completing EOA's online Critical Training modules.

Several university-wide policies were reviewed, updated, and implemented under EOA's leadership, including OSU's policies prohibiting protected status Discrimination and Discriminatory Harassment and Retaliation. Additionally, EOA engaged with campus partners to review OSU's Pay Equity processes.

EOA provided leadership to the campus-wide Interpersonal Violence Stakeholder and Advisory Committees, which bring key stakeholders together to improve OSU's collaborative approach and response to sexual violence, stalking, and dating/domestic violence.

The office continued to ensure that all personnel involved in OSU's Title IX and sexual misconduct process were in compliance with state and federal training requirements.

EOA and key campus partners analyzed the feedback from the 2022 Sexual Violence survey and disseminated the results to relevant groups and OSU leadership. The information gained and lessons learned are helping to inform university support services and prevention and response efforts.

EOA, in collaboration with campus partners, continued to implement the ADA31 Task Force recommendations.

FY23-24 EOA Areas of Focus & Proposed Agenda

EOA will continue to respond promptly and efficiently to requests and reports from the university community.

The office will continue to implement actions identified in the ADA31 Task Force Report and Recommendations in collaboration with campus partners. Key actions include: (1) engaging in an external review of OSU's accommodations offices and (2) EOA will begin fully funding employee accommodations costs (EOA used to split accommodation requests 50/50 with the unit) to reduce any potential for unintentional hiring bias against employees with disabilities.

The Affirmative Action team plans to collaborate with the Office of Institutional Diversity, Faculty Affairs, and University Human Resources to leverage existing partnerships and establish mission-driven employment diversity goals with strategies to reach them and processes to assess their efficacy.

The search waiver process will be reviewed with our partners in human resources to assess when a waiver or search exception needs to be reviewed by EOA versus within an HR process (such as a promotion).

EOA and key campus partners will work collaboratively to update and revise university policy and procedures to comply with changes in federal and state law (e.g., the Department of Education's final Title IX regulations).

EOA will continue to provide training to the campus community through OSU's Critical Training modules, when requested by units, and as required by state and federal requirements (e.g., NCAA requirements, the Violence Against Women Act, Title IX, etc.).

The office will continue exploring further ways to develop its outreach and engagement efforts. Additionally, EOA will review and reestablish participant survey and feedback processes.

I. Handling Complaints Effectively

EOA uses multiple approaches to fairly resolve complaints.

- 1. **Resources and Assistance** involve consultations and exploratory meetings with complainants to understand their concerns, to explain their rights, resources and responsibilities, provide appropriate referrals, and to identify solutions to resolve the issue.
- 2. **Informal Resolutions** involve EOA working with complainants and respondents to help facilitate a mutual resolution of the allegations. Either party may refuse to participate, or once begun, end the process at any time. Informal resolutions often include educational conversations with the respondent or training for a work unit.
- 3. **Investigations** involve an in-depth formal review of the allegations. Investigations include conducting interviews with relevant parties and witnesses and collecting available evidence (such as text messages or emails). Investigations culminate with a written report and a determination as to whether a university policy was violated.

To access policies on sexual misconduct, discrimination, retaliation, or bullying visit eo.oregonstate.edu.

THREE-YEAR TOTAL REPORTS/REQUESTS **FIGURE 1**

	FY21	FY22	FY23	Total
Accommodations	133	547	203	883
Discrimination/Harassment	76	73	126	275
Sexual Misconduct	133	333	419	885
Bullying	22	25	39	86
Retaliation	10	15	8	33
Mandatory Child Abuse Reports*	18	29	47	94
Totals	392	1022	842	2256

*The vast majority of child abuse and neglect reports are not related to OSU programs or activities. Most incidents of child abuse are related to adult OSU students reporting abuse they experienced as a minor.

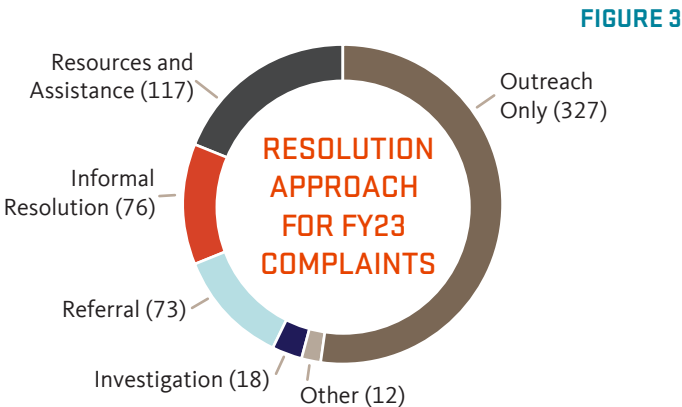
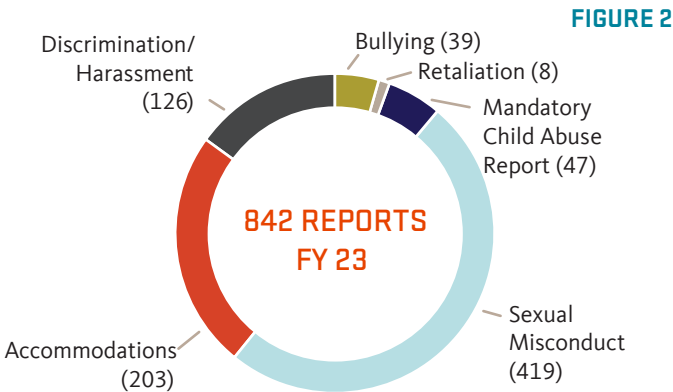
SUMMARY

Figure 1 depicts reports and requests over the past three years.

A total of **842 reports and requests** were handled in FY23. As reflected in Figure 2, EOA handled 419 reports of sexual misconduct, 126 reports of discrimination or harassment, 39 reports of bullying, 8 reports of retaliation, and 47 reports related to child abuse and neglect. The resolution approach to these specific types of complaints are detailed in Figure 3.

Additionally, there were 203 requests for accommodations, addressed in greater detail in Section II.

Details about student sexual misconduct reports can be found on pages 6-7.



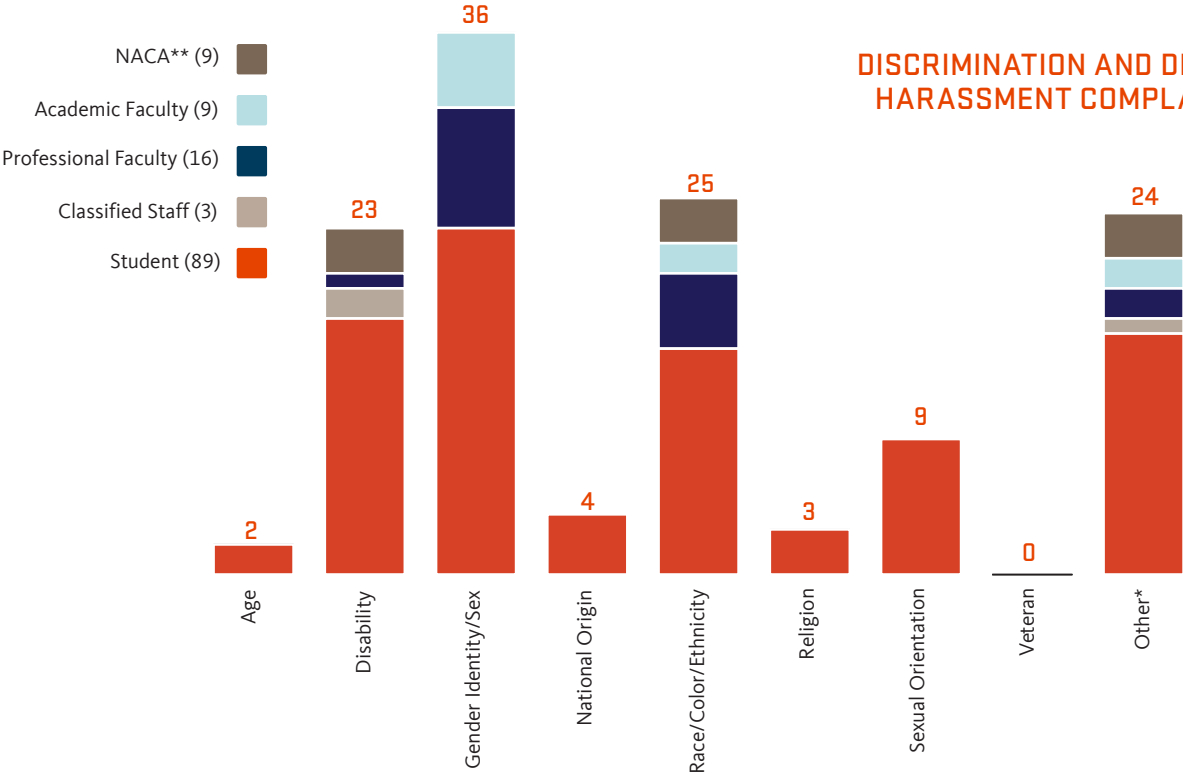
FY23 DISCRIMINATION AND DISCRIMINATORY HARASSMENT COMPLAINTS

FIGURE 4

	Age	Disability	Gender Identity/ Sex	National Origin	Race/ Color/ Ethnicity	Religion	Sexual Orientation	Veteran	Other*	Total
Student	2	17	23	4	15	3	9	0	16	89
Classified	0	2	0	0	0	0	0	0	1	3
Professional	0	1	8	0	5	0	0	0	2	16
Academic	0	0	5	0	2	0	0	0	2	9
NACA**	0	3	0	0	3	0	0	0	3	9
Totals	2	23	36	4	25	3	9	0	24	126

FIGURE 5

DISCRIMINATION AND DISCRIMINATORY HARASSMENT COMPLAINTS BY BASIS



*Other includes complaints related to pregnancy, protected leave, pay equity, or other unclassifiable categories.
**NACA includes any complaints where the reporter's information is unknown, Not specified, Anonymous, Community, or Applicant.

STUDENT SEXUAL MISCONDUCT CASE RESOLUTIONS

Figure 6 shows that of the **294 reports of students impacted by sexual misconduct**, 217 females, 39 males, 14 trans/nonbinary individuals, and 24 with gender unknown were impacted parties. The vast majority of student reports were resolved by providing involved parties with outreach, resources, referral, or informal resolution. Through education, enforcement and accountability for these types of behaviors, we hope as an institution to reduce these incidents.

REPORTING STUDENT IDENTITY BY
SEXUAL MISCONDUCT TYPE FIGURE 6

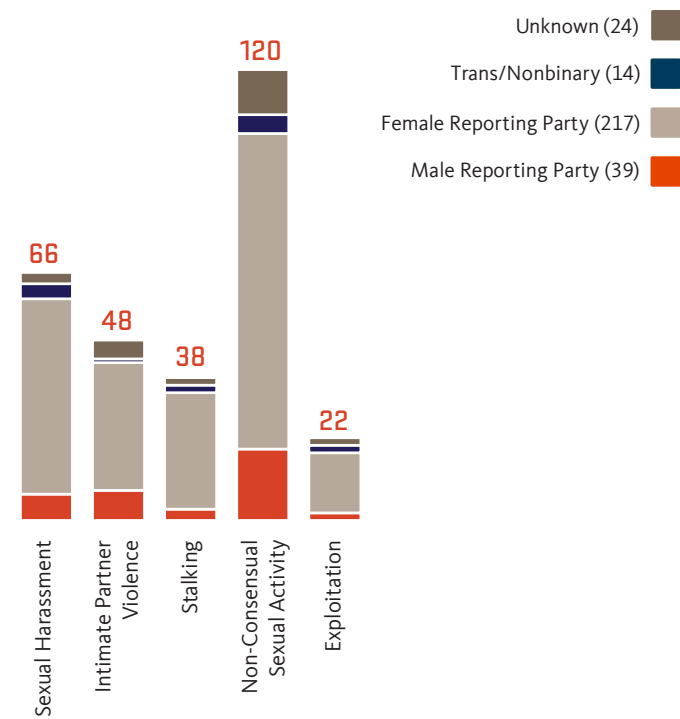


Figure 7 depicts total reports to EOA by student sexual misconduct type over the past three years. Figure 8 depicts EOA's approach to student reports of sexual misconduct during that time frame.

There may be discrepancies in the numbers between Figures 7 and 8 due to reports having multiple complainants and/or respondents, which may allow for multiple outcomes on a case.

THREE-YEAR REPORT TRENDS BY
STUDENT SEXUAL MISCONDUCT TYPE FIGURE 7

	FY21	FY22	FY23	Total
Sexual Harassment	29	106	66	201
Intimate Partner Violence	21	55	48	124
Stalking	16	40	38	94
Non-Consensual Sexual Activity	36	68	120	224
Exploitation	2	21	22	45
Totals	104	290	294	688

APPROACH TO STUDENT SEXUAL
MISCONDUCT REPORTS FIGURE 8

Approach	FY21	FY22	FY23	Total
Outreach Only	69	188	232	489
Resources and Assistance	14	53	53	120
Informal Resolution	10	35	28	73
Investigation	5	5	11	21
Referral*	-	-	19	19
Other	6	9	9	24
Totals	104	290	352	746

*Started tracking "Referral" as an additional approach in FY23.

EMPLOYEE SEXUAL MISCONDUCT
CASE RESOLUTIONS

In FY23, EOA received reports alleging sexual misconduct was perpetrated by 29 employees. Figures 9-10 show the identity breakdown of those employees accused of sexual misconduct. Figure 11 shows the resolution to these matters. The vast majority of the matters were resolved by conducting outreach, providing resources and referrals, or through informal resolution.

The resolutions for employee sexual misconduct reports are greater than the number of employee respondents due to some cases having multiple complainants, allowing for multiple outcomes on a case.

FIGURE 11

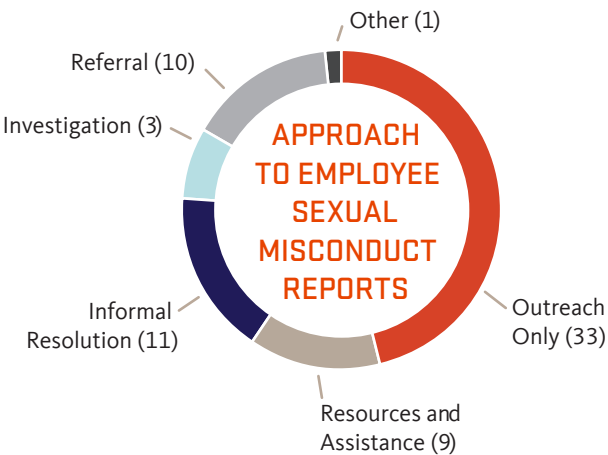


FIGURE 9

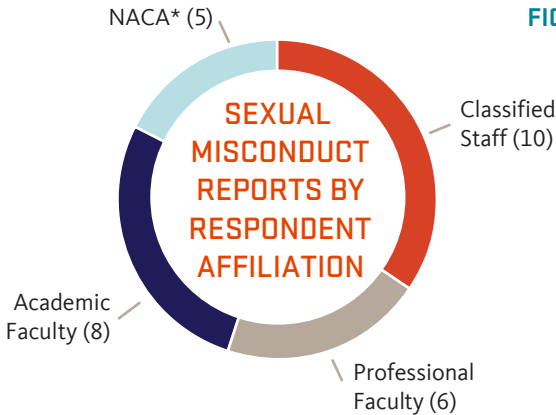
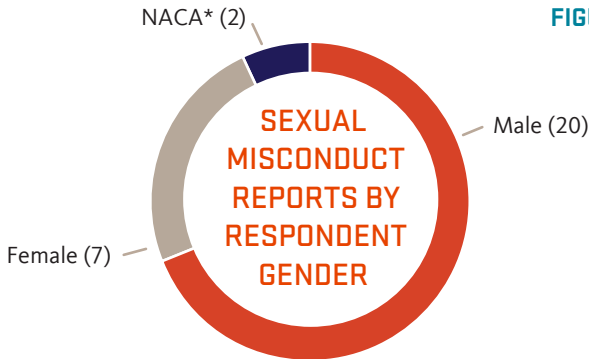


FIGURE 10

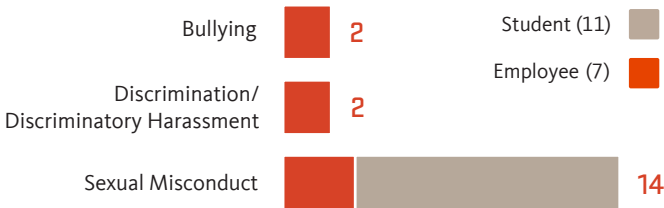


INVESTIGATIONS

EOA is able to conduct an investigation when the reported concerns suggest a potential violation of university policy. However, even on reports EOA could investigate, many complainants choose to not engage in the investigatory process for many reasons. EOA respects the expressed wishes of complainants to not proceed with an investigation except in rare cases when there is an ongoing concern to campus safety. In FY23, EOA conducted 18 total investigations, with 11 students investigated and 7 employees investigated.

FIGURE 12

INVESTIGATIONS BY TYPE AND AFFILIATION



To protect the confidentiality of all parties involved in investigations, EOA does not report on the outcomes of investigations nor on the sanctions of those found responsible.

*NACA includes complaints where the respondent's information is unknown, Not specified, Anonymous, Community, or Applicant.

II. Ensuring Reasonable Accommodations and Accessibility

EOA works closely with supervisors, faculty, staff, and students to determine whether individuals qualify for a reasonable accommodation. EOA also investigates allegations of discrimination and works with units and departments to remedy any findings.

SUMMARY

Figure 13 breaks down the **203 accommodation and accessibility requests** in FY23. Figure 14 depicts the resolution to the requests. Figure 15 shows accommodations by affiliation. Crime victims are those who qualify for protected leave.

Accommodation expenses can vary greatly: \$124,000 in FY20, \$7,154 in FY21, \$13,000 in FY22, and **\$29,406 in FY23**. EOA historically split costs, but starting in FY24 will fully fund these needs. Expenses include interpreting, technology, furniture, and construction. An accommodation typically costs around \$500, however, expenditures fluctuate on a case-by-case basis.

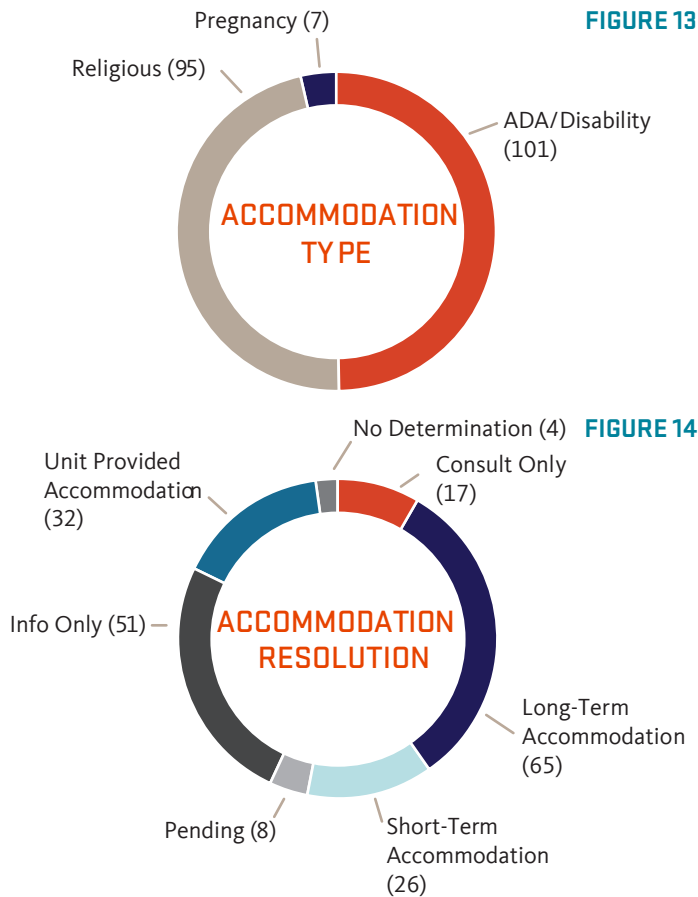


FIGURE 15

THREE-YEAR ACCOMMODATION REQUESTS

	FY21	FY22	FY23	TOTAL
Type				
Disability/ADA	124	253	101	478
Religious	4	285	95	384
Crime Victim	1	0	0	1
Pregnancy	4	9	7	20
Total	133	547	203	883

Affiliation				
Students & Student Workers	23	108	81	212
Professional Faculty	44	137	37	218
Academic Faculty	17	79	13	109
Classified Staff	44	215	60	319
Other*	5	8	12	20
Total	133	547	203	883

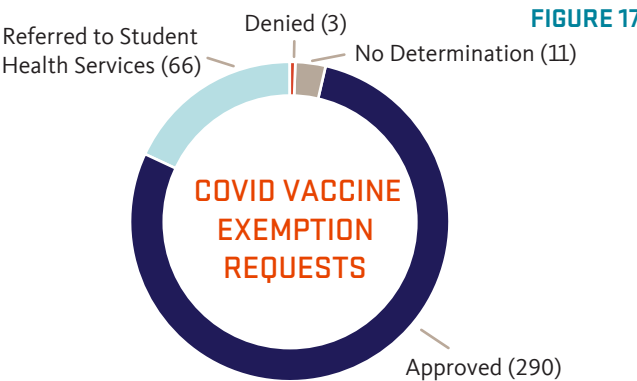
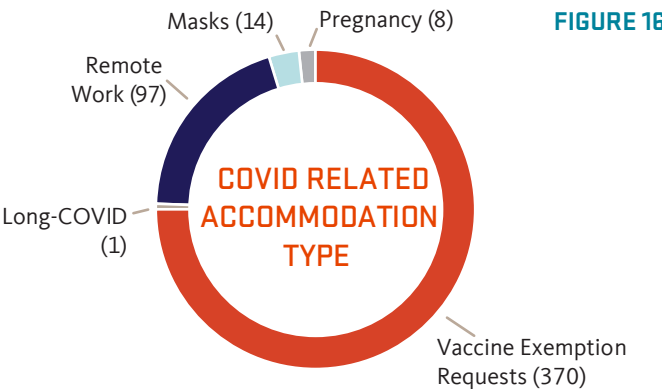
Resolution				
Long-Term Accommodation	22	291	65	378
Not Reasonable	0	5	0	5
Short-Term Accommodation	18	73	26	117
Medical Separation	0	0	0	0
Pending	11	9	8	28
Consult Only	47	71	17	135
Information Only	17	47	51	115
Unit Provided Accommodation	18	42	32	92
No Determination	-	9	4	13
Total	133	547	203	883

*Other includes program participants, academic wage appointments, job applicants, temporary support staff, and unaffiliated

COVID-19 RELATED ACCOMMODATION REQUESTS

EOA fielded numerous accommodation requests related to COVID over the last 3 years. In FY21, 26 of the 133 requests (20%), were for COVID specific reasons. In FY22, 368 of the 547 requests (67%), were COVID specific. In FY23, 89 of the 203 requests (44%), were COVID specific. The majority were for vaccine exemptions and remote work. All requests in FY23 were vaccine related.

Figures 16-17 detail all 483 COVID-19 specific accommodation requests for all years combined including 370 vaccine exemption requests. Note that the numbers of COVID related accommodations by type do not add up to the numbers above as some requests contained multiple rationale. EOA only fielded vaccine exemption requests from employees, non-employee students were directed to Student Health Services.





PHYSICAL ENVIRONMENT ACCESSIBILITY PRIORITIES

1. Continued improvements towards an accessible travel grid, 75% complete as of Fall 2023.
2. Continued focus on the Community Hall Slope over the next 10+ years. The first phase around Furman Hall and the Pharmacy Building was completed in 2022.
3. Reconstruction of Washington Way, including remediation of more than 90 accessibility barriers within the corridor.
4. Expansion of OSU-Cascades, with a focus on accessibility.

ELEMENTS CONSTRUCTED TO IMPROVE ACCESSIBILITY

FIGURE 18

	2010-2019*	2020-2022*	TOTAL
Accessible Parking Spaces	219	43	262
Accessible Ramps	65	7	72
Accessible Restrooms	353	74	427
Elevators	35	10	45
Automatic Door Openers	336	87	423

*Full calendar years

CORVALLIS CAMPUS BARRIER REMEDIATION

Beginning in 2012, OSU has prioritized completion of an Accessible Travel Grid (ATG) that ensures a continuous fully accessible path of travel throughout campus for our disabled community. We also continuously address barriers through construction projects and other opportunities.

The ATG intends to ensure all bus stops, all accessible parking spaces, and prioritized pathways and sidewalks connect to every accessible building entrance.

Figures 19-20 indicate the accessibility barriers identified in 2012 for all of campus (5063), and the subset of prioritized barriers on the ATG (1140). Barriers generally consist of slopes that are too steep on pathways, sidewalks, parking spaces, and ramps, and other barriers at curb ramps, building entrances, and other external elements.

ALL DOCUMENTED BARRIERS

FIGURE 19

	2012	2014	2016	2018	2020	2022	2023
Barriers Remaining	5063	4015	3697	3402	3204	3069	2908
Total % Fixed	0%	21%	27%	33%	37%	39%	43%

ATG PRIORITIZED BARRIERS - SUBSET OF ALL

FIGURE 20

	2012	2014	2016	2018	2020	2022	2023
Barriers Remaining	1140	710	624	523	393	327	284
Total % Fixed	0%	38%	45%	54%	66%	71%	75%

Remaining barriers do not account for upcoming projects until those projects have remedied the barriers. Many upcoming projects will continue to increase the percent of barriers addressed. As of publication, the ATG is 75% complete, and is on schedule to be 83% complete after current projects finish.



III. Advancing Our Affirmative Action Goals

Developing the university's Affirmative Action Plan (AAP) is one of EOA's responsibilities. The AAP is a snapshot of the university's workforce that:

1. Shows the representation of women, minorities, veterans and people with disabilities across organizational units.
2. Summarizes the workforce by job title, pay and promotional and/or developmental opportunities.
3. Examines the current workforce compared to people in similar job groups based on U.S. Census Bureau data and statistics, surveys of earned doctorates, graduation statistics, the internal labor pool and other sources to determine where efforts are needed to further diversify our workforce so that it reflects parity with availability.
4. Identifies goals for job groups where the existing workforce and availability statistics are significantly different.

SUMMARY

The following two pages provide information on Oregon State University's workforce.

Figure 21 provides a snapshot of OSU's workforce in broad employee groups (academic faculty, professional faculty, and classified staff).

Figure 22 provides a three-year comparison of OSU's workforce, along with hires in the same broad employee groups.

OSU WORKFORCE SNAPSHOT | DECEMBER 1, 2022 (ALL OSU EMPLOYEES)

FIGURE 21

	Male	Female	Veteran	IWD	Hisp	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
ACADEMIC FACULTY												
Tenure/Tenure-Track	517	313	3	21	55	13	124	1	40	17	580	830
Fixed-Term Professorial	118	166	1	12	14	7	15	1	12	2	233	284
Research Associates/ Faculty RAs	213	162	6	3	13	2	25	2	24	5	304	375
Instructors	356	447	13	25	42	8	33	4	25	22	669	803
Total	1204	1088	23	61	124	30	197	8	101	46	1786	2292
PROFESSIONAL FACULTY												
Executives	8	8	0	0	0	1	1	0	0	1	13	16
Second-Tier Executives	19	23	3	5	2	1	1	0	0	3	35	42
Faculty Leaders	59	44	2	2	8	1	10	1	0	1	82	103
Executive-Level Coaches	4	0	0	0	0	0	0	0	0	0	4	4
Managers	281	363	29	33	43	17	27	2	3	15	537	644
Individual Contributors	692	1022	52	80	126	36	55	7	36	58	1396	1714
Total	1063	1460	86	120	179	56	94	10	39	78	2067	2523
CLASSIFIED STAFF												
Professional	74	218	12	17	14	5	17	0	8	5	243	292
Clerical and Secretarial	37	258	7	17	21	0	5	1	6	7	255	295
Technical and Paraprofessional	230	300	18	19	47	4	21	0	17	14	427	530
Skilled Crafts	146	8	15	4	10	0	1	2	1	3	137	154
Service and Maintenance	130	99	3	9	47	3	8	2	5	10	154	229
Total	617	883	55	66	139	12	52	5	37	39	1216	1500
GRAND TOTAL	2884	3431	164	247	442	98	343	23	177	163	5069	6315

Note: IWD = Individual with a Disability, AA = African American, NHOPI = Native Hawaiian Other Pacific Islander, NA = Native Alaskan, AI = American Indian

Second-Tier Executives include executive directors, directors, associate vice provosts, etc.

Faculty Leaders include deans, chairs, regional administrative and department heads, etc.

Professional includes higher-level classified employees such as registered nurses, accountants, project managers, etc.

OSU WORKFORCE SNAPSHOT AND HIRES | 2020-2022 COMPARISON (ALL OSU EMPLOYEES)

FIGURE 22

		Male	Female	Vet	IWDs	Hisp	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
ACADEMIC FACULTY													
2020	Workforce	1220	1058	32	55	126	28	251	6	9	48	1810	2278
2021	Workforce	1215	1074	27	56	135	26	249	7	10	45	1817	2289
2022	Workforce	1204	1088	23	61	124	30	197	8	101	46	1786	2292
2020	Hires	77	117	5	4	14	2	26	0	1	10	141	194
2021	Hires	136	192	6	29	35	6	37	3	1	12	234	328
2022	Hires	186	260	5	46	43	10	48	1	3	13	328	446
PROFESSIONAL FACULTY													
2020	Workforce	1003	1371	77	97	162	50	86	7	16	58	1995	2374
2021	Workforce	1024	1406	65	108	166	51	102	10	14	64	2023	2430
2022	Workforce	1063	1460	86	120	179	56	94	10	39	78	2067	2523
2020	Hires	72	97	6	9	13	3	16	0	1	9	127	169
2021	Hires	169	283	16	69	49	14	25	4	1	24	335	452
2022	Hires	327	512	22	88	93	24	31	3	3	41	644	839
CLASSIFIED STAFF													
2020	Workforce	641	972	70	75	141	15	70	5	20	40	1322	1613
2021	Workforce	626	899	57	68	132	9	57	5	20	36	1266	1525
2022	Workforce	617	883	55	66	139	12	52	5	37	39	1216	1500
2020	Hires	80	111	8	6	15	3	12	1	2	7	151	191
2021	Hires	152	214	10	45	31	6	17	1	0	13	298	366
2022	Hires	258	414	13	91	62	5	35	1	1	43	525	672

IV. Limiting Exceptions to Competitive Hiring Practices

Oregon State University has a long-established practice of filling the majority of employment openings by conducting open, fair and competitive searches. While open recruitment allows us to benefit from the vast experiences and diversity of our communities, there are times when noncompetitive searches are appropriate. Figure 23 provides a summary and Figure 24 a detailed breakdown of search waiver approvals and denials.

SUMMARY

Of the **218 requests** made during FY23, “position nonexistent without appointee” was the majority of approvals for search waivers; and “promotion of a current employee” was the majority of approvals for search exceptions. EOA is currently working with HR to shift how promotions are processed in the next revision of protocols for search waivers.

SEARCH PROCESS WAIVERS AND EXCEPTIONS

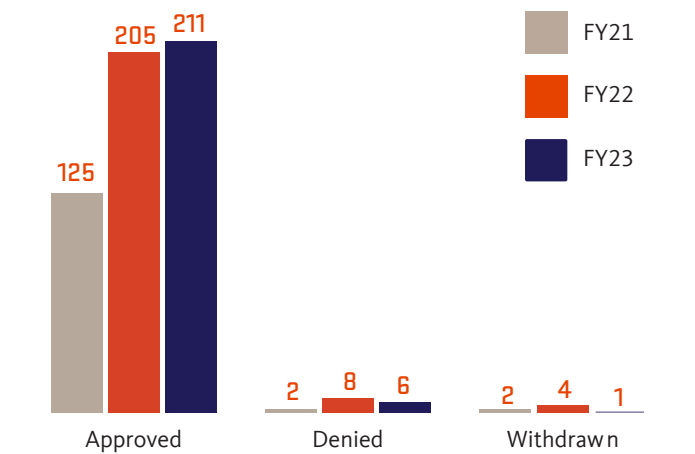


FIGURE 23

FIGURE 24

DETAILS OF WAIVERS AND EXCEPTIONS

WAIVERS	FY21	FY22	FY23
Dual-career hire	2	11	13
Position nonexistent without appointee	23	31	29
Emergency circumstance	10	8	11
Appointee is PI on a grant	2	5	4
Non-regular employee doing OSU work	0	1	0
Total	37	56	57

OTHER SEARCH EXCEPTIONS	FY21	FY22	FY23
Promotion of current employee	58	109	110
Reorganization of a unit or department	6	11	14
Lateral movement of a current employee	4	5	7
Transfer of employee to workgroup	1	8	10
New position better describes work	13	7	5
Administrative title change	0	2	4
Other	6	7	4
Total	88	149	154

DECLINED	FY21	FY22	FY23
Withdrawn after initial consult	2	4	1
Denied through system review	2	8	6
Total	4	12	7

GRAND TOTALS	129	217	218
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V. Building Awareness and Educational Training

EOA staff dedicated a significant amount of time to developing and delivering prevention education and awareness training for the campus community in the areas of sexual violence prevention and response, equal opportunity, universal access and design, and diversity, equity, and inclusion.

SUMMARY

During FY23, EOA offered diverse training programs and presentations that **included 4322 individual participants**. The three-year snapshot in Figure 25 reflects trends in training efforts. In addition, online critical training modules are now required for all employees, those numbers are not included here.

As of June 30, 2023, 5,510 employees had completed the EOA specific critical training modules, 92.6% of the workforce.

FIGURE 25

PRESENTATIONS/TRAINING BY SUBJECT MATTER

TYPE	PARTICIPANTS		
Subject Matter	FY21	FY22	FY23
Sexual Harassment/Title IX	953	891	900
Responsible Employee	771	716	519
Discrimination	300	754	934
Disability Inclusion/ADA	1761	959	954
Bullying	224	513	408
Mandatory Reporter	652	775	463
Affirmative Action	66	107	144
Total	4727	4715	4322





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The Executive Director of EOA is OSU's Title IX Coordinator and ADA Coordinator. For information on OSU's sexual misconduct or discrimination policies and processes, including how to report sexual misconduct or discrimination, contact EOA.

This publication will be made available in an accessible alternative format upon request.