

OFFICE OF EQUAL OPPORTUNITY AND ACCESS

Annual Report 2016-17



**Oregon State
University**



Executive Summary: Access In Action

The Office of Equal Opportunity and Access (EOA) is responsible for overseeing compliance for equal opportunity, civil rights, Title IX and affirmative action laws, regulations and policies. We safeguard a just and productive 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 reports of harassment and discrimination, but proactively create an equitable experience for our university community.

In the 2016-17 fiscal year, EOA staff handled a significant volume of cases on behalf of the university community. Altogether, we engaged in **415 new cases** and consultations, including **294 matters involving Title IX, Title VII, bullying, retaliation and/or consensual relationships policy complaints, and 121 requests for reasonable accommodations.**

Partnerships remain a highly important element in effectively responding to all the access and equity requirements of the university. This past year, we are proud to have partnered with Student Conduct and Community Standards (SCCS), the Office of General Counsel and the Office of University Compliance to roll out an updated **Sexual Misconduct and Discrimination Policy**. The policy is based on the premise that people should be able to learn and work without sexual harassment,

domestic violence, dating violence, sexual assault and stalking. When such misconduct occurs, the university takes steps to stop, prevent recurrence and remedy the impacts of such behavior according to the new policy.

Additionally, we established the **Investigation and Resolution Process** for students who are reporting parties or impacted parties under the above policy.

We also collaborated with SCCS, University Housing & Dining Services, Open Source Lab and the Office of Institutional Diversity to implement a new collaborative care and student conduct data system called **Maxient**. This system allows us to securely share case management information across offices, as needed. A core group of administrators, along with the Enterprise Computing Services team, was responsible for designing Maxient, case migration, maintaining data and document integrity, and conducting training for all users.

Finally, we implemented the **Sexual Violence Climate Assessment** to deepen our understanding of students' perceptions, sense of safety and awareness of campus resources and response.

RECOMMENDATIONS:

All of the measures and policies that were implemented this year will help us assess and respond to the university's needs most effectively. We are deeply appreciative of our partners and plan to continue to build relationships that span the university to facilitate just practices.

Our staff of equity associates handled the breadth of the 415 cases that arose this fiscal year.

1. One area where we can work more effectively with campus partners is in delineating responsibilities among EOA, human resources and the University Ombuds Office. For example, individuals, units and departments often refer employees to EOA for conflict resolution when human resources or the ombuds office may be a more appropriate resource. For employment and/or personnel concerns, units should contact their HR representative as a first step. EOA will redirect employees as well based on the nature of the concern raised.

2. Another example is behavioral or performance issues that begin on a small scale but slowly escalate to the level that requires EOA involvement. Supervisors, directors and leaders can effectively diffuse these issues with early interventions that include candid conversations, setting performance expectations, educational conversations, coaching and the like. We encourage unit leaders to have tough conversations with employees as early as possible.

In EOA, we welcome the opportunity to serve the Oregon State University community in addressing equal opportunity, compliance-related concerns.

WHAT WE DO:

- I. Develop and implement Affirmative Action plans for women, minorities, veterans and individuals with a disability.
- II. Review and/or approve waivers and exceptions to the search and screen process.
- III. Investigate and resolve complaints and reports of sexual misconduct and harassment, discrimination, bullying, retaliation and violations of the consensual relationships policy.
- IV. Provide reasonable accommodations (disability, religion and language) through an interactive process, ensuring institutional accessibility for employees and student workers.
- V. Facilitate awareness and educational training programs aimed at prevention and response efforts related to EEO compliance and safeguarding inclusive environments for all Oregon State University members.
- VI. Serve on university, local and national councils and committees, such as the Accessible University Advisory Committee, Admissions and Attendance Task Force, Bias Response Team, Oregon State University Children, Youth and Family Committee, Consortium of Title IX & Equity Coordinators and Student Care Team.



I. Advancing Our Affirmative Action Plan

Developing the university's Affirmative Action Plan (AAP) is one of EOA's primary 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 data, survey of earned doctorates, graduation statistics, the internal labor pool and other sources to determine needed efforts to reach parity and diversify the workforce.
4. Identifies goals for job groups where the existing workforce and availability statistics are significantly different.

SUMMARY:

Figure 1 provides a snapshot of Oregon State University's workforce in broad job groups. It shows areas where we as a campus have work to do (i.e., minorities in tenure/tenure track positions, minorities in professional faculty roles and women in classified skilled craft positions).

OSU WORKFORCE SNAPSHOT | NOV. 30, 2016

FIGURE 1

	MALE	FEMALE	HISPANIC	BLACK AA	ASIAN	NHOPI	NA/AI	TWO OR MORE	WHITE	TOTAL
ACADEMIC										
Tenure/Tenure Track	631	344	64	13	140	1	4	8	745	975
Fixed-Term Professorial	98	99	13	2	20	0	0	2	160	197
Research Assistants/FRA's	283	247	17	3	51	2	2	9	446	530
Instructors	324	432	30	9	37	0	4	13	663	756
Total	1336	1122	124	27	248	3	10	32	2014	2458
UNCLASSIFIED										
Executives	15	21	3	1	2	0	0	1	29	36
Second-Tier Executives	21	20	2	1	1	0	1	1	35	41
Faculty Leaders	71	47	6	4	5	0	0	0	103	118
Executive-Level Coaches	4	0	0	0	0	0	0	0	4	4
Managers	220	272	20	10	14	1	3	9	435	492
Individual Contributors	390	645	66	21	42	9	11	29	857	1035
Total	721	1005	97	37	64	10	15	40	1463	1726
CLASSIFIED										
Professional	195	307	26	6	17	2	3	4	444	502
Clerical and Secretarial	26	395	15	1	11	0	1	11	382	421
Technical and Paraprofessional	249	379	48	13	24	2	7	20	514	628
Skilled Crafts	145	11	9	1	0	1	1	2	142	156
Service and Maintenance	117	99	35	3	8	1	3	5	161	216
Total	732	1191	133	24	60	6	15	42	1643	1923
GRAND TOTAL	2789	3318	354	88	372	19	40	114	5120	6107

Note: 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 include higher level classified employees such as registered nurses, accountants, project managers, etc.

II. Handling Complaints Effectively

EOA uses multiple approaches to fairly resolve the variety of complaints we encounter.

1. **Investigations** are a comprehensive approach. EOA does a preliminary assessment to confirm that the issue(s) warrants an investigation and then provides notification to the relevant parties and decisional authority as appropriate. EOA works with partner offices when interim actions are needed, such as housing or work reassignment for students or administrative leave or suspension for employees.
2. **Voluntary/Informal Resolution** is when we work with both the reporting and responding parties to help them reach a mutual resolution. EOA first assesses the situation to determine whether a voluntary/informal resolution is appropriate. Either party may refuse to

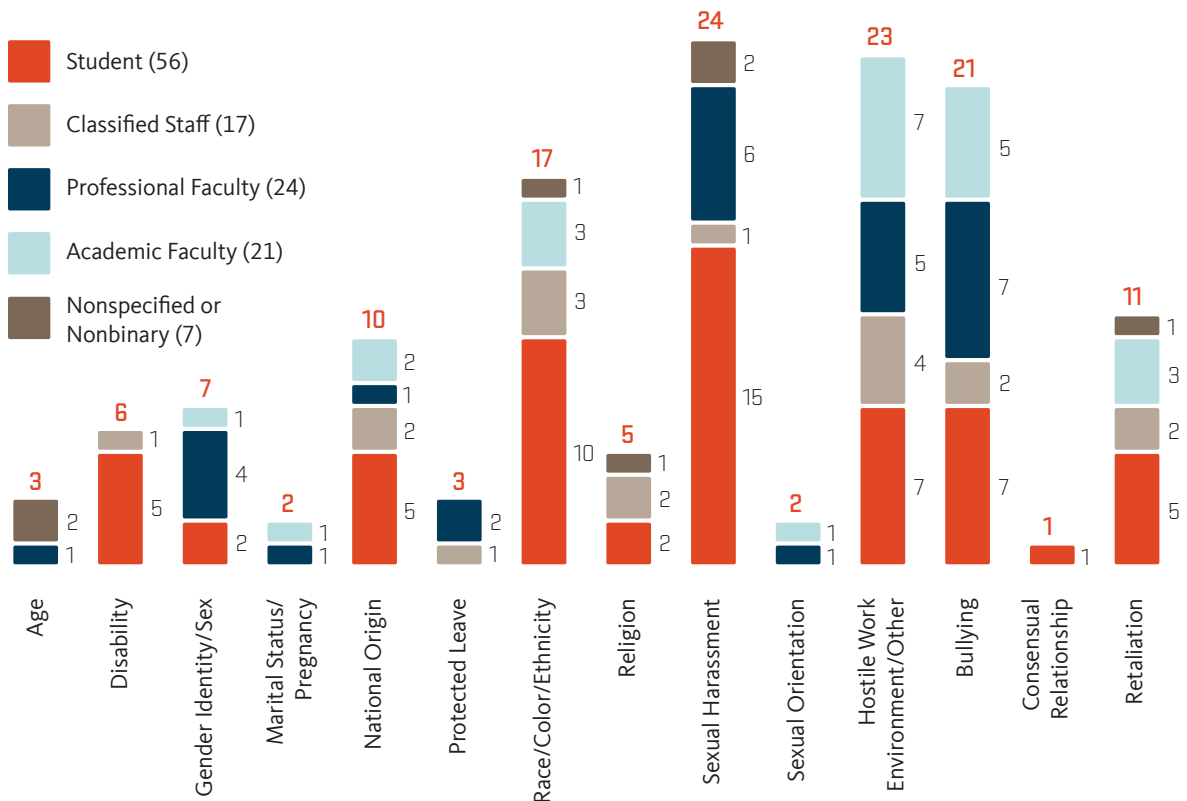
participate or once begun, end the process at any time. No adverse determination is made based on this decision.

3. **Consultation** involves individual discussions with reporting and responding parties as appropriate. These generally involve exploratory meetings with people to understand their concerns, rights and responsibilities within the university environment, to offer advice on alternative solutions and to identify resources to resolve the issue. While EOA addresses these issues, they most often do not rise to a level of illegal harassment or discrimination. As a result, no official notice of complaint or investigatory report is issued.

To access the university's policies on sexual misconduct and discrimination, bullying, consensual relationships and/or retaliation, visit eo.oregonstate.edu/policy-index.

TOTAL COMPLAINTS BY BASIS

FIGURE 2



SUMMARY:

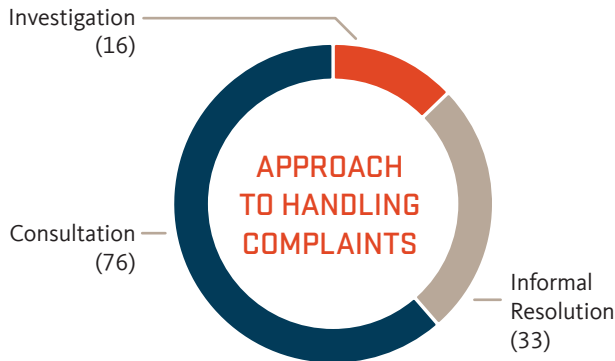
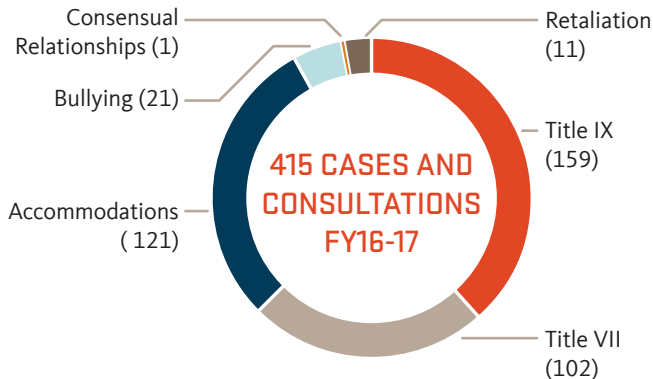
A total of **415 concerns and requests** were handled in the 2016-17 academic year — 135 complaints included Title VII, bullying, retaliation and consensual relationships policy violations; 159 were Title IX reports (Figure 3); and 121 were accommodation requests (addressed in detail in section IV).

Figure 2 depicts 125 individual campus constituents who reported 135 potential policy violations. The top areas of concern included sexual harassment, hostile work environment and bullying. In total, **83 females, 35 males and seven nonspecified or nonbinary** persons filed complaints.

SEXUAL MISCONDUCT: TITLE IX CASE RESOLUTIONS

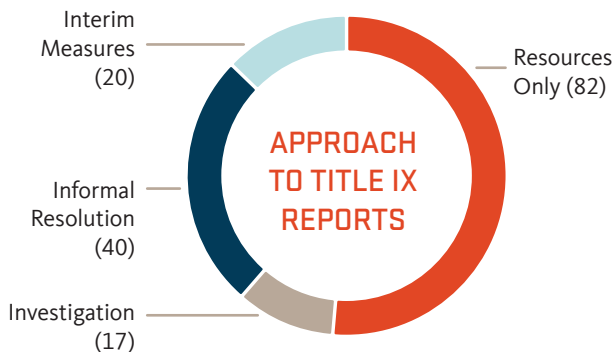
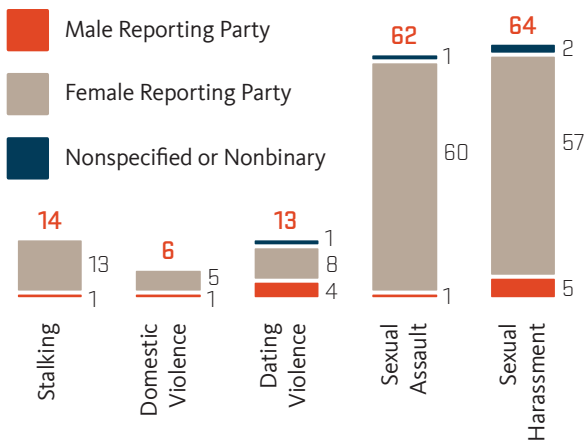
Of the **159 reports** we received related to Title IX, most were resolved by providing involved parties with resources or informal resolution (Figure 4). Through education and enforcing consequences for these types of behaviors, we hope as an institution to be ever vigilant in reducing these incidents.

FIGURE 4



REPORTS BY TITLE IX TYPE

FIGURE 3



III. Limiting Exceptions to Competitive Hiring Practices

Oregon State has a long-established practice of filling the majority of employment openings by conducting open, fair and competitive searches. Opening recruitment opportunities to the broadest audience possible allows us to benefit from the vast experiences and diversity in our communities. At times, circumstances arise when non-competitive searches are appropriate.

Beginning in December 2016, EOA enhanced its tracking of requests and approvals for search exceptions and waivers to ensure we are carefully considering and limiting hires outside of the typical process. Of the **210 requests** during FY2016, 108 fell within the enhanced tracking period.

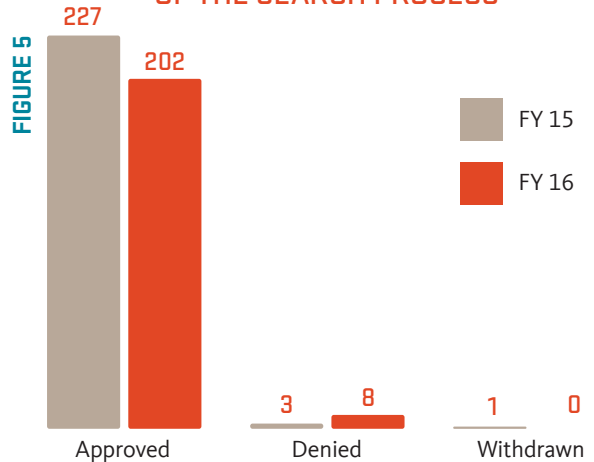
Figure 5 provides an overview of approvals and denials during FY2015 and FY2016.

Figure 6 provides a detailed breakdown of those requests during the increased tracking period from December 2016 through June 2017.

SUMMARY:

Of the 108 requests, emergency hiring circumstances and promotion of a current employee made up the majority of search exceptions.

EXCEPTIONS TO AND WAIVERS OF THE SEARCH PROCESS



DETAILS OF WAIVERS AND EXCEPTIONS

December 2016 through June 2017

FIGURE 6

WAIVERS

Dual career hire	3
Position nonexistent without appointee	7
Emergency circumstance	30
Appointee is PI on a grant	1
Non-regular employee doing OSU work	1
Total	42

OTHER SEARCH EXCEPTIONS

Promotion of current employee	28
Reorganization of a unit or department	6
Lateral movement of a current employee	4
Transfer of employee to workgroup	4
New position better describes work	12
Other	7
Total	61

DECLINED

Declined through initial consult	1
Declined through system review	4
Total	5



IV. Building Awareness and Educational Training

EOA staff dedicates a significant amount of time to developing and implementing educational and awareness trainings and presentations for the campus community in the areas of sexual violence prevention and response, equal opportunity, universal access and design, diversity, equity and inclusion.

SUMMARY:

We offered diverse training programs across our university community totaling **3,427** sessions (Figure 7). The areas of greatest attendance/focus were sexual harassment (985), responsible employee (747), discrimination (513) and ADA (326).

2016-17 PRESENTATIONS/TRAINING BY SUBJECT MATTER

FIGURE 7

TYPE	PARTICIPANTS
Sexual Harassment	985
Responsible Employee	747
Discrimination	513
ADA	326
Bullying	240
Search Process	230
Bias	35
Title IX	188
Communication	43
Affirmative Action	70
Diversity	50
Total	3427



V. Ensuring Reasonable Accommodations and Accessibility

In alignment with the Americans with Disabilities Act, EOA works closely with supervisors, faculty, staff, student workers and Disability Access Services to determine whether individuals with a disability are qualified under the law and to protect their right to request a reasonable accommodation. The EOA also investigates discrimination allegations under the ADA and works with academic units and departments to remedy any allegations.

FIGURE 8
ACCOMMODATIONS BY OREGON STATE AFFILIATION

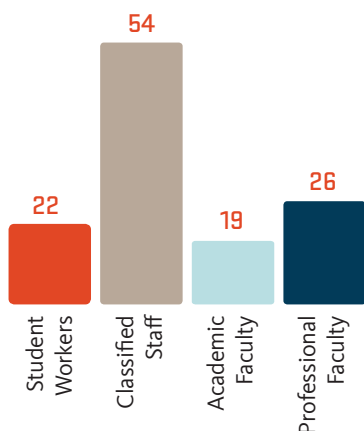
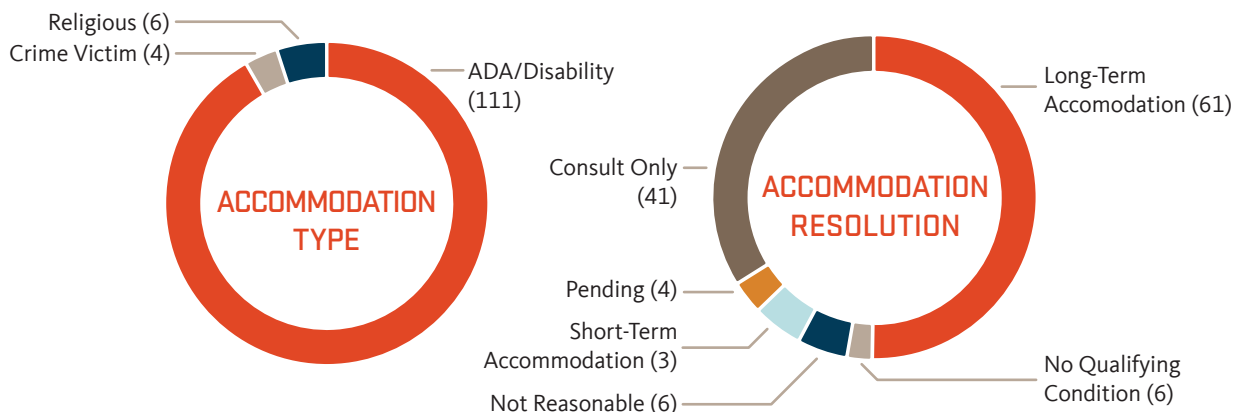


FIGURE 9



SUMMARY:

During FY2016-17, the office processed reasonable accommodation or accessibility requests for **121 campus constituents** (Figure 8) – 19 faculty, 26 professional faculty, 54 staff and 22 student workers. Of these, 111 were ADA or disability-related, four were for crime victims and six were religious accommodations (Figure 9). Crime victims are those who qualify for protected domestic violence leave.

In collaboration with campus partners, **EOA co-funded \$72,000** toward reasonable accommodations during the 2016-17 academic year, including interpreting/sign language, technology, furniture and construction expenses.

ELEMENTS CONSTRUCTED TO IMPROVE ACCESSIBILITY ON CAMPUS

	2010-2015	2016-2017*	TOTAL
Accessible Parking Spaces	170	36	206
Accessible Ramps	51	10	61
Accessible Restrooms	219	54	273
Elevators	24	10	34
Automatic Door Openers	263	35	298

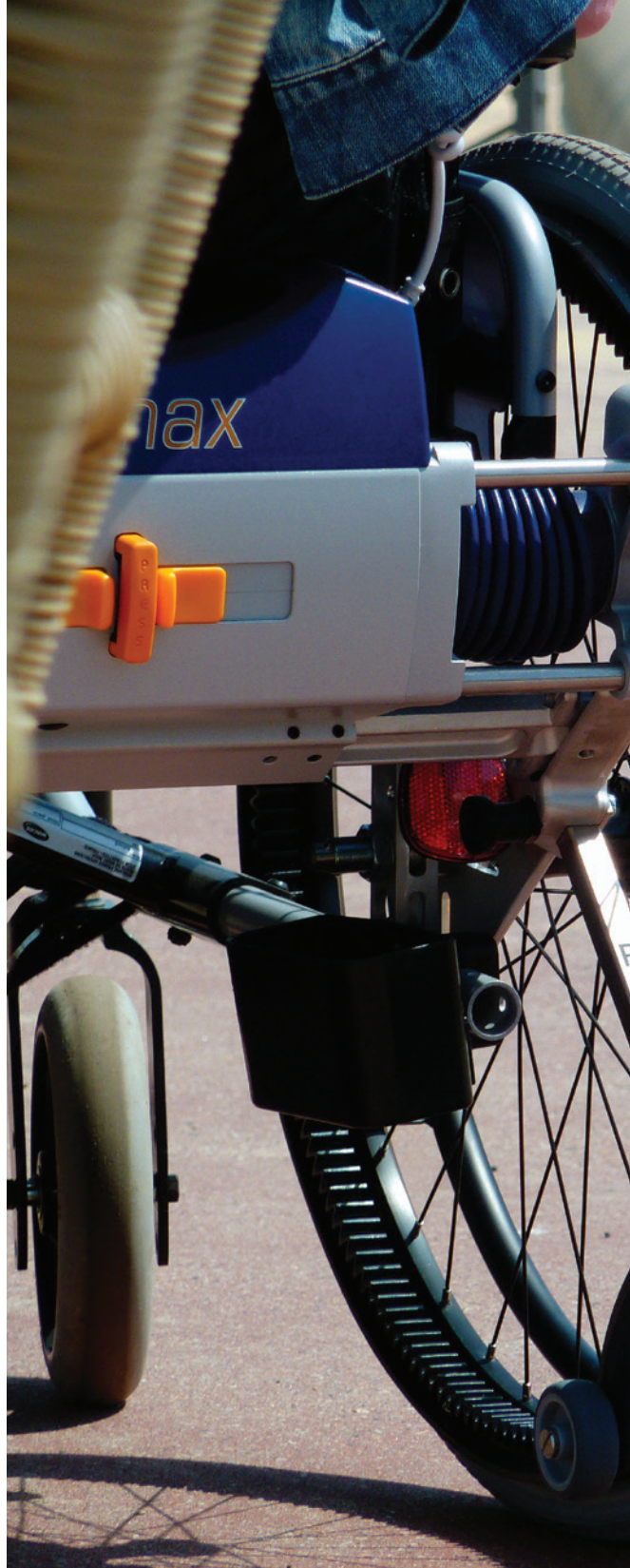
*Full calendar year

ACCESSIBILITY ASSESSMENTS: CORVALLIS BUILDINGS

In FY 2016-17, EOA received accessibility assessments for Dryden, Gilkey, Merryfield, Moreland, Weniger, Wiegand, Wilkinson and Withycombe halls. At the conclusion of the 2017 academic year, accessibility assessments have been finalized for 46 major buildings.

PHYSICAL ENVIRONMENT ACCESSIBILITY PRIORITIES

1. Rebuilding the intersection between 30th Street and Jefferson Way (to take place during construction for the new College of Forestry complex).
2. Summer 2018: \$400,000 in accessibility projects, using EOA and capital renewal funds
3. Architectural study of the Benton Slope for accessibility, inclusive of pathways, parking and other elements within Campus Way, Jefferson Way, 14th Street and the Library Quad.
4. Renovations of Cordley, Gilkey, and Fairbanks halls for greatly increased access.
5. Construction of the new Marine Studies Building in Newport — which will be the first in the U.S. to include vertical tsunami evacuation and will increase access for people with disabilities.
6. Expansion of the OSU-Cascades campus, focused on accessibility.
7. We continue to improve the pedestrian facilities through barrier removal outside the buildings and grounds of the university community.





EOA strives to ensure the most wholesome and productive learning and working environment for students, faculty and staff. Individuals who believe they have been unlawfully harassed or discriminated against are encouraged to contact us.

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