

OFFICE OF EQUAL OPPORTUNITY AND ACCESS

Annual Report 2018-19



Oregon State
University



Executive Summary: Access In Action

The Office of Equal Opportunity and Access is responsible for overseeing compliance 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 reports of harassment and discrimination, we proactively create an equitable experience for our university community.

Partnerships remain a highly important element in effectively responding to all the access and equity requests of the university. We are deeply appreciative of our partners and plan to continue to build relationships that span the university to facilitate just practices.

This year’s Annual Report not only showcases the body of work in EOA, it depicts three-year trend data and analysis that informs campus constituents of the depth and breadth of EOA’s roles and responsibilities.

FY18-19 EOA Accomplishments

EOA staff have continued to handle a significant volume of cases on behalf of the university community. We engaged in 526 new reports in FY18-19, which included consultations, voluntary resolutions and investigations (351 matters involved Title IX, Title VII, bullying, retaliation, consensual relationships policy complaints and/or mandatory child abuse reports, and 175 were requests for reasonable accommodations).

Due to our commitment to prevention education and awareness training, we expanded training and educational programs available to all students and employees. Critical Training modules (Title IX, the prevention of sexual harassment, other forms of prohibited discrimination and protections afforded under the Americans with Disability Act) launched on April 5, 2019 to complete the planned series.

EOA revised investigation and adjudication procedures for students accused of sexual misconduct and/or discrimination, effective October 22, 2019, and announced the clarification of efforts to advance how the university investigates, responds to and resolves reports of sexual misconduct and discrimination involving employees, effective January 17, 2020.

To ensure that the Title IX Coordinator has comprehensive oversight of all aspects of the Title IX process as it applies to students, Deputy Title IX Coordinator responsibilities were assigned to four key positions: the Director of Investigations, Director of Student Conduct and Community Standards, Assistant Director for Residential Education, Student Conduct and Community Standards, and the Director of Residential Education.

FY19-20 EOA Proposed Agenda

The Americans with Disabilities Act of 1990 turns 30 years old in 2020. EOA, in collaboration with the Director of Compliance, Disability Access Services and other campus partners, will bring additional programming and educational awareness to the campus in celebration of the past 30 years.

EOA will continue to utilize professional external investigators to conduct formal investigations that meet timing needs and ensure impartiality for high-profile reports. During the past three years, 39 complaints/charges were addressed by external investigators (22 internal investigations and 17 agency complaint responses).

Upon finalization of the new Title IX regulations, EOA will incorporate any additional policy or procedural revisions based on the Department of Education's final rule-making.

EOA will conduct the second Title IX Sexual Violence Survey in spring 2021, with all OSU students, to help the university better understand students' experiences and attitudes related to sexual violence, improve the way the university responds to incidents of sexual violence, and help shape sexual violence policies, prevention messages and programs.

EOA is also scheduled to conduct an assessment/survey in fall 2020 to obtain feedback from all campus and/or community constituents who accessed our services during the past three years. This will provide EOA with valuable feedback for reflection and refinement of our policies and processes.

WHAT WE DO:

- I. Develop and implement Affirmative Action plans for women, minorities, veterans and people with a disability.
- II. Review and/or approve waivers and exceptions to the search process to determine which are consistent with the university's commitment to equal opportunity.
- III. Investigate and respond to complaints and reports of sexual misconduct and harassment, discrimination, bullying, retaliation and violations of the consensual relationships policy.
- IV. Provide reasonable accommodations (disability, religion, crime victim and pregnancy) through an interactive process, ensuring institutional accessibility for employees and student workers.
- V. Provide awareness and educational training programs aimed at prevention and response efforts related to Equal Employment Opportunity compliance, and safeguard 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, Bias Response Team, Oregon State University Children, Youth and Family Committee, Consortium of Title IX and Equity Coordinators, Athletics Advisory Committee and Student Care Team.





I. Advancing Our Affirmative Action Goals

Developing the university's Affirmative Action Plan 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 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:

Figure 1 provides a snapshot of Oregon State University's FY19 workforce in broad employee groups. It shows areas where we as an institution have work to do (i.e., minorities in tenure/tenure-track, fixed-term professorial, executive, second-tier executive, faculty leadership, executive-level coaching and classified skilled-craft positions, veterans and people with disabilities).

Figure 2 provides a three-year comparison of OSU's workforce, along with hires in the same broad employee groups (academic faculty, unclassified professional faculty and classified staff).

OSU WORKFORCE SNAPSHOT | DECEMBER 1, 2018 (ALL OSU EMPLOYEES)

FIGURE 1

	Male	Female	Vet	IWDs	Hisp	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
ACADEMIC FACULTY												
Tenure/ Tenure-Track	609	334	7	16	61	15	147	2	3	11	704	943
Fixed-Term Professorial	97	120	1	1	14	3	15	0	0	2	183	217
Research Assistants/ Faculty Research Assistants	266	235	11	1	18	3	55	3	2	12	408	501
Instructors	339	426	14	11	34	8	38	2	3	17	663	765
Totals	1311	1115	33	29	127	29	255	7	8	42	1958	2426
PROFESSIONAL FACULTY												
Executives	17	16	0	0	2	2	0	0	0	0	29	33
Second-Tier Executives	23	28	3	3	1	2	1	0	0	3	44	51
Faculty Leaders	61	44	0	1	7	3	3	0	0	2	90	105
Executive-Level Coaches	4	0	0	0	0	0	0	0	0	0	4	4
Managers	278	311	25	10	35	13	12	1	3	12	513	589
Individual Contributors	642	959	49	32	106	29	61	8	14	36	1347	1601
Totals	1025	1358	77	46	151	49	77	9	17	53	2027	2383
CLASSIFIED STAFF												
Professional	79	229	5	4	16	2	24	1	3	5	257	308
Clerical and Secretarial	37	358	9	16	25	2	8	1	1	9	349	395
Technical and Paraprofessional	260	368	22	10	53	6	25	0	8	17	519	628
Skilled Craft	169	29	15	1	11	2	1	1	0	5	178	198
Service and Maintenance	149	108	13	7	43	3	7	2	5	9	188	257
Totals	694	1092	64	38	148	15	65	5	17	45	1491	1786
GRAND TOTALS	3030	3565	174	113	426	93	397	21	42	140	5476	6595

Note: IWD = Individuals 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 | 2016-18 COMPARISON (ALL OSU EMPLOYEES)

FIGURE 2

		Male	Female	Veterans	IWDs	Hispanic	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
ACADEMIC FACULTY													
2016	Workforce	1336	1122	14	21	124	27	248	3	10	32	2014	2458
2017	Workforce	1344	1125	26	24	81	30	258	5	12	47	2036	2469
2018	Workforce	1311	1115	33	29	127	29	255	7	8	42	1958	2426
ACADEMIC FACULTY Hires													
2016	Hires	192	178	1	2	16	7	33	0	1	8	305	370
2017	Hires	60	72	3	2	6	5	11	0	0	3	107	132
2018	Hires	117	139	8	3	21	3	13	2	0	8	209	256
PROFESSIONAL FACULTY													
2016	Workforce	721	1005	30	30	97	37	64	10	15	40	1463	1726
2017	Workforce	993	1293	64	37	87	45	84	8	19	55	1988	2286
2018	Workforce	1025	1358	77	46	151	49	77	9	17	53	2027	2383
PROFESSIONAL FACULTY Hires													
2016	Hires	178	184	9	2	24	14	22	2	1	7	292	362
2017	Hires	75	82	6	5	14	7	6	1	0	4	125	157
2018	Hires	152	160	13	9	20	12	16	3	1	9	251	312
CLASSIFIED STAFF													
2016	Workforce	732	1191	56	25	133	24	60	6	15	42	1643	1923
2017	Workforce	682	1098	59	32	99	16	57	4	15	46	1543	1780
2018	Workforce	694	1092	64	38	148	15	65	5	17	45	1491	1786
CLASSIFIED STAFF Hires													
2016	Hires	250	349	18	10	53	14	20	4	3	20	485	599
2017	Hires	82	103	6	5	9	9	10	1	2	7	147	185
2018	Hires	169	218	13	8	22	6	26	3	2	15	313	387

II. Handling Complaints Effectively

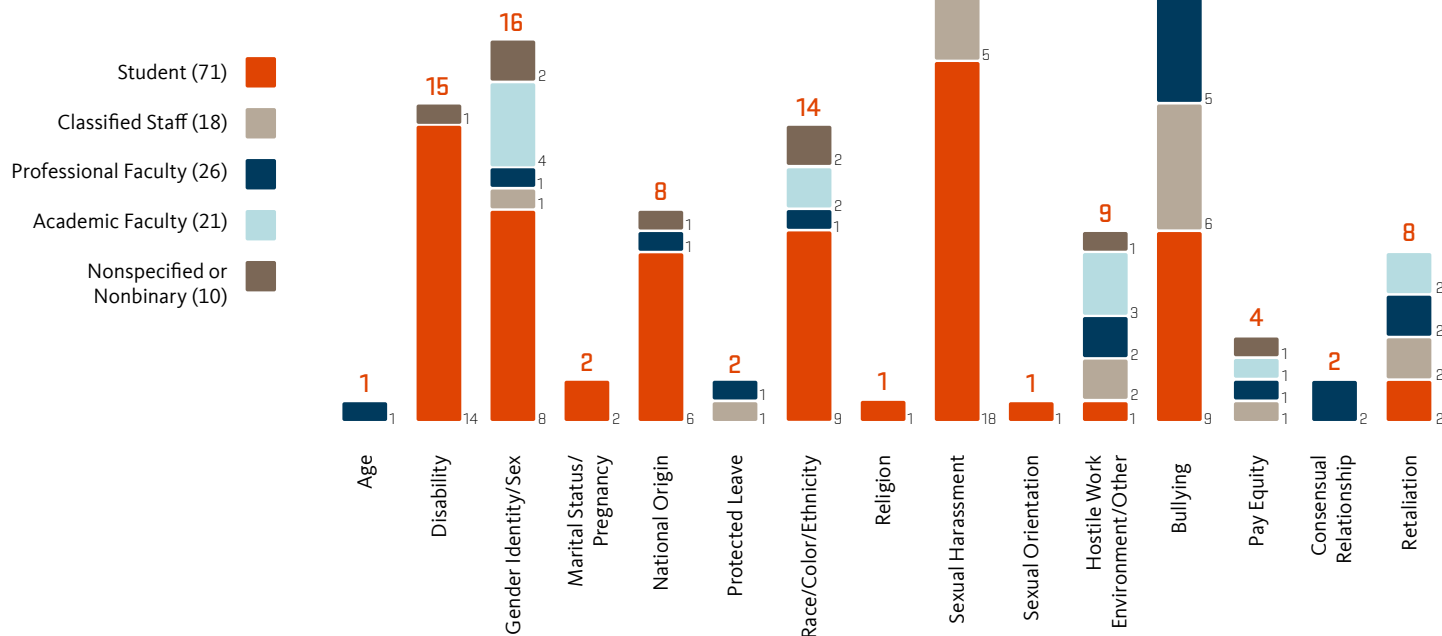
EOA uses multiple approaches to fairly resolve the variety of complaints reported.

1. **Investigations** involve a formal review and determination. EOA does a preliminary assessment to confirm that the issue(s) fall under EOA's jurisdiction; conducts an initial intake to determine if the report warrants an investigation; and then provides notification to the relevant parties and decisional authority, as appropriate.
2. **Voluntary Resolution** involves EOA working with both the reporting and responding parties to help them reach a mutual resolution of the allegations. EOA first assesses the situation to determine whether a voluntary resolution is appropriate. Either party may refuse to participate, or once begun, end the process at any time. Upon resolution, the agreed-upon resolution is documented for closure with both parties.

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.

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

TOTAL EMPLOYEE COMPLAINTS BY BASIS **FIGURE 3**



SUMMARY:

A total of **526 reports and requests** were handled in FY18-19. As reflected in Figure 5, EOA handled 191 Title IX reports and 146 Title VII, bullying, retaliation and consensual relationship policy reports. Figure 5 further shows the 191 Title IX reports by type. It also shows that EOA responded to 175 requests for accommodations, which are addressed in detail in Section V.

As reflected in Figure 3, the top areas of concern included sexual harassment, bullying, and gender identity/sex.

**SEXUAL MISCONDUCT:
TITLE IX CASE RESOLUTIONS**

Figure 4 shows that of the **191 reports** we received related to Title IX, 166 females, 21 males and four trans/nonbinary individuals reported incidents. Figure 5 shows that of the 191 individual reports, 84% were resolved by providing involved parties with resources, interim measures or voluntary resolution. Through education, enforcement and accountability for these types of behaviors, we hope as an institution to be ever vigilant in reducing these incidents.

REPORTS BY TITLE IX TYPE

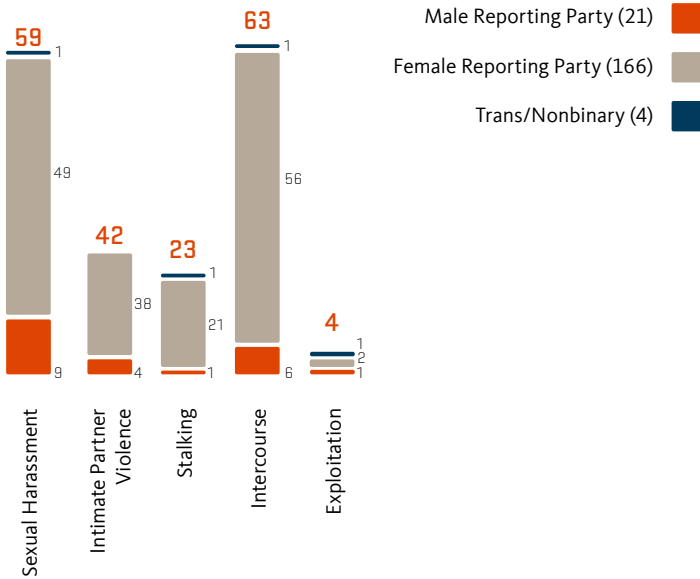


FIGURE 4

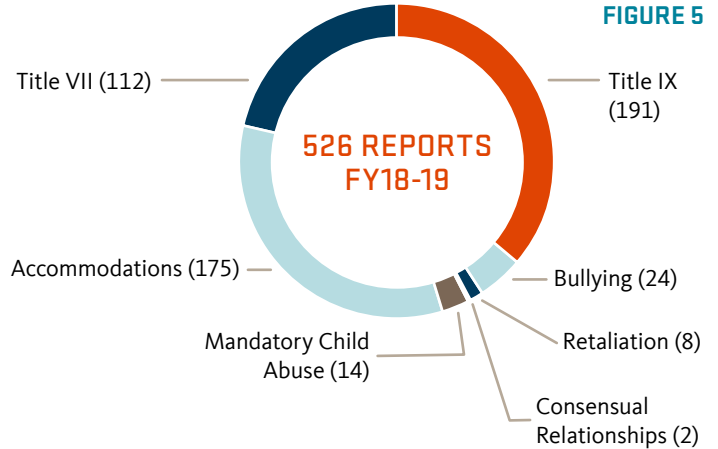
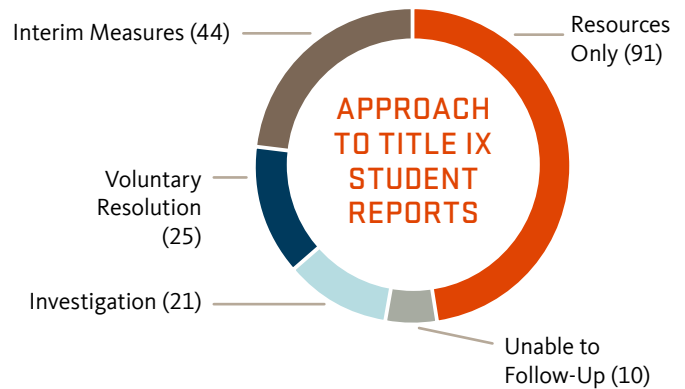


FIGURE 5



THREE-YEAR COMPLAINTS | BY BASIS

FIGURE 6

TYPE	STUDENT			CLASSIFIED			PROFESSIONAL			ACADEMIC			NACA			TOTAL			TOTALS
	FY17	FY18	FY19	FY17	FY18	FY19	FY17	FY18	FY19	FY17	FY18	FY19	FY17	FY18	FY19	FY17	FY18	FY19	
Age	0	0	0	0	1	0	1	1	1	0	0	0	2	1	0	3	3	1	7
Disability	5	13	14	1	0	0	0	1	0	0	0	0	0	0	1	6	14	15	35
Gender Identity/Sex	2	5	8	0	2	1	4	4	1	1	3	4	0	2	2	7	16	16	39
Marital Status/Pregnancy	0	1	2	0	0	0	1	1	0	1	0	0	0	0	0	2	2	2	6
National Origin	5	6	6	2	0	0	1	0	1	2	0	0	0	0	1	10	6	8	24
Protected Leave	0	0	0	1	0	1	2	1	1	0	0	0	0	0	0	3	1	2	6
Race/Color/Ethnicity	10	9	9	3	0	0	0	1	1	3	3	2	1	5	2	17	18	14	49
Religion	2	2	1	2	0	0	0	0	0	0	1	0	1	0	0	5	3	1	9
Sexual Harassment	15	20	18	1	2	5	6	7	9	0	3	5	2	4	2	24	36	39	99
Sexual Orientation	0	1	1	0	0	0	1	0	0	1	0	0	0	0	0	2	1	1	4
Hostile Environment/Other	7	14	1	4	7	2	5	5	2	7	4	3	0	1	1	23	31	9	63
Bullying	7	2	9	2	4	6	7	15	5	5	3	4	0	0	0	21	24	24	69
Consensual Relationship Complaint/Agreement	1	2	0	0	2	0	0	1	2	0	0	0	0	0	0	1	5	2	8
Pay Equity	0	0	0	0	0	1	0	0	1	0	0	1	0	0	1	0	0	4	4
Retaliation	5	0	2	2	0	2	0	1	2	3	2	2	1	0	0	11	3	8	22
Veteran	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	2
TOTALS	59	76	71	18	18	18	28	38	26	23	19	21	7	14	10	135	165	146	446

Figure 7 depicts total cases/reports to EOA over the past three years (FY17-19). Figure 8 depicts EOA's approach to responding to employee-only reported concerns during that time frame.

THREE-YEAR TOTAL CASES RECEIVED FIGURE 7

	FY17	FY18	FY19	Totals
Accommodations	121	150	175	446
Title VII	102	133	112	347
Title IX	159	243	191	593
Bullying	21	24	24	69
Retaliation	11	3	8	22
Consensual Relationship	1	5	2	8
Mandatory Child Abuse Report	0	1	14	15
Totals	415	559	526	1500

APPROACH TO EMPLOYEE REPORTS FIGURE 8

Approach	FY17	FY18	FY19
Consultation	76	99	88
Voluntary Resolution	33	46	32
Investigation	16	15	26
Totals	125	160	146

Figure 9 depicts total reports to EOA by Title IX type over the past three years (FY17-19). Figure 10 depicts EOA's approach used in response to those Title IX student-only reports during that time frame.

REPORTS BY TITLE IX TYPE FIGURE 9

	FY17	FY18	FY19
Sexual Harassment	64	92	59
Intimate Partner Violence	19	31	42
Stalking	14	23	23
Sexual Intercourse	62	92	63
Exploitation	0	11	4
Totals	159	249	191

APPROACH TO TITLE IX STUDENT REPORTS FIGURE 10

Approach	FY17	FY18	FY19	Total
Resources Only	82	155	91	328
Voluntary Resolution	20	36	25	81
Interim Measures	40	30	44	114
Investigation	17	22	21	60
Unable to Follow-Up	0	6	10	16
Totals	159	249	191	599

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. While open recruitment allows us to benefit from the vast experiences and diversity in our communities, there are times when noncompetitive searches are appropriate. Figure 11 provides a summary of search waiver approvals and denials during FY17-19.

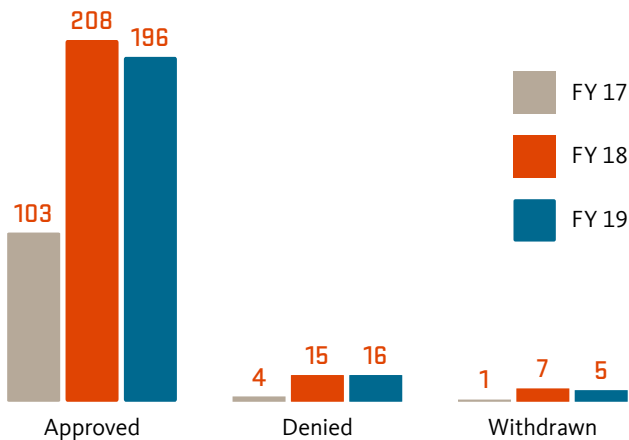
Figure 12 provides a detailed breakdown of those requests during the increased tracking period from FY17-19.

SUMMARY:

Of the **217 requests** made during FY19, “emergency circumstances” and “position nonexistent without appointee” were the majority of approvals for search waivers; “promotion of a current employee” and “new position better describes the work” were the majority of approvals for search exceptions. EOA is currently working to address the areas in which we experience high numbers of requests in the next revision of protocols for search waivers.

SEARCH PROCESS WAIVERS AND EXCEPTIONS

FIGURE 11



FY17 only includes waivers and exceptions from December 2016 to June 2017, which began our enhanced tracking period.

FIGURE 12

DETAILS OF WAIVERS AND EXCEPTIONIONS

WAIVERS	FY17	FY18	FY19
Dual-career hire	3	15	7
Position nonexistent without appointee	7	35	32
Emergency circumstance	30	53	32
Appointee is PI on a grant	1	7	1
Non-regular employee doing OSU work	1	2	6
Totals	42	112	78
OTHER SEARCH EXCEPTIONIONS			
Promotion of a current employee	28	34	32
Reorganization of a unit or department	6	22	21
Lateral movement of a current employee	4	2	4
Transfer of employee to workgroup	4	5	12
New position better describes the work	12	26	30
Administrative title change	0	0	13
Other	7	7	6
Totals	61	96	118
DECLINED			
Withdrawn after initial consult	1	7	5
Denied through system review	4	15	16
Totals	5	22	21

IV. Building Awareness and Educational Training

EOA staff dedicate 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, diversity, equity and inclusion.

SUMMARY:

During FY19, EOA offered diverse training programs across our university community that **included 3,522 individual participants**. The three-year snapshot in Figure 13 reflects a decline in EOA's outreach. This is due to the online critical training modules now available to academic and professional faculty and classified staff, as well as student-employees where appropriate.

FIGURE 13

PRESENTATIONS/TRAINING BY SUBJECT MATTER

TYPE	PARTICIPANTS		
	FY17	FY18	FY19
Subject Matter			
Sexual Harassment/Title IX	1173	1973	915
Responsible Employee	747	867	497
Discrimination	513	499	413
ADA	326	756	799
Bullying	240	75	139
Mandatory Reporter	0	19	562
Search Process	230	0	0
Bias	35	0	0
Communication	43	0	0
Affirmative Action	70	0	197
Diversity	50	0	0
Totals	3427	4189	3522



V. Ensuring Reasonable Accommodations and Accessibility

The ADA Turns 30

2020 marks the 30-year anniversary of the Americans with Disabilities Act. EOA, in collaboration with the Director of Compliance, Disability Access Services and other campus partners, will commemorate this anniversary, as well as showcase and celebrate people with disabilities as part of the diversity of the OSU community, in the coming months and well into FY21. EOA works closely with supervisors, faculty, staff, student workers and Disability Access Services to determine whether individuals with a disability qualify for a reasonable accommodation under the ADA. EOA also investigates discrimination allegations under the ADA and works with academic units and departments to remedy any findings.

SUMMARY:

Figure 14 shows that during FY19, EOA, in collaboration with campus partners, processed reasonable accommodation or accessibility requests for **175 campus constituents**. Figure 15 shows that of these, 170 were ADA or disability-related, one was for a crime victim, three were for religious accommodations, and one was pregnancy related. Crime victims are those who qualify for protected domestic-violence leave.

EOA's accommodation expenses have grown substantially during the past few years, from \$39,000 in FY16, to \$72,000 in FY17, \$119,000 in FY18 and **\$85,000 in FY19**. These included interpreting/sign language, technology, furniture and construction expenses. However, the current expenditure rate may continue to decrease after a few long-term accommodations requiring interpreting services for graduate teaching assistants end upon their graduation.

FIGURE 15

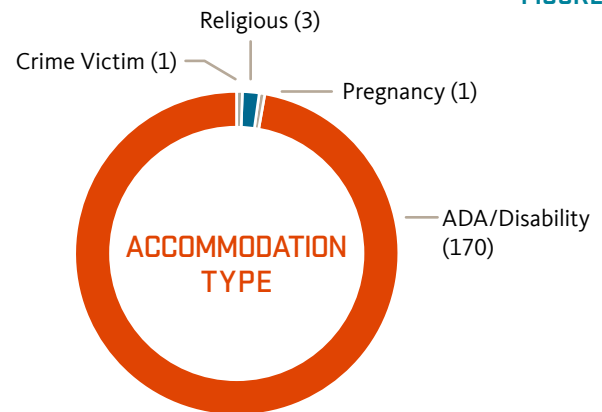


FIGURE 14
ACCOMMODATIONS BY OREGON STATE AFFILIATION

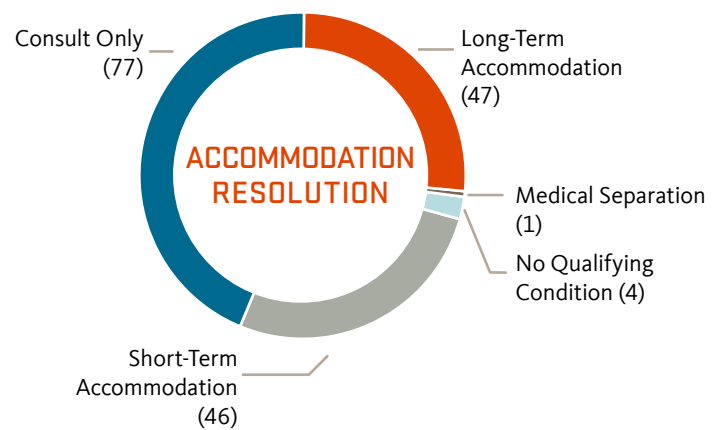
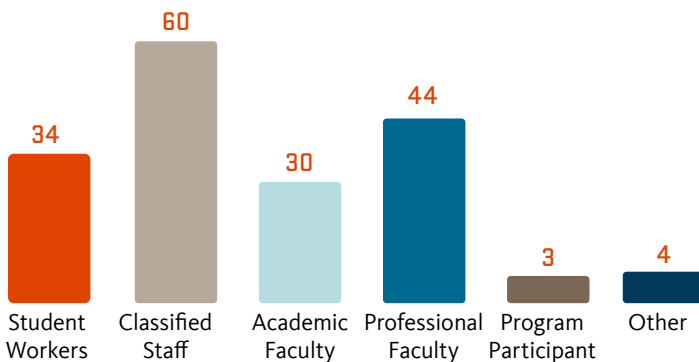


FIGURE 16

THREE-YEAR ADA ACCOMMODATION REQUESTS

ACCOMMODATIONS NUMBERS	FY17	FY18	FY19	TOTAL
Type				
Disability/ADA	111	143	170	424
Religious	6	6	3	15
DV/Crime Victim	4	1	1	6
Pregnancy	0	0	1	1
Totals	121	150	175	446
Affiliation				
Student	22	31	34	87
Program Participant	0	7	3	10
Professional Faculty	26	34	44	104
Academic Faculty	19	23	30	72
Classified Staff	54	55	60	169
Job Applicants	0	0	2	2
Unaffiliated	0	0	2	2
Totals	121	150	175	446
Resolution				
Long-Term Accommodation	61	73	47	181
No Qualifying Condition	6	3	4	13
Not Reasonable	6	2	0	8
Short-Term Accommodation	3	16	46	65
Medical Separation	0	0	1	1
Pending	4	0	0	4
Consult Only	41	56	77	174
Totals	121	150	175	446

ACCESSIBILITY ASSESSMENTS: CORVALLIS BUILDINGS

In FY19, EOA received accessibility assessments for eight more buildings: Bates, Ballard, Burt, Crop Science, Gilmore, Hovland, Richardson and University Plaza. The assessment process concluded at the end of FY19. In total, accessibility assessments have been completed for 55 major buildings. These reports are being used in consultation with University Facilities, Infrastructure and Operations as decisions are made for major and minor renovations.

PHYSICAL ENVIRONMENT ACCESSIBILITY PRIORITIES

1. Continued external improvements to achieve an accessible travel grid, using EOA and capital renewal funds in summer 2020.
2. Implementation of an architectural study of the Community Slope area of campus, with a phased-improvement approach to correspond with major construction projects over the next 10+ years.
3. Renovations of Cordley and Fairbanks to greatly improve access, including an elevator in Fairbanks for the first time.
4. Reconstruction of Washington Way throughout campus, including remediation of more than 90 barriers within the corridor.
5. Expansion of the OSU-Cascades campus, with a focus on accessibility.

ELEMENTS CONSTRUCTED TO IMPROVE ACCESSIBILITY

FIGURE 17

	2010-2016	2017-2019*	TOTAL
Accessible Parking Spaces	193	23	216
Accessible Ramps	55	8	63
Accessible Restrooms	256	74	330
Elevators	29	6	35
Automatic Door Openers	294	27	321

*Full calendar year



Office of Equal Opportunity and Access | eoa.oregonstate.edu | 541-737-3556

EOA strives to ensure a just and respectful 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.