

# OFFICE OF EQUAL OPPORTUNITY AND ACCESS

Annual Report 2019-20



**Oregon State**  
University



## Executive Summary: Access In Action

The Office of Equal Opportunity and Access 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 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 continues to showcase 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.

## **FY19-20 EOA Accomplishments**

EOA staff have continued to handle a significant volume of cases on behalf of the university community. We engaged in 648 new reports/requests in FY19-20, which included consultations, voluntary facilitated resolutions and investigations (427 matters involved Title IX, Title VII, bullying, retaliation, consensual relationships policy complaints and/or mandatory child abuse reports, and 221 were requests for reasonable accommodations that involved disability, religion, pregnancy, and/or crime victims).

EOA, in collaboration with Intercollegiate Athletics, Student Conduct and Community Standards and the Office of General Counsel, developed and implemented interim measures regarding student-athlete conduct. Internal guidelines previously referred to as “Privilege to Play” include the ability to practice, stay on the team, travel with the team and other rights and accesses that a student-athlete would have.

EOA, in collaboration with the Office of Risk, Audit and Compliance, OGC, Employee and Labor Relations and SCCS, implemented the following processes effective August 14, 2020:

1. New Department of Education Title IX Investigation and Resolution Process that is applicable to all campus constituents, including students, academic faculty, professional faculty and classified staff.
2. Revised Sexual Misconduct and Discrimination Investigation and Resolution Process for Non-Title IX Complaints Against Students.
3. New and revised Sexual Misconduct and Discrimination Investigation and Resolution Process for Non-Title IX Complaints Against Employees.

EOA’s leadership team developed metrics to identify three pivotal intervals where the formal and voluntary facilitated resolution may stall:

1. Investigation — EOA
2. Adjudication process — ELR/SCCS
3. Appellate process — HR/Faculty Affairs/Student Affairs

## **FY20-21 EOA Proposed Agenda**

The Americans with Disabilities Act of 1990 turned 30 on July 26, 2020. EOA, in collaboration with the Office of Risk, Audit and 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 conduct an assessment survey to obtain feedback from campus constituents and others who have requested EOA services. This will provide valuable information regarding their experience, engagement and communication with EOA office staff, as well as understanding and expectations of EOA’s policies and processes.

Replace the ORS 580-015 discrimination policy from the former Oregon University System, along with individual discrimination statements, into a renewed university discrimination, discriminatory harassment and retaliation policy.

EOA plans to conduct a second Title IX sexual violence survey in spring 2022 with all OSU students. This survey will 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 will refresh its critical training modules, including Title IX, sexual harassment, discrimination and ADA, in late spring/summer.

## 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 FY20 workforce in broad employee groups. It shows areas where we as an institution have work to do (i.e., all employee groups under academic faculty, executives, second-tier executives, faculty leaders, executive-level coaches 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, professional faculty and classified staff).

OSU WORKFORCE SNAPSHOT | DECEMBER 1, 2019 (ALL OSU EMPLOYEES)

FIGURE 1

	Male	Female	Vet	IWDs	Hisp	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
<b>ACADEMIC FACULTY</b>												
Tenure/Tenure-Track	581	322	3	17	60	15	145	2	4	13	664	903
Fixed-Term Professorial	99	127	3	1	16	4	18	0	0	2	186	226
Research Assistants/ Faculty Research Assistants	248	230	10	2	16	3	49	3	3	11	393	478
Instructors	349	427	11	10	32	12	46	3	3	21	659	776
<b>Total</b>	<b>1277</b>	<b>1106</b>	<b>27</b>	<b>30</b>	<b>124</b>	<b>34</b>	<b>258</b>	<b>8</b>	<b>10</b>	<b>47</b>	<b>1902</b>	<b>2383</b>
<b>PROFESSIONAL FACULTY</b>												
Executives	15	17	0	0	1	2	1	0	0	0	28	32
Second-Tier Executives	26	24	2	3	1	1	1	0	0	4	43	50
Faculty Leaders	67	50	1	0	8	3	4	0	0	1	101	117
Executive-Level Coaches	5	0	0	0	0	0	0	0	0	0	5	5
Managers	293	336	25	13	35	9	16	1	4	18	546	629
Individual Contributors	627	955	40	34	108	33	57	8	10	35	1331	1582
<b>Total</b>	<b>1033</b>	<b>1382</b>	<b>68</b>	<b>50</b>	<b>153</b>	<b>48</b>	<b>79</b>	<b>9</b>	<b>14</b>	<b>58</b>	<b>2054</b>	<b>2415</b>
<b>CLASSIFIED STAFF</b>												
Professional	89	235	8	7	16	2	23	1	3	7	272	324
Clerical and Secretarial	34	327	9	16	16	1	8	1	2	10	323	361
Technical and Paraprofessional	232	337	19	10	43	4	20	0	7	16	479	569
Skilled Crafts	168	26	12	1	11	3	1	1	1	7	170	194
Service and Maintenance	146	109	13	7	46	4	7	2	6	6	184	255
<b>Total</b>	<b>669</b>	<b>1034</b>	<b>61</b>	<b>41</b>	<b>132</b>	<b>14</b>	<b>59</b>	<b>5</b>	<b>19</b>	<b>46</b>	<b>1428</b>	<b>1703</b>
<b>GRAND TOTAL</b>	<b>2979</b>	<b>3522</b>	<b>156</b>	<b>121</b>	<b>409</b>	<b>96</b>	<b>396</b>	<b>22</b>	<b>43</b>	<b>151</b>	<b>5384</b>	<b>6501</b>

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 | 2017-19 COMPARISON** (ALL OSU EMPLOYEES)

**FIGURE 2**

		Male	Female	Veterans	IWDs	Hispanic	Black AA	Asian	NHOPI	NA/AI	Two or More	White	Total
<b>ACADEMIC FACULTY</b>													
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
2019	Workforce	1277	1106	27	30	124	34	258	8	10	47	1902	2383
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
2019	Hires	112	112	5	2	11	5	26	1	1	6	174	224
<b>PROFESSIONAL FACULTY</b>													
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
2019	Workforce	1033	1382	68	50	153	48	79	9	14	58	2054	2415
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
2019	Hires	134	167	13	2	20	6	14	0	1	9	251	301
<b>CLASSIFIED STAFF</b>													
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
2019	Workforce	669	1034	61	41	132	14	59	5	19	46	1428	1703
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
2019	Hires	136	196	16	7	27	4	13	0	4	9	275	332

## II. Handling Complaints Effectively

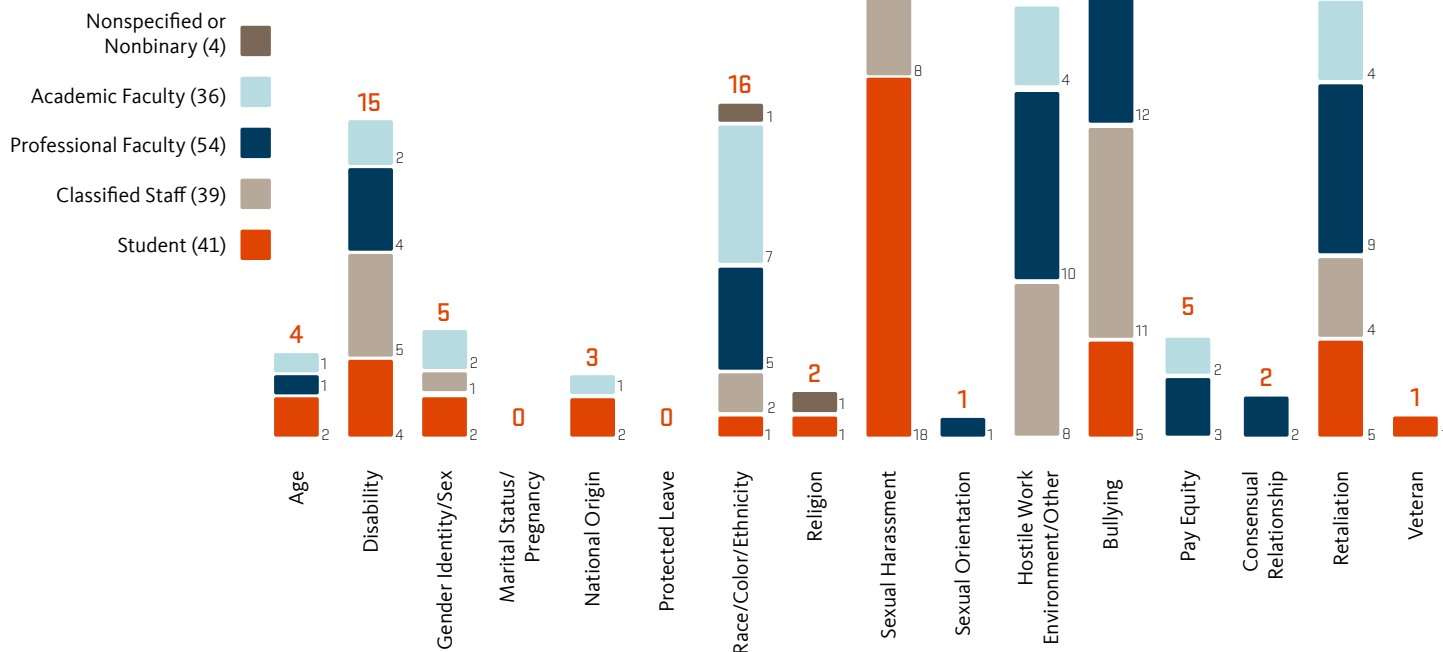
EOA uses multiple approaches to fairly resolve the variety of complaints reported.

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 Facilitated 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 facilitated 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](http://eoa.oregonstate.edu/policy-index).

TOTAL EMPLOYEE COMPLAINTS BY BASIS **FIGURE 3**



Note: Figure 3 indicates the top four areas of concern includes: sexual harassment, bullying, hostile work environment and retaliation.



**SUMMARY:**

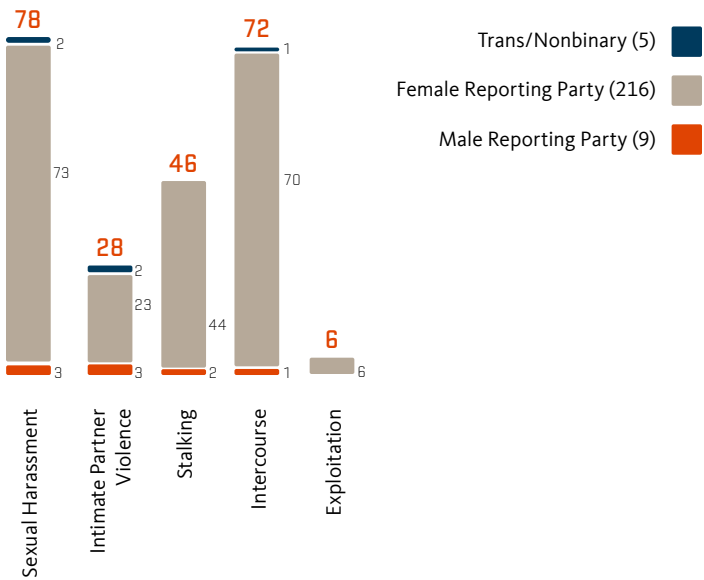
A total of **648 reports and requests** were handled in FY19-20. As reflected in Figure 5, EOA handled 230 Title IX reports and 174 Title VII, bullying, retaliation and consensual relationship policy reports and 23 reports related to mandatory child abuse. Figure 5 further shows the approach to employee reports and details of the 230 Title IX reports. EOA's response to 221 requests for accommodations are addressed in Section V.

**SEXUAL MISCONDUCT:  
TITLE IX CASE RESOLUTIONS**

Figure 4 shows that of the **230 Title IX reports**, 216 females, nine males and five trans/nonbinary individuals reported incidents.

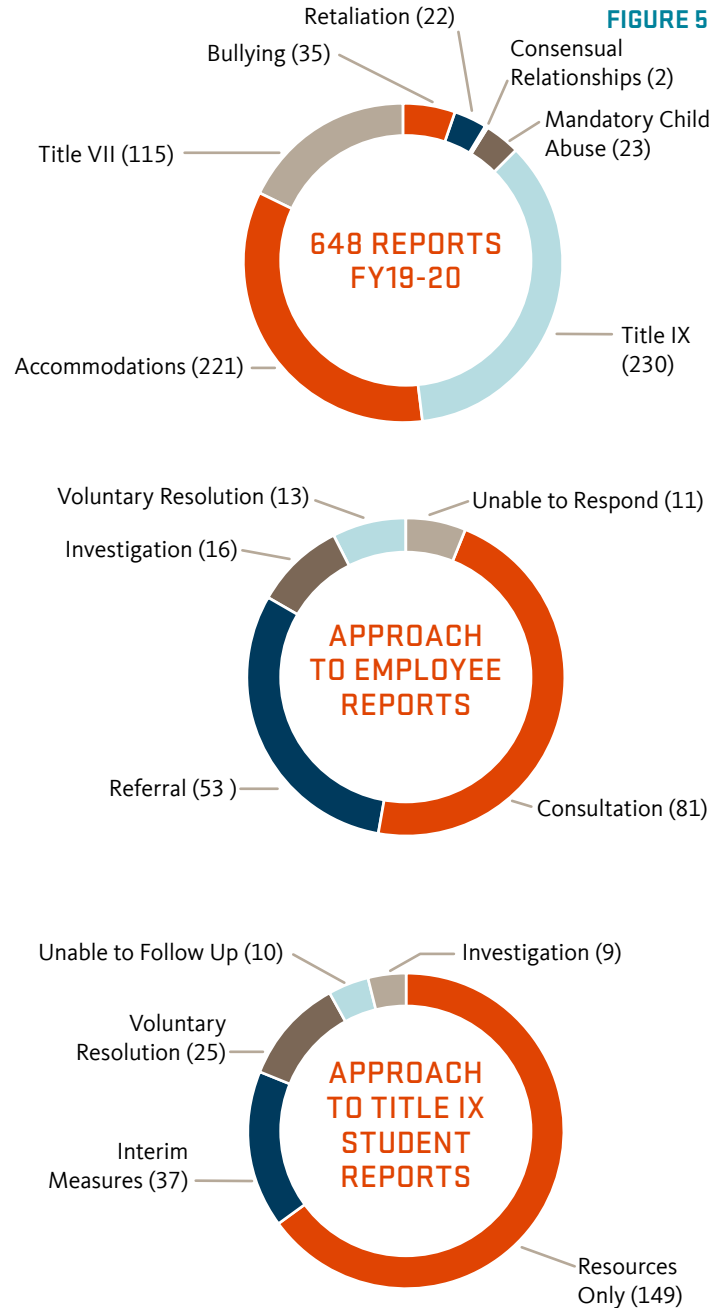
Figure 5 show that 92% of these reports were resolved by providing involved parties with resources only, interim measures or voluntary facilitated resolution. Through education, enforcement and accountability for these types of behaviors, we hope as an institution to be ever vigilant in reducing these 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
	FY18	FY19	FY20	FY18	FY19	FY20	FY18	FY19	FY20	FY18	FY19	FY20	FY18	FY19	FY20	FY18	FY19	FY20	
Age	0	0	2	1	0	0	1	1	1	0	0	1	1	0	0	3	1	4	8
Disability	13	14	4	0	0	5	1	0	4	0	0	2	0	1	0	14	15	15	44
Gender Identity/Sex	5	8	2	2	1	1	4	1	0	3	4	2	2	2	0	16	16	5	37
Marital Status/Pregnancy	1	2	0	0	0	0	1	0	0	0	0	0	0	0	0	2	2	0	4
National Origin	6	6	2	0	0	0	0	1	0	0	0	1	0	1	0	6	8	3	17
Protected Leave	0	0	0	0	1	0	1	1	0	0	0	0	0	0	0	1	2	0	3
Race/Color/Ethnicity	9	9	1	0	0	2	1	1	5	3	2	7	5	2	1	18	14	16	48
Religion	2	1	1	0	0	0	0	0	0	1	0	0	0	0	1	3	1	2	6
Sexual Harassment	20	18	18	2	5	8	7	9	7	3	5	6	4	2	2	36	39	41	116
Sexual Orientation	1	1	0	0	0	0	0	0	1	0	0	0	0	0	0	1	1	1	3
Hostile Environment/Other	14	1	0	7	2	8	5	2	10	4	3	4	1	1	0	31	9	22	62
Bullying	2	9	5	4	6	11	15	5	12	3	4	7	0	0	0	24	24	35	83
Consensual Relationship Complaint/Agreement	2	0	0	2	0	0	1	2	2	0	0	0	0	0	0	5	2	2	9
Pay Equity	0	0	0	0	1	0	0	1	3	0	1	2	0	1	0	0	4	5	9
Retaliation	0	2	5	0	2	4	1	2	9	2	2	4	0	0	0	3	8	22	33
Veteran	1	0	1	0	0	0	0	0	0	0	0	0	1	0	0	2	0	1	3
<b>Totals</b>	<b>76</b>	<b>71</b>	<b>41</b>	<b>18</b>	<b>18</b>	<b>39</b>	<b>38</b>	<b>26</b>	<b>54</b>	<b>19</b>	<b>21</b>	<b>36</b>	<b>14</b>	<b>10</b>	<b>4</b>	<b>165</b>	<b>146</b>	<b>174</b>	<b>485</b>

\*NACA includes any complaint where the reporter is not specified, anonymous, community or applicants.

Figure 7 depicts total cases/reports to EOA over the past three years (FY18-20). Figure 8 depicts EOA's approach to responding to employee-only reported concerns during that time frame.

### THREE-YEAR TOTAL CASES RECEIVED FIGURE 7

	FY18	FY19	FY20	Total
Accommodations	150	175	221	546
Title VII	133	112	115	360
Title IX	249	191	230	670
Bullying	24	24	35	83
Retaliation	3	8	22	33
Consensual Relationship	5	2	2	9
Mandatory Child Abuse Report	1	14	23	38
<b>Totals</b>	<b>565</b>	<b>526</b>	<b>648</b>	<b>1739</b>

### APPROACH TO EMPLOYEE REPORTS FIGURE 8

Approach	FY18	FY19	FY20
Referral	N/A	47	53
Consultation	99	41	81
Voluntary Resolution	46	32	13
Investigation	15	26	16
Unable to Respond	0	0	11
<b>Totals</b>	<b>160</b>	<b>146</b>	<b>174</b>

Figure 9 depicts total reports to EOA by Title IX type over the past three years (FY18-20). 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

	FY18	FY19	FY20
Sexual Harassment	92	59	78
Intimate Partner Violence	31	42	28
Stalking	23	23	46
Sexual Intercourse	92	63	72
Exploitation	11	4	6
	<b>249</b>	<b>191</b>	<b>230</b>

### APPROACH TO TITLE IX STUDENT REPORTS FIGURE 10

Approach	FY18	FY19	FY20	Total
Resources Only	155	91	149	<b>395</b>
Voluntary Resolution	36	25	25	<b>86</b>
Interim Measures	30	44	37	<b>111</b>
Investigation	22	21	9	<b>52</b>
Unable to Follow Up	6	10	10	<b>26</b>
<b>Totals</b>	<b>249</b>	<b>191</b>	<b>230</b>	<b>670</b>

### 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 FY18-20.

Figure 12 provides a detailed breakdown.

#### SUMMARY:

Of the **168 requests** made during FY20, “dual-career hire” 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

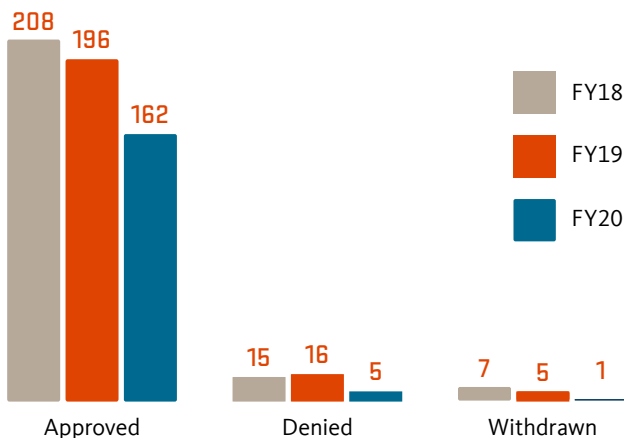


FIGURE 12

#### DETAILS OF WAIVERS AND EXCEPTIONS

WAIVERS	FY18	FY19	FY20
Dual-career hire	15	7	13
Position nonexistent without appointee	35	32	26
Emergency circumstance	53	32	9
Appointee is PI on a grant	7	1	4
Non-regular employee doing OSU work	2	6	4
<b>Total</b>	<b>112</b>	<b>78</b>	<b>56</b>
OTHER SEARCH EXCEPTIONS			
Promotion of current employee	34	32	45
Reorganization of a unit or department	22	21	14
Lateral movement of a current employee	2	4	3
Transfer of employee to workgroup	5	12	3
New position better describes work	26	30	25
Administrative title change	0	13	5
Other	7	6	11
<b>Total</b>	<b>96</b>	<b>118</b>	<b>106</b>
DECLINED			
Withdrawn after initial consult	7	5	1
Denied through system review	15	16	5
<b>Total</b>	<b>22</b>	<b>21</b>	<b>6</b>
<b>GRAND TOTALS</b>	<b>230</b>	<b>217</b>	<b>168</b>

## IV. 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 FY20, EOA offered diverse training programs across the university community that **included 5,845 individual participants**. The three-year snapshot in Figure 13 reflects a 40% increase 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 to student employees where appropriate.

FIGURE 13

### PRESENTATIONS/TRAINING BY SUBJECT MATTER

TYPE	PARTICIPANTS		
Subject Matter	FY18	FY19	FY20
Sexual Harassment/Title IX	1973	915	1517
Responsible Employee	867	497	1237
Discrimination	499	413	1104
ADA	756	799	909
Bullying	75	139	26
Mandatory Reporter	19	562	889
Affirmative Action	0	197	163
<b>Total</b>	<b>4189</b>	<b>3522</b>	<b>5845</b>



## V. Ensuring Reasonable Accommodations and Accessibility

### The ADA Turns 30

2020 marked the 30-year anniversary of the Americans with Disabilities Act. EOA, in collaboration with the Office of Risk, Audit and Compliance, Disability Access Services and other campus partners, will continue to commemorate this anniversary in celebration of people with disabilities as part of the diversity of the OSU community. An ADA 30 Symposium will be held during the month of May 2021, which will showcase presentations, workshops, paper panels, roundtables, webinars and artist talks.

EOA works closely with supervisors, faculty, staff, students and Disability Access Services to determine whether individuals with a disability qualify for a reasonable accommodation under the ADA. EOA also investigates allegations of discrimination under the ADA and works with academic units and departments to remedy any findings.

### SUMMARY:

Figure 14 shows that during FY20, EOA, in collaboration with campus partners, processed reasonable accommodation or accessibility requests for **221 campus constituents**. Figure 15 shows that 216 were ADA or disability-related, zero were for crime victims, two were for religious accommodations, and three were pregnancy-related. Crime victims are those who qualify for protected domestic-violence leave.

EOA's accommodation expenses have varied: \$119,000 in FY18, \$85,000 in FY19 and **\$124,000 in FY20**. EOA typically splits costs with units. These expenses included interpreting/ sign language, technology, furniture and construction expenses. Although the average accommodation case costs OSU approximately \$560 per request, expenditure rates fluctuate on a case-by-case basis.

FIGURE 15

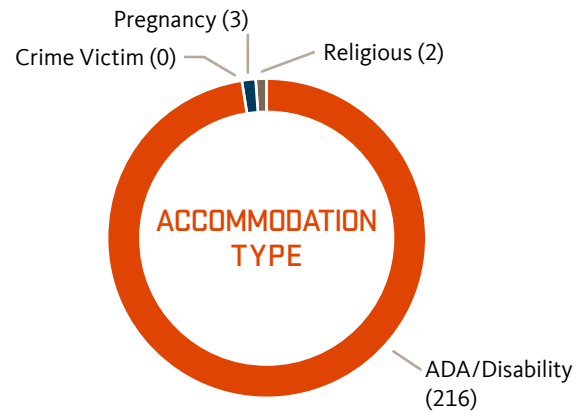
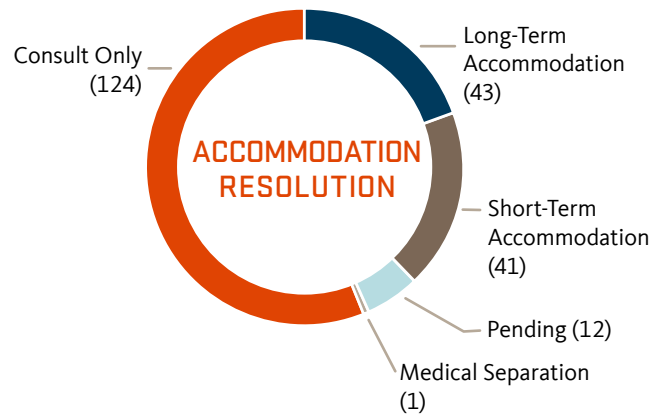
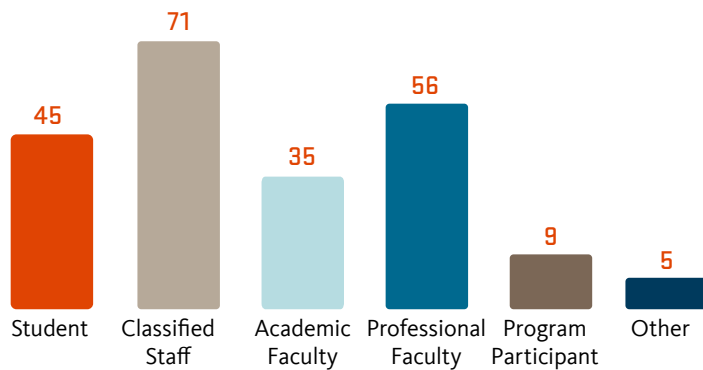


FIGURE 14

### ACCOMMODATIONS BY OREGON STATE AFFILIATION



**FIGURE 16**

**THREE-YEAR ADA ACCOMMODATION REQUESTS**

ACCOMMODATIONS NUMBERS	FY18	FY19	FY20	TOTAL
<b>Type</b>				
Disability/ADA	143	170	216	529
Religious	6	3	2	11
DV/CrimeVictim	1	1	0	2
Pregnancy	0	1	3	4
<b>Total</b>	<b>150</b>	<b>175</b>	<b>221</b>	<b>546</b>
<b>Affiliation</b>				
Student	31	34	45	110
Program Participant	7	3	9	19
Professional Faculty	34	44	56	134
Academic Faculty	23	30	35	88
Classified Staff	55	60	71	186
Job Applicant	0	2	0	2
Unaffiliated	0	2	5	7
<b>Total</b>	<b>150</b>	<b>175</b>	<b>221</b>	<b>546</b>
<b>Resolution</b>				
Long-Term Accommodation	73	47	43	163
No Qualifying Condition	3	4	0	7
Not Reasonable	2	0	0	2
Short-Term Accommodation	16	46	41	103
Medical Separation	0	1	1	2
Pending	0	0	12	12
Consult Only	56	77	124	257
<b>Total</b>	<b>150</b>	<b>175</b>	<b>221</b>	<b>546</b>

**ACCESSIBILITY ASSESSMENTS: CORVALLIS BUILDINGS**

Accessibility assessments have been completed for 55 major buildings on the Corvallis campus. These reports are being used in consultation with University Facilities, Infrastructure and Operations as decisions are made for major and minor renovation and new construction projects.

**PHYSICAL ENVIRONMENT ACCESSIBILITY PRIORITIES**

1. Continued external improvements to achieve an accessible travel grid.
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. The first phase will be constructed in summer 2021 and include areas around Furman Hall, the Pharmacy Building, Gladys Valley Gymnastics Center and south to Jefferson Avenue.
3. Renovations of Cordley and Fairbanks halls 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. Construction of the Arts and Education Complex to consolidate and improve access to music and theater programs.
6. Expansion of the OSU-Cascades campus, with a focus on accessibility.

**ELEMENTS CONSTRUCTED TO IMPROVE ACCESSIBILITY**

**FIGURE 17**

	2010-16	2017-19*	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. FY20 will be calculated at a later date and included in the next annual report.



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