

9. Any group or organization using North Carolina Agricultural and Technical State University facilities shall indemnify and save the Trustee Board, the individual members thereof, and any other employees, free and without harm, from any loss or damage, liability, or expense that may arise during, be caused in any way by, such occupancy or use of institutional property. A bond may be required at the discretion of the University to offset any damages and related costs, which might arise by reason of, said use of University facilities.

COST OF SUPPORT ACTIVITIES FUND (COSA)

The purpose of the COSA Fund is to assist registered student organizations in the sponsoring of on-campus activities and events. This fund is available to support housekeeping, security, and the physical plant labor necessary for authorized programming. However, this fund is established to support those student organizations that do not otherwise receive funds or an operating budget from the University.

1. The COSA fund will be administered by the Director of the Memorial Union.
2. The COSA fund will provide a maximum of six hours of support for authorized activities during the academic year.
3. COSA funds will be available for the support cost of a variety of activities including but not limited to: fashion shows, talent shows, block parties, gym jams, jazz cafés, poetry readings, apollo nights, lecturers, forums, gospel shows, pool parties, etc.
4. When COSA funds are used to support events that involve admission charges and/or ticket sales, these activities should be coordinated with the University Ticket Office. Ten percent (10%) of the profits from ticket sales and admissions will be applied to the COSA fund.

Appendix B

SEXUAL HARASSMENT POLICY

The policy of North Carolina Agricultural and Technical State University is that all employees and students, regardless of race, color, religion, sex or national origin, shall be free from sexual harassment from any University employee in connection with any University relationship or activity. No academic or personnel decisions shall be made on the basis of a granting or denial of sexual favors. All employees and students are guaranteed the right to work and/or study in an environment free from sexual harassment.

Sexual harassment is defined as deliberate, unsolicited and unwelcome verbal and/or physical conduct of a sexual nature or with sexual implications, which has or may have direct employment or academic consequences resulting from the acceptance or rejection of such conduct.

Verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- (a) Submission to such conduct is made either explicitly a term or condition of an individual's employment, academic or student status, or student status, or
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment, academic or other institutional decisions affecting such individual, or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an

individual's work performance, academic activities or student experience or creating an intimidating, hostile or offensive working, academic or student life environment [adapted from 29 CFR 1604.11(a)].

GRIEVANCE AND ADMINISTRATIVE PROCEDURES

Affirmation Action Committee

The committee, which hears complaints regarding sexual harassment, shall be the Affirmative Action Committee. The names, titles, addresses, and telephone numbers of the employees designated to coordinate the University's compliance with regard to sexual harassment and other Title IX matters are:

Mr. Robert Ussery
Assistant Vice Chancellor for Institutional Research Planning
North Carolina A&T State University
Dowdy Building, 3rd Floor
Greensboro, North Carolina 27411

1. Structure - The North Carolina Agricultural and Technical State University Affirmative Action committee shall consist of women and men faculty members and minority representation. The Chairperson and all members shall be appointed by the Chancellor.
2. Function - The Affirmative Action Committee is authorized to hear, mediate and advise with respect to the adjustment of grievances related to sexual harassment filed by any member of the University community, which requires a formal hearing.
3. The Chairperson as necessary shall call meetings. A quorum shall consist of at least 50 percent of the members.

Definition of Terms

A claimant shall be defined as the person or persons filing the complaint of sexual harassment. The person or persons charged with sexual harassment shall be referred to herein as the "charged". Together they shall be referred to as "Parties".

Process

All claimants shall utilize the internal grievance process described herein; however, this does not foreclose the option of claimant taking a grievance directly to the Equal Employment Opportunity Commission.

1. Internal Grievance Procedures

The Affirmative Action Officer shall be responsible for receiving and processing any and all complaints of alleged sexual harassment. Any member of the University community (including, but not limited to students, prospective students, employees, prospective employees and persons entitled to the services of the University) may file a complaint. Complaints may be formal or informal and may be made known either orally or in writing. Informal complaints may

be made orally to the Affirmative Action Officer, whereas formal complaints shall be filed on the Sexual Harassment Complaint Form. The initial investigation may lead to one of several steps.

- (a) The Affirmative Action Officer shall have five (5) business days within which to resolve the complaint informally through confidential mediation. Should the facts warrant, the Affirmative Action Officer might extend the time for informal resolution for five (5) business days by notifying all parties.
- (b) If, at the end of five (5) business days (or ten (10) business days in cases of extension), the Affirmative Action Officer has been unable to reach an informal resolution of the complaint, the Complainant shall have the option of filing a formal complaint with the Affirmative Action Committee of the University. The formal complaint process shall be as follows:
 - 1) Complete the Sexual Harassment Complaint Form in triplicate;
 - 2) Submit two (2) copies to the Affirmative Action Office of this University. The written complaint shall set forth in detail the nature of grievance and the person(s) against whom the grievance is directed.
 - c) The Affirmative Action Officer shall forward the complaint to the Affirmative Action Committee for recommended action within three (3) business days. The Affirmative Action committee shall schedule a hearing no more than thirty (30) business days after receipt of a complaint and shall convene a hearing within forty-five (45) business days of receipt of a complaint.

2. Rules of Procedures for Affirmative Action Committee Grievance Hearings

The Affirmative Action Committee Hearings are for the purpose of advising and fact-finding. The hearings shall be conducted in such a manner as to do substantial justice and shall not be unduly restricted by the rules of procedure or evidence.

- (a) The Chairperson of the Affirmative Action Committee shall fix a calendar of the hearings in a sexual harassment grievance proceeding after consultation with the parties. Herein "parties" include only the person or persons charging the sexual harassment discrimination and the person or persons so charged.
- (b) The hearings shall be confidential and private; unless otherwise agreed upon by both parties.
- (c) The charges and the evidence shall be presented by the complaint or a representative. This person may be an advisor or legal counsel and may be a member of the University community or an individual from outside the University. The claimant shall assume all cost(s) for his/her representation. Conversely, any defendant also has the right to be represented by legal counsel or any advisor.
- (d) The Committee may address questions to any party to the proceedings or to any witness called by parties or by the Committee. Either party may request the privilege of presenting witnesses, subject to the right of cross-examination by other parties.

The Chairperson may limit the number of witnesses to be heard. Each party is held responsible for notifying his/her witnesses of the date, time and place of the hearings; however, the Chairperson must be notified in writing one week prior to the hearing date of the names and addresses of all witnesses who will testify.

- (e) The Committee may also request the production of records of other exhibits.
- (f) An accurate record of all proceedings shall be made by the secretary for the Affirmative Action Committee. This record shall be made available under the supervision of the Affirmative Action Officer to all parties to the hearing. Records shall be maintained for a minimum of three years and not longer than five years.
- (g) At the end of the hearing, The Committee will make its recommendation in executive session.
- (h) The Affirmative Action Committee shall make a report to the Chancellor within five (5) business days. The report shall consist of:
 - (1) A report of the hearing, including a statement of the charges and the evidence presented; and
 - (2) The recommendation of the Committee and reasons therefore.

Final authority for the implementation of recommendation for corrective action shall be with the Chancellor. He/She may accept, reject or modify the decision of the Affirmative Action Committee and the Affirmative Action Officer. The Chancellor shall have fifteen (15) business days within which to decide the appeal. Parties shall be mailed notice of the Chancellor's decision within twenty (20) business days following receipt of the report. The decision of the Chancellor shall be final.

3. Appeal

Should grounds there under exist, the claimant may appeal the Chancellor's decision in the manner provided by Chapter 100.1, Section 502D (3) of THE CODE: BOARD OF GOVERNORS, THE UNIVERSITY OF NORTH CAROLINA.". A claimant claiming under this section must file a written notice of appeal with the Board of Trustees within ten (10) business days after receiving notification of the Chancellor's decision. This appeal shall be transmitted through the Chancellor and be addressed to the Chairperson of the Board. The appeal to the Board of Trustees shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members. The Board of Trustees, or its committee, shall consider the appeal on the written transcript of hearings held by the Grievance Committee (Affirmative Action Committee), but it may, in its discretion, hear such other evidence as it deems necessary.

The Board of Trustees' decision shall be made within one hundred twenty (120) business days after the Chancellor has received the employee's request for an appeal to the Trustees. However, if the claimant fails to comply with the schedule established for perfecting and processing the appeal, and thereby precludes a decision within one-hundred twenty (120) business days, the Board in its discretion may elect to dismiss the appeal. The decision shall be final except that the claimant may file a written petition for review with the Board of Governors if

he/she alleges that one or more specified provisions of The Code of University of North Carolina have been violated.

A claimant dissatisfied with a decision of the Board of trustees must file written notice of appeal with the Board of Governors by submitting such notice to the President, within ten (10) business days after the date of the decision of the Board of Trustees. If the Board of Governor's agrees to consider the appeal, it will do so on a schedule established by the President, subject to any instruction received from the committee of the Board, which has jurisdiction of the subject matter of the grievance. The Board will issue its decision within ninety (90) business days after the receipt of the notice of appeal, provided that if the employee fails to comply with the schedule established for perfecting and processing the appeal, and thereby precludes a decision within ninety (90) days, the Board in its discretion may extend the period for decision or it may dismiss the appeal.

REMEDIAL ACTION

In an effort to prevent and/or eliminate sexual harassment at this institution, steps shall be taken to assure that all students and University employees are aware of the existing policy. Steps shall also be taken to assure all students and University employees that sexual harassment will not be condoned and will be met with swift and appropriate discipline. The victim will be protected from reprisals. Furthermore, all students and University employees will be made aware of their right to raise the issue of harassment and of the procedures for filing a complaint.

In the event that the Affirmative Action Committee determines that discriminatory conduct, in the form of sexual harassment, has taken place, it will be the responsibility of the Committee to make recommendations to the Chancellor for appropriate redress for the victim and disciplinary action for the offender. Contingent upon the nature of the offense, reprisal may range from a formal reprimand to termination of employment. These recommendations shall be included in the Committee's report to the Chancellor. The Chancellor will have final authority for implementing recommendation for remedial action.

Appendix C

ADA/504 GRIEVANCE PROCEDURES

The University has adopted an internal procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to: **Director of Veteran and Disability Support Services, 005 Murphy Hall, North Carolina A&T State University, Greensboro, NC 27411, 334-7765**, who has been designated to coordinate ADA compliance efforts.

1. A complaint shall be filed in writing and contain the name and address of the person filing it along with a brief description of the alleged violation of the regulations.
2. A complaint should be filed within **ten (10) working days** after the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of complaint. A hearing