



NOTICE OF NONDISCRIMINATION

Effective Date: August 1, 2024

As required by the Department of Education 2024 Title IX Final Rule.

The University does not discriminate on the basis of sex and prohibits sex discrimination in any of its education programs or activities, including in admissions and employment.

Elizabeth City State University seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting discrimination in public post-secondary education institutions. The University **does not discriminate** against any employee, applicant for employment, student, or applicant for admission **on the basis of any actual or perceived protected characteristic** under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution or other agency.

This Notice covers employment and access to educational opportunities. Any member of the University community whose acts deny, deprive, unreasonably interfere with or limit the education or employment opportunities of any member of the University community, guest, or visitor **on the basis of that person's actual or perceived protected characteristic(s)**, is in violation of University policy.

The University will promptly and effectively address any such discrimination of which it has Knowledge/Notice using the resolution process in the Complaint Resolution Procedures and/or Nondiscrimination Procedures.

This Notice applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the University's program or activities, including education and employment.

NONDISCRIMINATION TEAM

The University has appointed the following offices and/or individual(s), to coordinate compliance with federal, state, and local nondiscrimination laws, regulations and policies.

For discrimination and harassment allegations [not based on sex]:

Office of Human Resources

hr@ecsu.edu

titleixcoordinator@ecsuh.edu

[Nondiscrimination Report](#)

For sex-based discrimination and sex-based harassment allegations:

Title IX Office

Brittany Whidbee Clinton

Director of Title IX Compliance

titleixcoordinator@ecsuh.edu

[Maxient Report Form](#)

The Title IX Office is responsible for providing comprehensive nondiscrimination education and training; coordinating the University's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under the University's Nondiscrimination Policies; and monitoring the effectiveness of University's Nondiscrimination Policies and related procedures to ensure an education and employment environment free from discrimination, harassment, and retaliation.

Allegations under the University's Nondiscrimination Policies may include multiple forms of discrimination and harassment as well as violations of other University policies; may involve various combinations of students, employees, and other members of the University community; and may require the simultaneous attention of multiple University departments. All University departments will collaborate, to the maximum extent permitted by law and consistent with other applicable University policies, to provide uniform, consistent, efficient, and effective responses to alleged prohibited conduct under the University's Nondiscrimination Policies.

REPORTS AND COMPLAINTS

A Report provides notice to the University of an allegation or concern about discrimination, harassment, or retaliation and provides an opportunity for the University to provide information, resources, and supportive measures.

A Complaint provides notice to the University that the Complainant would like to initiate an investigation or other appropriate resolution procedures. Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

1. Give written or verbal Notice directly to any member of the Nondiscrimination Team. Such Notice may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office of the Director of Title IX Compliance or any other Nondiscrimination Team member.
2. Submit online Notice using the [Nondiscrimination Report](#). Anonymous Notice is accepted, but the Notice may give rise to a need to try to determine the Parties' identities. Anonymous Notice may limit the University's ability to investigate, respond, and provide remedies. It may not be possible to provide supportive measures to Complainants who are the subject of anonymous Notice.

Reporting does not require an individual to initiate a Complaint. When appropriate, the University will respect a Complainant's request not to initiate a resolution process. Circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, may require the University to initiate a resolution process.

If a Complainant does not wish to file a Complaint, the University will maintain the privacy of information to the extent possible. The Complainant should not fear a loss of confidentiality by giving Notice that allows the Recipient to discuss and/or provide supportive measures, in most circumstances.

There is no time limitation on providing Notice/Complaints to the University. However, if the Respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Reports or Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the University's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

MANDATED REPORTERS

Any non-confidential employee who has the following authority or responsibility is considered a mandated reporter and is obligated to notify the Title IX Coordinator.

- i. Authority to take corrective action on behalf of the recipient or
- ii. Responsibility for administrative leadership, teaching, or advising in the recipient's education program or activity

Mandated Reporters must promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal University action.

Complainants may want to carefully consider whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Chief Title IX Coordinator.

OTHER EMPLOYEE OBLIGATIONS

All other non-confidential employees are obligated to either notify the Title IX Coordinator or provide the contact information of the Title IX Coordinator and information about how to make

a complaint of sex discrimination to any person who provides the employee with information about conduct that reasonably may constitute sex discrimination.

FAILURE TO REPORT

Failure of a Mandated Reporter, as described above, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of Elizabeth City State University Policy and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under University Policy.

CONFIDENTIAL RESOURCES

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with Confidential Resources. Reports shared with a **Confidential Resource** will not be disclosed, including to the University. Any individual may choose to seek support from confidential professionals on and off campus, including counselors, medical health providers, clergy, or rape crisis counselors.

The University's trained professionals designated below can provide counseling, information, and support in a confidential setting. These Confidential Resources will not share information about an individual (including whether that individual has received services) without the individual's express permission, unless there is a continuing threat of serious harm to the patient/client or to others or there is a specific obligation to reveal such information (*e.g.*, suspected abuse or neglect of a minor). These professionals are also available to help an individual make a report to the University.

Student Health Services

Phone: 252-335-3267

Location: Griffin Hall

ckeyes@ecu.edu

Counseling and Personal Development

Phone: 252-335-3275

Location: Griffin Hall

counselingcenter@ecu.edu

REPORTS TO LAW ENFORCEMENT

The University encourages victims to inform law enforcement of incidents of Sexual Misconduct or Relationship Misconduct. ECSU's University Police will help any individual contact another law enforcement agency and offer information about the University's resources and processes.

DISABILITY ACCOMMODATIONS

The University will provide reasonable accommodation due to a qualifying disability to ensure individuals can participate in the resolution of alleged prohibited conduct under the University's Nondiscrimination Policies and associated procedures. Students should contact ada504-coordinator@ecsu.edu or visit [Accessibility Services](#) (linked) for disability-related accommodation. Employees should contact Employee Relations [Employee Relations](#) (linked) for disability-related accommodation.

PARENTAL, FAMILY, OR MARITAL STATUS; PREGNANCY OR RELATED CONDITIONS

The University does not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. When a student, or a person who has a legal right to act on behalf of the student, informs any University employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the recipient's education program or activity.

The University must take specific actions to promptly and effectively prevent sex discrimination and ensure equal access to the University's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions.

REVISION OF THIS NOTICE

This Notice succeeds previous policies addressing discrimination, harassment, sexual misconduct, and/or retaliation, though previous policies and procedures remain in force for incidents occurring before August 1, 2024. The University reviews and updates these policies and procedures regularly. The University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

This Notice is effective August 1, 2024.