

NC STATE UNIVERSITY

NC State University Board of Trustees Meeting

July 18, 2024

Dorothy and Roy Park Alumni Center

2450 Alumni Drive, Raleigh, NC 27606

Ed Weisiger, Jr., Acting Chair

Members: Marie Arcuri, Derick Close, Erik Dixon, Jim Harrell, David Herring, Jim Holmes, Tim Humphrey, Ghazale Johnston, Wendell Murphy, Ven Poole, David Powers, Perry Safran, Ed Stack, Allison Markert

NC STATE UNIVERSITY

Meeting Book - NC State University Board of Trustees Meeting

Meeting Agenda

3:00 p.m.

1. Call to Order, Public Meeting Notice and Reading of Ethics Statement

Ed Weisiger, Jr., Acting Chair

A. Ethics Statement

2. Roll Call

Maggie Thompson, Interim Assistant Secretary

3. Executive Summary - Open Session

A. July 2024 Executive Summary - Open Session

4. Approval of Minutes

Ed Weisiger, Jr., Acting Chair

Action Items for Full Board

A. April 2024 DRAFT Full Board Open Minutes

B. June 2024 DRAFT Full Board Open Minutes

5. Chair's Report

Ed Weisiger, Jr., Acting Chair

A. POL 01.10.01 Board of Trustees of the Endowment Board

Action Item for Full Board

a. Redlined POL 01.10.01

6. Buildings and Property Committee Report

Ven Poole, Committee Chair

Action Items for Full Board

A. Acquisition by Lease. Approval of a space lease for the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center ("FREEDM") on Centennial Campus

Action Item for Full Board

a. 2024.06.14 FREEDM BOT Package

B. Acquisition by Lease. Approval of a space lease for

Action Item for

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|--|--|
| <p>the Biomufacturing Training and Education Center ("BTEC") Annex on Centennial Campus</p> | <p>Full Board</p> |
| <p>a. 2024.06.14 BTEC BOT Package</p> | |
| <p>C. Acquisition by Lease. Approval of an amendment to an existing space lease for The North Carolina Institute for Climate Studies ("NCICS") located in Asheville, NC.</p> | <p>Action Item for Full Board</p> |
| <p>a. 2024.06.14 NCICS BOT Package</p> | |
| <p>D. Disposition by License Agreement. Approval of an extension to the License Agreement for the Distributed Antenna and Fiber System at Carter Finley Stadium</p> | <p>Action Item for Full Board</p> |
| <p>a. 2024.06.14 Carter Finley DAS BOT Package</p> | |
| <hr/> | |
| <p>7. University Affairs Committee Report Derick Close, Acting Committee Chair</p> | <p>Action Items for the Full Board</p> |
| <p>A. Request to Discontinue Academic Programs (due to consolidation)</p> | <p>Action Items for Full Board</p> |
| <p>a. Program Summary - Request to Discontinue M.S. in Mathematics Education</p> | |
| <p>b. Program Summary - Request to Discontinue M.S. in Technology Education</p> | |
| <p>B. Policy Actions</p> | <p>Action Items for Full Board</p> |
| <p>a. POL 11.35.01 Code of Student Conduct - Revisions</p> | |
| <p>b. POL 04.25.05 Equal Opportunity, Non-Discrimination, and Affirmative Action Policy (Revised - Now includes POL 04.25.07)</p> | |
| <p>c. POL 04.25.07 Title IX Sexual Harassment Policy (Combined into POL 04.25.05)</p> | |
| <hr/> | |
| <p>8. NC State University Board of Trustees Officer Elections Ed Weisiger, Jr., Acting Chair</p> | <p>Action Item for Full Board</p> |
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| <p>9. Nomination of Executive Committee At-large Members Chair of the Board of Trustees</p> | <p>Action Item for Full Board</p> |
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| <p>10. Closed Session Chair of the Board of Trustees</p> | |
| <hr/> | |

12. Return to Open Session
Chair of the Board of Trustees

13. Adjourn
Chair of the Board of Trustees



NORTH CAROLINA STATE ETHICS COMMISSION

SAMPLE¹

ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER

(to be read by the Chair or his or her designee at the beginning of each meeting)

In accordance with the State Government Ethics Act, it is the duty of every [Board] member to avoid both conflicts of interest and appearances of conflict.

Does any [Board] member have any known conflict of interest or appearance of conflict with respect to any matters coming before the [Board] today?

If so, please identify the conflict or appearance of conflict and refrain from any undue participation² in the particular matter involved.

Rev. 1-16-07

¹ N.C.G.S. §138A-15 (e): “At the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest and appearances of conflict under [Chapter 138A].” There is no set language required by the Act. Specific language can and should be tailored to fit the needs of each covered board as necessary.

² “A public servant shall take appropriate steps, under the particular circumstances and considering the type of proceeding involved, to remove himself or herself to the extent necessary, to protect the public interest and comply with this Chapter, from any proceeding in which the public servant’s impartiality might reasonably be questioned due to the public servant’s familial, personal, or financial relationship with a participant in the proceeding.” See N.C.G.S. §138A-36 (c). If necessary, the Chairman or individual member involved should consult with his ethics liaison, legal counsel, or the State Ethics Commission to help determine the appropriate response in a given situation.



Executive Summary for
the Full Board of Trustees
July 18, 2024

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Agenda Item: Open and Closed Session Minutes of the April 26, 2024 meeting and the June 19, 2024 meeting of the NC State University Board of Trustees

Presenter: *Ed Weisiger, Jr., Chair*

Summary: The open session minutes and the closed session minutes from the April 26, 2024 meeting and the June 19, 2024 meeting are presented for approval.

Action: Full Board approval

Agenda Item: POL 01.10.01 Board of Trustees of the Endowment Board

26

Presenter: *Ed Weisiger, Jr., Chair*

Summary: Revisions to POL 01.10.01 - Board of Trustees of the Endowment Board - are presented for approval. The revisions improved clarity and accuracy, and promote continuity in membership for increased efficiency.

Action: Full Board approval

Agenda Item: Four Property Matters

32

Presenter: *Trustee Ven Poole, Committee Chair*

Summary: Request for approval for property matters of acquisition by lease for both the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center ("FREEDM") and the Biomanufacturing Training and Education Center ("BTEC") Annex on Centennial Campus, an amendment to an existing space lease for The North Carolina Institute for Climate Studies ("NCICS") and disposition by license agreement for the Distributed Antenna and Fiber System at Carter Finley Stadium.

Action: Full Board approval

Agenda Item: Request to Discontinue – M.S. in Mathematics Education and M.S. in Technology Education.

50

Presenter: *Trustee Derick Close, Acting Committee Chair*

Summary: Request to Discontinue Academic Programs - M.S. in Mathematics Education and M.S. in Technology Education - as these programs are being consolidated into an existing degree program.

Action: Full Board approval

Agenda Item: POL 11.35.01 - Code of Student Conduct (Revised) 54
Presenter: *Trustee Derick Close, Acting Committee Chair*
Summary: NC State's Code of Student Conduct is currently a Policy approved by the Board of Trustees. This Policy, entitled "Student Conduct," is being updated to 1) describe the purpose of the Code of Student Conduct; 2) reflect that the Board of Governors has delegated responsibility for regulating student affairs and student conduct to the Chancellor, and 3) confirm that the Office of Student Conduct is responsible for maintaining the Code of Student Conduct. The Code of Student Conduct will be contained in a newly created Regulation, REG 11.35.05, and establishes the standards and expectations for student behavior at the University. This revised Policy and new Regulation will allow the institution to implement changes to the Code of Student Conduct quickly and efficiently to comply with and reflect all applicable laws, policies, and current practices.

Action: Full Board approval

Agenda Item: Policy 04.25.05 - Equal Opportunity, Non-Discrimination, and Affirmative Action (Revised) 76
Presenter: *Trustee Derick Close, Acting Committee Chair*
Summary: The Equal Opportunity, Nondiscrimination, and Affirmative Action Policy 04.25.05 is being updated (1) to continue to comply with federal Title IX regulations and (2) to update language relating to discrimination on the basis of national origin (Title VI). With this action, we are combining Policy 04.25.07 Title IX Sexual Harassment into Policy 04.25.05 as we no longer need two separate policies. Procedures for addressing complaints of discrimination, harassment and/or retaliation for the specific protected categories under Policy 04.25.05 are being revised and updated.

Action: Full Board approval

Agenda Item: Policy 04.25.07 Title IX Sexual Harassment (Combined into Policy 04.25.05) 85
Presenter: *Trustee Derick Close, Acting Committee Chair*
Summary: As noted above, Policy 04.25.07 Title IX Sexual Harassment is being combined into Policy 04.25.05 Equal Opportunity, Non-Discrimination, and Affirmative Action, therefore two separate policies are no longer needed.

Action: Full Board approval

DRAFT
OPEN SESSION MINUTES
Board of Trustees
North Carolina State University
Raleigh, North Carolina
April 26, 2024

The North Carolina State University Board of Trustees met in regular session on Friday, April 26, 2024. Trustees attended the meeting in the Hood Board Room, located in the Park Alumni Center.

Members present: Edward I. Weisiger, Jr., Chair
Marie F. Arcuri
Derick S. Close
Erik L. Dixon
James A. Harrell
James L. Holmes
Wendell H. Murphy
Ven Poole, III
David M. Powers
Perry Safran
Edwin J. Stack, III
Timothy Reid, ex officio

Members absent: David D. Herring
Timothy Humphrey
Ghazale Johnston

Chair Weisiger called the meeting to order at 10:00 a.m. and a quorum was present.

Chair Weisiger thanked everyone for attending the meeting. Chair Weisiger reminded those in attendance that while the full Board meeting is a public meeting, it is not a meeting for public comment and only those on the agenda will be permitted to speak. He asked that all Trustees identify themselves before making or seconding a motion. Chair Weisiger asked if any members of the media were present and the following introduced themselves: Pritchard Strong from WRAL, Chip Alexander and Korie Dean with *The News & Observer*, Kate Denning and Ben McNeely with *The Technician*, and Noah Fleischman with *The Wolfpacker*. Chair Weisiger also reminded all members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act and inquired as to whether there were any known conflicts of interest or appearances of conflict with respect to any matters coming before the board at this meeting.

Board of Governors Liaison Alex Mitcheel was not in attendance.

MINUTES

Chair Weisiger asked for a motion to approve the open and closed session minutes of the February 16, 2024 meeting of the full Board. Trustee Stack made the motion and Trustee Dixon seconded. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

CHAIR’S REPORT – CHAIR WEISIGER

Chair Weisiger began his report by recognizing Dr. Paula Gentius for her service to the Board as Assistant Secretary. Chair Weisiger expressed appreciation for the work she has done and wished her well in her new position at Wake Forest University.

Chair Weisiger expressed his gratitude to all of the Trustees and members of the university administration for their diligence and work to continue to make NC State a great university. He thanked the Trustees for converting to NCSU email accounts to ensure that the business of the board is done effectively. Chair Weisiger reminded the group that the BOT summer meeting will be held on Thursday, July 18, 2024 at 3:00 p.m. This meeting will be a brief session to conduct officer elections and address any board matters at hand. President Hans will also be joining the meeting, as well as the new Board of Governors Chair, to share a general overview of the UNC policy on chancellor searches. Chair Weisiger also reported that discussions about a Board of Trustees retreat will continue after the officer elections take place in July.

Chair Weisiger reminded the Trustees about the Chancellor’s upcoming Biennial Review, which he first notified them about on April 8, 2024. This 2-year review is required under UNC Policy Manual section 200.4, which establishes a process of formal reviews for each chancellor. The biennial review includes input from the Board of Trustees and begins with the Chancellor providing a self-assessment. Trustees will receive a survey on May 27, 2024 and will have until June 3, 2024 to complete it. Chair Weisiger stressed the importance of completing the surveys as Trustee feedback is critical to the success of this process. Chair Weisiger stated that Trustees will meet virtually on Wednesday, June 19, 2024 at 2:00 p.m. in closed session to conduct the review. He thanked the Trustees for their participation and support in advance.

Chair Weisiger then reported that the Executive Committee met earlier this morning and is recommending that the Board consider and act on a proposed Board Resolution on the Reaffirmation of Academic Freedom, Freedom of Speech, and Institutional Neutrality. Chair Weisiger reported that NC State has a history of embracing freedom of inquiry, speech, thought, and academic freedom. With current concerns about lack of civil discourse and freedom of speech that are prevalent on college and university campuses, NC State must remain vigilant in its protection, defense, and advancement of free speech, academic freedom, free and open inquiry, and free expression. The Chicago Principles provides a framework and vision for embracing the university’s role as an independent convener of ideas and thought and has been adopted by several universities.

The Executive Committee believes that this is an appropriate time for the NC State Board of Trustees to affirm its commitment to this framework and to reaffirm its position in support of promoting and protecting free speech, freedom of expression, free and open inquiry, academic freedom, and institutional neutrality. As such, Chair Weisiger asked the Board for a motion to approve the Resolution provided in their board materials reaffirming the NC State University Board of Trustees’ commitment to, and support of, these ideals.

Trustee Poole made the motion, seconded by Trustee Close, to adopt this resolution on the reaffirmation of Academic Freedom, Freedom of Speech and Institutional Neutrality. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

Chair Weisiger then asked Assistant Secretary Gentius to read the resolution into the record:

**RESOLUTION ON THE REAFFIRMATION OF ACADEMIC FREEDOM, FREEDOM OF SPEECH, AND
INSTITUTIONAL NEUTRALITY**

WHEREAS, the University of North Carolina System and its constituent universities are "dedicated to the transmission and advancement of knowledge and understanding" and each recognizes that "academic freedom is essential to the achievement of these purposes;" and

WHEREAS, academic freedom, free speech and free expression are fundamental to the mission and purposes of NC State University; and

WHEREAS, free thought, expression, inquiry and dialogue continue to be critical to achieving the university's mission in disseminating knowledge while promoting civil and respectful discourse and the Board of Trustees believes it should reaffirm these values, and in turn expects faculty, staff, and students to promote a positive culture of academic excellence in alignment with those values; and

WHEREAS, NC State supports, encourages and upholds the freedom of inquiry for students, faculty and staff, to the end that they may pursue their goals responsibly through teaching, learning, research, discussion and publication without restraints that would unreasonably restrict their academic endeavors; and WHEREAS, the Board of Trustees recognizes that, as articulated in the University of Chicago Kalven Committee Report on the University's Role in Political and Social Action (the "Kalven Report"), "neutrality as an institution has its complement in the fullest freedom for its faculty and students as individuals to participate in political action and social protest," and reinforces that university neutrality provides "a forum for the most searching and candid discussion of public issues", but that in extraordinary circumstances, NC State also has a duty to speak to defend the University's mission; and

WHEREAS, the Board of Trustees also recognizes its obligations under federal law, North Carolina state Law, UNC Board of Governors Policy, and NC State Policies, Regulations and Rules;

THEREFORE BE IT RESOLVED:

The Board of Trustees of North Carolina State University reaffirms its commitment to academic freedom and freedom of expression, and to institutional neutrality on the political and social issues of the day, as embodied in, and in compliance with, federal and state laws, University of North Carolina and NC State University Policies.

Chair Weisiger then reminded Trustees of their responsibility to make appointments for the Board of Trustees of the Endowment Fund. The Endowment Board by-laws call for 6 members to be appointed by our Board of Trustees to a 3-year term, with 2 members appointed each year. Chair Weisiger stated the terms of Tom Cabaniss and Michael Lawrence expire effective June 30, 2024. They are both eligible for reappointment. Chancellor Woodson and Executive Vice Chancellor for Finance and Administration Charlie Maimone have recommended and support the reappointment of Tom and Michael.

Chair Weisiger asked for a motion to approve the reappointments of Tom Cabaniss and Michael Lawrence to the Endowment Fund Board for 3-year terms beginning July 1st, 2024. Trustee Murphy made the motion, seconded by Trustee Harrell, to approve the appointments of Tom Cabaniss and Michael Lawrence to the Endowment Fund Board. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |

Weisiger AYE

The motion passed.

This concluded Chair Weisiger's report.

CHANCELLOR'S REPORT – DR. RANDY WOODSON

Chancellor Woodson began his report by thanking the group for their reaffirmation of free speech to ensure that our policies are in complete alignment with the State of North Carolina and the UNC System Office. Chancellor Woodson then thanked all of the Trustees who supported the Women's and Men's basketball teams at their Final Four games a few weeks ago. It was an extraordinary time for the university, and the support of the Trustees was greatly appreciated. He also thanked Athletic Director Boo Corrigan, all the coaches, the amazing student-athletes and the Wolfpack fans.

Chancellor Woodson then discussed leadership updates. He recognized Assistant Secretary Dr. Paula Gentius as she was attending her last meeting. She accepted a position with Wake Forest University, effective June 1, 2024. Chancellor Woodson thanked her for her hard work and dedication to NC State and to the Board of Trustees for the last four years. Chancellor Woodson then introduced Lisa Marie Ferrell, NC State's new Chief Communications and Marketing Officer and Associate Vice Chancellor for Communications and Marketing.

Chancellor Woodson reported that in March, NC State underwent a very important step in the reaffirmation of accreditation process with a visit and review from SACSCOC, the Southern Association of Colleges and Schools Commission on Colleges. Chancellor Woodson stated that preparing for this visit required support from several divisions of the university, especially from the Office of Assessment and Accreditation, and he expressed his gratitude to Vice Provost Fashaad Crawford and his team for helping coordinate this monumental effort, as well as to all those who contributed to this process across the university. Chancellor Woodson also thanked Chair Weisiger and Vice Chair Stack, as well as Board of Governors Chair Randy Ramsey and Vice Chair Wendy Murphy, for participating in the visit. Chancellor Woodson stated that we expect to receive positive reaffirmation results in December of 2024.

Chancellor Woodson reported that the campus is very busy. Current students are preparing for finals, and prospective students and their families are visiting campus. Chancellor Woodson shared that this year, the university received more than 44,000 applications for first-year students, once again breaking our previous record. The university has admitted almost 18,000 students for the 2024-2025 academic year, all with impressive accomplishments from across the state, nation and world.

Chancellor Woodson gave an update on the upcoming Commencement Ceremony, which will be held in PNC Arena on Saturday, May 4, 2024. NC State will award two honorary degrees during the ceremony: an honorary doctor of humane letters to Dr. Jim Owens and an honorary doctor of sciences to Dr. David McMillan. Dr. McMillan will also serve as our Commencement speaker. Ben Poovey, a Poole College of Management student, will be the student speaker. Woody White will bring remarks on behalf of the Board of Governors and the UNC System. On Friday, May 3, 2024 a Commencement Dinner for the platform party will be held.

Chancellor Woodson then recognized Mladen Vouk and our recent research efforts. NC State continues to be known for its advancements in research – a focus that has been growing exceptionally in recent years. The research expenditures we report to the National Science Foundation for the HERD survey, which is an annual census of U.S. colleges and universities that expended at least \$150,000 in R&D during the fiscal year, continue to grow. Since 2017, these numbers have consistently been over \$500 million. Last year, we reported over \$583 million. This year, we expect to report more than \$630 million, which is a significant increase. The university has gone from under \$300 million to over \$600 million in 10 years, but have not kept pace with administrative needs for those faculty members. Chancellor Woodson stated that we have created a task force with Alyson Wilson to address this issue.

Before concluding his report, Chancellor Woodson recognized our new and former Student Body Officers. Timothy Reid concluded his service as Student Body President in late March. Mr. Reid will continue to serve as a member of the Board of Trustees until the new Student Body President takes her oath as a Trustee in May. Margaret Baker, president of the Graduate Student Association for 2023-2024, was also

attending her last Board of Trustees meeting. Chancellor Woodson thanked both of these student leaders for their dedication and leadership over the past year.

Chancellor Woodson closed his report by thanking the Trustees for their continued leadership and support of NC State and expressed gratitude for having such engaged and dedicated Trustees as part of the university.

That concluded the report from Chancellor Woodson.

COMMITTEE REPORTS

BUILDINGS AND PROPERTY COMMITTEE – COMMITTEE CHAIR VEN POOLE

The Buildings and Property Committee met on April 25, 2024 and a quorum was present. The Committee reviewed and approved the February 15, March 6, and March 20, 2024 open session meeting minutes.

The Committee reviewed and approved one property matter for Full Board approval.

Disposition by ground lease: requesting approval of a ground lease to CBC Land I, LLC (an Associated Entity of NC State University) to facilitate a new sub-ground lease to the North Carolina State University Club.

Committee Chair Poole asked for approval of this Disposition by Ground Lease and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

The Committee reviewed and approved ten designer selections of \$2 million or less since the February 15, 2024 meeting. The Committee reviewed and approved one designer selection at the March 6 special meeting, one designer selection and the 2024 to 2025 open-ended service agreement designer selections at the March 20 special meeting, and one designer selection at the April 25 regular meeting. At the March 20 special meeting, the Committee reviewed and approved three non-appropriated capital improvement projects that are each less than \$750,000. The Committee also reviewed and approved 28 completed buildings and projects accepted at the combined value of \$11,222,006, and the Dabney Hall Renovation plan at the April 25 regular meeting.

The Committee also reviewed and approved the proposed changes to parking and transportation ordinances for 2024-2025. Committee Chair Poole made a motion for approval of the policy changes to the 2024 to 2025 parking and transportation ordinances and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

The Committee also received informational reports regarding the Capital Projects, Status of Projects in Planning, the Innovation District, and the Veteran Memorial Garden.

That concluded Committee Chair Poole's report from the Buildings and Property Committee.

UNIVERSITY ADVANCEMENT AND EXTERNAL AFFAIRS COMMITTEE – CHAIR ED STACK

The Advancement and External Affairs Committee met on Thursday, April 25, 2024 with a quorum present. The Committee then approved minutes from the February 15, 2024 meeting, in addition to reviewing and recommending for full board approval four naming opportunities proposals: one for the College of Agriculture and Life Sciences, one for the College of Engineering, one for the College of Natural Resources, and one for the NC State University Libraries. Committee Chair Stack made a motion for approval of the four naming opportunity proposals and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

The Committee then reviewed and recommended for full board approval the Real Estate Development Program naming opportunities proposal. Committee Chair Stack asked for approval of the one naming opportunities proposal and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

Vice Chancellor Brian Sischo introduced the new Chief Communications and Marketing Officer, Lisa Marie Ferrell, before providing a recap of the sixth annual Day of Giving. Supporters of the Wolfpack contributed to raising an impressive \$46,622,214. Notably, this year's Day of Giving achieved a historic milestone with the highest number of gifts, totaling 21,920. The total number of donors also reached a record high, with 12,314 individuals contributing, including 1,938 new donors. Support for the Day of Giving extended across all 50 states, 99 counties in North Carolina, and 20 countries.

Vice Chancellor Julie Smith provided an update on the legislative short session that just began, highlighting the state's revenue outlook and the budget priorities of the UNC System. She was joined by Associate Vice Chancellor for Partnerships Dr. Mark Schmidt who gave an update on the recent activities and accomplishments of the Partnerships Office, which is responsible for growing industry, government and nonprofit partnerships both on Centennial Campus and across NC State.

Associate Vice Chancellor Jeff Baynham provided a comprehensive review of Advancement Services for fiscal year 2023, offering detailed insights into gifts and records management, prospect development, advancement information technology, and advancement training. During the review, he announced the

upcoming launch of the new CRM system, Lobo, scheduled for September 30, which is anticipated to improve staff productivity and engagement. Additionally, Associate Vice Chancellor Baynham concluded his presentation by highlighting the significance of prospect research in the gift cycle and discussing the valuation of naming opportunities.

The Committee met in closed session and approved three donor naming requests: one for the College of Engineering, one for the College of Natural Resources, and one for the Office of the Executive Vice Chancellor and Provost. Finally, in closed session discussion, the Committee approved one donor naming request: one for the Office of the Executive Vice Chancellor and Provost.

That concluded Committee Chair Stack's report from the University Advancement and External Affairs Committee.

UNIVERSITY AFFAIRS COMMITTEE – CHAIR JIM HARRELL

The University Affairs Committee met on Thursday, April 25, 2024 with a quorum present. Under the consent agenda, the Committee approved the February meeting minutes; conferral of tenure actions; time limited options for distinguished professorships; and discontinuation of the Doctor of Education (Ed.D.) in Agricultural and Extension Education. With the recent approval of the new Ph.D. program in Agricultural Education and Human Sciences, the Department of Agricultural and Human Sciences is now seeking to move forward with the discontinuation and consolidation of the Ed.D. in Agricultural and Extension Education. The Ph.D. will replace the Ed.D. Current student who do not wish to transition to the Ph.D. program will be permitted to complete the Doctor of Education degree. Committee Chair Harrell asked for approval of the discontinuation of the Doctor of Education in Agricultural and Extension Education and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

The Committee also approved an updated bonus structure for football and recommended a new policy for approval. The new Faculty Workload policy has been drafted to comply with System Office requirements. The UNC System Office Workload Policy 400.3.4 requires every constituent institution to create a workload policy and have it approved by the Board of Trustees. The campus process for developing this policy included a working group of Faculty Senators, Academic Department Heads, and representatives from the Office of General Counsel and the Provost's Office. Committee Chair Harrell asked for approval of the New Faculty Workload policy and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

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|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

Committee Chair Harrell reported that the committee received several updates. Chancellor Woodson provided an update on May commencement activities. Commencement will be held on Saturday, May 4, at 9:00 a.m. in PNC Arena. Two honorary degrees will be awarded during the commencement ceremony: an honorary doctor of humane letters to Dr. Jim Owens and an honorary doctor of sciences to Dr. David MacMillan. Jim Owens is a highly respected businessman, advisor and former CEO of Caterpillar Inc. David MacMillan is the James S. McDonnell Distinguished University Professor at Princeton University, where he teaches chemistry and leads research promoting the development of novel chemistry. For his impressive scientific record, David has received several awards, including the 2021 Nobel Prize in Chemistry. Professor MacMillan will also serve as our keynote speaker.

In his report, Provost Arden informed the Committee of distinguished professorship appointments that have been awarded this academic year.

The Committee received updates from the Faculty and Staff Senates and the Graduate Student Association on discussion topics and current initiatives. As they transitioned out of their roles, Committee Chair Harrell thanked Alan Porch, Staff Senate Chair, and Margaret Baker, Graduate Student Association President, for keeping the Committee informed of the important work being done by their organizations.

The Committee was made aware of several required annual reports that are included in the materials. These include the UNC System Office required annual reports on Diversity and Inclusion, Intercollegiate Athletics and Nepotism. In addition, from the Office of Enrollment Management and Services, the annual reports on students requiring special consideration and residency for full scholarship undergraduate students are also included. The final notification included degree program updates. On behalf of the Committee, Chair Harrell thanked all the units involved for their efforts in developing these annual reports.

In Closed Session, the Committee discussed a head coach employment agreement, a petition for political activity and a salary adjustment for an SAAO Tier I dean position. Upon returning to Open Session, these items were approved by the Committee. The Committee also discussed honorary degree recommendations. These recommendations will be considered by the Full Board in closed session at the conclusion of this meeting.

That concluded Committee Chair Harrell's report from the University Affairs Committee.

AUDIT, RISK MANAGEMENT AND FINANCE COMMITTEE – ACTING CHAIR PERRY SAFRAN

The Audit, Risk Management and Finance Committee met on Thursday, April 25, 2024 and a quorum was present. The Committee approved the minutes from the February 15, 2024 meeting. Executive Vice Chancellor Charles Maimone presented the FY24-25 All-Funds Budget Plan, which was recommended by the Committee for full board approval. Acting Committee Chair Safran asked for approval of the FY24-25 All-Funds Budget Plan and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

| | | | |
|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

Acting Committee Chair Safran also reported that Vice Chancellor and Chief Information Officer Marc Hoit presented revisions to Policy 08.00.01 Use of IT Resources, which was recommended by the Committee for full board approval. Acting Committee Chair Safran asked for approval of the revisions to Policy 08.00.01 Use of IT Resources and a second was not required. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

| | | | |
|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

Acting Committee Chair Safran also shared that the Committee received several reports. Internal Audit Director Cecile Hinson presented the proposed Fiscal Year 2025 Audit Plan, which was approved. Ms. Hinson also provided a quarterly update on Internal Audit activity since the last meeting.

Executive Vice Chancellor Charles Maimone presented the FY24 quarterly All-Funds Operating Budget Summary. The Committee reviewed this year's actual performance against the approved budget for the third quarter of the fiscal year.

Associate Vice Chancellor for Finance and University Treasurer Dana Harris presented the Annual Review of Associated Entities to satisfy the annual associated entity review required by the Board of Governors. All audits were sent to the UNC System Office and copies of the audits were made available to the Board via hyperlinks in the materials. There were no audit findings or management letters issued for the fiscal 2023 audits. Vice Chancellor Harris also provided results from the NACUBO June 30, 2023, study of endowments. A summary of these results was also in the Audit, Risk Management and Finance Committee materials. Finally, Vice Chancellor Harris provided the Committee with a debt update, which included a ten-year debt outstanding history and future borrowings. She also discussed the university's credit ratings, which remain stable, and the UNC System Office's debt affordability study from fiscal year 2023.

Vice Chancellor and General Counsel Allison Newhart presented an update on the University's Strategic Enterprise Risk Management (ERM) process. Vice Chancellor Newhart provided an overview of the University's ERM process and the results of the ERM survey and presented the top 10 risks identified for FY 24-25. Vice Chancellor Newhart also shared next steps for classifying, reporting, and mitigation of identified risks.

That concluded Acting Committee Chair Safran's report from the Audit, Risk Management and Finance Committee.

BOARD OF VISITORS REPORT, JIM HANSEN, CHAIR

Chair Hansen was unable to attend the Board meeting but provided a report to the Board of Trustees in its meeting materials.

STUDENT GOVERNMENT REPORT - TIMOTHY REID, PRESIDENT

President Reid reported that Student Government is currently in a period of transition as the organization shifts from the 103rd Session to the 104th Session.

In March, campus-wide elections were held and a new group of Student Body Officers were sworn in. The focus and top priority over the past month has been to ensure that there is a smooth transition within Student Government from President Reid's administration to the next. This has been the case thus far and President Reid was extremely proud of the work Student Government accomplished during his last two months in office.

As this was his last report to the Board, he thanked each Trustee for the pleasure of their company this past year. President Reid then reported on several items happening within Student Government, including: the Select Department on Campus Mental Health created formal recommendations regarding

the incorporation of wellness-centered physical elements throughout campus and developed a framework for a university-wide peer mentoring program; the Select Department on Campus Development and Infrastructure established a formal working relationship between Student Government and Facilities, in addition to publishing a final report detailing the ways in which Student Government can continue to engage in work related to campus infrastructure and physical developments in the near future; participation in a number of events and conversations which took place during the on-site visit as part of the SACSCOC Reaffirmation process; engaged with the JED Campus implementation process alongside a host of other university stakeholders, including taking part in the on-campus visit during the week of March 25th; coordination of a Senior Class Gift (Class of 2024) and corresponding fundraising efforts, which will center around student connectivity and will be housed at Williams Courtyard; successfully concluding the 2024 Day of Giving, raising a record amount for the Student Government Leadership Enhancement Fund, which goes to support the work of our student leaders and further assist them in their development while at NC State; working across the UNC System (through the UNC Association of Student Governments), to ensure continual collaboration with Student Governments at our peer UNC System institutions.

President Reid stated the following key points for Trustees: there is an atmosphere of energy, enthusiasm, and excitement among students on campus; as we draw near to the end of the semester, students are focused on closing out the year strong; moving forward, Student Government remains in a strong position to advocate for campus needs.

President Reid then invited new Student Body President Allison Markert to introduce herself and Vice President Issac Carreno. Allison Markert is currently a junior at NC State studying Natural Resources with a concentration in Policy and Administration. She provided a list of her past and current positions within Student Government, then and shared the plan for her administration. President Markert thanked the Trustees and looks forward to working with them in the coming year.

That concluded the report from Student Government.

ORDER OF WALTER HINES PAGE PRESENTATION

On behalf of NC State University, Chancellor Woodson presented Trustee Timothy Reid with the Order of Walter Hines Page certificate and the Board of Trustees lapel pin and university medallion. The Order of Walter Hines Page is an honorary order exclusively for former members of the Board of Trustees of NC State University. Trustees are named to the Order by the Chancellor upon the expiration of their terms of office and are designated as "Trustee Emeritus." Chancellor Woodson thanked Trustee Reid for his leadership and his work on behalf of NC State.

CLOSED SESSION

With no further business in open session, Chair Weisiger called for a motion to go into closed session to: prevent the premature disclosure of an honorary degree, scholarship, prize or similar award; and to consult with an attorney to preserve the attorney-client privilege. Trustee Dixon made a motion to move into Closed Session, seconded by Trustee Arcuri. Chair Weisiger called on the Assistant Secretary, Paula Gentius, to record the vote. All members were in favor.

| | | | |
|----------|--------|----------|--------|
| Arcuri | AYE | Johnston | ABSENT |
| Close | AYE | Murphy | AYE |
| Dixon | AYE | Poole | AYE |
| Harrell | AYE | Powers | AYE |
| Herring | ABSENT | Reid | AYE |
| Holmes | AYE | Safran | AYE |
| Humphrey | ABSENT | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

RECONVENE IN OPEN SESSION

At 11:47 a.m. the Board came out of closed session.

With no further business in open session, Chair Weisiger adjourned the meeting at 11:50 a.m.

Respectfully submitted,

Assistant Secretary

Secretary

Approved:

Chair of the Board

DRAFT
OPEN SESSION MINUTES
Board of Trustees
North Carolina State
University Raleigh, North
Carolina
June 19, 2024

The North Carolina State University Board of Trustees met in regular session on Wednesday, June 19, 2024. Trustees attended the meeting via Zoom.

Members present: Edward I. Weisiger, Jr., Chair
Marie F. Arcuri
Derick S. Close
Erik L. Dixon
David D. Herring
James L. Holmes
Timothy Humphrey
Ghazale Johnston
Ven Poole, III (arrived late)
Perry Safran
Edwin J. Stack, III
Allison Markert, ex officio

Members Absent: James A. Harrell
Wendell H. Murphy
David M. Powers

Others present: Randy Woodson, Chancellor
Allison Newhart, Vice Chancellor and General Counsel
Maggie Thompson, Interim Assistant Secretary

Chair Weisiger called the meeting to order at 2:01 p.m. and a quorum was present.

Chair Weisiger thanked everyone for attending the meeting. Chair Weisiger reminded those in attendance that while the full Board meeting is a public meeting, it is not a meeting for public comment and only those on the agenda will be permitted to speak. He asked that all Trustees identify themselves before making or seconding a motion. Chair Weisiger asked if any members of the media were present and none were attending. Chair Weisiger also reminded all members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act and inquired as to whether there were any known conflicts of interest or appearances of conflict with respect to any matters coming before the board at this meeting.

CLOSED SESSION

With no further business in open session, Chair Weisiger called for a motion to consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an employee or prospective employee. Trustee Herring made a motion to move into Closed Session, seconded by Trustee Stack. Chair Weisiger called on the Interim Assistant Secretary, Maggie Thompson, to record the vote. All members were in favor.

| | | | |
|----------|--------|----------|-----------------------|
| Arcuri | AYE | Johnston | AYE |
| Close | AYE | Markert | AYE |
| Dixon | AYE | Murphy | ABSENT |
| Harrell | ABSENT | Poole | ABSENT (arrived late) |
| Herring | AYE | Powers | ABSENT |
| Holmes | AYE | Safran | AYE |
| Humphrey | AYE | Stack | AYE |
| | | Weisiger | AYE |

The motion passed.

RECONVENE IN OPEN SESSION

At 2:25 p.m. the Board came out of closed session.

With no further business in open session, Chair Weisiger adjourned the meeting at 2:25 p.m.

Respectfully submitted,

Interim Assistant Secretary

Secretary

Approved:

Chair

Policies, Regulations & Rules

POL 01.10.01 – Board of Trustees of the Endowment Fund

Authority: Board of Trustees

History: First Issued: April 11, 1987. Last Revised: ~~February 26, 2021~~ ~~XXXXXXXX~~ June July 18, 2024.

Related Policies:

UNC Code Section 704 – Endowment Fund

UNC Code Appendix 1 Section VII – Endowments and Trust Funds

UNC Policy Manual 600.2.1 – Endowment Funds

UNC Policy Manual 600.2.1.2[G] – Guidelines on Creating and Operating Endowment Funds

Additional References:

North Carolina General Statute § 116-36

Contact Info: [Associate Vice Chancellor, Finance](#)

[and University Treasurer](#) (919-515-2143)

1. ARTICLE I – ORGANIZATION

11 Membership

111 The Board of Trustees of the Endowment Fund of [North Carolina State University \(Endowment Fund BOT\)](#) shall consist of no fewer than six members and no more than nine members:

1.1.1(a) Up to six members shall be elected by the North Carolina State University Board of Trustees (University BOT) to staggered three-year terms, with two members being elected each year. The Executive Vice Chancellor for Finance and Administration and the Vice Chancellor for University Advancement shall jointly submit annually to the Chancellor a listing of potential appointees to the Endowment Fund BOT. If eligible, the immediate past chair of the Endowment Fund BOT should be considered for an open seat. After consultation with the Chancellor, the Chair of the University BOT shall make recommendations to the University BOT for filling any vacancy on the Endowment Fund BOT;

1.1.1(b) ~~Three ex officio members as follows: In addition,~~ the Chancellor, ~~the Chair of the University BOT and the Vice Chair of the University BOT the Immediate Past Chair of the SU shall serve as ex officio members of the Endowment Fund. If the Immediate Past Chair is unable to serve, the ex officio member position shall be designated by the from among the officers of the or of the committees of the ,~~ and the Chair of the University Advancement Committee shall serve as voting ex officio members of the Endowment Fund. ~~The Vice Chancellor for Finance and Administration and the Vice Chancellor for University Advancement shall jointly submit annually to the Chancellor a listing of potential appointees to the Endowment Board. After consultation with the Chancellor, the Chair of the Board of Trustees shall make recommendations to the Board of Trustees for filling any vacancy on the Board of Trustees of Endowment Fund.~~

1.12 In the event of a vacancy due to the death, resignation or inability to serve by a member of the ~~Board of Trustees of the~~ Endowment Fund BOT, the University BOT ~~Board of Trustees of North Carolina State University~~ will elect a person to fill the unexpired term.

1.13 In considering nominations to the Endowment ~~Board Fund~~ BOT, the Chair of the University BOT ~~Board of Trustees~~ will take into consideration individuals who (a) have experience / expertise in investments, (b) bring special skills or talents to the Endowment ~~Board Fund~~ BOT, or (c) have established an endowment at NC State University, either within the endowment fund or elsewhere.

1.14 Whereas it is desirable to have present or former members of the University BOT ~~Board of Trustees of North Carolina State University~~ as members of the Endowment Fund BOT, this is not a prerequisite for candidacy.

1.15 Members of the ~~Board of Trustees of the~~ Endowment Fund BOT may not be elected to

more than two full three-year terms. New trustees elected to succeed trustees whose full terms are completed will be elected at the last regular meeting of the academic year of the [University BOT Board of Trustees of North Carolina State University](#).

2. ARTICLE II – MEETINGS

21 Regular Meetings

211 The [Endowment Fund BOT Board of Trustees of the Endowment Fund of North Carolina State University](#) shall hold a minimum of two regular meetings in the course of each academic year. Such meetings shall be held in September and February; special meetings may be called by the Chair or upon request of three other members.

212 A report shall be made by the [Endowment Fund BOT Board of Trustees of the Endowment Fund to the Board of Trustees University](#) at each regular meeting of the [University BOT Board of Trustees of the University](#).

22 Quorum

221 A quorum for the conduct of business shall consist of a majority of the voting membership of the Endowment Fund BOT then in office. Any voting member who is present at a meeting, or who attends a special or emergency meeting by telephone, video conference, or other electronic means that allows for two-way voice interaction, will be counted as present for purposes of determining a quorum. ~~The presence of the majority of the members of the Board in office immediately before a meeting begins shall constitute a quorum for the transaction of business. Also, a quorum can be achieved by a majority if the meeting is held by teleconference.~~

23 Actions Between Regular Meetings

231 Between regular meetings of the [Endowment Fund BOT Board](#), routine matters of business may be dealt with by written ballot and without a meeting if such is deemed appropriate by the Chair. Any action taken by this method must be reported to the [Endowment Fund BOT Board](#) at its next regular meeting.

3. ARTICLE III – OFFICERS

31 Officers

3.1.1 There shall be six officers:

3.1.1(a) Chair – The Chair of the ~~University BOT Board of Trustees at NCSU~~ shall be ex officio Chair of the ~~Board of Trustees of the~~ Endowment Fund ~~BOT of North Carolina State University~~. The Chair shall preside at all meetings ~~of the Endowment Fund Board of Trustees~~ and have all powers and duties incident to such office. The Chair shall conduct and have charge of the affairs of the

Endowment Fund ~~BOT~~ subject to approval of a majority of the Endowment Fund ~~BOT Board of Trustees~~. The Chair shall provide a summary report of actions taken at each meeting ~~of the Endowment Fund Board of Trustees~~ to the ~~University BOT NC State University Board of Trustees~~ at their next regularly scheduled meeting.

3.1.1(b) Vice Chair – The ~~Immediate Past Vice~~ Chair ~~of the University Advancement Committee~~ of the ~~University BOT Board of Trustees at NC~~, ~~or if unable to serve, the member designated by the~~ ~~from among the officers of the BOT or of the committees of the BOT, SU~~ shall be ex officio Vice Chair of the ~~Board of Trustees of the~~ Endowment Fund ~~BOT~~. In the absence of the Chair, the Vice Chair shall preside at any meeting ~~of the Board~~ and otherwise perform the duties of the Chair.

3.1.1(c) Secretary – The Senior Director of Foundations Accounting & Investments shall serve ex officio (non-voting) as Secretary of the Endowment Fund ~~BOT~~. The Secretary shall be responsible for the minutes of all meetings, ~~of the Endowment Fund Board of Trustees~~, shall give notice of all meetings, shall keep all records and papers ~~of the Endowment Fund Board~~, and shall conduct the general correspondence and such special communications as directed by the Chair.

3.1.1(d) Assistant Secretary – The Secretary of the University ~~(or designee)~~ shall serve ex officio (non-voting) as the Assistant Secretary of the Endowment Fund ~~BOT~~, and shall act on behalf of the Secretary in the Secretary's absence, and is authorized at the same level as the Secretary.

3.1.1(e) Treasurer – The ~~Executive~~ Vice Chancellor for Finance and Administration shall serve ex officio (non-voting) as Treasurer of the Endowment Fund ~~BOT~~. The Treasurer shall be responsible for the disbursement of funds, including approval of annual endowment spending budgets in accordance with the board-approved spending policy, and shall have charge of all finances and shall be responsible for selling, leasing, developing or otherwise disposing of any real property ~~of the Endowment Fund~~, under the direction of the Endowment Fund ~~BOT Board of Trustees~~, and shall keep accurate accounts of all receipts and disbursements in connection therewith. The Treasurer

is authorized to present gifts to the ~~Board of Trustees of the~~ Endowment Fund ~~BOT of NC State University~~, for their acceptance, on behalf of the Chancellor.

—
The Treasurer is authorized ~~by the Endowment Fund Board of Trustees~~ to buy stocks, bonds, or other securities, and to sell, trade, assign, endorse and deliver for transfer stocks, bonds, or other securities; to sell and assign real property assets; enter into management agreement to sell or assign any other type of personal property; now or hereafter registered in the name of, or held by, the Endowment Fund ~~BOT of North Carolina State~~

~~University~~ and to sign documents of conveyance in connection therewith. The Treasurer is authorized on behalf of, and in the name of the ~~Board of Trustees of the~~ Endowment Fund ~~BOT of North Carolina State University~~, to sign any and all other documents requiring the signature of the ~~Board of Trustees of the~~ Endowment Fund ~~BOT of North Carolina~~.

3.1.1(f) Assistant Treasurer – ~~The Associate Vice Chancellor for Finance and University~~ ~~The North Carolina State University~~ Treasurer shall serve ex officio (non-voting) as the Assistant Treasurer of the Endowment Fund BOT, and shall act on behalf of the Treasurer in the Treasurer's absence or as delegated by the Treasurer, and is authorized at the same level as the Treasurer.

4. ARTICLE IV – CONFLICT OF INTEREST

4.1 Any corporate transaction in which a Trustee has a direct or indirect interest must be authorized, approved, or ratified in good faith by a majority of the Trustees who have no direct or indirect interest in the transaction even though less than a quorum; provided, however, no such transaction shall be authorized, approved, or ratified by a single Trustee. For purposes of this Section, a Trustee has an indirect interest in a transaction if:

4.1.1 Another entity in which ~~he-a Trustee~~ has a material financial interest or in which ~~he-a Trustee~~ is a general partner is a party to the transaction; or

4.1.2 Another entity of which ~~he-a Trustee~~ is a director, officer, or trustee is a party to the transaction and the transaction is or should be considered by the ~~Endowment Fund BOT~~ Board.

5. ARTICLE V – POWERS AND DUTIES

5.1 By reference herein, the ~~NC State University~~ Endowment Fund ~~BOT~~ Board of Trustees recognizes North Carolina General Statute 116-36 "Endowment fund" and UNC Policy Manual Sections 600.2.1. "Endowment Funds" and 600.2.1.2[G] "Guidelines on Creating and Operating Endowment Funds" and the powers and duties contained therein, including but not

limited to:

5.1.1 Acceptance of gifts, donations and bequests

5.1.2 Disposal of property, real or personal, of the Endowment Fund

5.1.3 Prudent investment of the endowed funds

5.1.4 Appointment of a fiscal agent or agents

5.1.5 Expend principal and income in strict accordance with terms of the gift, devise, or bequest

5.1.6 Establish a prudent endowment spending policy

5.1.7 Submit comprehensive report annually to the Board of Governors through NC State University Board of Trustees

Audience: Faculty and Staff:-

Category: Board of Trustees of the Endowment Fund:-.

NC STATE UNIVERSITY

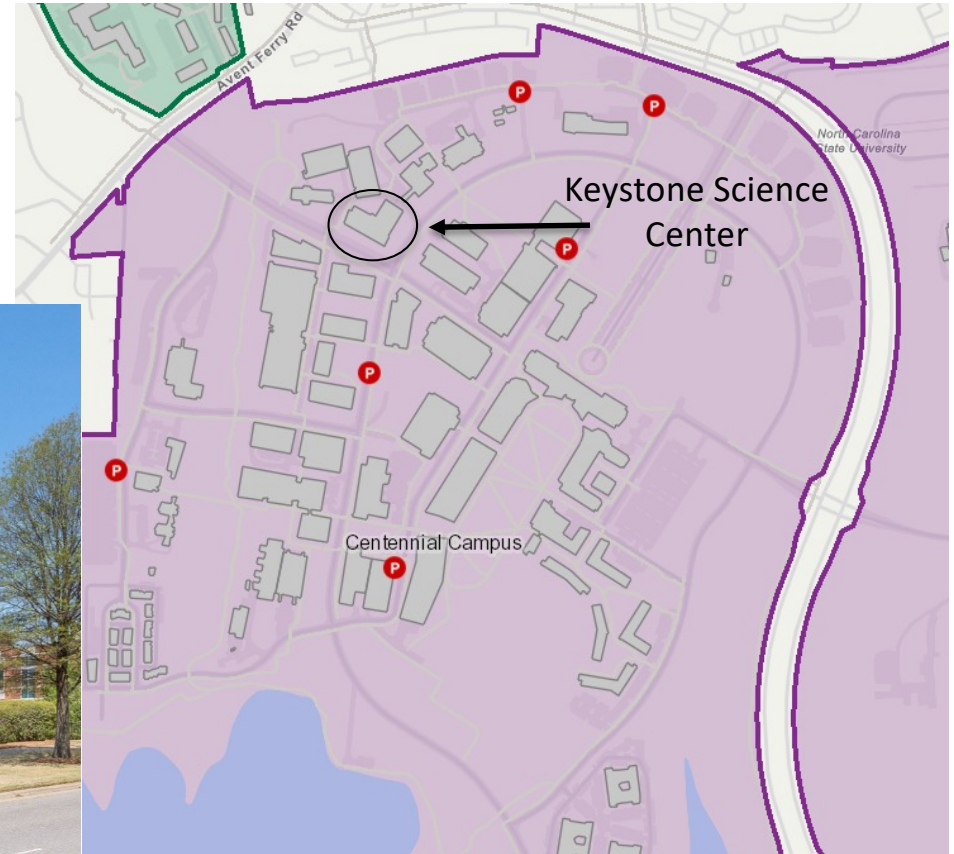
NORTH CAROLINA STATE UNIVERSITY

RALEIGH, NC 27695

919.515.2011

Acquisition by Lease

Keystone Science Center
(Centennial Campus)



Acquisition by Lease

New space lease to continue the occupancy of research/lab, and office space for the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center (“FREEDM”) at the Keystone Science Center on Centennial Campus.

Key Terms:

- **Lease Term:** Ten (10) years, beginning July 1, 2025, with one option to renew for five (5) years at fair market value.
- **Rate:** Year 1 rental rate of \$41.25 per rentable SF with 3% annual rent escalation. Rate is full service in office areas with 2025 base year expense stop. Lease is net of utilities and repair/maintenance of certain equipment in the lab area.
- **Landlord Concessions:** Five (5) months rent abatement applied in years 1 and 2 of the Lease
- **Tenant Improvements:** Landlord to replace carpet and paint throughout the Premises and upgrade all light fixtures to LED. Additionally, Landlord will provide \$50/ rentable SF at the beginning of Year 5 to be used towards hard and soft costs of renovations needed in the Premises.



FREEDM Research Lab at Keystone Science Center

**ACQUISITION
OF REAL PROPERTY**

ACQUISITION OF REAL PROPERTY BY LEASE

LESSOR VTR LS KSC, LP, c/o Ventas, Inc.

LESSEE The State of North Carolina, North Carolina State University

LOCATION 1791 Varsity Drive (Keystone Science Center), Suites G-100 & 100, Raleigh NC, 27606, Wake County

SIZE Approximately 22,400 RSF of research/lab, and office space

RATE Year 1 Rent of \$41.25 per rentable SF, escalating at 3% annually. Rate includes utilities, janitorial and maintenance of the office areas, with 2025 base year operating expense cap. Rent is net of utilities and certain equipment repair/maintenance in the lab areas. Five (5) months' rent abatement.

TERM Term of ten years, plus one five-year renewal option, for a total potential Term not to exceed fifteen (15) years.

USE Continued occupancy of research/lab, and office space for the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center ("FREEDM") at the Keystone Science Center on Centennial Campus.

**STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION**

***ACQUISITION OF REAL PROPERTY**

Institution or Agency: **North Carolina State University**

Date: **June 14, 2024**

The Department of Administration is requested, as provided by GS §146-22 et seq., to acquire the real property herein described by ~~purchase, lease, rental, or other~~ (specify). **Lease.**

This Property is needed for the following reasons and purposes: North Carolina State University requests permission to execute a new space lease to continue its occupancy of research/lab, and office space for the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center (“FREEDM”) at the Keystone Science Center on Centennial Campus.

Name and Address of Present Owner: VTR LS KSC, LP (Landlord), c/o Ventas, Inc. 353 N. Clark Street, Suite 3300, Chicago, Illinois 60654

Description of Property: Approximately 22,400 rentable square feet located at the Keystone Science Center, 1791 Varsity Drive, Suites G-100 & 100. *Note: Given the location requirements for this need, this transaction is considered a site-specific, strategic location in accordance with UNC Policy Manual 600.1.3.1[R]*

Term: Initial lease term of ten (10) years, with one five (5) year renewal option at fair market value.

Rental price (if applicable):

- Year 1 rental rate of \$41.25 per rentable SF with an annual escalation of 3% per year
- Rate includes utilities, janitorial services, and required maintenance in the office areas within the Premises, with 2025 base year operating expense stop.
- Rate is net of utilities and certain equipment repair/maintenance in the lab areas.
- Landlord will paint, replace carpet, and replace light fixtures with LED fixtures throughout the Premises upon lease execution. Landlord to provide \$50/RSF of Tenant Improvement Allowance at start of year five to be used by Tenant toward hard and soft costs of renovations for the Premises.
- Five (5) months’ rent abatement applied to months 1-3 and 13-14 of the Term.

Funding: College of Engineering

Item:

In the event the above-described real property is not acquired, is there other real property available, owned by the State or otherwise, that you believe would, if acquired, fulfill the requirements of your agency? If so, give details. No.

(Complete if Agency has a Governing Board.)

Action recommending the above request was taken by the **Board of Trustees** and is recorded in the minutes thereof on _____ (date).

Signature: _____

Title: **Assistant Secretary, Board of Trustees**

TRANSMITTAL OF REQUEST FOR ACQUISITION/DISPOSITION OF REAL PROPERTY

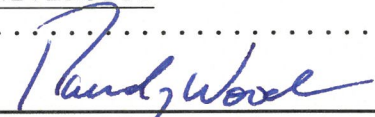
Form
Number: PO-1

Preparation
Date: June 14, 2024

Request: Lease of approximately 22,400 rentable square feet of research/lab and office space for the Future Renewable Electric Energy Delivery and Management Systems Engineering Research Center ("FREEDM") at the Keystone Science Center on Centennial Campus.

Institution NORTH CAROLINA STATE UNIVERSITY

RECOMMENDED BY CHANCELLOR, NCSU



(Chancellor's Signature)

RECOMMENDED BY COMMITTEE ON
BUILDINGS AND PROPERTY

(Chairman's Signature)

RECOMMENDED BY BOARD OF TRUSTEES,
NCSU

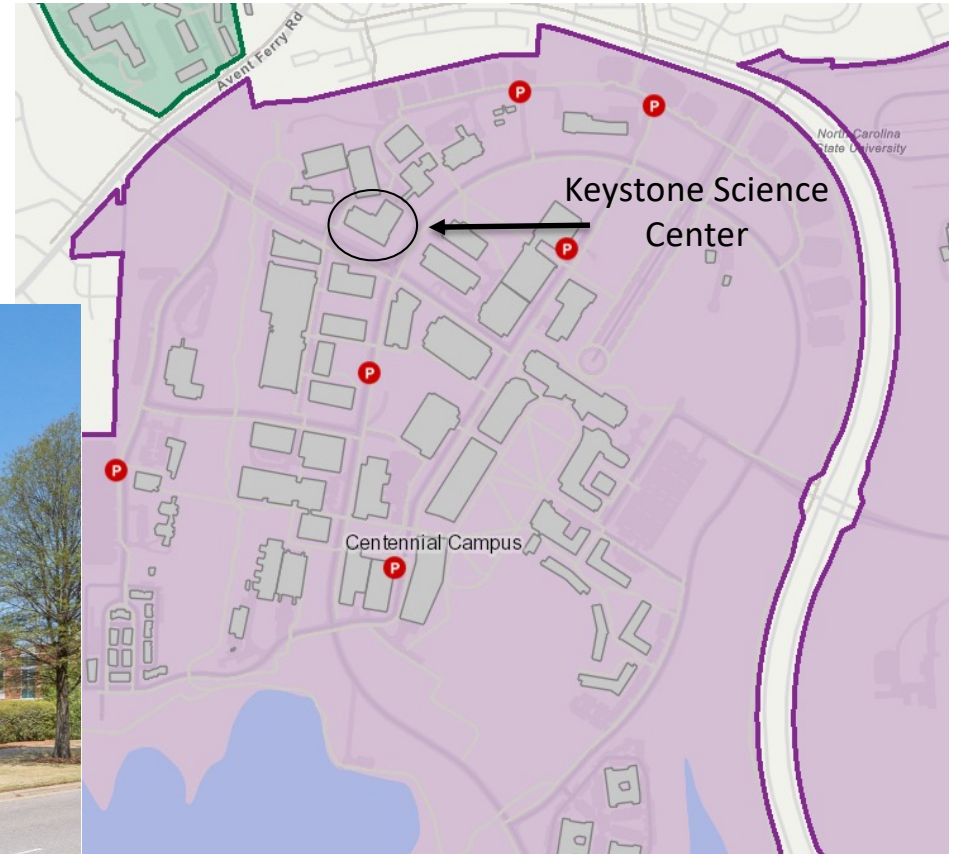
(Chairman's Signature)

RECOMMENDED BY BOARD OF GOVERNORS

(Secretary's Signature)

Acquisition by Lease

Keystone Science Center
(Centennial Campus)



Acquisition by Lease

New space lease to continue the occupancy of research lab, and office space for the Biomanufacturing Training and Education Center (“BTEC”) Annex at the Keystone Science Center on Centennial Campus.

Key Terms:

- **Lease Term:** Ten (10) years, beginning July 1, 2025, with one option to renew for five (5) years at fair market value.
- **Rate:** Year 1 rental rate of \$41.25 per rentable SF with 3% annual rent escalation. Rate is full service in office areas with 2025 base year expense stop. Lease is net of utilities and repair/maintenance of certain equipment in the lab area.
- **Landlord Concessions:** Five (5) months rent abatement applied in years 1 and 2 of the Lease
- **Tenant Improvements:** Landlord to replace carpet and paint throughout the Premises and upgrade all light fixtures to LED. Additionally, Landlord will provide \$50/ rentable SF at the beginning of Year 5 to be used towards hard and soft costs of renovations needed in the Premises.



BTEC Research Lab at Keystone Science Center

**ACQUISITION
OF REAL PROPERTY**

ACQUISITION OF REAL PROPERTY BY LEASE

LESSOR VTR LS KSC, LP, c/o Ventas, Inc.

LESSEE The State of North Carolina, North Carolina State University

LOCATION 1791 Varsity Drive (Keystone Science Center), Suite 160, Raleigh NC, 27606,
Wake County

SIZE Approximately 5,600 RSF of research lab and office space

RATE Year 1 Rent of \$41.25 per rentable SF, escalating at 3% annually. Rate includes utilities, janitorial and maintenance of the office areas, with 2025 base year operating expense cap. Rent is net of utilities and certain equipment repair/maintenance in the lab areas. Five (5) months' rent abatement.

TERM Term of ten years, plus one five-year renewal option, for a potential Term not to exceed fifteen (15) years

USE Continued occupancy of research/lab, and office space for the Biomanufacturing Training and Education Center ("BTEC") Annex.

STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

***ACQUISITION OF REAL PROPERTY**

Institution or Agency: North Carolina State University

Date: June 14, 2024

The Department of Administration is requested, as provided by GS §146-22 et seq., to acquire the real property herein described by ~~purchase, lease, rental, or other~~ (specify). lease

This Property is needed for the following reasons and purposes: North Carolina State University requests permission to execute a new space lease to continue its occupancy of research lab and office space for the Biomanufacturing Training and Education Center (“BTEC”) Annex at the Keystone Science Center on Centennial Campus.

Name and Address of Present Owner: VTR LS KSC, LP (Landlord), c/o Ventas, Inc. 353 N. Clark Street, Suite 3300, Chicago, Illinois 60654

Description of Property: Approximately 5,600 rentable square feet located at the Keystone Science Center, 1791 Varsity Drive, Suite 160. *Note: Given the location requirements for this need, this transaction is considered a site-specific, strategic location in accordance with UNC Policy Manual 600.1.3.1[R]*

Term: Lease term of ten (10) years, with one five (5) year renewal option at fair market value.

Rental price (if applicable):

- Year 1 rental rate of \$41.25 per rentable SF with an annual rent escalation of 3% per year
- Rate includes utilities, janitorial services, and required maintenance in the office areas within the Premises, with 2025 base year operating expense stop.
- Rate is net of utilities and certain equipment repair/maintenance in the lab areas.
- Landlord will paint, replace carpet, and replace light fixtures with LED fixtures throughout the Premises upon lease execution. Landlord to provide \$50/RSF of Tenant Improvement Allowance at start of year five to be used by Tenant toward hard and soft costs of renovations for the Premises.
- Five (5) months’ rent abatement applied to months 1-3 and 13-14 of the Term.

Funding: State appropriated funding supplemented by income from fee-for-services generated by BTEC Annex

Item:

In the event the above described real property is not acquired, is there other real property available, owned by the State or otherwise, that you believe would, if acquired, fulfill the requirements of your agency? If so, give details. No.

(Complete if Agency has a Governing Board.)

Action recommending the above request was taken by the Board of Trustees and is recorded in the minutes thereof on _____ (date).

Signature: _____

Title: Assistant Secretary, Board of Trustees

TRANSMITTAL OF REQUEST FOR ACQUISITION/DISPOSITION OF REAL PROPERTY

Form
Number: PO-1

Preparation
Date: June 14, 2024

Request: Lease of approximately 5,600 rentable square feet of research lab and office space for the Biomanufacturing Training and Education Center ("BTEC") Annex at the Keystone Science Center on Centennial Campus.

Institution NORTH CAROLINA STATE UNIVERSITY

RECOMMENDED BY CHANCELLOR, NCSU



(Chancellor's Signature)

RECOMMENDED BY COMMITTEE ON
BUILDINGS AND PROPERTY

(Chairman's Signature)

RECOMMENDED BY BOARD OF TRUSTEES,
NCSU

(Chairman's Signature)

RECOMMENDED BY BOARD OF GOVERNORS

(Secretary's Signature)

NC STATE UNIVERSITY

Acquisition by Lease

Veach-Baley Federal Complex
Asheville, NC



Acquisition by Lease

Lease amendment for approximately 784 RSF of Expansion Space to accommodate growth of the North Carolina Institute for Climate Studies, located at the Veach-Baley Federal Complex in Asheville, NC.

Key Terms:

- **Lease Term:** Expansion Space term will commence August 1, 2024, and will terminate at the expiration of the existing Lease on June 30, 2027.
- **Rate:** Rental rate of \$28.13 per rentable SF (consistent with existing lease)
 - Rental Rate for Expansion Space: ~22,000/year
 - Total Lease Rate (Existing + Expansion Space): ~\$245,000/year
- **Landlord Concessions:** None.
- **Tenant Improvements:** None.

**ACQUISITION
OF REAL PROPERTY**

ACQUISITION OF REAL PROPERTY BY LEASE

LESSOR The United States of America (Landlord), c/o General Services Administration (GSA)

LESSEE The State of North Carolina, North Carolina State University

LOCATION Veach-Baley Federal Complex, 151 Patton Aven, Asheville, NC, Buncombe County

SIZE Approximately 784 RSF (expansion space)
[Amendment/expansion of existing lease of ~7905 RSF]

RATE \$28.13 per rentable SF; full service

TERM Expansion Space term will commence August 1, 2024, and will terminate at the expiration of the existing Lease Term on June 30, 2027.

USE Requesting lease amendment for expansion space to accommodate growth of the North Carolina Institute for Climate Studies (“NCICS”).

STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

***ACQUISITION OF REAL PROPERTY**

Institution or Agency: North Carolina State University

Date: June 14, 2024

The Department of Administration is requested, as provided by GS §146-22 et seq., to acquire the real property herein described by ~~purchase, lease, rental, or other~~ (specify). **Lease Amendment.**

This Property is needed for the following reasons and purposes: North Carolina State University requests permission to execute a lease amendment to expand its occupancy of office space in Asheville, NC for the North Carolina Institute for Climate Studies (“NCICS”).

Name and Address of Present Owner: The United States of America (Landlord), c/o General Services Administration (GSA), PO Box 301511, Torrance, California, 90502

Description of Property: Approximately 784 rentable square feet of additional leased area (“Expansion Space”) at the Veach-Baley Federal Complex, 151 Patton Aven, Asheville, NC. The existing leased area is 7,904 RSF. *Note: Given the location requirements for this need, this transaction is considered a site-specific, strategic location in accordance with UNC Policy Manual 600.1.3.1[R]*

Term: Expansion Space term will commence August 1, 2024, and will terminate at the expiration of the existing Lease on June 30, 2027.

Rental price (if applicable):

- Rental rate of \$28.13 per rentable SF (consistent with existing lease)
- Rental Rate for Expansion Space: ~22,000/year
- Total Lease Rate (Existing + Expansion Space): ~\$245,000/year

Funding: The lease cost will be paid utilizing 100% Facilities and Administrative (F&A) funds (WRS 257342) generated by sponsored contract and grant expenses.

Item:

In the event the above-described real property is not acquired, is there other real property available, owned by the State or otherwise, that you believe would, if acquired, fulfill the requirements of your agency? If so, give details. No.

(Complete if Agency has a Governing Board.)

Action recommending the above request was taken by the **Board of Trustees** and is recorded in the minutes thereof on _____ (date).

Signature: _____

Title: **Assistant Secretary, Board of Trustees**

*The term “real property” includes timber rights, mineral rights, etc. (GS §146-64)

TRANSMITTAL OF REQUEST FOR ACQUISITION/DISPOSITION OF REAL PROPERTY

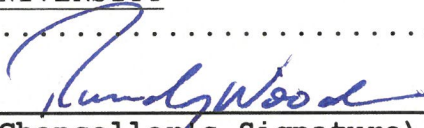
Form
Number: PO-1

Preparation
Date: June 14, 2024

Request: Lease amendment for approximately 784 RSF of Expansion Space to accommodate growth of the North Carolina Institute for Climate Studies, located at the Veach-Baley Federal Complex in Asheville, NC.

Institution NORTH CAROLINA STATE UNIVERSITY

RECOMMENDED BY CHANCELLOR, NCSU



(Chancellor's Signature)

RECOMMENDED BY COMMITTEE ON
BUILDINGS AND PROPERTY

(Chairman's Signature)

RECOMMENDED BY BOARD OF TRUSTEES,
NCSU

(Chairman's Signature)

RECOMMENDED BY BOARD OF GOVERNORS

(Secretary's Signature)

**DISPOSITION
OF REAL PROPERTY**

**DISPOSITION OF REAL PROPERTY BY
AMENDMENT TO EXISTING LICENSE AGREEMENT**

LICENSOR The State of North Carolina

LICENSEE ATC Outdoor DAS, LLC

LOCATION Carter Finley Stadium and adjacent infrastructure areas
4600 Trinity Road, Raleigh, NC

SIZE N/A

RATE 50% of Aggregate License fees payable to Licensor, plus,
\$70,000 payment to Licensor for each new Sublicense entered

TERM Amendment to License to provide for additional extension of term for up to five (5) years, conditioned upon the expansion of services secured by Licensee within eighteen (18) months of Effective Date of Amendment.

- Upgrade of service to 5G by one existing Sublicensee operator triggers three (3) year extension of Term (March 27, 2032); or
- Addition of new Sublicense with T-Mobile triggers five (5) year extension of term (March 27, 2034).

Existing Term to expire March 27, 2029 (original/existing term including renewals of fifteen (15) years.)

USE Conditional extension of existing license agreement provides opportunity for service enhancements at Carter Finley stadium prior to the expiration of the existing license agreement, enhancing the game-day experience for patrons of NC State Athletics.

**STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION
DISPOSITION OF REAL PROPERTY**

Institution or Agency: North Carolina State University Date: **June 14, 2024**

The Department of Administration is requested, as provided by GS §146-28 et seq., to dispose of the real property herein described by *purchase, lease, rental, or other (specify)*. **Amendment to License Agreement**

This disposition is recommended for the following reasons:

The extension of the existing license agreement provides opportunity for service enhancements at Carter Finley stadium prior to the expiration of the existing license agreement, enhancing the game-day experience for patrons of NC State Athletics.

Description of Property: *(Attach additional pages if needed.)*

Carter Finley Stadium and adjacent infrastructure areas, 4600 Trinity Road, Raleigh, NC

Estimated value:

Annual license fees to Licensor estimated at an average of ~\$30,000 - \$45,000/year to be determined upon Licensee's service upgrades

Where deed is filed, if known: N/A

If deed is in the name of agency other than applicant, state the name: N/A

Rental income, if applicable, and suggested terms:

No change to existing license agreement rental terms, which specify 50% of Aggregate License fees payable to Licensor, plus, \$70,000 payment to Licensor for each new Sublicense entered into by Licenses.

Additional conditional term extension of three (3) to five (5) years anticipated to generate aggregate license fees of \$90,000 to \$225,000 dependent upon the service upgrades entered into by Licensee (and corresponding additional term granted through amendment.)

Funds from the disposal of this property are recommended for the following use: Net Proceeds to be retained by Athletics.

(Complete if Agency has a Governing Board.)

Action recommending the above request was taken by the **Board of Trustees** and is recorded in the meeting minutes thereof on _____ (date).

Signature:

Title:

Assistant Secretary, Board of Trustees

TRANSMITTAL OF REQUEST FOR ACQUISITION/DISPOSITION OF REAL PROPERTY

Form

Preparation

Number: PO-2

Date: June 14, 2024

Request: Conditional extension of existing license agreement for Distributed Antenna System at Carter Finley Stadium.

Institution NORTH CAROLINA STATE UNIVERSITY

RECOMMENDED BY CHANCELLOR, NCSU



(Chancellor's Signature)

RECOMMENDED BY COMMITTEE ON
BUILDINGS AND PROPERTY

(Chairman's Signature)

RECOMMENDED BY BOARD OF TRUSTEES,
NCSU

(Chairman's Signature)

RECOMMENDED BY BOARD OF GOVERNORS

(Secretary's Signature)

**Request for Authorization to Discontinue
Master of Science (M.S.) in Mathematics Education
CIP 13.1311
North Carolina State University**

I. Summary of Requested Program Discontinuation

1. About the Program.

Program level: ___Certificate ___Bachelor's X Master's ___Doctorate
Type of certificate (if applicable): ___Undergraduate ___Graduate

The program is a joint degree program. ___ Yes X No
Joint partner campus: N/A

Term of proposed discontinuation (first term new students will no longer be admitted):
Term Summer Year 2024

2. Type of Program Discontinuation Being Requested.

a) ___ **Discontinue – Permanent:** While course offerings already shared across degree programs may continue, the program components will not become a significant or distinct component of another program. The degree program is discontinued in full in Academic Program Inventory (API), including any approved off-campus sites and alternate means of delivery; requires action of the UNC Board of Governors.

b) ___ **Discontinue – Delivery:** Eliminate one or more delivery types and keep the program active.

- ___ On-campus delivery of program
- ___ Online delivery of program
- ___ Site-based delivery of program
 - ___ Instructor present (off-campus delivery)
 - ___ Instructor not present (site-based distance education)

c) X **Discontinue – Consolidate:** Program components will become a significant or distinct component in another degree program (e.g., concentration/track).

- X Existing degree program (BOG approved)
 - Program title, degree, CIP: Science, Technology, Engineering, and Mathematics (STEM) Education, M.S., CIP 13.1213

OR

- ___ New degree program (Request to Establish and BOG approval generally required)
 - Proposed program title, degree, CIP _____

3. Explain why the program, site, or delivery mode is being discontinued.

The College of Education is reorganizing three of its existing Master of Science degree programs in the Department of STEM Education. This reorganization includes discontinuation of the M.S. in Mathematics Education and consolidation of it into the soon to be newly named M.S. in STEM Education. The Department will then create three concentrations under the M.S. in STEM Education that will include a concentration in Mathematics & Statistics Education. This reorganization is similar to that completed by the College in 2018 and 2019 where the Department of STEM Education reorganized its three M.Ed. programs to align the academic program names with the newly renamed Department of STEM Education.

4. Describe steps to be taken to allow students enrolled in the program, site, or delivery mode to complete their courses of study.

At present, there is only one student enrolled in the M.S. in Mathematics Education program. This student will be allowed to either complete their current program or move into the newly designed M.S. in STEM Education program.

5. Discuss the reassignment of any faculty, staff, and EHRA non-faculty, including number of each type of personnel to be reassigned.

There will be no faculty, staff, or EHRA non-faculty reassignments associated with this request.

6. Discuss the discontinuation of employment of any faculty, staff, and EHRA non-faculty, including number of each type of personnel to be discontinued.

There will be no faculty, staff, or EHRA non-faculty discontinuations associated with this request.

II. Summary of Review Processes

1. Campus Review Process and Feedback.

The proposal was reviewed by NC State faculty (department and college committees), Administrative Board of the Graduate School (ABGS), the Council of Deans, Provost, and Chancellor. Approval and support were provided at all levels.

2. UNC System Office Review Process and Feedback.

If approved by the NC State Board of Trustees, the Request for Authorization to Discontinue will be submitted to the UNC System Office for its review and subsequent submission to the UNC Board of Governors for action.

III. Recommendation

It is recommended that the Board of Trustees approve North Carolina State University's request to discontinue the **Master of Science (M.S.) in Mathematics Education (13.1311)**.

**Request for Authorization to Discontinue
Master of Science (M.S.) in Technology Education
CIP 13.1309
North Carolina State University**

I. Summary of Requested Program Discontinuation

1. About the Program.

Program level: ___Certificate ___Bachelor's X Master's ___Doctorate
Type of certificate (if applicable): ___Undergraduate ___Graduate

The program is a joint degree program. ___ Yes X No
Joint partner campus: N/A

Term of proposed discontinuation (first term new students will no longer be admitted):
Term Summer Year 2024

2. Type of Program Discontinuation Being Requested.

a) ___ **Discontinue – Permanent:** While course offerings already shared across degree programs may continue, the program components will not become a significant or distinct component of another program. The degree program is discontinued in full in Academic Program Inventory (API), including any approved off-campus sites and alternate means of delivery; requires action of the UNC Board of Governors.

b) ___ **Discontinue – Delivery:** Eliminate one or more delivery types and keep the program active.

- ___ On-campus delivery of program
- ___ Online delivery of program
- ___ Site-based delivery of program
 - ___ Instructor present (off-campus delivery)
 - ___ Instructor not present (site-based distance education)

c) X **Discontinue – Consolidate:** Program components will become a significant or distinct component in another degree program (e.g., concentration/track).

- X Existing degree program (BOG approved)
 - Program title, degree, CIP: Science, Technology, Engineering, and Mathematics (STEM) Education, M.S., CIP 13.1213

OR

- ___ New degree program (Request to Establish and BOG approval generally required)
 - Proposed program title, degree, CIP _____

3. Explain why the program, site, or delivery mode is being discontinued.

The College of Education is reorganizing three of its existing Master of Science degree programs in the Department of STEM Education. This reorganization includes discontinuation of the M.S. in Technology Education and consolidation of it into the soon to be newly named M.S. in STEM Education. The Department will then create three concentrations under the M.S. in STEM Education, including a concentration in Engineering & Technology Education. This reorganization is similar to that completed by the College in 2018 and 2019 where the Department of STEM Education reorganized its three M.Ed. programs to align the academic program names with the newly renamed Department of STEM Education.

4. Describe steps to be taken to allow students enrolled in the program, site, or delivery mode to complete their courses of study.

At present, there is only one student enrolled in the M.S. in Technology Education program. This student will be allowed to either complete their current program or move into the newly designed M.S. in STEM Education program.

5. Discuss the reassignment of any faculty, staff, and EHRA non-faculty, including number of each type of personnel to be reassigned.

There will be no faculty, staff, or EHRA non-faculty reassignments associated with this request.

6. Discuss the discontinuation of employment of any faculty, staff, and EHRA non-faculty, including number of each type of personnel to be discontinued.

There will be no faculty, staff, or EHRA non-faculty discontinuations associated with this request.

II. Summary of Review Processes

1. Campus Review Process and Feedback.

The proposal was reviewed by NC State faculty (department and college committees), Administrative Board of the Graduate School (ABGS), the Council of Deans, Provost, and Chancellor. Approval and support were provided at all levels.

2. UNC System Office Review Process and Feedback.

If approved by the NC State Board of Trustees, the Request for Authorization to Discontinue will be submitted to the UNC System Office for its review and subsequent submission to the UNC Board of Governors for action.

III. Recommendation

It is recommended that the Board of Trustees approve North Carolina State University's request to discontinue the **Master of Science (M.S.) in Technology Education (13.1309)**.

NC STATE UNIVERSITY
Policies, Regulations and Rules

| | |
|----------------|---|
| Authority | Board of Trustees |
| Title | Student Conduct |
| Classification | POL 11.35.01 |
| PRR Subject | Student Discipline |
| Contact Info | Director, Office of Student Conduct (919-515-2963) |

History: First Issued: February 17, 1990. Last Revised: July 18, 2024, with an Effective Date of August 1, 2024.

Related Policies:

- [NCSU REG 11.35.05 – Code of Student Conduct](#)
- [NCSU REG 11.35.02 – Student Discipline Procedures](#)

Additional References:

- [UNC Policy 100.1 – The Code](#)
- [UNC Policy 700.4.1–Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings](#)
- [UNC Policy 700.4.2 – Policy on Student Conduct](#)

All students at North Carolina State University (“NC State” or the “University”) are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected.

The Code of Student Conduct (REG 11.35.05) establishes the standards and expectations for student behavior at the University. The Code outlines the types of behavior that adversely affect the University community and the actions that may be taken to educate students about behavioral expectations and to protect the University community.

It is the duty of the Chancellor to exercise full authority in the regulation of student affairs and student conduct matters. The Office of Student Conduct is responsible for maintaining the Code of Student Conduct and addressing issues of student conduct and discipline.

The Code of Conduct shall be comprehensively reviewed every three years by the Office of Student Conduct. In addition to the regular three-year review, the Code of Conduct shall be updated as necessary to comply with and reflect all applicable laws, policies, and current practices. Updates and revisions to the Code of Conduct shall be shared with the Board of Trustees for informational purposes on a periodic basis.

NC STATE UNIVERSITY

NC STATE UNIVERSITY

Policies, Regulations and Rules

| | |
|----------------|---|
| Authority | Board of Trustees |
| Title | Code of Student Conduct |
| Classification | POL11POL 11.35.01 |
| PRR Subject | Student Discipline |
| Contact Info | Director, Office of Student Conduct (919-515-2963) |

History: First Issued: February 17, 1990. Last Revised: July ~~15, 2020~~18, 2024, with an Effective Date of August ~~14, 2020~~1, 2024.

~~Related Policies:-~~

~~[UNC Policy Manual 500.2 – Patent and Copyright Policies](#)~~

~~[UNC Policy Manual 700.4.1 – Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings](#)~~

~~[UNC Policy Manual 700.4.2 – Policy on Student Conduct](#)~~

~~[UNC Policy Manual 700.4.3\[G\] – Guidelines on Student Disciplinary Proceedings: Meaning and Effect of “Expulsion”](#)~~

~~[UNC Policy Manual 1300.1 – Illegal Drugs](#)~~

~~[NCSU POL04.20.05 – Illegal Drugs](#)~~

~~[NCSU POL04.25.05 – Equal Opportunity, Non-Discrimination and Affirmative Action Policy](#)~~

~~[NCSU REG01.25.02 – Copyright Infringement – Policy Statement](#)~~

~~[NCSU REG01.25.03 – Copyright Regulation – Copyright Implementation Pursuant to Copyright Use and Ownership Policy of the University of North Carolina](#)~~

~~[NCSU REG04.05.02 – Campus/Workplace Violence Prevention and Management](#)~~

~~[NCSU REG08.00.02 – Computer Use Regulation](#)~~

~~[NCSU REG11.35.02 – Student Discipline Procedures](#)~~

~~[NCSU REG11.35.03 – Graduate Student Discipline Procedures](#)~~

~~[NCSU REG11.55.06 – Recognized Student Organizations within the Division of Academic and Student Affairs \(DASA\): Regulation for Undergraduate Student Leadership](#)~~

~~[NCSU REG11.55.07 – Registered Student Organizations: Regulation for Undergraduate Student Leadership, Membership, and Registration](#)~~

Related Policies:

[NCSU REG 11.35.05 – Code of Student Conduct](#)

[NCSU REG 11.35.02 – Student Discipline Procedures](#)

Additional References:-

[NC Gen. Stat. § 14-269.2](#)

[NC Gen. Stat. § 143-166.1](#)

[NC Gen. Stat. § 90-86 through § 90-113.8](#)

~~1. INTRODUCTION~~

UNC Policy 100.1 – The Code

UNC Policy 700.4.1–Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings

UNC Policy 700.4.2 – Policy on Student Conduct

All students at North Carolina State University (~~“(NC State)” or the “University”~~) are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. ~~Violations of campus or University policies, rules or regulations, or federal, state, or local law may result in a violation of the Code of Student Conduct and imposition of sanctions.~~

~~This~~The Code of Student Conduct (~~Code~~REG 11.35.05) establishes the standards and expectations for student ~~conduct in behavior at the university community.~~University. The Code, ~~therefore, proscribes~~ outlines the types of behavior that adversely ~~affects~~affect the ~~university~~University community, and the ~~resulting~~ actions that may be taken to ~~both~~ educate students about behavioral expectations and to protect ~~NC State’s community.~~ ~~This Code and its accompanying regulation, NCSU REG 11.35.02 (Student Discipline Procedures) (Procedures) describe the process to be followed when a student has been charged with a violation of the Code.~~

~~NC State embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U.S. Constitution and the North Carolina Constitution. The university has the right under certain circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights.~~

~~2. DEFINITIONS~~

~~The terms defined in the Procedures shall have the same meaning when used in the Code and are incorporated by reference.~~

~~3. AUTHORITY FOR STUDENT DISCIPLINE~~

~~The Chancellor has the authority to establish procedures and impose disciplinary action on a student or Student Group/Organization. The Chancellor may delegate such authority to University administrators or other officials.~~

~~4. DEFINITION OF MISCONDUCT~~

~~The definition of misconduct at NC State is set forth in this Code in order to give students general notice of prohibited conduct and is not designed to define misconduct in exhaustive terms.~~

5. SCOPE

5.1 Locations Covered

~~Unless otherwise prohibited by law, the Code applies to conduct that occurs on University Premises, in the University programs and activities, and to off campus conduct (whether in NC, another state or a foreign country) that adversely affects the university community, its mission, programs, the pursuit of its objectives, or poses a serious risk of danger to, or disruption or interference with, a member of the university community. The Vice Chancellor and Dean of Academic and Student Affairs shall determine whether the Code applies to off campus conduct.~~community.

5.2 Persons Covered

~~The Code applies to all students as defined in the Procedures. The university may initiate a disciplinary action against a student alleged to have violated the Code or other applicable University policies, regulations or rules, or federal, state or local law regardless of the actions taken by civil or criminal authorities or private litigants. Unless otherwise prohibited by law, this Code also applies to students outside a specific term, such as summer, and may cover those not currently enrolled but still eligible to seek a degree.~~

5.3 Violations of Law and Disciplinary Action

~~Students may be accountable to the university and/or to criminal or civil authorities for acts that constitute violations of law and of this Code. The university has the right to proceed with its disciplinary procedures regardless of whether a criminal investigation/charges are pending and regardless of whether criminal charges involving the same incident have been dismissed, resolved, or reduced. However, a student who faces criminal charges or is the subject of a criminal investigation, may temporarily defer Student Conduct proceedings while the criminal matter is pending. In such a circumstance, the student may be subject to certain interim actions intended to protect the campus community during the pendency of criminal proceedings. The interim actions will be determined by the Director without a hearing or a ruling on the charges under the Code and could include an interim suspension and/or removal from University housing facilities.~~

5.4 Student Groups or Organizations

~~5.4.1 A Student Group/Organization and its officers may be held collectively or individually responsible for violations of the Code. Student groups/organizations may be charged with violations of the Code without regard to whether members of such groups/organizations are individually charged with violations arising from the same incident.~~

~~5.4.2 A position of leadership in a Student Group/Organization comes with an expectation of responsibility. Student officers or leaders cannot knowingly permit, condone or acquiesce in any violation of the Code by the group/organization.~~

~~5.4.3 The officers or leaders or any identifiable representative for a Student Group/Organization may be required by the Director to take appropriate action designed to address the violation of the Code or to prevent its recurrence by the Student Group/Organization. Failure to comply with the Director's directive shall be considered a violation of the Code, both by the officers, leaders, or representative for the Student Group/Organization and by the Student Group/Organization itself.~~

~~5.4.4 The procedures outlining the process for responding to alleged violations by Student Groups/Organizations can be found in NCSU REG11.35.02 – Student Discipline Procedures.~~

5.5 Additional Standards

~~Students in certain categories may also be subject to other University behavioral standards. For example, students who are enrolled in the Graduate School, the College of Veterinary Medicine, student athletes, ROTC, or students who live in university housing may be subject to additional standards of behavior.~~

5.6 Howl for Help: Health and Safety Intervention

~~The university encourages students to engage in responsible bystander behaviors. In cases of intoxication, overdose, and/or alcohol poisoning, the university's primary concern is the health and safety of those involved. No student seeking medical treatment for an alcohol or other drug overdose will be charged with specific violations of the Code related to the possession and/or consumption of alcoholic beverages or drugs. The procedures outlining the Howl for Help: Health and Safety Intervention process can be found in NCSU REG11.35.02 – Student Discipline Procedures.~~

6. STANDARDS OF CLASSROOM BEHAVIOR

~~The primary responsibility for managing the classroom environment, whether in-person or online, rests with the faculty. Students who engage in any unlawful acts or behaviors which result in disruption of a class, may be directed by the faculty member or University Police to leave the class for the remainder of the class period. If a disruptive student refuses to leave when the faculty member tells them to do so, the faculty member should call University Police to remove the student. This provision regarding classroom behavior is not to be used to punish students with differing academic interpretations of course content or viewpoint, but to address behavior that is disruptive within the educational environment, including impact to other students.~~

7. REPORTS OF MISCONDUCT

~~7.1 Any person may report alleged misconduct by a student or a Student Group/Organization to the Office of Student Conduct. Misconduct should be reported in as timely a manner as possible. Failure to report misconduct in a timely manner can affect the ability to gather the information needed to assess whether the conduct would constitute a violation of the Code and to support the~~

~~filing of a charge pursuant to the Code. In some cases, a delay in reporting may result in no charges being filed against the student or Student Group/Organization.~~

~~7.2 Misconduct by a student or a Student Group/Organization occurring within university housing facilities should be reported to University Housing.~~

~~7.3 Unless otherwise prohibited by law, persons wishing to withdraw a report of misconduct against a student or Student Group/Organization must do so in writing. The university specifically reserves the right to pursue charges against a student or Student Group/Organization for violations of the Code that threaten the safety or well being of the campus community, constitute violent behavior as defined in NCSU REG04.05.02 – Campus/Workplace Violence Prevention and Management, or any other behavior that adversely affects the university or its educational programs or mission.~~

~~8. ACADEMIC MISCONDUCT~~

~~All members of the University community, students, faculty and other employees, have the responsibility to report Academic Misconduct to the appropriate authority.~~

~~Faculty members must undertake a threshold responsibility for such traditional safeguards as examination security and proctoring and should clearly communicate their academic expectations in the course syllabus. The use of the Pack Pledge, “I have neither given nor received unauthorized aid on this test or assignment,” on all syllabi, assignments, examinations, or other academic evaluations is encouraged. Similarly, faculty members should familiarize themselves with the procedures for addressing Academic Misconduct. The procedures for reporting Academic Misconduct can be found in NCSU REG11.35.02 – Student Discipline Procedures.~~

~~Definitions regarding Academic Misconduct are set forth in writing in order to give students general notice of prohibited conduct. They should be read broadly and are not designed to define Academic Misconduct in exhaustive terms. Attempts to commit acts prohibited by the Code may also be addressed through the conduct process. If a student is in doubt regarding any matter relating to the standards of academic integrity in a given course or on a given assignment, that student must consult with the faculty member responsible for the course before presenting the work.~~

~~8.1 Aiding and Abetting~~

~~Aiding and abetting others to cheat or plagiarize is as detrimental to the scholarly community as engaging in the acts themselves. Aiding and abetting others to cheat or plagiarize includes, but is not limited to, the following:~~

- ~~(a) Giving unauthorized assistance to another or others during a test or evaluation;~~
- ~~(b) Posing as another student in order to meet a course or graduation requirement;~~

~~(c) Providing specific information about a recently given test, examination, or assignment to a student who thereby gains an unfair advantage in an academic evaluation;~~

~~(d) Providing aid to another person, knowing such aid is expressly prohibited by the faculty member, in the research, preparation, creation, writing, performing, or publication of work to be submitted for academic evaluation;~~

~~(e) Permitting one's academic work to be represented as the work of another; or~~

~~(f) Sharing or distributing academic materials, including class notes, in violation of the UNC Policy Manual 500.2—Patent and Copyright Policies or NCSU REG01.25.02—Copyright Infringement—Policy Statement.~~

8.2 Cheating

~~Cheating is the giving, taking, or presenting of information or material by a student that unethically or fraudulently aids oneself or another person on any work which is to be considered in the determination of a grade or the completion of academic requirements or the enhancement of that student's record or Academic Career. Cheating includes, but is not limited, to the following actions:~~

~~(a) Copying from someone else's assignment, examination, or other academic exercise;~~

~~(b) Possessing, buying, selling, removing, receiving, or using, at any time or in any manner not prescribed by the faculty member, any information related to an instrument of academic evaluation;~~

~~(c) Using materials, equipment, or assistance in connection with an assignment, examination, or other academic exercise which have not been authorized by the faculty member, including but not limited to, notes, calculator, or other technology;~~

~~(d) Obtaining or attempting to obtain, in a dishonest manner, any material relating to a student's academic work;~~

~~(e) Working with another or others in completing an assignment, examination, or other academic exercise when the faculty member has required independent and unaided action;~~

~~(f) Attempting to influence or change an academic evaluation, grade, or record by unfair means;~~

~~(g) Permitting another individual to substitute for one's self in an academic evaluation;~~

~~(h) Marking or submitting an examination or evaluation material in a manner designed to deceive the grading system;~~

~~(i) Failing to comply with a specific condition of academic integrity which has been clearly announced in a particular course;~~

~~(j) Submitting, without prior permission of the faculty member, any work by a student which has at any time been submitted in identical or similar form by that student in fulfillment of any other academic requirement at any institution;~~

~~(k) Submitting of material in whole or part for academic evaluation that has been prepared by another individual(s);~~

~~(l) Submitting data which have been altered or contrived in such a way as to be deliberately misleading; or~~

~~(m) Providing false information to the University in any manner to achieve an unfair advantage, enhance one's record, or complete a requirement.~~

8.3 Destruction or Removal of Academic Materials

~~The destruction or removal of academic materials denies access to, and prevents the ability to develop the full potential of, scholarly resources. Prohibited acts under this section include, but are not limited to, the following:~~

~~(a) Removing or attempting to remove, destroy, steal, or make inaccessible library or other academic material without authorization; or~~

~~(b) Willfully damaging the academic work or efforts of another.~~

8.4 Plagiarism

~~Plagiarism is the use or close imitation of the language and thoughts of another and the representation of the other's work as their own. The act of submitting work for evaluation or to meet a requirement is regarded as assurance that the work is the result of the student's own thought and study, produced without assistance, and stated in that student's own words, except as quotation marks, references, or footnotes acknowledge the use of other sources. Any ideas or materials taken from another source for either written or oral use must be fully and correctly acknowledged. Submission of work used previously must first be approved by the faculty member. Plagiarism includes, but is not limited, to the following actions:~~

~~(a) Representing the work of others as their own; or~~

~~(b) Submitting written materials without proper attribution or acknowledgment of the source.~~

9. SANCTIONS FOR ACADEMIC MISCONDUCT

~~Sanctions for Academic Misconduct result in the creation of a disciplinary file for individuals or groups. Sanctions are imposed to:~~

~~(a) Define a student or organization's status at the university following a finding of responsible for a violation;~~

- ~~(b) Serve as a clear statement about University standards and expectations;~~
- ~~(c) Educate students on the effects of their behavior; and~~
- ~~(d) Attempt to affect a change in that behavior in the future.~~

~~Academic misconduct that involves advance planning, collaboration, falsification of papers, forms or documents, actual or potential harm to other students, or other aggravating circumstances may result in suspension or expulsion from the university. In addition, a student may be suspended (or expelled) if further Academic Misconduct is committed while they are on academic integrity probation. Factors or circumstances affecting sanctions shall be considered on a case by case basis.~~

~~9.1 Academic Integrity Probation~~

~~A student found responsible for Academic Misconduct may be placed on academic integrity probation for the remainder of the student's Academic Career. In addition, one or more of the sanctions listed below may be imposed.~~

~~9.2 Reduction in Grade~~

~~A reduction in grade on the assignment, examination, or academic exercise on which the violation occurred.~~

~~9.3 No Credit~~

~~No credit on the assignment, examination, or academic exercise on which the violation occurred, and/or no credit for the course.~~

~~9.4 Educational Exercises~~

~~Participation in an educational exercise regarding academic integrity.~~

~~9.5 Suspension~~

~~Suspension is a separation from the university for a specified period of time, after which the student may be eligible to return. While suspended, the student shall not participate in any University Program or Activity and will be trespassed from University Premises. Exceptions to this trespass may be granted by the Director of the Office of Student Conduct based on the written petition of the student and for good cause. In cases where the student will complete graduation requirements during the current semester, suspension may take effect immediately, or at the Hearing Officer's determination. In addition, graduating students may have a disciplinary notation placed on their transcript or have their transcript withheld for the period of the suspension. In cases where a student will complete graduation requirements in either summer session I or II, the suspension period may include both summer sessions. Notations of the suspension will appear on the student's transcript. Suspension notations on transcripts may be~~

~~removed at a later date upon student petition to the Vice Chancellor and Dean of Academic and Student Affairs. However, a disciplinary file indicating suspension will be maintained by the Office of Student Conduct on a permanent basis. The student's name will be included in the UNC system database for suspended/expelled students.~~

9.6 Expulsion

~~Expulsion may be imposed in the most severe cases of Academic Misconduct. Expulsion is a recommendation that must be approved by the Vice Chancellor and Dean of Academic and Student Affairs and is the permanent separation of the student from the university, unless at a later date the Chancellor concludes on the basis of the former student's petition and any supportive documentation that they should be approved for reinstatement at NC State. When expelled, the student shall no longer participate in any University Program or Activity and will be trespassed from University Premises. A disciplinary file indicating expulsion will be maintained by the Office of Student Conduct on a permanent basis and will result in a permanent transcript notation. The student's name will be included in the UNC system database for suspended/expelled students. Expulsion precludes enrollment at any UNC constituent institution.~~

9.7 Additional Sanctions

~~Additional sanctions not listed above may be imposed. These include, but are not limited to, behavioral assessments, research and reflective writing assignments, as well as other non-academic sanctions listed in the Code. For graduate students, in addition to the sanctions imposed above, other sanctions may apply if the Dean of the Graduate School or the Dean of the College of Veterinary Medicine, as applicable, determines that the graduate student is subject to the policies and procedures established for the Graduate School or the College of Veterinary Medicine.~~

10. NON-ACADEMIC MISCONDUCT

~~Behavior that is subject to disciplinary action under the Code includes alleged violations of federal, state or local law that threaten the safety or well-being of the campus community, any act that constitutes violent behavior as defined in **NCSU REG04.05.02 – Campus/Workplace Violence Prevention and Management**, and any other behavior that adversely affects the University or its educational programs or mission. Attempts to commit acts prohibited by the Code may also be addressed through the conduct process. All members of the university community, students, faculty and other employees, have the responsibility to report non-Academic Misconduct.~~

~~Examples of behavior that will be subject to disciplinary action include:~~

10.1 Alcohol Violations

~~(a) Possession and/or consumption of alcoholic beverages by a person under the age of 21;~~

~~(b) Possession or consumption of any alcohol beverage inside any University Athletic facility except on such occasions as designated by the Chancellor;~~

~~(c) Aiding and abetting the possession and/or consumption of alcoholic beverages by a person who is under the age of 21;~~

~~(d) Consumption of any alcoholic beverages where it is not legally permissible to do so, regardless of age;~~

~~(e) Any other violations of NCSU POL 04.20.02 – Alcohol Policy; or~~

~~(f) Conduct that could form the basis of any charge relating to a violation of North Carolina laws regarding the purchase, possession, manufacture, and consumption of alcoholic beverages or driving while under the influence.~~

10.2 Computer and Network Abuse

~~(a) Theft or misuse of University Information Technology Resources (IT) or State Property, including violations of NCSU REG08.00.02 – Computer Use Regulation;~~

~~(b) Violation of NCSU REG01.25.02 – Copyright Infringement – Policy Statement;~~

~~(c) Unauthorized entry into or transfer of an electronic file;~~

~~(d) Use of another person's computing identification and/or password without authorization or permission;~~

~~(e) Use of University IT Resources to interfere with the work of another student, faculty member, or other NC State employee;~~

~~(f) Use of University IT Resources to send obscene or harassing messages; or~~

~~(g) Use of University IT Resources to interfere with normal operations of the NC State computing system.~~

10.3 Creating a Safety Hazard

~~Any act that intentionally or recklessly creates a safety hazard, including but not limited to:~~

~~(a) Starting or attempting to start a fire or failing to exit a building when a fire alarm is sounded;~~

~~(b) Tampering with or misusing fire and/or other life safety equipment, including fire alarms, closed circuit televisions, or elevators;~~

~~(c) Failing to comply with campus traffic laws while on a pedestrian conveyance (bicycle, skateboard, scooter, etc.); or~~

~~(d) Throwing objects from an elevated position in the direction of persons below.~~

~~10.4 Damage to Property~~

~~Engaging in an act that intentionally or recklessly damages, destroys, or defaces property of the university or another.~~

~~10.5 Disorderly Conduct~~

~~(a) Engaging in conduct that disrupts class including, but not limited to, the use of cell phones or other electronic devices for voice or text communication, unless permitted by the faculty member;~~

~~(b) Conduct that disrupts, interrupts or attempts to force the cancellation of any University-Sponsored Activity or authorized non-University activity, including educational activities, meetings, ceremonies, scheduled events, essential University processes, and authorized solicitation activities;~~

~~(c) Obstruction that unreasonably interferes with freedom of movement or safe passage, either pedestrian or vehicular, on University Premises;~~

~~(d) Conduct that is lewd or indecent; or~~

~~(e) Any unauthorized use of electronic or other devices to make an audio or video record of any person without their prior knowledge, or without their consent when such a recording is likely to cause injury or distress.~~

~~10.6 Disruption of the Student Conduct Process~~

~~(a) Attempting to discourage an individual's proper participation in, or use of, the conduct system;~~

~~(b) Attempting to influence the impartiality of the Hearing Officer, conduct board member, or appeal administrator;~~

~~(c) Harassment and/or intimidation of a Hearing Officer, conduct board member, or appeal administrator prior to, during, and/or after a student conduct proceeding;~~

~~(d) Influencing or attempting to influence another person to commit an abuse of the conduct system; or~~

~~(e) Retaliation (including threats, harassment, intimidation, coercion) against a person because they filed a complaint alleging a violation of the Code or participated in an investigation or procedure involving the alleged violation.~~

~~10.7 Drug Violations~~

~~(a) Illegal possession or use of controlled substances as defined by the North Carolina General Statutes § 90-86 through § 90-113.8;~~

~~(b) Manufacturing, selling, or delivering any controlled substance or possession with intent to manufacture, sell or deliver any controlled substance;~~

~~(c) Misuse of any legal pharmaceutical drugs;~~

~~(d) Knowingly breathe or inhale any substance for the unlawful purpose of inducing a condition of intoxication; or~~

~~(e) Possession of drug-related paraphernalia, including but not limited to, all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of 10.7(a) of this Policy or NCSU POL04.20.05 – Illegal Drugs.~~

~~Further information regarding drug violations is discussed in NCSU POL04.20.05 – Illegal Drugs and through UNC Policy Manual 1300.1 – Illegal Drugs.~~

10.8 Failure to Comply

~~(a) Failing to comply with the directions of University employees, including University Police in performance of their duties;~~

~~(b) Failing to submit identification upon request to duly authorized and properly identified University officials; or~~

~~(c) Failing to comply with the sanctions imposed under this Code.~~

10.9 Fireworks

~~Unauthorized possession or use of fireworks or explosive device on University Premises.~~

10.10 Hazing

~~Any activity related to organizational membership or potential membership that intentionally, recklessly, or negligently humiliates, degrades, abuses, or otherwise creates a risk of mental or physical harm or discomfort, or unreasonably interferes with a student's academic activities or successes. Consent or lack of intent are not defenses to charges under this Section.~~

10.11 Harassment and Discrimination

~~(a) No student shall threaten, coerce, harass, or intimidate another person or identifiable group of persons, in a manner that is unlawful or in violation of any University policy, while on University Premises or in University programs and activities based in whole or in part upon any of the protected statuses included in NCSU POL 04.25.05 (Equal Opportunity, Non-Discrimination and Affirmative Action Policy).~~

~~(b) No student shall engage in unlawful discrimination or harassment as defined by NCSU POL 04.25.05 (Equal Opportunity, Non-Discrimination and Affirmative Action Policy), including but not limited to:~~

- ~~(i) unwelcome conduct based on a person's protected status as defined in NCSU POL 04.25.05 (Equal Opportunity, Non-Discrimination and Affirmative Action Policy) that creates a situation where enduring the offensive conduct becomes a condition of participation in a University program or activity; or~~
- ~~(ii) where the conduct is sufficiently severe or pervasive to create an environment that a reasonable person would consider intimidating, hostile, or abusive.~~

~~All relevant circumstances are examined as part of this determination, including but not limited to, whether the conduct is verbal, physical, or electronic; the frequency of the conduct; the severity of the conduct; the protected status and relationship of the individuals involved; whether the conduct was physically or psychologically threatening or humiliating; whether the conduct unreasonably interfered with work performance (for employees) or academic performance (for students). When sufficiently severe, a single instance of unwelcome conduct may constitute harassment under this policy.~~

~~Charges of sexual harassment are covered separately under section 10.15 of this policy.~~

~~To the extent there are any differences in the definition of harassment in this policy and POL 04.25.05, POL 04.25.05 controls.~~

~~10.12 Infliction or Threat of Bodily Harm~~

- ~~(a) Intentionally or recklessly inflicting physical injury upon another;~~
- ~~(b) Intentionally or recklessly placing another in fear of, or at risk of, physical injury or danger; or~~
- ~~(c) Intentionally or recklessly acting in a manner that creates a substantial risk of bodily harm to another.~~

~~10.13 Providing False Information~~

- ~~(a) Intentionally initiating or causing to be initiated any known false report, warning or threat of fire, explosion or other emergency;~~
- ~~(b) Forgery, alteration, or misuse of any University document, records, or instrument of identification;~~
- ~~(c) Furnishing false information, oral or written, to any University official, faculty or staff member, or office; or~~

~~(d) Possession or use of an instrument of identification that is not one's own or is fictitious or altered.~~

10.14 Interpersonal Violence

Interpersonal Violence includes:

- ~~a) In a current or former dating, romantic or intimate relationship, engaging in physical, sexual, emotional, economic, or psychological actions or threats of actions that a reasonable person in similar circumstances would find abusive, intimidating, or threatening;~~
- ~~b) Engaging in a Course of Conduct directed at a specific person, whether in the context of a social or intimate relationship or otherwise, that would cause a reasonable person to feel fear for their safety or safety of others or suffer substantial emotional distress. This may include, for example, non-consensual communication, including in-person or cyber communication or contact, surveillance, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are unwelcome and/or place another person in fear of, or at risk of, physical injury or danger.~~

10.15 Sexual Misconduct

Sexual Misconduct includes:

(a) ~~Title IX Sexual Harassment and Retaliation, defined in NCSU POL 04.25.07 as:~~

(1) ~~“*Title IX Sexual Harassment*” means conduct on the basis of sex that satisfies one or more of the following:-~~

(1) ~~Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an Education Program or Activity at NC State; or~~

(2) ~~Sexual assault as defined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act,” specifically 20 U.S.C. 1092(f)(6)(A)(v)), dating violence as defined in Violence Against Women Act (“VAWA,” specifically 34 U.S.C. 12291(a)(10)), domestic violence as defined in VAWA (34 U.S.C. 12291(a)(8)), stalking as defined in VAWA (34 U.S.C. 12291(a)(30)) (for ease of reference the definitions as they appear in those laws are provided below).~~

(A) ~~Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation including:-~~

- ~~(i) Rape, defined as the carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;~~
- ~~(ii) Sodomy is oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;~~
- ~~(iii) Sexual Assault With An Object, defined as the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;~~
- ~~(iv) Fondling, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the person, including instances where the victim is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;~~
- ~~(v) Incest, defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;~~
- ~~(vi) Statutory Rape, defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.~~

~~(B) Dating violence means violence committed by a person —~~

- ~~(i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and~~
- ~~(ii) where the existence of such a relationship shall be determined based on the consideration of the following factors:
 - ~~a) The length of the relationship;~~
 - ~~b) The type of relationship;~~~~

~~c) The frequency of interaction between the persons involved in the relationship;~~

~~(C) Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitation with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction;~~

~~(D) Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to-~~

~~(i) fear for their own safety or the safety of others; or~~

~~(ii) suffer substantial emotional distress.~~

~~(II) Title IX Retaliation is intimidating, threatening, coercing, or discriminating against any person for the purpose of interfering with any right or privilege secured by Title IX, POL 04.24.05, or this policy because the person made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this policy or the companion regulations.~~

~~(b) Sexual Harassment, defined in NCSU POL 04.25.05 (Equal Opportunity, Non-Discrimination and Affirmative Action Policy) as a form of Harassment (also defined in POL 04.25.05) which is based on a person's sex or is of a sexual nature. Sexual Harassment can include unwelcome sexual advances, requests for sexual favors, sexual exploitation, and other verbal, non-verbal or physical harassment of a sexual nature, including, but not limited to:~~

~~(I) Sexual Exploitation, which is taking sexual advantage of another person without Consent, and includes, but is not limited to, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over the other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; voyeurism and indecent exposure, and other sexual offenses, and allowing third parties to observe private sexual acts;~~

~~(II) Sexual Contact without Consent, which is the intentional touching of another person's intimate parts (including mouth, genitalia, groin, breast or buttocks or clothing covering any of those areas); or the deliberate touching of another person~~

~~with one's intimate parts; or using force to cause a person to touch their own or another person's intimate parts; or~~

~~(III) Sexual Penetration without Consent, which is the penetration (anal, oral, or vaginal) of another person, however slight, by a penis, tongue, finger, or an inanimate object; or mouth to genital contact or genital to mouth contact; or where a person is forced, caused, or made to sexually penetrate themselves or another person.~~

~~(c) Retaliation, (including threats, harassment, intimidation, coercion) against a person because they made a complaint alleging conduct in violation of Section 10.15(b), participated as a witness or party in an investigation, proceeding, or hearing involving an alleged violation of Section 10.15(b); or requested a reasonable accommodation relating to allegations under Section 10.15(b).~~

~~To the extent there are any differences in the definition of Title IX Sexual Harassment in this Section 10.15 and POL 04.25.XX, POL 04.25.XX controls. To the extent there are any differences in the definition of Sexual Harassment in this Section 10.15 and POL 04.25.05, POL 04.25.05 controls.~~

10.16 Theft

~~(a) Stealing or attempting to steal another's property, money or services;~~

~~(b) Knowingly possessing, purchasing, or exchanging stolen or embezzled property, money or services;~~

~~(c) Unauthorized use or access to private or confidential information in any medium; or~~

~~(d) Unauthorized possession, duplication, or use of keys or card access to any University Premises.~~

10.17 Trespass

~~Unauthorized entry to University Premises, including intruding upon, forcibly entering, or otherwise proceeding into unauthorized areas of University Premises, or the residential space of another without permission.~~

~~See NCSU REG 04.05.01 – Trespassing on University Property.~~

10.18 Unauthorized Use of Property

~~Attempted or actual use of property of NC State, property of a University community member, or other personal or public property without proper authorization, or in a manner for which the property was not intended.~~

10.19 Violation of University Policies, Regulations, or Rules

~~Violation of any written policies, regulations, or rules of the University, as adopted by the university and as may be amended from time to time.~~

10.20 Weapons

~~(a) Illegal or unauthorized possession of Weapons on University Premises or at University-sponsored activities; or~~

~~(b) Possession or use of Weapons in any manner that harms, threatens, or causes fear to others.~~

11. SANCTIONS

~~Sanctions in this section result in the creation of a disciplinary file for individuals or groups. Sanctions are imposed to:~~

~~(a) Define a student or organization's status at the university following a finding of responsible for a violation;~~

~~(b) Serve as a clear statement about University standards and expectations;~~

~~(c) Educate students on the effects of their behavior; and~~

~~(d) Attempt to affect a change in that behavior in the future.~~

~~Misconduct that involves substantial theft or fraud, significant physical, emotional, or mental damage to a person, significant property damage, Harassment, Sexual Misconduct, Relationship or Interpersonal Violence, or actions that create a substantial risk of bodily harm may result in suspension or expulsion from the university. Sanctions for drug-related misconduct are governed by NCSU POL04.20.05 – Illegal Drugs.~~

~~Mitigating or aggravating factors or circumstances affecting sanctions shall be considered prior to imposing a sanction. Factors to be considered may include, but are not limited to: the nature of the misconduct, a student's demonstration of insight for their conduct, present demeanor and attitude, the need to restore or preserve access to education programs and activities, past disciplinary record of the student, the importance of the equitable treatment for similar offenses, community service or assistance related to the misconduct, the degree of any damage, injury, or harm resulting from the misconduct, and other appropriate circumstances.~~

~~The Office of Student Conduct may upon initial review of the charges and accompanying narrative determine whether, if proved, the misconduct could result in sanctions of suspension or expulsion and schedule a hearing accordingly.~~

~~One or more of the sanctions listed below may be imposed for non-Academic Misconduct:~~

11.1 Written Warning

~~A Written Warning is a disciplinary reprimand that serves as notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary actions.~~

11.2 Disciplinary Probation

~~Disciplinary Probation is a pre-suspension status. A student may be placed on disciplinary probation for a period no less than the remainder of the current semester up to the remainder of their Academic Career. If found responsible for a violation while on disciplinary probation, a student may face more severe sanctions up to and including suspension or expulsion.~~

11.3 Suspension

~~Suspension is a separation from the university for a specified period of time after which the student may be eligible to return. While suspended, the student shall not participate in any University Program or Activity and will be trespassed from University Premises. Exceptions to this trespass may be granted by the Director, Office of Student Conduct based on the written petition of the student and for good cause. In cases where the student will complete graduation requirements during the current semester, suspension may take effect immediately, or at the Hearing Officer's determination. In addition, graduating students may have a disciplinary notation placed on their transcript or have their transcript withheld for the period of the suspension. In cases where a student will complete graduation requirements in either summer session I or II, the suspension period may include both summer sessions. Notations of the suspension will appear on the student's transcript. Suspension notations on transcripts may be removed at a later date upon student petition to the Vice Chancellor and Dean of Academic and Student Affairs. However, a disciplinary file indicating suspension will be maintained by the Office of Student Conduct on a permanent basis. The student's name will be included in the UNC System database for suspended/expelled students.~~

11.4 Expulsion

~~Expulsion is a recommendation that must be approved by the Vice Chancellor and Dean of Academic and Student Affairs and is a permanent separation of the student from the university, unless at a later date the Chancellor concludes on the basis of the former student's petition and any supportive documentation that they should be approved for reinstatement at NC State. When expelled, the student shall no longer participate in any University Program or Activity and will be trespassed from University Premises. A disciplinary file indicating expulsion will be maintained by the Office of Student Conduct and will result in a permanent transcript notation. The student's name will be included in the UNC System database for suspended/expelled students. Expulsion precludes enrollment at any UNC constituent institution.~~

11.5 Removal from University Housing

~~Residents of University housing facilities found responsible for violations of this code may be removed from University housing facilities. Removal from University housing facilities may be for a period no less than the remainder of the current semester up to the remainder of the student's Academic Career. The duration of any removal and/or trespass from University~~

~~housing facilities is at the discretion of the Assistant Vice Chancellor and Executive Director of University Housing. All costs incidental to the removal from the University housing facility are the responsibility of the student. Students subject to removal from a University housing facility will be trespassed from entering all University housing facilities. Exceptions to this trespass may be granted by the Director of University Housing based on the written petition of the student and for good cause.~~

11.6 Restriction of Privileges

~~Restriction of privileges may be applied when the student's violation(s) are related to the benefit that one receives as a student at NC State. Examples of privileges that may be restricted include, but are not limited to: attendance at University athletic events, use of Carmichael Complex, visitation in University housing facilities, or participation in intercollegiate athletic events. Some exceptions may be made to ensure access to primary University services such as food services, health care, or academic resources.~~

11.7 Additional Sanctions

~~Additional sanctions not specifically listed above may be imposed. Such sanctions, where appropriate, may include but are not limited to: service or research projects, reflective writing assignments, behavioral assessments, participation in special educational programs, restitution for damage to or destruction of property, relocation to another room or residence with coordination of appropriate University staff, behavioral contracts, trespass or no contact orders, etc. Additional group or organizational sanctions may include revocation or denial of registration or recognition.~~

12. INTERIM ACTIONS

~~In certain circumstances, NC State may take one or more interim actions to safeguard the university community before a student conduct process begins or is completed. These interim actions may be imposed effective immediately, without prior notice, when, in the university's judgment, there is a need to implement an individualized response based on the seriousness of the alleged violation(s) of the Code and/or the potential for an ongoing threat or disruption to the University community. The university may take interim actions as follows:~~

12.1 Extraordinary Measure: Interim Suspension

~~An extraordinary measure in the form of an interim suspension is a diversion from the regular disciplinary process, but may be necessary to ensure the safety and well-being of the campus community. Students subjected to an interim suspension will be accorded a hearing as provided for in the Procedures.~~

~~12.1.1 A student may be suspended on an interim basis, if the student:~~

~~(a) Poses an ongoing threat or disruption of, or interference with, the normal operations of the university;~~

~~(b) Poses a threat of causing physical harm to others or of placing others in fear of imminent danger;~~

~~(c) Poses a threat of causing significant property damage;~~

~~(d) Threatens the safety or well-being of the campus community;~~

~~(e) Has been alleged to have violated NCSU POL04.20.05 – Illegal Drugs; or~~

~~(f) Is alleged to have violated POL 04.25.XX by engaging in Sexual Harassment and the University has determined after an individualized safety and risk analysis that the student poses an immediate threat to the physical health or safety of any student or other individual and their removal is justified.~~

12.2 Other Interim Actions

~~The university may take interim actions other than suspension to ensure the safety and well-being of the campus community including, but not limited to, “no contact” orders, relocation in University housing facilities, registration holds, and adjustments to class schedules. Any interim actions taken may not be used as evidence to support charges under the Code.~~

13. INTERPRETATIONS AND REVIEW

~~13.1 Any question of interpretation or application of the Code will be referred to the Vice-Chancellor and Dean of Academic and Student Affairs for final determination.~~

~~13.2 The Code shall be reviewed every three (3) years under the direction of the Director and in consultation with other campus units as appropriate. It is the duty of the Chancellor to exercise full authority in the regulation of student affairs and student conduct matters. The Office of Student Conduct is responsible for maintaining the Code of Student Conduct and addressing issues of student conduct and discipline.~~

~~The Code of Conduct shall be comprehensively reviewed every three years by the Office of Student Conduct. In addition to the regular three-year review, the Code of Conduct shall be updated as necessary to comply with and reflect all applicable laws, policies, and current practices. Updates and revisions to the Code of Conduct shall be shared with the Board of Trustees for informational purposes on a periodic basis.~~



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| Authority Board of Trustees |
| Title Equal Opportunity and Nondiscrimination Policy |
| Classification POL 04.25.05 |
| PRR Subject Equal Opportunity and Nondiscrimination |
| Contact Info Vice Provost for Institutional Equity and Diversity (919) 515-4559 |

History: First Issued: April 9, 1999. Last Revised: July __, 2024, with an Effective Date of August 1, 2024.

Related Policies:

- [**NCSU POL 05.25.01 – Faculty Grievance and Non-Reappointment Review Policy**](#)
- [**NCSU POL 05.25.03 – Review and Appeal Processes for EHRA Non-Faculty Employees**](#)
- [**NCSU POL 11.35.01 – Student Conduct**](#)
- [**NCSU REG 11.35.05 – Code of Student Conduct**](#)
- [**NCSU REG 11.35.02 – Student Discipline Procedures**](#)
- [**NCSU REG 04.25.06 – Discrimination and Harassment Prevention and Response Training**](#)
- [**NCSU REG 04.25.02 – Discrimination, Harassment and Retaliation Complaint Procedure**](#)
- [**NCSU REG 04.25.08 - Title IX Sexual Harassment Complaint Resolution Procedure**](#)
- [**NCSU REG 02.20.01 – Academic Accommodations for Students with Disabilities**](#)
- [**NCSU REG 05.00.02 – Reasonable Accommodations in Employment**](#)
- [**NCSU REG 05.25.06 – EHRA Non-Faculty Employee Reviews and Appeals**](#)
- [**NCSU REG 04.25.06 – Equal Opportunity, Title IX and Non-Discrimination Training for Employees**](#)
- [**UNC System SHRA Employee Grievance Policy**](#)

Additional References:

- [**Chancellor’s Memo – Equal Opportunity and Nondiscrimination**](#)

1. INTRODUCTION

North Carolina State University (“NC State” or “University”) is committed to providing an inclusive and welcoming environment for all members of our community. As a public land grant institution, the University strives to ensure that diverse persons of any background are invited, included, and treated equally. The University also strives to maintain a campus environment free from discrimination, harassment, and retaliation and to provide an equitable and supportive process for reporting and resolving allegations of discrimination, harassment, and retaliation.

NC State complies with all applicable laws and regulations relating to preventing and addressing discrimination, harassment, and retaliation. Those laws include but are not limited to Title IX of

the Education Amendments of 1972 and Title VI and Title VII of the Civil Rights Act of 1964. This Policy and its companion regulations, REG 04.25.02–Discrimination, Harassment and Retaliation Complaint Procedures and REG 04.25.08–Title IX Sexual Harassment Resolution Procedure (“Companion Regulations”) set forth the University’s equal opportunity and nondiscrimination policy and outline the processes the University will follow with respect to ensuring equal opportunity and handling allegations of prohibited discrimination, harassment, and any related retaliation in our efforts to promptly and effectively address such conduct, prevent its recurrence, and remedy its effects.

2. POLICY STATEMENT

NC State prohibits unlawful discrimination and harassment based on a person’s protected status in University programs and activities. NC State also prohibits retaliation for any protected activity.

“Protected Status” is defined as an individual’s actual or perceived:

- a. race, color, or national origin, including shared ancestry or ethnic characteristics,
- b. sex, including sexual orientation, gender identity, and pregnancy or related conditions,
- c. age,
- d. disability,
- e. genetic information,
- f. religion, and
- g. veteran’s status.

Companion Regulations define the terms “discrimination,” “harassment,” “retaliation,” “protected activity” and describe prohibited conduct.

NC State also provides procedures for requesting accommodations or modifications related to disability, religion and pregnancy or pregnancy-related conditions.

3. SCOPE

This Policy applies to NC State applicants, employees, students, and other persons who participate or attempt to participate in a University program or activity. Companion Regulations define the term “program or activity.”

4. REPORTS OF AND RESPONSES TO ALLEGATIONS OF DISCRIMINATION, HARASSMENT AND RETALIATION

The Board of Trustees through the Chancellor has designated NC State’s Office for Institutional Equity and Diversity (“OIED”) as the office to address allegations of discrimination, harassment, or retaliation.

Any person may report an allegation of discrimination, harassment, or retaliation. Procedures for reporting discrimination, harassment, and retaliation are contained in the appropriate Companion Regulation(s).

In response to a report or complaint made pursuant to this Policy, NC State will follow fair and equitable procedures, as described in the appropriate Companion Regulation(s) to address any prohibited discrimination, harassment, and retaliation.

5. RELATIONSHIP TO OTHER LAWS AND POLICIES

Nothing in this Policy is intended to (a) restrict any rights that would otherwise be protected from government action by the First Amendment of the United States Constitution; (b) deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the United States Constitution; or (c) restrict any other rights guaranteed against government action by the United States Constitution.

This Policy is established in accordance with 41 CFR Part 60 and is implemented in accordance with applicable laws, their amendments, and their implementing regulations, including but not limited to, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Order 13899, Executive Order 11246, the Age Discrimination in Employment Act of 1967, Age Discrimination Act of 1975, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, the Genetic Information Nondiscrimination Act of 2008, and North Carolina General Statutes.



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| Authority Board of Trustees |
| Title Equal Opportunity, Non-Discrimination and Affirmative Action <u>Nondiscrimination</u> Policy |
| Classification POL 04.25.05 |
| PRR Subject Non-Discrimination <u>Equal Opportunity and Nondiscrimination</u> |
| Contact Info Vice Provost for Institutional Equity and Diversity (919) 515-4559 |

History: First Issued: April 9, 1999. Last Revised: July ~~15, 2020~~, 2024, with an Effective Date of August ~~14, 2020~~, 2024.

Related Policies:-

~~NCSU POL05.25.01 – Faculty Grievance and Non-Reappointment Review Policy~~
~~NCSU POL05.25.03 – Review and Appeal Processes for EHRA Non-Faculty Employees~~
~~NCSU POL11.35.01 – Code of Student Conduct~~
~~NCSU REG11.35.02 – Student Discipline Procedures~~
~~NCSU REG04.25.06 – Discrimination and Harassment Prevention and Response Training~~
~~NCSU REG04.25.02 – Discrimination, Harassment and Retaliation Complaint Procedure~~
~~UNC System SHRA Employee Grievance Policy~~
~~NCSU REG02.20.01 – Academic Accommodations for Students with Disabilities~~
~~NCSU REG05.00.02 – Reasonable Accommodations in Employment~~
~~NCSU REG05.25.06 – EHRA Non-Faculty Employee Reviews and Appeals~~
~~NCSU REG04.25.06 – Equal Opportunity, Title IX and Non-Discrimination Training for Employees~~

Additional References:

~~Chancellor’s Memo – Title IX and Non-Discrimination~~
~~Chancellor’s Memo – Equal Opportunity and Non-Discrimination~~

Related Policies:

~~NCSU POL 05.25.01 – Faculty Grievance and Non-Reappointment Review Policy~~
~~NCSU POL 05.25.03 – Review and Appeal Processes for EHRA Non-Faculty Employees~~
~~NCSU POL 11.35.01 – Student Conduct~~
~~NCSU REG 11.35.05 – Code of Student Conduct~~
~~NCSU REG 11.35.02 – Student Discipline Procedures~~
~~NCSU REG 04.25.06 – Discrimination and Harassment Prevention and Response Training~~
~~NCSU REG 04.25.02 – Discrimination, Harassment and Retaliation Complaint Procedure~~
~~NCSU REG 04.25.08 - Title IX Sexual Harassment Complaint Resolution Procedure~~
~~NCSU REG 02.20.01 – Academic Accommodations for Students with Disabilities~~

NCSU REG 05.00.02 – Reasonable Accommodations in Employment
NCSU REG 05.25.06 – EHRA Non-Faculty Employee Reviews and Appeals
NCSU REG 04.25.06 – Equal Opportunity, Title IX and Non-Discrimination Training for Employees
UNC System SHRA Employee Grievance Policy

Additional References:
Chancellor’s Memo – Equal Opportunity and Nondiscrimination

1. INTRODUCTION

North Carolina State University (“NC State” or “University”) is ~~a diverse community committed to being welcoming, providing an inclusive and supportive welcoming environment for all people. Educational and employment decisions must be based on factors germane to academic or work related abilities or performance and must be in alignment with NC State’s values.~~

~~In supportmembers of this commitment, NC State strives to provide a learning and workingour community. As a public land grant institution, the University strives to ensure that diverse persons of any background are invited, included, and treated equally. The University also strives to maintain a campus environment free from unlawful discrimination and, harassment, and retaliation and to provide an equitable and supportive process for reporting and resolving such allegations free from retaliation. In addition, NC State maintains an affirmative action program designed to create and maintain diversity in its educational programs and activities, its workforce, and in its contracts with outside entities. of discrimination, harassment, and retaliation.~~

~~This policy defines prohibited conduct and outlines general provisions the university will follow with respect to handling allegations of Discrimination, Harassment, and Retaliation. Specific procedures relating to Discrimination, Harassment, and Retaliation complaint processes are contained in companion regulations.~~

~~NC State complies with all applicable laws and regulations relating to preventing and addressing discrimination, harassment, and retaliation. Those laws include but are not limited to Title IX of the Education Amendments of 1972 and Title VI and Title VII of the Civil Rights Act of 1964. This Policy and its companion regulations, REG 04.25.02–Discrimination, Harassment and Retaliation Complaint Procedures and REG 04.25.08–Title IX Sexual Harassment Resolution Procedure (“Companion Regulations”) set forth the University’s equal opportunity and nondiscrimination policy and outline the processes the University will follow with respect to ensuring equal opportunity and handling allegations of prohibited discrimination, harassment, and any related retaliation in our efforts to promptly and effectively address such conduct, prevent its recurrence, and remedy its effects.~~

2. POLICY STATEMENT⁺

⁺~~This policy is established in accordance with 41 CFR Part 60 and is implemented in accordance with applicable laws and their amendments, including but not limited to, Title VI and Title VII of the Civil Rights Act of 1964, Title~~

~~NC State provides equal opportunity and affirmative action efforts, and NC State prohibits Discriminationunlawful discrimination and Harassmentharassment based upon the following, which is considered by NC State to beon a person's protected status in University programs and activities. NC State also prohibits retaliation for any protected activity.~~

~~“Protected Status”:~~

- ~~a. race~~
- ~~b. color~~
- ~~c. religion (including belief and non-belief)~~
- ~~d. sex, including but not limited to

 - ~~(i) pregnancy, childbirth, or related medical condition,~~
 - ~~(ii) parenting; and~~
 - ~~(iii)sexual harassment;~~~~
- ~~e. sexual orientation;~~

~~” is defined as an individual’s actual or perceived:~~

- ~~a. race, color, or national origin, including shared ancestry or ethnic characteristics,~~
- ~~b. sex, including sexual orientation, gender identity;, and pregnancy or related conditions,~~
- ~~c. age;~~
- ~~f. national origin;~~
- ~~d. disability;~~
- ~~g. veteran status; or~~
- ~~e. genetic information.~~

~~NC State also prohibits Retaliation based upon a person’s engagement in a Protected Activity.~~

~~3. COVERAGE~~

- ~~f. 3.1 religion, and~~
- ~~g. veteran’s status.~~

~~Companion Regulations define the terms “discrimination,” “harassment,” “retaliation,” “protected activity” and describe prohibited conduct.~~

~~NC State also provides procedures for requesting accommodations or modifications related to disability, religion and pregnancy or pregnancy-related conditions.~~

~~3. SCOPE~~

~~IX of the Education Amendments of 1972, Executive Order 11246, the Age Discrimination in Employment Act of 1967, and the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, the Civil Rights Restoration Act of 1988, North Carolina General Statutes Chapters 116 and 126.~~

This ~~policy~~ **Policy** applies to ~~all~~ NC State applicants, employees, students, and other persons who participate or attempt to participate in a University program or activities, and/or program or who are conducting University business, whether on activity. Companion Regulations define the term “program or off-campus activity.”

4. 3.2-REPORTS OF AND RESPONSES TO ALLEGATIONS OF DISCRIMINATION, HARASSMENT AND RETALIATION

The Board of Trustees through the Chancellor has designated NC State’s Office for Institutional Equity and Diversity (“OIED”) as the office to address allegations of discrimination, harassment, or retaliation.

~~3.3 Title IX of the Education Amendments of 1972 (“Title IX”) prohibits sexual harassment, which is a form of sex discrimination.~~

~~Title IX regulations require institutions of higher education to implement a Title IX Policy to address sexual harassment as specifically defined by the U.S. Department of Education. Accordingly, reports that an individual may have engaged in sexual harassment as defined by Title IX regulations may be subject to review in accordance with the Title IX Sexual Harassment Policy (NCSU POL 04.25.07). Notably, reported misconduct that does not constitute sexual harassment as specifically defined by the Title IX Sexual Harassment Policy may still be prohibited and does not preclude the University from evaluating the reported misconduct under the other provisions of this policy.~~

4. DEFINITIONS

~~For purposes of this policy, the following definitions apply:~~

~~4.1 **Discrimination** is unfavorable treatment of a person because of a person’s Protected Status which denies, limits, or adversely impacts a term or condition of a person’s employment, education, or participation in University programs or activities. Discrimination includes the denial of a request for a reasonable accommodation based upon disability or religion.~~

~~4.2 **Harassment** is unwelcome conduct based on a person’s Protected Status that creates a situation where:~~

- ~~a. enduring the offensive conduct becomes a condition of employment or of participation in a University program or activity; or~~
- ~~b. the conduct is sufficiently severe or pervasive to create an environment that a reasonable person would consider intimidating, hostile, or abusive.~~

~~All relevant circumstances are examined as part of this determination, including but not limited to, whether the conduct is verbal, physical, or electronic; the frequency of the conduct; the severity of the conduct; the Protected Status and relationship of the individuals involved; whether the conduct was physically or psychologically threatening or humiliating; whether the conduct unreasonably interfered with work performance (for employees) or academic~~

~~performance (for students). When sufficiently severe, a single instance of unwelcome conduct may constitute Harassment under this policy.~~

~~Sexual Harassment is defined in section 4.6 below.~~

~~4.3 **Protected Activity** includes filing a complaint that alleges a violation of this policy, participating as a witness or party in an investigation, proceeding, or hearing involving an alleged violation of this policy; or requesting a reasonable accommodation based on disability or religion.~~

~~4.4 **Protected Status** is defined in Section 2 of this policy.~~

~~4.5 **Retaliation** is any adverse action (including but not limited to intimidation, threats, or coercion relating to an adverse action) against a person because that person engaged in a Protected Activity.~~

~~4.6 **Sexual Harassment** is a form of Harassment which is based on a person's sex or is of a sexual nature. Sexual Harassment can include unwelcome sexual advances, requests for sexual favors, sexual exploitation, and other verbal, non-verbal or physical harassment of a sexual nature. Allegations of sexual harassment as defined under Title IX may be addressed by the Title IX Sexual Harassment Policy (NCSU POL 04.25.07).~~

5. COMPLAINTS

~~Any person may report an allegation of Discrimination, Harassment (including Sexual Harassment), or Retaliation as defined in this policy. The reporter should follow the procedure described in NCSU REG 04.25.02 (Discrimination, Harassment and Retaliation Complaint Procedures) to file a report or formal complaint.~~

6. RESPONSE TO ALLEGATIONS OF DISCRIMINATION, HARASSMENT AND RETALIATION

~~6.1 Any person may report an allegation of discrimination, harassment, or retaliation. Procedures for reporting discrimination, harassment, and retaliation are contained in the appropriate Companion Regulation(s).~~

~~In response to a report or complaint ~~filed~~^{made} pursuant to this ~~policy~~^{Policy}, NC State will respond and provide a follow fair procedure with due process protections for complainants and respondents.~~

~~6.2 Appropriate corrective measures will be instituted for violations of this policy. Such corrective measures will be designed to stop the Discrimination, Harassment, and/or Retaliation and to prevent future violations. Corrective measures may involve disciplinary action up to and including expulsion (for students) or discharge (for employees).~~

~~6.3 Disciplinary action for a violation of this policy will be the responsibility of the Office of Student Conduct (for students) and appropriate administrator (i.e. vice chancellor, dean, director, supervisor, etc.) (for employees), in accordance with applicable disciplinary and equitable~~

~~procedures for students or employees, as described in the appropriate Companion Regulation(s) to address any prohibited discrimination, harassment, and retaliation.~~

~~7. AFFIRMATIVE ACTION~~

~~7.1 NC State maintains an affirmative action program in accordance with federal and state law and regulations. Development of the University's affirmative action and equal employment opportunity plan (the "AA/EEO Plan") at NC State, is assigned to the Vice Provost for Institutional Equity and Diversity, who serves as the university's Affirmative Action Officer.~~

~~7.2 The head of each administrative or academic unit, and subunits as identified by the Affirmative Action Officer, shall be responsible for working with the Affirmative Action Officer to implement the requirements of the AA/EEO Plan.~~

~~7.3 All University publications, job advertisements, prime federal contracts and subcontracts, purchase orders, and publicity for University events must state that NC State is an AA/EEO employer. Approved taglines and clauses for these purposes are located on the OIED webpage.~~

~~7.4 As part of NC State's affirmative action efforts regarding persons with a disability and protected veterans, individuals who qualify and wish to benefit from the Affirmative Action Plan are invited and encouraged to self-identify their status. This information is provided voluntarily and unless required by law to be disclosed, the information obtained will be kept confidential.~~

~~5. RELATIONSHIP TO OTHER LAWS AND POLICIES~~

~~Nothing in this Policy is intended to (a) restrict any rights that would otherwise be protected from government action by the First Amendment of the United States Constitution; (b) deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the United States Constitution; or (c) restrict any other rights guaranteed against government action by the United States Constitution.~~

~~This Policy is established in accordance with 41 CFR Part 60 and is implemented in accordance with applicable laws, their amendments, and their implementing regulations, including but not limited to, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Order 13899, Executive Order 11246, the Age Discrimination in Employment Act of 1967, Age Discrimination Act of 1975, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, the Genetic Information Nondiscrimination Act of 2008, and North Carolina General Statutes.~~

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| Authority Board of Trustees |
| Title Title IX Sexual Harassment Policy |
| Classification POL 04.25.07 |
| PRR Subject Non-Discrimination |
| Contact Info Vice Provost for Institutional Equity and Diversity (919) 515-4559 |

History: First Issued: July 15, 2020, with an Effective Date of August 14, 2020.

Related Policies:

[**NCSU REG 04.25.08 – Title IX Sexual Harassment Resolution Procedure**](#)

[**NCSU POL11.35.01 – Code of Student Conduct**](#)

[**NCSU REG11.35.02 — Student Discipline Procedures**](#)

[**NCSU POL 04.25.05 -- Equal Opportunity, Non-Discrimination and Affirmative Action Policy**](#)

[**NCSU REG 04.25.02 – Discrimination, Harassment and Retaliation Complaint Procedure**](#)

[**UNC System SHRA Employee Grievance Policy**](#)

[**NCSU REG04.25.06 – Equal Opportunity, Title IX and Non-Discrimination Training for Employees**](#)

1. INTRODUCTION

North Carolina State University (NC State) is committed to providing a learning and working environment free from discrimination and harassment and one that is safe and inclusive for all members of the campus community. Title IX of the Education Amendments of 1972 (“Title IX”) prohibits sex discrimination in university programs and activities, including but not limited to student recruitment, admissions, financial aid, program offerings, athletics, and all aspects of employment. The federal regulations related to Title IX (34 U.S.C. § 106 *et seq.*) address sexual harassment as a form of sex discrimination in education programs or activities and require universities to comply with specific rules regarding the handling of allegations of sexual harassment as defined by federal regulations related to Title IX.

This policy defines prohibited conduct under Title IX and outlines general provisions the university will follow with respect to handling allegations of sexual harassment in order to comply with Title IX. Specific procedures relating to Title IX complaint processes are contained in a

companion regulation available at [REG 04.25.08 Title IX Sexual Harassment Resolution Procedure](#).

2. COVERAGE

This policy and its companion regulation address NC State's obligations for responding to complaints of Title IX Sexual Harassment and Retaliation pursuant to Department of Education regulations implementing requirements to prohibit Title IX Sexual Harassment.

Title IX applies to persons in the United States in an institution's education programs or activities (including employment). This Title IX Sexual Harassment Policy applies when (1) NC State has Actual Knowledge of Sexual Harassment; (2) the Sexual Harassment occurred within NC State's Education Programs or Activities; and (3) the Sexual Harassment is against a person in the United States.

Allegations of misconduct that do not meet the definition of Title IX Sexual Harassment or Retaliation under this policy may be subject to other university policies including but not limited to the Code of Student Conduct (NCSU POL 11.35.01) or the Equal Opportunity, Non-Discrimination and Affirmative Action Policy (NCSU POL 04.25.05). Members of the NC State community having questions about whether alleged misconduct falls under this or other policies, should contact the Equal Opportunity and Equity Unit of the Office of Institutional Equity and Diversity.

3. DEFINITIONS

For purposes of this policy, the following definitions shall apply:

- (a) "Actual Knowledge" means notice of allegations of Title IX Sexual Harassment, or Retaliation to NC State's Title IX Coordinator or one of NC State's Title IX Designated Officials.
- (b) "Complainant" means a person to whom the alleged Title IX Sexual Harassment was directed. At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, an NC State Education Program or Activity.
- (c) "Education Program or Activity" includes locations, events, or circumstances over which NC State exercises substantial control over both the Respondent and the context in which the Title IX Sexual Harassment occurs (including employment), and also includes any building owned or controlled by a student organization that is officially recognized by NC State.
- (d) "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the university investigate the allegation of Title IX Sexual Harassment.
- (e) "NC State's Title IX Designated Officials" are personnel authorized by NC State to receive notice of Title IX Sexual Harassment and Retaliation and to institute corrective measures.

- (f) “Report” is a disclosure of information by any person to the Title IX Coordinator or an NC State Title IX Designated Official that includes allegations that may be covered by this policy.
- (g) “Respondent” means a person who has been reported to have engaged in conduct that could constitute Title IX Sexual Harassment.
- (h) “Retaliation” is intimidating, threatening, coercing, or discriminating against any person for the purpose of interfering with any right or privilege secured by Title IX or this policy because the person made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this policy or the companion regulations.
- (i) “Supportive Measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the Education Program or Activity without unreasonably burdening the other party and include measures designed to protect the safety of all parties or the educational environment or to deter Sexual Harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The university shall maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of NC State to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.
- (j) “Title IX Sexual Harassment” for purposes of Title IX and this policy means conduct on the basis of sex that satisfies one or more of the following:
1. A university employee conditioning the provision of an aid, benefit, or service on another employee’s or student’s participation in unwelcome sexual conduct (“quid pro quo” harassment by an employee);
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an Education Program or Activity at NC State; or
 3. Sexual assault as defined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act,” specifically 20 U.S.C. 1092(f)(6)(A)(v)), dating violence as defined in Violence Against Women Act (“VAWA,” specifically 34 U.S.C. 12291(a)(10)), domestic violence as defined in VAWA (34 U.S.C. 12291(a)(8)), stalking as defined in VAWA (34 U.S.C.

12291(a)(30)) (for ease of reference the definitions as they appear in those laws are provided below), or other sexual misconduct defined below.

(A) Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation including:

- (i) Rape, defined as the carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
- (ii) Sodomy, defined as oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
- (iii) Sexual Assault With An Object, defined as the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;
- (iv) Fondling, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the person, including instances where the victim is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;
- (v) Incest, defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;
- (vi) Statutory Rape, defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

(B) Dating violence means violence committed by a person--

- (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (ii) where the existence of such a relationship shall be determined based on the consideration of the following factors:
 - a) The length of the relationship;

- b) The type of relationship;
- c) The frequency of interaction between the persons involved in the relationship;

(C) Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitation with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction;

(D) Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- (i) fear for their own safety or the safety of others; or
- (ii) suffer substantial emotional distress.

4. PROHIBITED CONDUCT

NC State prohibits all forms of Sexual Harassment and will promptly and equitably address allegations of Title IX Sexual Harassment when the harassment occurs in the university's Education Programs or Activities in the United States.

NC State also prohibits Retaliation under this policy.

5. REPORTING TITLE IX SEXUAL HARASSMENT AND FILING A FORMAL COMPLAINT

Any person may report Title IX Sexual Harassment (whether or not the person reporting is the person impacted by the alleged conduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Complainants may also file Formal Complaints with the Title IX Coordinator at any time. The procedure to be followed for filing Reports and Formal Complaints is contained in [REG 04.25.08 Title IX Sexual Harassment Resolution Procedure](#).

6. RESPONSE TO ALLEGATIONS OF TITLE IX SEXUAL HARASSMENT

6.1 Upon receiving a Report containing allegations of Title IX Sexual Harassment, the Title IX Coordinator will:

- (a) promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, and explain the Title IX complaint resolution process, including the option for filing a Formal Complaint; and
- (b) treat Complainants and Respondents equitably with respect to supportive measures.

6.2 If a Formal Complaint is filed, NC State will provide for a fair and equitable complaint resolution process designed to provide equal access to NC State's Education Programs and Activities.

6.3 Supportive measures will be made available to affected persons with or without the filing of a Formal Complaint.

7. RELATIONSHIP TO OTHER LAWS AND POLICIES

7.1 Nothing in this policy is intended to (1) restrict any rights that would otherwise be protected from government action by the First Amendment of the United States Constitution; or (2) deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the Fifth and Fourteenth Amendments of the United States Constitution; or restrict any other rights guaranteed against government action by the United States Constitution.

7.2 Reports of discrimination or harassment on the basis of sex or of a sexual nature that do not meet the definition of Title IX Sexual Harassment in this policy may be prohibited by other policies, including but not limited to, the Equal Opportunity, Non-Discrimination and Affirmative Action Policy (NCSU POL 04.25.05).

7.3 Nothing in this policy may be read in derogation of any person's rights under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, or any regulations promulgated thereunder.