

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS45309-LH-78 (02/23)

Short Title: UNC/Equal Opportunity Officer. (Public)

Sponsors: Senators Curtis, Brown, and McInnis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH
3 CAROLINA TO REVIEW AND EVALUATE THE EQUAL OPPORTUNITY POLICIES
4 ADOPTED BY, AND SERVICES OFFERED BY, EACH CONSTITUENT
5 INSTITUTION AND TO WORK WITH THE CONSTITUENT INSTITUTIONS TO
6 DEVELOP A MORE EFFECTIVE AND EFFICIENT PLAN THAT CONSOLIDATES
7 THE EQUAL OPPORTUNITY SERVICES OFFERED BY EACH CAMPUS.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** The General Assembly finds that The University of North Carolina
10 provides important educational opportunities to citizens of the State and to others so that they
11 may improve life for themselves, their families, and their communities. It is therefore important
12 that The University of North Carolina provide equal opportunity to all without discrimination
13 based upon race, creed, color, sex, national origin, political affiliation, or any other improper
14 characteristic. The General Assembly also finds that, while university officials throughout the
15 State and nation have established numerous positions to promote equal opportunity and
16 inclusiveness, there is not sufficient transparency, coordination, or accountability to assure the
17 public that such positions are in fact advancing equality. Further, the General Assembly finds
18 that the expenditure of State funds for student groups should reflect the goal of equal
19 opportunity and nondiscrimination to ensure access to all.

20 **SECTION 2.** To ensure equality of opportunity regarding admission to,
21 employment by, and promotion in The University of North Carolina and all of its constituent
22 institutions, the Board of Governors of The University of North Carolina shall review and
23 evaluate the equal opportunity policies, which include the policies related to diversity and
24 nondiscrimination, adopted by each constituent institution, the implementation of those policies
25 on each campus, and the services provided on each campus in order to evaluate the
26 transparency and effectiveness of those policies. As part of its review, the Board of Governors
27 shall direct each constituent institution to identify all staff positions on campus that include as
28 part of the job duties any responsibility for the implementation, administration, or enforcement
29 of policies intended to promote equal opportunity, diversity, or inclusiveness; indicate how
30 those staff positions and the services offered through those positions fit within the
31 organizational structure of the constituent institution; and indicate the direct and indirect costs
32 related to those staff positions and services provided by those staff positions.

33 Based upon its review and evaluation, the Board of Governors shall establish
34 policies that require each constituent institution to develop an equal opportunity plan that
35 consolidates all equal opportunity services offered on campus into a single office headed by an
36 equal employment officer designated by the Chancellor, identifies measurable goals to ensure



1 equal opportunity and inclusiveness within each institution, and requires quantification of all
2 costs incurred in the university's efforts to promote equal opportunity, inclusiveness, diversity,
3 or nondiscrimination. Each campus's equal opportunity office may have up to five staff
4 positions, including the equal employment officer. Each constituent institution shall develop a
5 plan outlining steps it will take to comply with the new Board of Governors policies and submit
6 the plan for review by the Board of Governors no later than three months after adoption by the
7 Board of Governors of its policies issued pursuant to this act. The constituent institution shall
8 begin implementation of the plan upon its approval by the Board of Governors. The Chancellor
9 of each constituent institution shall report annually to the Board of Governors on the number of
10 personnel involved in the institution's equal opportunity efforts, progress made in meeting the
11 institution's stated goals, and the costs associated with the institution's equal opportunity plan.

12 **SECTION 3.** The Board of Governors of The University of North Carolina shall
13 also review policies regarding the funding of student organizations from mandatory student
14 fees and any other State funds. All constituent institutions have adopted policies and shall
15 continue to have policies that recognize student organizations that select their members or
16 leaders on the basis of commitment to a set of beliefs, such as religious or political beliefs.
17 Those policies also provide that these organizations may limit membership and participation in
18 the group to those students who, upon individual inquiry, affirm that they support the group's
19 goals and agree with its beliefs. However, no constituent institution shall use, or allow to be
20 used, State funds or receipts derived from mandatory student fees to support such student
21 organizations. These organizations may accept non-State funds for their support.

22 **SECTION 4.** This act is effective when it becomes law. Section 3 of this act
23 applies beginning with the 2017 fall academic semester.