

Equality Within the University of North Carolina

The University of North Carolina reaffirms its longstanding commitment to the equality of opportunity in education and employment as a core value, and the Board of Governors repeals [Section 300.8.5](#) of the UNC Policy Manual, *Policy on Diversity and Inclusion Within the University of North Carolina*, and [Section 300.8.5\[R\]](#) of the UNC Policy Manual, *Regulation on Diversity and Inclusion Within the University of North Carolina*, and supersedes them with the following policy:

I. Purpose. The law of North Carolina defines “The University of North Carolina [as] a public, multicampus university dedicated to the service of North Carolina and its people.” Its mission prescribed by law is to “discover, create, transmit, and apply knowledge to address the needs of individuals and society.” [G.S. 116-1](#). Accomplishing the former—addressing the needs of individuals—requires that each be treated as an individual deserving of dignity and inclusion. The University shall continue to ensure that diverse persons of any background, from North Carolina and beyond, are invited, included, and treated equally. Diversity means the ways in which individuals vary, including, but not limited to, backgrounds, beliefs, viewpoints, abilities, cultures, and traditions that distinguish one individual from another.

II. Nondiscrimination in Employment Practices & Educational Programs and Activities. The University of North Carolina’s employment practices and provision of educational programs and activities shall continue to comply with federal and state law prohibiting discrimination and harassment of members of protected classes, including, without limitation, Title VII of the Civil Rights Act of 1964, The Age Discrimination in Employment Act of 1967, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and the Uniformed Services Employment and Reemployment Rights Act.

III. Ensuring Equality of All Persons & Viewpoints. The University of North Carolina shall continue to comply with the requirements of [G.S. 126-14.5](#) and [-14.6](#) and [Section 300.5.1](#) of the UNC Policy Manual, *Political Activities of Employees*, including, without limitation, their protections of the equality of all persons enshrined in Article I, Section 1 of the [North Carolina Constitution](#) and the Fourteenth Amendment to the [United States Constitution](#), their prohibitions on compelled speech in hiring, professional advancement, and admissions, and their requirement that State employees respect the dignity of others. This policy further extends the nondiscrimination requirements for State government workplaces outlined in [G.S. 126-14.6](#) to university-led student orientations, training, or activities.

IV. Commitment to the Freedom of Speech & Expression. The University of North Carolina shall continue to protect the freedom of speech and expression enshrined in the First Amendment to the United States Constitution and Article I, Section 14 of the [North Carolina Constitution](#), and this policy shall be implemented consistent with and subject to those protections. Indeed, the University of North Carolina shall continue its proud tradition of pursuing and embracing the most vigorous, open, and thoughtful exchange of ideas as that objective is enshrined in [Section 1300.8](#) of the UNC Policy Manual, *Policy on Free Speech and Free Expression Within the University of*

North Carolina System.

V. Maintaining Academic Freedom. The Board of Governors reaffirms that academic freedom is a prerequisite to maintaining and strengthening a world-class university. The University of North Carolina shall therefore take no action that would limit the right of academic freedom in its faculty's pursuit of teaching, research, and service, subject only to the institutional tenure policies as contemplated in [Section 602](#) of *The Code*, as well as applicable law.

VI. Commitment to Student Success & Employee Wellbeing. The University of North Carolina's commitment to equality of all persons includes a commitment to equality of opportunity for all students that enroll in a constituent institution and for all employees that serve the University. Campuses shall ensure that qualified students of all backgrounds are welcomed, included, and supported in their pursuit of a degree or certificate and that employee wellbeing remains a priority. Campuses shall continue to implement programming or services designed to have a positive effect on the academic performance, retention, or graduation of students from different backgrounds, provided that programming complies with the institutional neutrality specified in Section VII of this policy and/or other state and federal requirements.

VII. Maintaining Institutional Neutrality. Every employing subdivision of the University in both its organization and operation shall adhere to and comply with the strictures of institutional neutrality required by [G.S. 116-300 \(3a\)](#). Accordingly, no employing subdivision or employment position within the University shall be organized, be operated, speak on behalf of the University, or contract with third parties to provide training or consulting services regarding: matters of contemporary political debate or social action as those terms are used in [Section 300.5.1](#) of the UNC Policy Manual; any prescribed "view of social policy" or "political controversies of the day," as those terms are used in [G.S. 116-300 \(3\)](#) and [\(3a\)](#); or in furtherance of the concepts listed in [G.S. 126-14.6\(c\)\(1\)–\(13\)](#). The foregoing prohibition shall have no effect on employing subdivisions or employment positions tasked with ensuring compliance with federal or state law nor shall the foregoing prohibition affect University efforts to abide by the commitments to the freedom of speech and expression and academic freedom described in Sections IV and V of this policy, respectively.

VIII. Reporting Requirement. Prior to September 1, 2024, and again on or before September 1 annually thereafter, the chancellor and the director of student affairs, or equivalent officer, of each constituent institution of the University of North Carolina shall certify in writing to the president that the constituent institution fully complies with the University's commitment to institutional neutrality and nondiscrimination required by law and this policy and shall describe in substance the actions taken to achieve compliance. The chancellors' certifications shall also include a report on reductions in force and spending, along with changes to job titles and position descriptions, undertaken as a result of implementing this policy and how those savings achieved from these actions can be redirected to initiatives related to student success and wellbeing.

IX. Exceptions for Student-led Organizations. Student-led organizations may use university facilities and receive student activity funding notwithstanding any speech or expressive activity by such organizations that would otherwise violate Section VII, provided that such use and receipt of student activity funding may only be granted to student-led organizations pursuant to the written policies or regulations of each constituent institution for use of university facilities and resources.

- X. Effective Date. This policy is effective upon its adoption.