

**Motion to Reaffirm Radford University's
Existing EO Statement and Non-Discrimination Policy**
(Introduced by Dr. Moira Baker and Co-Sponsors)

Whereas in a letter dated 4 March 2010 the Attorney General of the Commonwealth of Virginia advised the Commonwealth's colleges and universities to rescind policies supporting non-discrimination based on sexual orientation;

Whereas the Attorney General's letter is strictly advisory and non-binding;

Whereas the Governor's subsequent "Executive Directive One" dated 10 March 2010 stipulates that "employment discrimination of any kind will not be tolerated," and "discrimination based on factors such as one's sexual orientation ... violates the Equal Protection Clause of the United States Constitution";¹

Whereas Radford University was the first university in the Commonwealth to add sexual orientation to its EO statement concerning non-discrimination policies, taking an exemplary leadership role in 1986 that was followed by many other institutions in revising their EO statements of non-discrimination policies;

Whereas during Radford University's centennial year the university is committed to reaffirming through service its historical commitment to the equality and dignity of all human beings;

Whereas the *7-17 Strategic Plan* states that its vision and mission are "driven by ... core values," including "diversity and the richness it adds to the University" and "freedom of thought and expression";

Whereas 7-17 promotes "a campus environment where diversity of thought and personal background are highly respected and where the campus culture values and models inclusiveness in all that we do";

Whereas removing sexual orientation from our EO statement of non-discrimination policies could discourage faculty from accepting positions here in favor of institutions with more inclusive EO statements of non-discrimination policies;

Whereas in a March 12 "Letter to the University Community" President Penelope Kyle reaffirmed that Radford University "rejects discrimination in all forms and recognizes that diversity among faculty, staff and students enriches and improves our university community";

Be it resolved: The Faculty Senate of Radford University commends President Kyle for her strong leadership in rejecting all forms of discrimination within the University community and reaffirms its support for the current non-discrimination policy as articulated in our EO statement. Further, the

Faculty Senate urges that Radford University's rejection of all forms of discrimination be publicly demonstrated by keeping the EO statement, with its inclusion of sexual orientation, as it is.

Co-Sponsors:

Professor Suzanne Ament
Professor Mary Atwell
Professor Moira Baker
Professor Roann Barris

Professor Tricia Easterling-Vaccare
Professor Kim Gainer
Professor Judy Guinan
Professor Kay Jordan

Professor Basel Saleh
Professor B. Sidney Smith
Professor Carter Turner
Professor Joseph Wirgau
Professor Erin Webster-Garrett



**STANDARD OF CONDUCT FOR
CABINET MEMBERS, EXECUTIVE BRANCH AGENCY
HEADS, MANAGERS, SUPERVISORS AND EMPLOYEES
CONCERNING EMPLOYMENT DISCRIMINATION**

As the chief executive officer for the Commonwealth of Virginia, I hereby establish a standard of conduct to ensure that all cabinet members, Executive Branch agency heads, managers, supervisors and employees understand and enforce state and federal law prohibiting employment discrimination.

Employment discrimination of any kind will not be tolerated by this Administration. The Virginia Human Rights Act recognizes the unlawfulness of conduct that violates any Virginia or federal statute or regulation governing discrimination against certain enumerated classes of persons. The Equal Protection Clause of the United States Constitution prohibits discrimination without a rational basis against any class of persons. Discrimination based on factors such as one's sexual orientation or parental status violates the Equal Protection Clause of the United States Constitution. Therefore, discrimination against enumerated classes of

persons set forth in the Virginia Human Rights Act or discrimination against any class of persons without a rational basis is prohibited.

Consistent with state and federal law, and the Virginia and United States Constitutions, I hereby direct that the hiring, promotion, compensation, treatment, discipline, and termination of state employees shall be based on an individual's job qualifications, merit and performance. No employee of the Executive Branch shall engage in any discriminatory conduct against another employee.

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Allegations of any violation of the law or this standard of conduct shall be brought promptly to the attention of the Director of the Department of Human Resource Management for review and corrective action. Any cabinet member, agency head, manager, supervisor or employee who discriminates against a state employee or prospective employee in violation of the law or this standard of conduct shall be subject to appropriate disciplinary action, ranging from reprimand to termination.

I further direct agency heads to ensure that every manager and supervisor in their respective agency is aware of and enforces this standard of conduct. Civility, fair treatment, and mutual respect shall be the standard of conduct expected in state employment.

/s/ Robert F. McDonnell, Governor