

6.4.1 EQUITY, DIVERSITY AND NON-DISCRIMINATION POLICY

1. Purpose

With diversity among its core values, ADA University is committed to the active promotion of equity and the creation of an inclusive environment, which is part of its institutional purpose of serving the needs of the community and society. This pledge to social responsibility, which is another of the University's core values, requires that those that are disadvantaged have the opportunity to fully participate, and that individuals from a multitude of contexts and with different attributes and qualities are welcome and integrated into the University's community. The purpose of this policy is to outline the requirements and procedures intended to create and maintain an environment of equity, diversity and inclusion.

2. Scope and Recommendations

This policy applies to all members of the University, including students, faculty, staff and senior management. It also applies to all individuals that are cooperating with the University (such as visiting researchers or participants in exchange programs) and/or that are participating in any of its activities (such as members of the larger community). It furthermore applies to all prospective or potential members, partners or guests of the University.

All those involved in the educational process and/or in research, in the recruitment and support of students, in the recruitment, evaluation and promotion of personnel, and in any other activity related to the performance and/or well-being of (current, prospective or potential) members, partners or guests of the University are expected to be thoroughly familiar with this document and to actively promote equity, diversity and inclusiveness at the University to the best of their abilities.

3. Definitions

Equity describes a fundamental guiding principle according to which individuals are to be treated in a manner that is fair and appropriate to their specific circumstances. This implies that no one is (intentionally or unintentionally) discriminated against by being excluded from certain opportunities due to these circumstances. *Equity*, as opposed to *equality*, thus acknowledges differences between individuals and aims at inclusiveness by facilitating access to these opportunities and providing additional support for those that are disadvantaged so that they can develop their full potential.

Diversity describes the existence of a variety of characteristics in a group of people. These characteristics may cover differences in gender, age, health, race, nationality, ethnicity or cultural affiliation, religion, marital or familial status, sexual orientation, social origin, or economic circumstances. They may also include differences in competencies, experiences, talent, opinions, beliefs, and personality.

Inclusion describes the ongoing process of practicing equity and promoting diversity. As its outcome, *Inclusiveness* describes a responsive and welcoming environment in which all individuals are supported according to their respective needs and thus have the opportunity to fully participate. Such an

environment also values diversity and difference and actively strives to integrate individuals from a multitude of backgrounds and contexts.

Discrimination describes the differential treatment of individuals based on characteristics such as gender, age, health, race, nationality, ethnicity or cultural affiliation, religion, marital or familial status, sexual orientation, social origin, or economic circumstances. While *Positive Discrimination* (defined as the preferential treatment of disadvantaged individuals) serves to foster equity and inclusiveness, *Negative Discrimination* (defined as the unfair treatment of individuals based on such characteristics) tends to prevent diversity by excluding specific individuals or groups of individuals from participation.

The concept of *Non-Discrimination* prohibits any form of negative discrimination. It allows for (and requires) positive discrimination as far as is necessary to promote and achieve equality, diversity and inclusiveness.

Harassment is a kind of behavior that is unsolicited, unwanted and improper and that causes distress in those that are harassed. Harassing behavior can be of a physical, verbal and/or suggestive nature, and it can occur in person or electronically. It includes (but is not limited to) the misuse of power with the intention of causing harm to others (bullying), actual or attempted intimidation, unsolicited advances, direct insults, and malicious gossip. To be considered harassment, such behavior must either be displayed repeatedly, or it must constitute a single act of a serious nature. Harassment does not include justified decisions, requests, work assignments and assessments of performance by supervisors; disciplinary measures based on the regulations approved by the University; reasonable expressions of opinion and criticism; and interpersonal conflict that does not transgress the limits of what a person may reasonably be expected to tolerate in tense and stressful situations.

4. Equity, Diversity and Non-Discrimination

4.1 Benefits of Equity, Diversity and an Inclusive Environment

- a. Equity and the promotion of diversity benefit individual members of the society by providing access to the University and its various opportunities and offerings, by facilitating the full participation of every member of the society, and by thus ensuring that no one is unduly excluded due to their background, certain external and/or internal characteristics, and/or circumstances beyond their control.
- b. Equity and diversity benefit the institution by tapping into the community's resources, by attracting talent from all walks of life, and by thus including a multitude of different perspectives, competencies, and experiences.
- c. An inclusive environment benefits the community as a whole by enhancing the performance of the University as one of Azerbaijan's major institutions of higher education. The University thus continues to extend its positive impact on society and promotes the further well-being and prosperity of society.

4.2 Non-Discrimination, Non-Harassment, and Special Needs Groups

- a. The University is committed to the principle of non-discrimination. It aims to prevent any form of negative discrimination against individuals and groups of individuals, and it fosters equity and diversity.
- b. The principle of non-discrimination presupposes an environment in which everyone can fully participate and develop their full potential. This also requires that everyone is free to express their opinions without undue restrictions.

- c. The principle of non-discrimination requires that every person is treated with respect. This explicitly precludes harassing behavior, and the University prohibits any form of harassment on its premises, including (but not limited to) sexual harassment and harassment motivated by race, gender, or health. Neither does it tolerate harassment in off-site activities and events in which any of its members are involved, including (but not limited to) conferences, internships, or exchange programs.
- d. The University prohibits negative discrimination on the basis of gender, age, health, race, nationality, ethnicity or cultural affiliation, religion, marital or familial status, sexual orientation, social origin, economic circumstances, opinions or beliefs, and personality (diversity). In this regard, all individuals must be treated equally, and all forms of:
 - (1) admission, assessment, degree progress, and awarding of degrees (students);
 - (2) recruitment, evaluation, promotion, and rewarding (employees);
 - (3) invitation, collaboration, and participation (partners and guests);
 as well as all similar processes decided on by the University or any of its members must be strictly based on merit (such as competencies, experience, performance, achievements) and on the University's professional and/or academic requirements. This also precludes the existence of quotas.
- e. The University works to support those that are disadvantaged and in need of special support (equity). In order to fulfill this objective (as well as its institutional purposes of serving the needs of the community and of students), it provides special opportunities to students and employees from the following groups (also see the University's *Statement of Institutional Purposes*):
 - (1) People with a diagnosed disability;
 - (2) People who are socially and financially disadvantaged (including students who are deprived of parental care);
 - (3) Azerbaijani citizens from internally displaced families and refugee families;
 - (4) Azerbaijani citizens from families of martyrs and disabled war veterans.

4.3 Requirements and Procedures for Inclusiveness and Non-Discrimination

- a. ADA University acknowledges that the achievement of equity, diversity and inclusiveness is an ongoing process that requires verifiable measures and the commitment of its members.
- b. In general, all members of the University must work towards the achievement of equity, diversity and inclusiveness. They must, in particular, avoid all forms of negative discrimination and harassment.
- c. More specifically, the achievement of equity, diversity and inclusiveness at ADA University is guided by the following actionable measures.
- d. All members of the University involved in the recruitment of students and employees must ensure that they use non-discriminatory language in all public statements related to such recruitment.
- e. The University must have clear and transparent criteria for the acceptance of students. Without regard to any attribute of individual applicants other than their prior academic performance, these criteria serve the sole purpose of evaluating their aptitude to study and successfully complete a specific degree program at ADA University. As an exception to this requirement, acceptance criteria must open up additional opportunities for those groups mentioned above in 4.2.e. All members involved in the process of student acceptance must apply these criteria consistently.
- f. The University must define clear and transparent requirements for each vacancy announced. Those members of the Department of Organization and Personnel involved in the initial evaluation of applications must base their decisions solely on these requirements. The Department will remove all sensitive personal information (such as gender, age, health, or

nationality, as well as photos) from those application documents forwarded to the appropriate academic and/or administrative unit(s), who will use these documents to select suitable candidates for job interviews. This selection process, as well as the ensuing job interviews, must be based solely on the applicants' competencies, educational backgrounds and professional experiences. Job interviews must be conducted in a consistent manner and in accordance with the requirements of the respective vacancy. All those members of the University involved in the selection of candidates and the ensuing appointment of faculty and staff must use quantitative *and* qualitative indicators during the evaluation and selection process and thus be able to substantiate and defend their decisions. These procedures apply both to the internal and the external selection and recruitment of employees.

- g. The University must have clear and transparent criteria for the assessment of students and their progress towards degree completion. All members involved in the assessment of students and their progress towards degree completion must apply these criteria consistently. Blind grading is to be implemented whenever possible by de-identifying student work (also see chapter 6.1 of the University's *Student Assessment Regulations*).
- h. The University must have clear and transparent criteria for the evaluation, promotion and rewarding of its employees. These criteria must be applied consistently and disregard any attribute of employees other than their competencies, performance, achievements and (if applicable) their aptitude for the new position.
- i. The University must have clear and transparent criteria for sanctioning and/or dismissing students and employees. These criteria must be applied consistently and disregard any attribute of students and employees other than their behavior, performance and aptitude to study or work at ADA University.
- j. The University and its individual representatives must define clear and transparent criteria for each of its events and/or collaborative projects. The selection and invitation of individual partners for such events and projects must be based on these criteria and on the aptitude of individuals to contribute to the respective event or project and disregard any other attribute of the potential partner(s). Regulations for the admission of external guests to any event held by the University (such as conferences, training programs, open lectures) must be applied consistently and without discriminating against specific individuals and/or groups of individuals.
- k. The University must provide an environment in which everyone is free to express their opinions within the limits defined by the legal regulations of the Republic of Azerbaijan. It must protect and actively promote the freedom of speech and of expression (including academic freedom) by encouraging its members, partners and guests to engage in open debate (in the classroom, in academic settings, and in professional contexts) and by specifically developing the capabilities of students to engage in critical thinking. The University and its individual representatives must apply the criteria for each event held by the University as defined above in 4.3.j without excluding anyone based on their opinions and beliefs and without ruling out controversial topics and thoughts. The University must furthermore provide an infrastructure and settings in which thoughts may be challenged in an open and respectful debate. Its Anti-Discrimination Officer must actively assist those whose freedom of speech and expression is (or appears to be) threatened by others (for details on the Anti-Discrimination Officer, see chapter 5 below).
- l. All those members of the University involved in the procedures mentioned above in 4.3.d to 4.3.k must keep detailed records of their decisions (documentation). The University's Anti-Discrimination Officer will regularly review samples of these records and evaluate them based on the requirements and procedures outlined in this document.
- m. The University must provide an environment that is free of harassment. It must protect and actively promote a culture of respect by offering trainings on equity, diversity and non-

discrimination (see 4.4.b below) and by regularly communicating these values to the members, partners and guests of the University (see 4.4.c below). Its Anti-Discrimination Officer must actively assist those who are (or appear to be) harassed by others.

- n. The University must accommodate for the needs of those with disabilities. This includes (but is not limited to) barrier-free access to its premises, facilities and services (including digital services); providing for an inclusive environment in which attitudes do not exclude certain individuals by separating people into imaginary groups (also see 4.4.b and 4.4.c below); offering additional opportunities for students with disabilities during the admission process; providing for an inclusive process of teaching, learning and student assessment (also see chapter 5.5 of the University's *Student Assessment Regulations*); and offering special support services (such as the University's Student Academic Support Services) available to students, employees, partners and guests.
- o. Whenever possible, the University must offer family-friendly working conditions. This includes flexible working hours, opportunities to work from home, and special offers for employees with small children.

4.4 Requirements for Policy Implementation

- a. It is the shared responsibility of the University's Anti-Discrimination Officer and the Office of Quality Assurance and Accreditation to supervise the implementation of (and ensure compliance with) the requirements and procedures outlined in this document.
- b. The University must ensure that all its members are regularly trained in the principles of equity, diversity and non-discrimination. The organization and delivery of these trainings is the shared responsibility of the Anti-Discrimination Officer and the Office of Quality Assurance and Accreditation.
- c. All members, partners and guests of the University are to be made aware of the principles of equity, diversity and non-discrimination and of their corresponding rights. Regular communication of these principles and rights is the responsibility of the Anti-Discrimination Officer. For this purpose, he/she will cooperate with relevant administrative and/or academic units of the University (such as the Office of Quality Assurance and Accreditation and the Department of Organization and Personnel) and make use of a wide variety of channels and means of communication (such as the University's *Monthly Newsletter*, emails, posters, and further digital and printed information material).
- d. Throughout the academic year, the Anti-Discrimination Officer must meet with members of the University's student, faculty and staff bodies in order to gather feedback on (and discuss potential proposals for the improvement of) the University's equity, diversity and non-discrimination provisions.
- e. Throughout the academic year, the Anti-Discrimination Officer must systematically gather anonymized information from students, faculty, staff, partners and guests on the issues of equity, diversity and non-discrimination at the University. This will be done by means of regular surveys and the use of an online feedback platform. Respondents must be able to provide feedback on personal experiences with equity, diversity and (non-)discrimination as well as suggestions for potential improvements. In conjunction with the Quality Assurance Committee, the Officer must ensure that feedback and suggestions are thoroughly considered and adequate steps for their implementation are taken (if appropriate and feasible).
- f. In accordance with the *Quality Assurance Policy: Equity and Transparency*, the Quality Assurance Committee (in conjunction with the Anti-Discrimination Officer) will regularly review the current policy and its implementation and (if necessary) develop plans for further actions to be taken in order to improve its procedures and outcomes. This must take into consideration qualitative and quantitative information received from students, faculty, staff, partners and

guests as delineated above in 4.4.d and 4.4.e as well as quantitative data on equity, diversity and (non-)discrimination at the University.

5. Complaints and Complaint Resolution

5.1 General Provisions

- a. The principle of non-discrimination requires that all members, partners and guests of the University have the opportunity to defend their interests in case they suspect any violation of the equity, diversity and non-discrimination provisions outlined in this document.
- b. To ensure that these provisions are protected at all times, the University has an Anti-Discrimination Officer.

5.2 Anti-Discrimination Officer

- a. The Anti-Discrimination Officer is responsible to monitor and ensure compliance with the equity, diversity and non-discrimination provisions outlined in this document. He/she represents the interests of individuals and groups of individuals.
- b. The Anti-Discrimination Officer is elected by the Quality Assurance Committee and appointed by the Rector of ADA University for the duration of an entire quality review cycle (5 academic years). He/she may be reelected and reappointed once. The Anti-Discrimination Officer can only be removed from office (by a majority of the Committee's members) in case of a serious neglect of duty. The Committee's decision requires the approval of the Rector. The Anti-Discrimination Officer may appeal the decision by submitting a written complaint to the University Senate, who will make the final decision.
- c. The Anti-Discrimination Officer annually reports to the Quality Assurance Committee.

5.3 Complaint Resolution

- a. Individual members, partners and guests of the University (or groups consisting of such individuals) may address the Anti-Discrimination Officer if they suspect an infringement on their interests resulting from a violation of the equity, diversity and non-discrimination provisions outlined in this document. Each instance observed at the University shall be reported to the Anti-Discrimination Officer.
- b. The Officer must investigate every suspected violation reported to him/her and (if verified) initiate a resolution process and thus protect the interests of the affected individual(s).
- c. Those reporting an instance in good faith shall not face any sanctions in case their allegation turns out to be unfounded after being investigated by the Officer.
- d. In case of a verified violation of any equity, diversity and non-discrimination provision(s), the Officer will notify the individual(s) affected by the occurrence (if applicable). In conjunction with the Office of Quality Assurance and Accreditation and the Vice Rector for Institutional Effectiveness and Development, he/she will furthermore undertake all steps required (1) to mitigate negative consequences for the respective individuals(s), (2) to prevent further such violations, and (3) to potentially sanction those responsible for the occurrence according to the University's *Honor Code*, *Employee Handbook* and *Student Code of Conduct* as well as the legal regulations of the Republic of Azerbaijan. Sanctions are determined by the University's Honor Committee, who will come to a decision according to the procedures outlined in the 3 documents previously mentioned. Before undertaking any legal steps, the Anti-Discrimination Officer and the Honor Committee shall determine whether the occurrence can be solved by mediation.

- e. The University acknowledges that discrimination and harassment may occur unintentionally and based on internalized and unconscious biases or on misconceptions. If the Anti-Discrimination Officer and the Honor Committee come to the conclusion that this is the case in any occurrence under investigation, they are recommended (if possible) to solve the issue by mediation, to apply the principle of forgiveness, and to support the offender(s) through trainings in order to overcome biases and thus prevent further acts of discrimination. This form or resolution is ruled out in cases of serious discrimination and/or harassment (such as bullying, sexual harassment, and any other behavior that represents a serious violation of the legal regulations of the Republic of Azerbaijan).
- f. The procedures outlined above also cover acts of discrimination committed by non-members of the University (partners, guests) on its premises and/or during any of its activities. They furthermore cover acts of discrimination committed by members or non-members of the University during off-site activities and events in which any of its members are/were involved. In the latter case, the University will do everything in its power to protect the rights of those that are/were discriminated against.
- g. All complaints submitted to the Anti-Discrimination Officer must be treated with strict confidentiality. They are to be shared only with those actors mentioned above that are involved in the process of complaint resolution. If the latter requires that the name(s) of the complainant(s) be disclosed to those accused of a violation of an equity, diversity and non-discrimination provision, prior consent of the complainant(s) needs to be obtained. The interests of the latter are to be protected at all times, and the Anti-Discrimination Officer must ensure that they will not experience negative consequences (retaliation) as a result of their complaint.