

**Statement of Policy by the Board of Directors of the John N. Gardner Institute for  
Excellence in Undergraduate Education  
Approved by the board September 22, 2017**

Whereas, on March 30, 2017, the North Carolina Legislature adopted House Bill 142 to repeal the previous controversial House Bill 2 (State Law 2016-3 and State Law 2016-99);

Whereas, HB 142 included three additional sections that stipulate that Chapter 143 of the General Statutes is amended by adding a new Article (Article 81A) that reads:

"SECTION 2 . . . **Preemption of regulation of access to multiple occupancy restrooms, showers, or changing facilities.** State agencies, boards, offices, departments, institutions, branches of government, including The University of North Carolina and the North Carolina Community College System, and political subdivisions of the State, including local boards of education, are preempted from regulation of access to multiple occupancy restrooms, showers, or changing facilities, except in accordance with an act of the General Assembly.

SECTION 3. No local government in this State may enact or amend an ordinance regulating private employment practices or regulating public accommodations.

SECTION 4. This act is effective when it becomes law. Section 3 of this act expires on December 1, 2020”;

Whereas both the original legislation and now the replacement legislation have brought great controversy; emotional anguish to targeted LGBT sub populations in North Carolina and by extension the United States; significant financial losses to the people and businesses of North Carolina; and a significant diminution of the national reputation of North Carolina as a formerly model state for the New South;

Whereas the John N. Gardner Institute for Excellence in Undergraduate Education is a North Carolina licensed, IRS approved, tax exempt, non-profit organization and public charity, and is governed by a legally constituted Board of Directors;

Whereas the mission of the Institute is “The John N. Gardner Institute for Excellence in Undergraduate Education is a non-profit organization dedicated to partnering with colleges, universities, philanthropic organizations, educators, and other entities to increase institutional responsibility for improving outcomes associated with teaching, learning, retention, and completion. Through its efforts, the Institute will strive to advance our national aspiration of “liberty and justice for all.”;

The Institute’s Board of Directors exercising its legal obligations to set governing policies and mission for the organization, adopted on INSERT DATE ON WHICH WE WILL APPROVE THIS OR A REVISION THEREOF, the following statement of policy about the Institute’s response to the current status of North Carolina public policy regarding the rights for protection of LGBT persons and for North Carolina municipalities to adopt policies to further provide equal protection for all their citizens:

It will be the policy of the Institute going forward to:

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1. Continue its practice of non-discrimination previously adopted by the Board on December 13, 2016 as follows: *“The John N. Gardner Institute for Excellence in Undergraduate Education is an Affirmative Action Equal Opportunity Employer. Admission to, employment by, and promotion within the Institute shall be on the basis of merit, and there shall be no discrimination on the basis of age, race, ethnicity, creed, religion, disability, gender, gender identity and expression, national origin, socio-economic status, sexual orientation, or any characteristic protected by law.”*
2. Obey all the laws of the State of North Carolina
3. Continue to pursue its mission of helping colleges and universities to provide all that should comprise an excellent undergraduate education, including equal respect for and protection of all students regardless of their sexual orientation or gender identity
4. Continue its former policy adopted after enactment of HB 2 to not hold professional meetings within the state of North Carolina offered for higher educators outside the state of North Carolina until section 3 of HB 142 is recinded or expires.

The Board also wishes to make it known that:

1. It supports the good faith actions of all North Carolina citizens and elected officials to finally resolve this continuing lack of equality for all citizens and this continuing public relations debacle for North Carolina
2. It believes that the majority of North Carolinians do not want to see enshrined in law any policies that insure unequal protection for sub populations of citizens based on sexual orientation or gender identity.
3. It commends the good faith efforts made by Republicans and Democrats alike to set this controversy behind us, and restore North Carolina’s reputation and public policy to that we can all be proud of.
4. It especially commends the public and private, official and unofficial, efforts made by fellow North Carolina higher educators to make our campuses welcoming places for higher learning for all citizens regardless of sexual orientation.