



**2021 AFFIRMATIVE ACTION PLAN  
FOR QUALIFIED PROTECTED VETERANS**

Kansas Law Enforcement Training Center (KLETC)

October 1, 2020 – September 30, 2021

Analysis of Data: October 1, 2019 – September 30, 2020

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# 2021 Affirmative Action Plan for Qualified Protected Veterans

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## Preface

The University of Kansas (also referred to as the University) is fully committed to the concept and practice of equal opportunity and affirmative action in all aspects of employment.

In developing and implementing this Affirmative Action Plan (AAP), the University has been guided by its established policy of providing equal employment opportunity. Any placement goals the University has established herein are not intended as rigid, inflexible quotas that must be met, but rather as targets reasonably attainable by applying every good faith effort in implementing this AAP. The use of placement goals in this AAP is not intended, nor is the effect of such placement goals intended, to discriminate against an individual or group of individuals with respect to any employment opportunities for which he, she or they are qualified on the grounds that he, she or they are not the beneficiaries of affirmative action themselves. Nothing herein is intended to sanction the discriminatory treatment of any person. Indeed, all employment decisions at the University are made based on job-related criteria. Thus, this AAP has been developed in strict reliance with the Guidelines on Affirmative Action issued by the Equal Employment Opportunity Commission (EEOC) (29 C.F.R. Part 1608).

The University of Kansas firmly believes in wide dissemination of its affirmative action policies and equal employment opportunity practices. This AAP contains certain proprietary information relating to University business that must be kept confidential. Data analyzed as a part of the AAP contains specific information that, if disseminated, could be detrimental to the competitive and business interests of this institution. At a minimum, the complexity of this data is subject to misinterpretation and misuse, which again can be very harmful to business goals and objectives solely unrelated to the affirmative action and equal employment opportunity concept.

Therefore, this AAP and its support data are to be disclosed to individuals, companies and government agencies only where such individuals or entities have a legitimate business interest or legal entitlement to the information. The University of Kansas specifically requests the following:

1. If this information is submitted to the Office of Federal Contract Compliance Programs (OFCCP) pursuant to the relevant Executive Order and regulations, it is to be considered confidential and not subject to disclosure without notifying the University of Kansas of OFCCP's decision to disclose and providing the University with ample time to contest the disclosure.
2. If this information is supplied to another government contractor, EEOC representative, or any other person who is given access to the AAP, it is not to be copied, reproduced, or disclosed without prior notification to the University of Kansas.
3. No information contained in the AAP is to be copied, removed from the premises, or released to other individuals without prior notification to the University of Kansas.

4. All monitoring system reports as required by federal regulations and laws have been completed. Reports that require specific data such as names of employees and salary information are not an official part of this AAP. This information is on file at the University as documentation and supporting data for AAP Reports and is available for review only as required by law.

The material set forth in this AAP is deemed to include personnel files, investigatory records, trade secrets, confidential operations information, confidential statistical data and other confidential commercial and financial data, within the meaning of the Freedom of Information Act (5 U.S.C. §552), Title VII of the Civil Rights Act of 1964 (as amended) (42 U.S.C. §§2000e et seq.), and the Trade Secrets Act (18 U.S.C. §1905 and 44 U.S.C. §3508), the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions.

In the preparation of this AAP, the University has utilized both the terminology and the implementing regulations of Executive Order 11246 as a guide. Therefore, the use of such terms as "underutilization," "deficiency," "concentration," "affected class," "goal," and "problem area" should not be construed as an admission by the University, in whole or in part, that any problem area exists or that protected veterans have been or are presently being underutilized or discriminated against in any way by the University in violation of federal, state or local fair employment practice laws. Furthermore, nothing contained in this AAP or its supporting data should be construed as an admission by the University, in whole or in part, that it has contravened such federal, state, or local employment practice laws.

This AAP does not constitute an express or implied contract between the University and its employees, job applicants or other persons. Nothing in this AAP provides any individual or group with a private right of action against the University of Kansas.

#### **Access to Plan**

The University of Kansas maintains and renews the plan annually. This Affirmative Action Plan is available for inspection Monday through Friday 8:00 to 5:00 p.m. by contacting the University of Kansas Office of Institutional Opportunity and Access (IOA), , Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045.

Additional plan questions can be addressed to the Office of Institutional Opportunity and Access at 785-864-6414 or by e-mail at [ioa@ku.edu](mailto:ioa@ku.edu).

## Introduction

Opened in 1866, The University of Kansas is a comprehensive educational and research institution with approximately 28,500 students and 2,600 faculty members on five campuses. The University includes the main campus in Lawrence, a city of just over 90,000 in northeastern Kansas; the Medical Center in Kansas City, Kansas; the Edwards Campus in Overland Park; a clinical campus of the School of Medicine in Wichita; the Kansas Law Enforcement Training Center (KLETC) located in Yoder, Kansas, and other educational and research facilities including throughout the state. Students represent all fifty states and over one hundred countries. The University's diverse elements are united by a mission to educate leaders, build healthy communities, and make discoveries that change the world.

As a premier international research institution, the University is committed to an open, diverse and inclusive learning and working environment that nurtures the growth and development of all. The University fosters a multicultural environment in which the dignity and rights of the individual are respected. We hold steadfast in the belief that an array of values, interests, experiences, and intellectual and cultural viewpoints enrich learning and our workplace. We also understand the promotion of and support for a diverse and inclusive community of mutual respect requires the engagement of the entire University.

The University of Kansas develops and maintains its Affirmative Action Program for the purpose of ensuring equal opportunity for all persons without regard to race, religion, color, ethnicity, sex, disability, national origin, ancestry, age, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, genetic information, or other characteristic protected by law. Further, the Affirmative Action Plan (AAP) demonstrates the University's commitment to compliance with Title VII of the Civil Rights Act, Executive Order 11246 and corresponding federal and state laws and regulations. The University's Policy on Nondiscrimination, Equal Opportunity and Affirmative Action states the University's commitment to the law and obligations as a federal contractor.

It is the policy of the University to utilize the enclosed AAP data and information as a management tool to provide equal opportunity, prevent discrimination and to take action-oriented steps to include historically-underrepresented persons in all University programs and activities. This plans specifically outlines the University of Kansas, Kansas Law Enforcement Training Center campus located in Yoder, Kansas.

University administrators and faculty leaders are encouraged to contact the Office of Institutional Opportunity and Access for assistance in utilizing the AAP information in their area of responsibility. This AAP should be made accessible to all persons in each area of the University who have a responsibility for carrying out any aspect of the University's Affirmative Action Program. The usefulness of the data provided will depend upon its study and consideration by the administrator responsible in each unit and by other responsible faculty leaders and administrators.

This AAP covers full and part-time University support staff, unclassified professional staff, unclassified academic staff and faculty in the University of Kansas system. Temporary and student employees are not covered by this plan.

## **Re-Affirmation of Non Discrimination, Equal Opportunity and Affirmative Action Policies**

As a premier learning and research institution, the University of Kansas must continuously address issues of diversity and multiculturalism. Every member of the university community is expected to engage in action that leads towards the development of a more democratic and inclusive community. Proactive efforts towards increasing diversity and the elimination of discrimination are necessary in our university.

In accordance with Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, Executive Order 11246, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act, the Vietnam Veterans Readjustment Assistance Act of 1974, the Jobs for Veterans Act of 2002, the Kansas Acts Against Discrimination and all other applicable civil rights and nondiscrimination statutes, the University of Kansas prohibits discrimination. Specifically, the University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information in the University's programs and activities. Retaliation is also prohibited by university policy. The following person has been designated to handle inquiries regarding the nondiscrimination policies: Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045, (785)864-6414, 711 TTY.

The University of Kansas is committed to the full participation of previously excluded or neglected classes of people. Thus, it is also the policy of the University to prohibit discrimination on the basis of sexual orientation, marital status, parental status, gender identity, and gender expression. The University's nondiscrimination policy extends to employment practices, conditions of employment, personnel actions and all other educational programs and activities of the university and its affiliates. It also extends to any retaliatory actions by an individual and his/her associates that may arise as a result of a discrimination complaint. Leaders in the University community continuously examine all areas of the institution, make policy decisions, and implement strategies to eliminate and prevent discrimination wherever necessary. Reports of discrimination shall be evaluated promptly and acted upon in the manner deemed necessary by the appropriate faculty, staff, and administrators and as prescribed by the appropriate grievance procedure. University policy also prohibits retaliation against anyone who has or is engaged in a protected activity. Protected activity is speaking out against discrimination, participating in a discrimination complaint investigation or being a witness in the discrimination complaint resolution process.

## **Equal Opportunity**

The University of Kansas is also proud of its goal to help all individuals realize their potential. To this end, the University is committed to providing an equal opportunity for all qualified individuals to be considered for employment, in benefits and conditions of employment, and educational programs and activities, regardless of race, religion, color, ethnicity, sex, disability, national origin, ancestry, age, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, or genetic information. University leaders and supervisory personnel shall recruit, hire, train and promote persons in all job titles utilizing only valid requirements related to the position functions. A university community that provides equal opportunity in hiring and all conditions of employment will make significant strides towards the elimination of discrimination. Thus, the University of Kansas applauds every effort to create a positive working and learning environment for all individuals.

## **Affirmative Action**

In addition to providing a discrimination-free community and equal opportunity for all persons, the University is committed to taking specific, result-oriented steps to increase the number of historically-underrepresented persons and increase overall diversity. Cultural and intellectual diversity are critical components of premier learning communities. Thus, the University will actively recruit and encourage applications from underrepresented group members, will endeavor to provide a positive and supportive environment for members of these groups, and continue to provide educational programming and other recruitment efforts for all students, staff and employees.

The University shall monitor its efforts to increase diversity through its Affirmative Action Plans. The University's Plans shall outline strategic initiatives and set goals to increase the representation of underrepresented group members.

Paramount to the success of the affirmative action program are the actions of university leaders. University officials at all levels are expected to establish a plan and implement procedures that help to meet the university's goals. The Office of Institutional Opportunity and Access staff are charged with the responsibility of responding to complaints of

discrimination, monitoring university procedures regarding equal opportunity, setting goals, and monitoring and evaluating the university's progress towards its affirmative action goals.



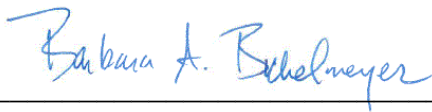
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Dr. Douglas A. Girod  
Chancellor  
University of Kansas

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Date



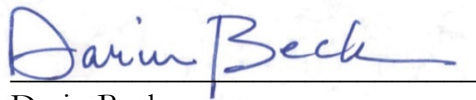
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Dr. Barbara A. Bichelmeyer  
Provost and Executive Vice Chancellor  
University of Kansas

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Date



3/2/21

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Darin Beck  
Executive Director, KLETC  
University of Kansas

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Date

## **Dissemination of Nondiscrimination Policy**

41 C.F.R. §§60-300.44(f) and (g)

The University makes a significant effort to communicate its Nondiscrimination Policy and commitment to nondiscrimination in employment. The University's policies are disseminated internally and externally in the following ways:

1. The University's Nondiscrimination Policy as well as EO/AA posters are posted online and in conspicuous locations throughout the University.
2. The University's Nondiscrimination Policy and other related policies are posted in the University's official online Policy Library and publicized in official publications, websites and brochures where appropriate.
3. The University's Nondiscrimination Policy and other related policies are posted on the website of the Office of Institutional Opportunity and Access, an office tasked with assisting the University in meeting its institutional responsibility to enhance and strengthen diversity and inclusion.
4. The University's Nondiscrimination Policy and other related policies are included in the University's policy library which is made available online to all employees.
5. All newly-hired individuals are required to review and comprehend the University's Nondiscrimination Policy along with several other related policies in order to complete Onboarding activities. Departments may request additional materials from the Office of Institutional Opportunity and Access.
6. All employees who believe they are a protected veteran under the EEO provisions of VEVRAA, as amended, have been invited to identify themselves if they wish to benefit under this Affirmative Action Program.
7. A copy of this AAP will be made available for inspection by any employee or applicant upon request to promote understanding, acceptance and support.
8. The University incorporates the EO/AA clause in all purchase orders, leases, and contracts and provides notice of the policy to vendors, suppliers and agencies.
9. The mast head of the University's website includes the following notice of nondiscrimination:

The University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, genetic information in the University's programs and activities. Retaliation is also prohibited by university policy. The following persons have been designated to handle inquiries regarding the non-discrimination policies and are the Title IX Coordinators for their respective campuses: : Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045, (785)864-6414, 711 TTY (for the

Lawrence, Edwards, Parsons, Yoder, and Topeka campuses); Director, Equal Opportunity Office, Mail Stop 7004, 4330 Shawnee Mission Parkway, Fairway, KS 66205, 913-588-8011, 711 TTY (for the Wichita, Salina, and Kansas City, Kansas, medical center campuses).

10. The Department of Human Resource Management, Institutional Opportunity and Access, Multicultural Affairs, and the Office of Diversity, Equity, Inclusion and Belonging provides training and information related to nondiscrimination to supervisors and employees, including the following:
  - a. Effective Strategies and Guidelines for Recruiting A Diverse Faculty and Academic Staff
  - b. Establishment, distribution, and annual updates of the Diversity Hiring Handbook
  - c. Online training from Diversity Foundations.edu – Required for all Faculty and Academic Staff Searches and strongly encouraged for Staff Searches.
  - d. Guidelines for Successful Staff Recruiting
  - e. Conducting Student Searches
  - f. Unconscious Bias Training
  - g. Building Intercultural Skills Workshop
  - h. Emotional Intelligence in the Workplace
  - i. Intersections: Preventing Discrimination and Harassment
  - j. Staff Leadership Summit
  - k. Cultural Competency Workshops
  - l. Supervisory Training for Excellence in Performance 2.0
  - m. Lunchtime Conversations on Equity and Inclusion, Disability and Inclusion
  - n. Mentoring Circles
  - o. Introduction to Supervision
  - p. Compassionate Conversations Training
  - q. Understanding IOA Policies and the Complaint Investigation Process
  - r. Safe Zone Training
  - s. Engagement Opportunities in the Counsel of Councils to bring a shared space to all diversity groups to speak to leadership to engage in new activities.
  - t. Developing a Talent Scorecard/Workforce Metrics tool for Dean's and Vice Provosts.
  - u. Providing Aggregated Self-Disclosure Metrics for Search Pools for Faculty and Academic Staff.

- v. Development of Assessment Rubric Tools for Searches Prior to Posting.
11. All available positions must be posted on the University's online job site. Each posting states the University's prohibit of discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, genetic information and retaliation in the University's programs and activities. In doing so, the University makes clear applicants will be considered without regard to the aforementioned protected categories per University policy and applicable laws.
  12. Broad distribution of position announcements are required and all advertisements must include the statement (or its abbreviation) that the University is an "Equal Employment Opportunity/Affirmative Action Employer." The University's recruitment guidelines outline specific advertisement policies so that applicants are provided adequate notice and time to apply for positions. If the recruitment efforts do not attract a diverse or reasonably-sized applicant pool, additional outreach efforts may be required.

## **Designation of Responsibilities of the Office of Institutional Opportunity and Access**

41 C.F.R. §60-300.44(i)

The attainment of the University's goals and objectives relative to equal opportunity and affirmative action is the responsibility of the Chancellor, Provost, Vice Provosts, Vice Chancellors, Deans, Department chairs, Directors and all other University leaders, managers and supervisory personnel.

To assist these leaders in complying with the provisions of Executive Order 11246 and the implementing regulations, the University established the Office of Institutional Opportunity and Access (IOA). The Director of IOA has the primary management responsibility, authority, and resources for ensuring full compliance with the provisions of Executive Order 11246, as amended, and with implementing all applicable regulations. The Director's appointment and a description of the position's basic responsibilities have been communicated to all levels of personnel in the company. The responsibilities of the Director include, but are not necessarily limited to, the following:

1. Developing EEO policy statements, Affirmative Action Programs, and internal and external communication procedures;
2. Assisting in the identification of AAP/EEO issues;
3. Assisting management in arriving at effective solutions to AAP/EEO issues;
4. Designing and implementing an internal audit and reporting system that:
  - a. Measures the effectiveness of the Affirmative Action Program;
  - b. Determines the degree to which AAP goals and objectives are met; and
  - c. Identifies the need for remedial action.
5. Keeping the University's management informed of equal opportunity progress and reporting potential problem areas within the company;
6. Reviewing the University's AAP for protected veterans within all levels of management to ensure the policy is understood and is followed in all personnel activities;
7. Auditing the contents of the University's key websites to ensure compliance information is posted and up-to-date; and
8. Serving as liaison between the University and enforcement agencies.

## **Responsibilities of University Leadership to Ensure Implementation of the AAP**

41 C.F.R. §60-300.44(i)

In implementing this written Affirmative Action Plan, the responsibilities of the University's leadership in working with the Director of the Office of Institutional Opportunity and Access include, but are not necessarily limited to, the following:

1. Assisting in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when appropriate;
2. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, and termination actions occur; and
3. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee's performance of duties and responsibilities.

## **Review of Personnel Processes**

41 C.F.R. §60-300.44(b)

The University of Kansas periodically reviews personnel processes to determine whether its present procedures ensure careful, thorough, and systematic consideration of the qualifications of known protected veterans. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees.

In determining the qualifications of veterans, the University limits its consideration of a protected veteran's military record, including discharge papers, to only that portion of the record which is relevant to the specific job qualifications for which the veteran is being considered. The personnel processes do not stereotype protected veterans in a manner which limits their access to all jobs for which they are qualified.

Based upon the review of its personnel processes, the University will modify the personnel processes when necessary and will include the development of new procedures in this Affirmative Action Program to ensure Equal Employment Opportunity. The following is a set of procedures which is used to meet the requirements of §60-300.44(b):

1. The application and/or onboarding task for each known applicant and new/rehired employee is provided for the opportunity to self-disclose veteran status voluntarily. The form/data is quickly retrievable by designated University personnel for use in investigations, Department of Labor requests, and internal compliance activities.
2. Where applicants or employees are selected for hire, promotion, or training and the company undertakes any accommodation, a record is made containing a description of the accommodation. The record is treated as a confidential medical record in accordance with §60-300.23(d).

## **Physical and Mental Qualifications**

41 C.F.R. §60-300.44(c)

The physical and mental job qualifications of all staff and faculty jobs at the University are reviewed by Human Resource Management prior to a requisition being opened to determine whether or not they tend to screen out qualified disabled veterans. They are also reviewed as new jobs are established or job requirements are modified to ensure that, to the extent that such qualification requirements tend to screen out qualified disabled veterans, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety.

If the University should ever apply physical or mental qualification standards in the selection of applicants or employees for employment or other changes in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified disabled veterans, the standards shall be related to the specific job or jobs for which the individual is being considered and consistent with business necessity.

## **Reasonable Accommodation to Physical and Mental Limitations**

41 C.F.R. §60-300.44(d)

As a matter of nondiscrimination, it is the University's policy to make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled veteran unless it can demonstrate that the accommodation would impose an undue hardship on the operation of its business. As a matter of affirmative action, if an employee who is known to be a disabled veteran is having significant difficulty performing job duties and it is reasonable to conclude that the performance problem may be related to the known disability, the manager or employee would be directed to the university's ADA Coordinator for assistance regarding the reasonable accommodation process.

Each applicant or employee is dealt with on an individual basis. Reasonable accommodations are made whenever possible and ongoing efforts include revision of facilities to make them accessible. The University makes every effort to provide suitable employment for those employees who become disabled while employed by us.

## **Outreach and Positive Recruitment**

41 C.F.R. §60-300.44(f)

The University of Kansas will undertake appropriate outreach and positive recruitment efforts in order to effectively attract protected veterans. Examples of outreach and positive recruitment which the company utilizes throughout the year may include contacting the following:

1. All recruiting sources, including the employment agencies, educational institutions and social service agencies of the company's policy concerning the employment of protected veterans and have been advised to actively recruit and refer qualified persons for job opportunities;
2. University subscribes to The Local Job Network – “Circa” which facilitates postings to locations targeted towards Veterans, Individuals with Disabilities and Underrepresented Groups on national, regional, local and community boards. Postings include but are not limited to:
  - a. Local Veterans' Employment Representative in the local employment service office nearest the office;
  - b. Hero Hire A Hero and Transition Careers;
  - c. Job Opportunities for Disabled Veterans (JOFDV.com);
  - d. DisABLEDperson.com;
  - e. The veterans' counselors and coordinators on college campuses;
  - f. The service officers of the national veterans' groups active in the local area;
3. Outreach with the KU Graduate Military Programs and KU Military – Affiliated Student Center and KU-Leavenworth Branch.
4. Outreach to local law enforcement organizations throughout the State of Kansas.

The University will also consider the following as part of outreach and recruitment efforts for protected veterans:

1. Consider holding formal briefing sessions to invite representatives from recruitment sources and placement agencies to tour the facility, discuss current and prospective position openings, job descriptions and required qualifications and explanations of the company's selection procedures.
2. Local job fairs sponsored by support groups and area military bases for all active military, veterans, and protected veterans.

3. Posting job openings with the Department of Veterans Affairs Regional Office nearest the establishment through subscription networks.

As part of the outreach and positive recruitment efforts for protected veterans, the University will:

1. An effort will be made to participate in work-study programs with the Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans;
2. Establish meaningful contacts with appropriate veterans' service organizations which serve protected veterans for purposes as advice, technical assistance, and referral of potential employees. Technical assistance from the resources described in this paragraph may consist of advice on proper placement, recruitment, training and accommodations contractors may undertake, but no such resource providing technical assistance shall have authority to approve or disapprove the acceptability of affirmative action programs;
3. Take positive steps to attract protected veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of veterans' organizations; In making hiring decisions, consider applicants who are known protected veterans for all available positions for which they may be qualified when the position(s) applied for is unavailable; and
4. Consider listing job openings with National Resource Directory's Veterans Job Bank.
5. Work with the Graduate Office of Military Programs and with resources at State military bases for educational program and employment opportunities.

## **Internal Audit and Reporting Systems**

41 C.F.R. §60-2.17(d)

The University of Kansas believes one of the most important elements in effectively implementing a written Affirmative Action Program is an adequate internal audit and reporting system. Through this system, the total program can be monitored for effectiveness, and management can be kept informed. The University's audit and reporting system is designed to:

1. Measure the effectiveness of the AAP/EEO program;
2. Document and analyze personnel activities;
3. Identify problem areas and develop action plans where remedial action is needed; and
4. Determine the degree to which AAP goals and objectives have been attained.

The following personnel activities are reviewed, as necessary and desirable, to ensure nondiscrimination and equal employment opportunity for all individuals without regard to their race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, or genetic information:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, and terminations (i.e., non-reappointment, separations, etc.);
3. Rates of pay and any other forms of compensation including fringe benefits;
4. Job assignments, job classifications, job descriptions;
5. Sick leave, leaves of absence, or any other leave;
6. Training and attendance at professional meetings and conferences; and
7. Any other term, condition, or privilege of employment.

The following documents may be maintained as a component of the University's internal audit process:

1. Summary data of external job offers and hires, promotions, resignations, terminations;
2. Summary data of applicant data and application process;
3. Employment applications; and
4. Records pertaining to company's compensation system and decisions.

The University's audit system includes periodic review of employment decisions. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/recommendations for solutions. If problem areas arise, the manager or supervisor is to report problem areas immediately to the Office of

Institutional Access and Opportunity (IOA). During the reporting cycle, the following occurs:

1. IOA will discuss any problems relating to significant rejection ratios, charges of discrimination in employment, etc., with management; and
2. IOA will report the status of the University's AAP goals and objectives to management and will recommend remedial actions for the effective implementation of the AAP.

## **EXHIBIT A**

### **Nondiscrimination, Equal Opportunity, and Affirmative Action Policy**

As a premier learning and research institution, the University of Kansas must continuously address issues of diversity and multiculturalism. Every member of the University community is expected to engage in action that leads towards the development of a more democratic and inclusive community. Proactive efforts towards increasing diversity and the elimination of discrimination are necessary in our university.

In accordance with Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, Executive Order 11246, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act, the Vietnam Veterans Readjustment Assistance Act of 1974, the Jobs for Veterans Act of 2002, the Kansas Acts Against Discrimination and all other applicable civil rights and nondiscrimination statutes, the University of Kansas prohibits discrimination. Specifically, the University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information in the University's programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045, (785)864-6414. 711 TTY (for the Lawrence, Edwards, Parsons, Yoder and Topeka campuses): Director, Equal Opportunity Office. Mail Stop 7004, 4330 Shawnee Mission Parkway, Fairway, KS 66205. 913-588-8011. 711 TTY (for the Wichita, Salina, and Kansas City, Kansas Medical Center campuses).

The University of Kansas is committed to the full participation of previously excluded or neglected classes of people. Thus, it is also the policy of the University to prohibit discrimination on the basis of sexual orientation, marital status, parental status, gender identity, and gender expression. The University's nondiscrimination policy extends to employment practices, conditions of employment, personnel actions and all other educational programs and activities of the University and its affiliates. It also extends to any retaliatory actions by an individual and his/her associates that may arise as a result of a discrimination complaint. Leaders in the University community continuously examine all areas of the institution, make policy decisions, and implement strategies to eliminate and prevent discrimination wherever necessary. Reports of discrimination shall be evaluated promptly and acted upon in the manner deemed necessary by the appropriate faculty, staff, and administrators and as prescribed by the appropriate grievance procedure.

### **Equal Opportunity**

The University of Kansas is also proud of its goal to help all individuals realize their potential. To this end, the University is committed to providing an equal opportunity for all qualified individuals to be considered for employment, benefits and conditions of employment, educational programs and activities, regardless of race, religion, color, ethnicity,

sex, disability, national origin, ancestry, age, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression, or genetic information. University leaders and supervisory personnel shall recruit, hire, train and promote persons in all job titles utilizing only valid requirements related to the position functions. A university community that provides equal opportunity in hiring and all conditions of employment will make significant strides towards the elimination of discrimination. Thus, the University of Kansas applauds every effort to create a positive working and learning environment for all individuals.

### **Affirmative Action**

In addition to providing a discrimination-free community and equal opportunity for all persons, the University is committed to taking specific, result-oriented steps to increase the number of historically underrepresented persons and increase overall diversity. Cultural and intellectual diversity are critical components of premier learning communities. Thus, the University will actively recruit and encourage applications from underrepresented group members and will endeavor to provide a positive and supportive environment for members of these groups.

The University shall monitor its efforts to increase diversity through its Affirmative Action Plans. The University's Plans shall outline strategic initiatives and set goals to increase the representation of underrepresented group members.

Paramount to the success of the affirmative action program are the actions of university leaders. University officials at all levels are expected to establish a plan and implement procedures that help to meet the University's goals. The Office of Institutional Opportunity and Access staff are charged with the responsibility of responding to complaints of discrimination, monitoring university procedures regarding equal opportunity, setting goals, and monitoring and evaluating the University's progress towards its affirmative action goals.

## **EXHIBIT B**

### **Racial & Ethnic Harassment Policy**

The University of Kansas, Lawrence, is committed to programs and activities that are free of racial or ethnic discrimination. To carry out the mission of this institution, the University community must provide and maintain a working and learning environment that fosters respect among all members of the community. The University's goal is to provide an environment where individuals are free to develop intellectually, personally, professionally, and socially without intimidation or fear. Intimidation and harassment affect not only those who suffer the harassment but also the entire community. Racial and ethnic discrimination is a violation of federal and state law, including Title VII of the Civil Rights Act of 1964 and the Kansas Acts Against Discrimination.

#### **Kansas Board of Regents policy ([II.F.5](#))**

"The Kansas Board of Regents is particularly concerned about the continuing societal problems of harassment. . . It is the policy of the Board that such conduct cannot and will not be tolerated at the institutions under its governance and control. Each Regents institution shall develop and maintain specific policies which seek to (i) identify prohibited conduct in these areas, (ii) educate campus constituencies with regard to these negative behaviors, (iii) eliminate such behaviors, and (iv) set forth the manner in which such behaviors or conduct are to be addressed." (Adopted April 1989)

#### **University of Kansas policy prohibiting racial and ethnic harassment**

Racial and ethnic harassment is a form of illegal discrimination and is contrary to the nature and mission of our institution. It may take many forms, from outright criminal acts (e.g., assault and battery, vandalism, or destruction of property) to anonymous, malicious intimidation. Whatever its form, however, racial and ethnic harassment is motivated by fear, ignorance, or hatred of ethnic and cultural differences that are perceived as threatening to the offending party. Most frequently, this harassment is directed toward those persons with ethnic visibility including, but not limited to, Blacks, Hispanics, Jews, Native Americans, and Asians or Pacific Islanders. Racial or ethnic harassment will not be tolerated in the University community.

The University of Kansas, Lawrence, is committed to preventing or stopping racial harassment whenever it may occur at the University or in its programs. Campus administrators, faculty members, and supervisors who become aware of such harassment should contact the Office of Institutional Opportunity and Access to prevent continuation of the harassment.

This policy is not intended to infringe upon freedom of expression or academic freedom. The University of Kansas, Lawrence, recognizes that such freedoms are fundamental to the educational process. This policy will be administered with respect for the necessity for the free exchange of ideas in the academic community.

## **University of Kansas Combined Notice of Nondiscrimination**

The University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information in the University's programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045, (785)864-6414. 711 TTY.

## **EXHIBIT C**

### **Sexual Harassment & Sexual Violence Policy**

Pursuant to Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. Sec. 1681, et seq. and Title VII of the Civil Rights Act of 1964, the University prohibits discrimination on the basis of sex, including Sexual Harassment and Sexual Violence, in University programs and activities. In enacting this procedure the University also references and relies on definitions and its legal obligations under the Violence Against Women Act, including the Campus Sexual Violence Elimination Act, 42 U. S. C. § 13925, Section 304.

The University of Kansas Sexual Harassment and Sexual Violence Procedure provides information for members of the University community regarding how to report incidents of Sexual Harassment and Sexual Violence, including domestic violence, dating (intimate partner) violence, and stalking, how the University handles and investigates such incidents, and other information and resources for those impacted by Sexual Harassment or Sexual Violence. The University’s policies prohibiting sexual harassment and discrimination and this Procedure shall apply to any allegation of Sexual Harassment against any member of the University community, including those visiting our campus.

Consistent with University policy, as used in this procedure, the term “sexual harassment” encompasses all forms of sexual assault and sexual violence, domestic violence, dating (intimate partner) violence, and stalking.

To view the Sexual Harassment and Sexual Violence Policy in full:  
<http://policy.ku.edu/IOA/sexual-harassment-sexual-violence-procedures>.

## **EXHIBIT D**

### **Discrimination Complaint Resolution Process**

In accordance with Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, Executive Order 11246, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act, the Vietnam Veterans Readjustment Assistance Act of 1974, the Jobs for Veterans Act of 2002, the Kansas Acts Against Discrimination and all other applicable civil rights and nondiscrimination statutes, the University of Kansas prohibits discrimination. Specifically, the University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information in the University's programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of the Office of Institutional Opportunity and Access, [IOA@ku.edu](mailto:IOA@ku.edu), Room 1082, Dole Human Development Center, 1000 Sunnyside Avenue, Lawrence, KS, 66045, (785)864-6414. 711 TTY.

The University of Kansas, Lawrence, is committed to the full participation of previously excluded or neglected classes of people. Thus, it is also the policy of the University to prohibit discrimination on the basis of sexual orientation, marital status, parental status, gender identity, and gender expression.

#### **Scope of Policy**

The University's nondiscrimination policy extends to employment practices, conditions of employment, personnel actions and all other educational programs and activities of the University and its affiliates. It also extends to any retaliatory actions by an individual and an individual's associates that may arise as a result of a discrimination complaint. Leaders in the University community continuously examine all areas of the institution, make policy decisions, and implement strategies to eliminate and prevent discrimination wherever necessary.

#### **Discrimination Complaint Resolution Process**

The University of Kansas is committed to resolving discrimination complaints in a timely and effective manner and providing prompt corrective action if discrimination is believed to have occurred. The discrimination complaint resolution process is intended to provide effective resolution for complaints of discrimination on the basis of race (including racial harassment), religion, color, sex (including pregnancy, sexual harassment, and sexual violence), disability, national origin, ancestry, age, status as a veteran, sexual orientation, marital status, parental status, gender identity and gender expression. Affected persons, including students, faculty, staff, community members or others involved in university events or programs, may utilize the process to address complaints of discrimination related to University hiring and selection procedures, employment practices, conditions of employment, personnel actions, or University educational programs and activities.

## **Who may utilize the University Discrimination Complaint Procedures?**

Any person claiming to be aggrieved by a prohibited discriminatory practice at the University may contact the Office of Institutional Opportunity and Access. Location 1000 Sunnyside Avenue, Suite 1082, Dole Human Development Center, Lawrence, KS 66045-7521; Telephone: 785-864-6414; 711 TTY; E-mail: [ioa@ku.edu](mailto:ioa@ku.edu). Individuals who may use this procedure include, but are not limited to: individuals applying for enrollment or employment with the University; students; faculty, including those with visiting appointments; teaching or research assistants; postdoctoral research associates and fellows; university support staff and other unclassified employees; university administrators; and other persons receiving university services or participating in university programs. A person in the University community may ask that the Office of Institutional Opportunity and Access initiate an investigation of a specific matter. The Office of Institutional Opportunity and Access may also initiate an investigation when it has reason to believe that discriminatory or retaliatory action is occurring.

## **Complaint Resolution Actions and Procedures**

The process for resolving discrimination complaints may include some or all of the following actions: informal inquiry and discussion, mediation (except in cases of sexual harassment), disciplinary action, or other appropriate action. If the subject matter or issue of the complaint does not fall within the jurisdiction of this policy, the Office of Institutional Opportunity and Access staff will advise the complainant of other available procedures.

In many cases, individuals will take appropriate corrective action when they are made aware of how their actions or behaviors are being perceived. If the complainant is comfortable doing so, the complainant may bring the concerns to the attention of the person responsible for the behavior or action. Complainants who choose not to address the discrimination directly on their own or through other informal processes may seek the assistance of the **Office of Institutional Opportunity and Access. Location: 1000 Sunnyside Avenue, Suite 1082, Lawrence, KS 66045-7521; Telephone: 785-864-6414; 711 TTY; E-mail: [ioa@ku.edu](mailto:ioa@ku.edu)**. Complainants are encouraged to file their complaints within one hundred eighty (180) days of the most recent occurrence of the alleged discrimination.

## **Who must report discriminatory actions?**

Unit heads and others who serve in leadership roles in the university are responsible for nondiscrimination in their employment and academic environments. With the exceptions specified below, all employees at the University of Kansas are required to contact the Office of Institutional Opportunity and Access (IOA) at 785-864-6414 or [ioa@ku.edu](mailto:ioa@ku.edu) to report incidents of discrimination and sexual harassment, including sexual violence, of which they know or have reason to believe may have occurred. For example, if a student shares information about discrimination or sexual harassment, including sexual violence, with a faculty or staff member, the faculty or staff member must report the information to IOA. The Director of the IOA may also initiate an investigation when appropriate and in the interests of the University to do so.

Exemptions from the reporting obligation outlined above are as follows:

1. Health care providers and pastoral and professional counselors who receive information about discrimination or sexual harassment, including sexual violence, while acting in their role as a health care provider or pastoral or professional counselor are not required to report such information to IOA; and
2. The CARE Coordinator, who is the employee designated to provide information about reporting options on a confidential basis.
3. The University Ombuds and Faculty Ombuds, who are employees designated to provide confidential assistance to persons seeking information about University policies and processes.

Employees who are exempt from reporting to IOA still have an obligation to exercise reasonable care to protect a foreseeable victim from danger and to make reports mandated by law. In addition, exempt employees shall encourage individuals to report discrimination or sexual harassment, including sexual violence, to contact IOA and the police.

## **Complaint**

Any individual who believes that they have been the subject of discrimination or retaliation, or a Dean, Director, Chairperson or other supervisor or administrator who has reason to believe that discrimination or retaliation may have occurred, should contact the Office of Institutional Opportunity and Access to initiate the filing of a complaint. A complaint should include the following, to the extent known and available:

- Name and contact information (address, telephone, e-mail) for the complainant;
- Name of person(s) directly responsible for the alleged discrimination or retaliation;
- Date(s), time(s), and place(s) of the alleged violation(s);
- Nature of the alleged violation(s); i.e. race, sex, disability discrimination or retaliation, etc.;
- Detailed description of the specific conduct that is the basis of the alleged violation(s);
- Copies of any documents or other tangible items pertaining to the alleged violation(s);
- Names and contact information for any witnesses to the alleged violation(s);
- Any other relevant information.

Upon receiving a complaint, the Office of Institutional Opportunity and Access will provide the complainant with an acknowledgement of receipt within seven (7) working days and will include in that acknowledgement the web address where the Discrimination Complaint Resolution Process can be found.

## **Complaint Evaluation**

Upon receiving a complaint, the Office of Institutional Opportunity and Access shall

conduct an initial evaluation of the merits of the complaint and determine the appropriate investigatory action required. The Office of Institutional Opportunity and Access staff will contact the dean, director, administrator, supervisor, or chairperson responsible for the unit to inform them of the filing of the complaint. When necessary, appropriate administrator(s) or faculty member(s) may be designated by the Chancellor, Vice Chancellor, Provost, Vice Provost, Dean, Director, or Chairperson, by the Director of the Department of Human Resources, or by the Director of the Office of Institutional Opportunity and Access to participate in the evaluation of the complaint and to facilitate necessary action.

## **Investigation**

A formal investigation will be initiated if a complaint is complete, timely, within the scope of this policy and articulates sufficient facts, which if determined to be accurate, would support a finding that the University's discrimination policies have been violated. Investigators assigned to conduct an investigation will be impartial. In conducting investigations into violations of the University's Policies, the Office of Institutional Opportunity and Access will use a preponderance of the evidence standard in making factual determinations. A preponderance of the evidence standard means the fact in issue is more probably true than not.

## **Investigation Timeframe**

The University will strive to complete discrimination complaint investigations, including issuance of a report of findings to the complainant and respondent, in as timely and efficient a manner as possible within sixty (60) days of receipt of a complaint. However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks including summer break, and complexity of the complaint. If an investigation cannot be completed within sixty (60) days of receipt of the complaint, then the investigator(s) will notify the complainant and respondent of that fact and provide a timeframe for completing the investigation.

## **Investigation Procedure**

The investigation will include the following steps:

- **Notice to Respondent.** The respondent will be provided with a statement of the complaint in writing, and the complainant will be provided a copy of this notification. The respondent will be provided an opportunity to meet with the investigator(s) investigating the complaint and to respond to the allegation. Respondents may respond in person or in writing within a reasonable time to be determined by the investigators. If a respondent chooses not to participate or refuses to answer a complaint, the nonparticipation will not prevent the investigation from proceeding and could result in a finding based solely on the information provided by the complainant.
- **Notice regarding Retaliation.** All parties to a complaint (complainant, respondent, witnesses, and appropriate administrators or supervisors) will be informed that retaliation by an individual or an individual's associates against any person who files a

complaint or any person who participates in the investigation of a complaint is prohibited. Individuals who engage in retaliation are subject to disciplinary action.

- **Contact with Complainant.** If the investigator did not speak with the complainant at the time that the complaint was received by the Office of Institutional Opportunity and Access, then the investigator will meet or speak with the complainant at the start of the investigation and throughout the investigation as appropriate.
- **Representation.** In any meeting with the investigators, the parties to the complaint (complainant and the respondent) may bring a representative to the meeting. If the representative is an attorney, the party must notify the Office of Institutional Opportunity and Access in writing at least three (3) working days before the meeting date.
- **Information relevant to Investigation.** The parties to a complaint (complainant and respondent) will be informed that they have the opportunity to identify witnesses, present witness statements, and any other evidence they believe relevant to resolution of the complaint. The investigator(s) will interview other persons whom, at the investigator(s)' discretion determines to be necessary to gather relevant information. The investigator will review any written materials, e-mails or other media that, at the investigator's discretion may provide relevant information regarding the complaint.
- **Findings of Investigation.** The investigator(s) will provide a written summary of their findings to the respondent and the complainant within a reasonable time following the conclusion of the investigation. In addition, the investigator(s) will provide a written report of the investigation findings and recommendations to the appropriate administrators within the University who will determine the appropriate action to be taken in light of the investigation findings and recommendations. The administrators will have twenty working days from receipt of the investigation findings and recommendations to determine, in consultation with the Office of Institutional Opportunity and Access, an appropriate resolution(s). Upon making their decision, the administrator(s) will provide written notification of their decision to both the respondent and complainant.

#### *Appeals.*

- **Respondent, Finding of Discrimination or Retaliation with Imposition of Discipline.** If formal disciplinary action is imposed as a result of a finding of violation of the University's policies prohibiting discrimination and retaliation, then a respondent may seek as follows:
  - **Faculty member or an unclassified academic staff member.** The affected employee may request a hearing before the University Judicial Board or the Faculty Rights Board, as determined by the sanction. (See [University Senate Rules and Regulations 6.4.2](#) and the [Handbook for Faculty and Other Unclassified Staff](#).)
  - **Student.** The student may request a hearing in accordance with the [Code of Student Rights and Responsibilities](#). If the student does not request a hearing,

the Vice Provost for Student Affairs will determine the sanction. (See [University Senate Rules and Regulations 6.4.9](#)).

- **Graduate Teaching Assistant.** A graduate teaching assistant may request a review in accordance with the [Memorandum of Agreement between the University of Kansas, the Graduate Teaching Assistant Coalition \(GTAC\), American Federation of Teachers-Kansas \(ATF-KS\)](#) (representing graduate teaching assistants at the University of Kansas, Lawrence). (See [University Senate Rules and Regulations 6.4.16](#)).
- **Other Student Employees, including Graduate Research Assistants and Graduate Assistants.** Other student employees, including graduate research assistants and graduate assistants, may request that a supervisor's decision be reviewed by the next-level administrator and/or may contact Human Resource Management for assistance at [hrdept@ku.edu](mailto:hrdept@ku.edu) or 864-4946.
- **Unclassified Professional Staff Employee.** An unclassified professional staff member may seek review of disciplinary actions as specified by University policy, [http://policy.ku.edu/hr/Disciplinary\\_Action\\_Policy\\_for\\_Staff](http://policy.ku.edu/hr/Disciplinary_Action_Policy_for_Staff).
- **University Support Staff Employee.** A University Support Staff employee who is not serving an initial probationary period and has been suspended, demoted, or dismissed as a result of a finding of violation of the University's policies prohibiting discrimination and retaliation may appeal the sanction to the University Disciplinary Action Hearing Board in accordance with the procedures set forth in University policy, <http://policy.ku.edu/provost/disciplinary-action-hearing-board-support-staff>.

## Complainant Appeals

If the complainant believes that the Office of Institutional Opportunity and Access investigator's administrative findings concluding that there was no discrimination or retaliation was in error, then the complainant may appeal that conclusion to the Executive Vice Chancellor and Provost, or designee, within ten (10) working days of the date of the notice of the investigator's findings. The request for an appeal must be a signed, written document articulating why the investigator's conclusion finding no discrimination or retaliation was erroneous. The Executive Vice Chancellor and Provost, or designee, will respond to the request for appeal within twenty (20) working days of receiving the appeal. This decision on appeal will constitute final agency action and there will be no further appeal within the University.

## Administrative Closure of a Complaint without Investigation

The University may not proceed with a complaint investigation under a variety of circumstances, for instance:

- A complainant, even after contact and follow up with an investigator, fails to describe in sufficient detail the conduct that is the basis of the complaint;

- The conduct alleged in the complaint is not covered by this policy;
- The complaint is untimely;
- The complainant refuses to cooperate with the University's investigation;
- The complainant is anonymous.

If it is determined that the University will not proceed with investigation of a complaint, the Office of Institutional Opportunity and Access will notify the complainant (if not anonymous) in writing explaining the reasons why the complaint is not being investigated. The notification letter will include a statement notifying the complainant that the complainant may appeal the determination not to proceed with an investigation of the complaint to the Executive Vice Chancellor and Provost with ten (10) working days of the notice. The request for an appeal must be a signed, written document articulating why the decision to administratively close the complaint without an investigation was in error. The Executive Vice Chancellor and Provost will respond to the request for appeal within twenty (20) working days of receipt of the appeal. If the decision to administratively close the complaint without an investigation is upheld, then that decision will constitute final agency action and there is no further appeal within the University. If the decision to administratively close the complaint without an investigation is overturned, the complaint will be sent back to the Office of Institutional Opportunity and Access for investigation in accordance with this procedure.

### **Extensions of Time**

The Office of Institutional Opportunity and Access will make every reasonable attempt to adhere to the time limits set forth in these procedures. However, it is recognized that circumstances may necessitate an extension of time. Therefore, the Director of Institutional Opportunity and Access may extend the time limits set forth in these procedures.

### **Retaliation**

Retaliation against persons who file discrimination complaints or persons who participate in an investigation of a complaint, whether by an individual directly involved or by associates of the individual involved, is a violation of law and University policy. Complainants who utilize these procedures or persons who participate in an investigation of a complaint should not be subjected to retaliation. Retaliation may take the form of unwanted personal contact from the respondent or giving additional assignments that are not assigned to others in similar situations, poor grades or unreasonable course assignments. Phone calls, e-mail or other attempts to discuss the complaint may be perceived as retaliation under certain circumstances. Disciplinary action, harassment, unsupported evaluations, or other adverse changes in the conditions of employment or the educational environment may also constitute retaliation. Retaliation will not be tolerated and could result in suspension, reassignment, salary reduction, termination, expulsion or other disciplinary action.

### **Abuse of the Discrimination Complaint Resolution Process**

The University takes all discrimination complaints seriously. However, knowingly filing a

false complaint is considered serious misconduct and is also subject to sanction. An individual who establishes a pattern of repeatedly filing frivolous complaints that harass colleagues and/or abuse the complaint resolution process may lose the right to file complaints for a specified period of time. Such cases shall be treated in accordance with the provisions of University Senate Rules and Regulations section 6.5.4, Abuse of Grievance Process.

## **Confidentiality**

The Office of Institutional Opportunity and Access will handle all discrimination and harassment complaints discreetly but cannot guarantee confidentiality or anonymity because the University has an obligation to investigate complaints of discrimination and harassment and to maintain a safe environment, free from harassment and discrimination. Because of its obligations under the law, KU will not be able to honor all requests for confidentiality or all requests that a complaint not be pursued.

However, complainants, respondents, witnesses, and any other parties involved in a complaint of discrimination shall refrain from disclosing information about a complaint of discrimination to anyone who does not have a legitimate, business need or right to know. Such disclosures are inappropriate and unprofessional and may result in disciplinary action. The foregoing does not preclude either party from seeking the advice or counsel of a supervisor, counselor, attorney, or other person in a similar role.

## **State and Federal Reporting of Discrimination**

Employees may file employment discrimination complaints with the Equal Employment Opportunity Commission or the Kansas Human Rights Commission. Students may file discrimination complaints through the Office of Civil Rights in the U. S. Department of Education or the Kansas Human Rights Commission. The Office of Institutional Opportunity and Access can provide information about deadlines and filing procedures for the state and federal agencies.

## **Exclusions or Special Circumstances**

In accordance with the [Abuse of the Discrimination Complaint Resolution Process section above](#) and the provisions of the [University Senate Rules and Regulations 6.5.4](#), an individual who establishes a pattern of repeatedly filing frivolous complaints may lose the right to file complaints for a specified period of time.

## **Consequences**

Members of the University community who are found to have violated the University Nondiscrimination Policy are subject to disciplinary actions appropriate to their status as faculty, staff, or student employees or as students.

## **EXHIBIT E**

### **Kansas Board of Regents: Statement on Diversity and Multiculturalism**

Opportunities to gain experience within a diverse environment and to develop appreciation of multiculturalism are considered to be important elements of the educational experience for all students. An emphasis on multiculturalism and diversity should foster an atmosphere within the University which recognizes and celebrates both the similarities and differences among all persons to create a collegiate community which reflects the world community and which provides a wide range of role models for students. The focus of responsibility for the design of educational experiences, including multicultural experiences, resides with each institution.

**EXHIBIT F**  
**Kansas Board of Regents: Affirmative Action and Equal Opportunity**

The Board of Regents believes and supports the view that every individual has the right to expect that all decisions with reference to employment, i.e. selection, discipline, promotion or termination, and all decisions with reference to student status, i.e. admission, academic achievements and discipline, be made without regard to age, race, color, religion, sex, marital status, national origin, physical handicap or disability, status as a Vietnam Era Veteran, sexual orientation or other factors which cannot be lawfully considered, to the extent specified by applicable federal and state laws. To this end, each state university shall develop and maintain an equal employment opportunity, equal educational opportunity and non discrimination policy in the operation and administration of all University programs and services.

Notwithstanding the above, and in accordance with K.S.A. 73-201 et seq., and amendments thereto, positive consideration in hiring decisions shall be given to Vietnam Era Veterans for whom that law applies.

Further, each state university shall establish a comprehensive affirmative action program designed to provide equal employment and educational opportunities as required and allowed by law.

Each state university shall appoint a Title IX Coordinator as required by 34 C.F.R. § 106.8(a). Each state university Title IX Coordinator shall report directly to the university chief executive officer or their designee.

## **EXHIBIT G**

### **Kansas Board of Regents: Racial, Sexual and Other Unlawful Harassment**

Unlawful harassment cannot and will not be tolerated at state universities. Each state university shall develop and maintain specific policies that seek to: (i) identify prohibited conduct in this area; (ii) educate campus constituencies with regard to this negative behavior; (iii) eliminate such behavior; and (iv) set forth the manner in which such behaviors or conduct is to be addressed.