



2017 AFFIRMATIVE ACTION PLAN

Lawrence and Edwards Campuses

October 1, 2016 – September 30, 2017

Analysis of Data: October 1, 2015 – September 30, 2016

TABLE OF CONTENTS

Preface

Introduction

Reaffirmation of Nondiscrimination Policy

Dissemination of Nondiscrimination Policy

Designation of Responsibilities of the Office of Institutional Opportunity and Access

41 C.F.R. §60-2.17(a)

Responsibilities of University Leadership to Ensure Implementation of the AAP

41 C.F.R. §60-2.17(a)

Workforce, Job Group and Availability Analyses

41 C.F.R. §60-2.11 through -2.14

Comparison of Incumbency and Availability

41 C.F.R. §60-2.15

Identification of Problem Areas

41 C.F.R. §60-2.17(b)

Placement Goals

41 C.F.R. 60-1.12(b), -2.1(c) and -2.16

Development and Implementation of Action-Oriented Programs

41 C.F.R. §60-2.17(c)

Internal Audit and Reporting

41 C.F.R. §60-2.17(d)

Exhibits

- A. Nondiscrimination, Equal Opportunity, and Affirmative Action Policy
- B. Racial & Ethnic Harassment Policy
- C. Sexual Harassment & Sexual Violence Policy
- D. Discrimination Complaint Resolution Process
- E. Kansas Board of Regents: Statement on Diversity and Multiculturalism
- F. Kansas Board of Regents: Affirmative Action and Equal Opportunity
- G. Kansas Board of Regents: Racial, Sexual and Other Unlawful Harassment
- H. Job Groups with Descriptions

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 either minorities or females 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. in the University of Kansas Office of Institutional Opportunity and Access (IOA), Carruth-O'Leary Room 153, 1246 West Campus Road, Room 153, Lawrence, KS, 66045.

Additional questions about this plan can be addressed to the Office of Institutional Opportunity and Access at 785-864-6414 or by e-mail at ioa@ku.edu.

Introduction

Opened in 1866, The University of Kansas is a comprehensive educational and research institution with approximately 28,000 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; and educational and research facilities 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, 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, 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. 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-time University support staff, unclassified professional 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: Executive Director of the Office of Institutional Opportunity and Access, ioa@ku.edu, 1246 W. Campus Road, Room 153A, Lawrence, KS, 66045, (785)864-6414.

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 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.

Dissemination of Nondiscrimination Policy

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 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 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 Handbook for Faculty and Other Unclassified Staff. This publication is made available online from the University's official Policy Library and in print form.
5. Written materials outlining the University's Nondiscrimination Policy and other related policies are included in "New Employee Packets" distributed to all newly-hired individuals. Departments may request additional materials from the Office of Institutional Opportunity and Access.
6. 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.
7. 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: Executive Director of the Office of Institutional Opportunity and Access, IOA@ku.edu, 1246 W. Campus Road, Room 153A, 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).

8. The Department of Human Resources provides training and information related to nondiscrimination to supervisors and employees, including the following:
 - a. Effective Strategies for Recruiting A Diverse Faculty and Academic Staff
 - b. Guidelines for Successful Recruiting: Faculty and Academic Staff
 - c. Guidelines for Successful Recruiting: Unclassified Professional Staff and University Support Staff
 - d. Conducting Unclassified Professional Staff, University Support Staff and Student Searches
 - e. Unconscious Bias in Employment Searches

- f. Building Intercultural Skills Workshop
 - g. Emotional Intelligence in the Workplace
 - h. Intersections: Preventing Discrimination and Harassment
 - i. Staff Leadership Summit
 - j. Cultural Competency Conference
 - k. Supervisory Training for Excellence in Performance
 - l. Lunchtime Conversations on Equity and Inclusion
9. 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.
10. 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. §60-2.17(a)

The attainment of the University’s goals and objectives relative to equal opportunity and affirmative action is the responsibility of the Chancellor, Provost, Directors, 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 University. 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 University;
6. Reviewing the University's AAP for qualified minorities and females 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 bulletin boards 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. §60-2.17(a)

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 his or her duties and responsibilities.

University Demographic Profile

As of September 30, 2016, the University of Kansas workforce totaled 5,174 employees. 2,691 (52%) of the workforce identify as female and 928 (18%) of the workforce identify as a minority (i.e. Hispanic, American Indian, Asian, Black, Native Hawaiian/Pacific Islander, or two or more races) as defined by the federal government.

On October 1, 2015, the University of Kansas workforce totaled 5,364 employees. 2,794 (52%) of the workforce identified as female and 952 (18%) of the workforce identified as a minority (i.e. Hispanic, American Indian, Asian, Black, Native Hawaiian/Pacific Islander, or two or more races) as defined by the federal government.

From October 1, 2015 to October 1, 2016, the university workforce contracted by 190 employees, a 3% reduction.

Academic Faculty/Staff Demographic Profile

As of September 30, 2016, the University of Kansas workforce totaled 1,709 employees classified as academic faculty, academic staff, and instructional staff. 713 (42%) identify as female and 345 (20%) identify as a minority (i.e. Hispanic, American Indian, Asian, Black, Native Hawaiian/Pacific Islander, or two or more races) as defined by the federal government.

On September 30, 2015, the University of Kansas workforce totaled 1,797 employees classified as academic faculty, academic staff, and instructional staff. From October 1, 2015, to October 1, 2016, the total number of employees in this classification contracted by 88 employees, a 5% reduction.

Figure 1 represents a distribution of all academic personnel who identified as female or as a minority as of September 30, 2016.

Figure 1

Job Classification	Black	Asian	Native American	Hispanic	Hawaiian/ Pacific Islander	Two or More Races
Academic Faculty	55	187	10	42	0	51

Non-Academic Staff Demographic Profile

As of October 1, 2016, the University of Kansas workforce totaled 3,465 employees classified non-academic staff. 1,978 (57%) identify as female and 583 (17%) identify as a

minority (i.e. Hispanic, American Indian, Asian, Black, Native Hawaiian/Pacific Islander, or two or more races) as defined by the federal government.

On October 1, 2015, the University of Kansas workforce totaled 3,567 employees classified as non-academic staff. From October 1, 2015, to October 1, 2016, the total number of employees in this classification contracted by 102 employees, a 3% reduction.

Figure 2 represents a distribution of all non-academic staff who identified as a minority as of October 1, 2016.

Figure 2

Job Classification	Black	Asian	Native American	Hispanic	Hawaiian/Pacific Islander	Two or More Races
Non-Academic Staff	145	195	33	65	0	145

Workforce, Job Group and Availability Analyses

41 C.F.R §§60-2.11 through -2.14

Workforce Analysis

As one of the diagnostic components of the AAP, and to conform to applicable regulations, the University has completed a profile of the workforce. The organizational profile is an overview of the staffing patterns and is used to determine whether there are areas in the workforce where minorities or females are underrepresented or concentrated.

This profile of the University’s workforce is considered confidential; please contact the Director of the Office of Institutional Opportunity and Access for further information.

Job Group Analysis

As the second diagnostic component of the AAP, the University has conducted a job group analysis. The job group analysis is the first step in comparing the representation of minorities and females in the workforce covered by this AAP with the estimate of the available qualified minorities and females who could be employed by the University of Kansas in positions covered by this AAP. A detailed list of job groups and descriptions is available as Exhibit H.

In designing the job groups, the University considered the following elements:

- Similarity of duties and responsibilities;
- Similarity of compensation; and
- Similarity of opportunities for advancement including training, transfers, promotions, mobility and other career enhancements.

Although not a determinative factor, the University also attempted to create job groups large enough to conduct appropriate analyses.

Availability Analysis

The purpose of the availability analysis is to establish a benchmark against which the demographic composition of the University's workforce may be compared to determine whether barriers to equal employment opportunity may exist within particular job groups.

Pursuant to applicable regulations, the availability analysis for each job group examines two potential areas of availability: individuals with the requisite skills outside the establishment (external availability) and those within the establishment who are promotable, transferable and/or trainable (internal availability). In determining availability, the University has selected a reasonable recruitment area and a pool of promotable, transferable and trainable employees in such a way as not to exclude qualified minorities and females. Moreover, when determining external availability, the University has used the most current and discrete statistical information available.

Please contact the Director of the Office of Institutional Opportunity and Access for further information on the potential areas of availability used in this AAP.

Comparison of Incumbency and Availability

41 C.F.R. §60-2.15

A comparison of Incumbency and Availability is the final diagnostic component of this AAP. The University of Kansas has compared the representation of minorities and females in each job group with their representation among those identified in the availability analysis as available for employment in the job group. Where actual representation was less than the calculated availability, the University conducted a statistical test to determine whether the difference was greater than could reasonably be expected.

The results of this comparison are considered confidential; please contact the Director of the Office of Institutional Opportunity and Access for further information.

Identification of Problem Areas

41 C.F.R. §60-2.17(b)

The University of Kansas has performed an in-depth analysis of its total employment process to determine whether there are areas where females or minorities may face impediments to equal opportunity. The following analyses were conducted in order to reveal any potential problem areas:

- (I) **Placement Goals:** An analysis of incumbency versus availability was performed to determine whether there are problems with minority or female utilization. Whenever a problem exists, as defined by a statistical methodology, Placement Goals were set (see section on Placement Goals). Even where Placement Goals were not prescribed, steps will be taken to encourage and increase the percentage of qualified females

and/or minorities applying for positions both externally and internally. These steps may include, but are not limited to, the following:

- a. Working with hiring managers and recruiters to determine appropriate outreach to attract qualified applicant pools;
 - b. Recruiting at colleges and universities with a significant percentage of minority and female students;
 - c. Publishing job advertisements in newspapers and/or magazines that target females and/or minorities;
 - d. Offering mentorship programs for female and minority employees;
 - e. Offering job training to females and minorities currently employed by the University in order to increase their chances of advancement;
 - f. Offering tuition reimbursement to employees to obtain training that will increase their chances of advancement; and
 - g. Using recruitment companies that specifically target females and minorities.
- (II) **Review of Employment Decisions:** A review of employment decisions was conducted in order to determine whether females/minorities were selected at a less favorable rate than males/non-minorities. A review of males/non-minorities was also conducted to determine if either group was being selected at a statistically-significant lessor rate than females/minorities.
- (III) **Review of Hires/Promotions:** Whenever females/minorities were selected at a lower rate than males/non-minorities, a review of the applicant flow was conducted to determine possible reasons why females/minorities were not selected at a more favorable rate. If the University has attracted fewer than expected females/minorities that fit the qualifications for the job groups, good faith efforts will be put into place to attempt to improve the applicant flow of qualified females/minorities. If males/non-minorities were selected at a statistically-significantly lessor rate than females/minorities, further review of the applicant flow and selection decisions will also be conducted to ensure there is no discrimination.
- (IV) **Review of Terminations:** For terminations, if females/minorities were involuntarily terminated or left voluntarily at a higher rate than males/non-minorities, a review of the employee files will be made to ensure the University is applying its policies and procedures for termination equally for protected as well as non-protected classes. If males/non-minorities have a statistically-significant higher rate of termination than females/minorities, an investigation will also be conducted to determine the cause.
- (V) **Compensation:** Compensation is reviewed at least annually in order to determine if there are significant discrepancies in pay when comparing female to male rates of pay and minority versus non-minority rates of pay. Where discrepancies exist, a thorough review will be conducted to determine if the difference in pay is justified due to

appropriate factors. If the difference in pay cannot be justified, the University will put a plan in place bring pay into greater alignment.

Placement Goals

41 C.F.R. §§60-1.12(b), -2.1(c) and -2.16

Attainment of Prior Year Placement Goals

Where goals were established by the University of Kansas for the prior year, the University developed action-oriented programs designed to accomplish the established goals and objectives, thereby enhancing employment and advancement opportunities in the University for females and minorities. The results of the prior year's Affirmative Action Program are as follows:

Job Group	Job Title	Class	Goal %	Placement Rate %	Goal Attained?
1B	Executive and Academic Officer	Female	55.26%	44.44% (4 of 9 placed)	NO
3A	University Program Administration	Female	56.71%	63.63% (21 of 33 placed)	YES
3A	University Program Administration	Asian	5.67%	0% (0 of 33 placed)	NO
3C	Professional Specialists	Native American	1.17%	.48% (1 of 206 placed)	NO
3E	Teaching and Research Staff	Native American	4.32%	0% (0 of 167 placed)	NO
3E	Teaching and Research Staff	Two or More Races	2.38%	2.99% (5 of 167 placed)	YES
4D	Library Clerical Assistants	Female	88.03%	87.50% (7 of 8 placed)	NO
5D	Computer Service, Support/Repair	Female	39.33%	0% (0 of 12 placed)	NO
5E	Media/Communications Technicians	Minority	23.01%	0% (0 of 3 placed)	NO

Current Year Placement Goals

An analysis of incumbency versus availability is performed to determine whether there are problems with minority or female utilization. Whenever a problem exists, as defined by a statistical methodology, Placement Goals are set. The goals for the University based on an analysis of data from October 1, 2015, to September 30, 2016, are as follows:

Job Group	Job Title	Class	Goal %
1B	Executive and Academic Officer	Female	49.75%
2A	Academic Faculty	Female	43.35%
2B	Academic Staff	Minority	23.38%
2C	Instructional Staff	Minority	21.81%
3A	University Program Administration	Asian	5.01%
3C	Professional Specialists	Native American	1.22%
3D	Administrative Assistants/Specialists	Native American	2.14%
3E	Teaching and Research Staff	Native American	4.12%
3G	University Program Managers	Asian	5.79%
4D	Library Clerical Assistants	Female	85.22%
5D	Computer Science, Support/Repair	Female	38.31%
5E	Media/Communications Technicians	Minority	31.44%
5E	Media/Communications Technicians	Black	15.81%
7C	Custodial Services	Native American	4.72%
7C	Custodial Services	Hispanic	12.64%

Development and Execution of Action-Oriented Programs

41 C.F.R. §60-2.17(c)

The University has made good-faith efforts to address previous problem areas as identified by the 2016 AAP and has instituted various programs to ensure no barriers to employment exist. These good-faith efforts and programs may include, but are not limited to, the following:

1. Holding workshops on conducting searches for Unclassified Professional Staff, University Support Staff and Student Employees in alignment with University equal opportunity principles and hiring guidelines;
2. Recruitment and hiring of two Langston Hughes Visiting Professors;
3. Hosting the Professional Edge Breakfast Series monthly during the academic year as an opportunity for professional growth and development; each presentation in the series is free and open to the public, with varied topics including the changing demographics of the workforce and diversity in the workplace;
4. Conducting annual analyses of job descriptions to ensure they accurately reflect job functions;

5. Making job descriptions available to recruiting sources and available to all members of management involved in the recruiting, screening, selection and promotion processes;
6. Evaluating the total selection process to ensure freedom from bias through:
 - a. Reviewing job applications and other pre-employment forms to ensure information requested is job-related;
 - b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;
 - c. Training personnel and management staff on proper interview and selection procedures; and
 - d. Training on EEO and related policies for management/supervisory staff;
7. Using techniques to improve recruitment and retention and to increase the flow of qualified applicants, including minority and female applicants;
8. Reviewing the University's compensation practices;
9. Ensuring all employees are given equal opportunity for promotions and/or transfers, achieved by:
 - a. Posting opportunities internally;
 - b. Offering guidance to employees in identifying opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 - c. Evaluating job requirements to ensure they are appropriate.

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, layoff, and recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits;
4. Job assignments, job classifications, job descriptions, and seniority lists;
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. An applicant flow log;
2. Summary data of external job offers and hires, promotions, resignations, terminations;
3. Summary data of applicant flow;
4. Employment applications; and
5. Records pertaining to University'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, 1246 W. Campus Road, Room 153A, Lawrence, KS, 66045, (785)864-6414, 1049 Miller Building, 3901 Rainbow Blvd. Kansas City, Kansas, 66160 (913)588-5048.

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.

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.

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, 1246 W. Campus Road, Room 153A, Lawrence, KS, 66045, 785-864-6414.

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 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.

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: Room 153 Carruth O'Leary Hall, 1246 Campus Rd., Lawrence, KS 66045-7521; Telephone: 785-864-6414; E-mail: 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, he or she 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: Room 153 Carruth O'Leary Hall, 1246 Campus Rd., Lawrence, KS 66045-7521; Telephone: 785-864-6414; E-mail: 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. Deans, Directors, Chairpersons or other administrators or supervisors, including faculty members, graduate teaching assistants, and academic advisors shall contact the Office of Institutional Opportunity and Access to initiate an investigation within their area of responsibility if they know or have reason to believe that discriminatory practice(s) may have occurred. The Executive Director of the Office of Institutional Opportunity and Access may also initiate an investigation when appropriate and in the interests of the University to do so.

Complaint

An individual who believes that he or she has 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 Executive 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, his/her 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 his/her 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 the investigator(s) in his/her discretion determines to be necessary to gather relevant information. The investigator will review any written materials, e-mails or other media that as determined by the investigator in his/her 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.

Respondent Appeals. 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 request a hearing 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 Kansas Board of Regents and the Kansas Association of Public Employees (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, have an opportunity to have a supervisor's decision reviewed by the next-level administrator, as described in the Student Employment Handbook, available through the Department of Human Resources web site.
- *Unclassified Professional Staff Employee.* An unclassified professional staff member may request a hearing in accordance with the unclassified professional staff conflict resolution procedures specified in the Handbook for Faculty and Other Unclassified Staff. (See University Senate Rules and Regulations 6.4.15.)
- *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 the University

Support Staff Handbook.

Complainant Appeals. If the complainant believes that the Office of Institutional Opportunity and Access Investigator's investigations findings concluding that there was no discrimination or retaliation is in error, then the complainant may appeal that conclusion to the Vice Provost for Administration and Finance 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 is erroneous. The Vice Provost for Administration and Finance will respond to the request for appeal within twenty (20) working days of receiving the appeal. The Vice Provost for Administration and Finance's 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 he or she may appeal the determination not to proceed with an investigation of the complaint to the Vice Provost for Administration and Finance 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 Vice Provost for Administration and Finance 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 Executive 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 his/her associates, 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.

EXHIBIT H

Job Groups with Descriptions

Federal contractors are required to establish AAP job groups and compare their employment of minorities and females within those job groups to the availability of minorities and females who are "available" for employment. "Job groups" are jobs that are grouped based on three factors: 1) similar wages; 2) similar job duties and responsibilities; and 3) similar opportunities for training, promotion, transfer, and other employment benefits.

Those job groups utilized by the University of Kansas, along with their descriptions, are provided below:

1 – Executive, Administrative and Managerial Positions

1A: Senior Executive Officers

These employees are the highest ranking individuals in the University administration. They have final decision-making authority and overall responsibility for all University-wide administrative and academic functions.

1B: Executive and Academic Officers

These employees are officials who report to the heads of the University. They each have ultimate responsibility for academic functions or one or more of the major administrative, entity-wide functions at the University.

1C: Senior Administrative Officers

These are senior administrative officials who report to the persons in 1A and 1B. They provide assistance to the Executive Officers. They also have responsibility for an entity-wide program, although the programs they administer are smaller than those administered by officials in subgroup 1B.

2 – Faculty

2A: Academic Faculty

The majority of these positions are regular, tenure or tenure track, nine and twelve month positions whose responsibilities are split into 40 percent teaching, 40 percent research and 20 percent service to the University.

2B: Academic Staff

These individual's primary responsibility is to conduct research, or to direct the research projects of other professionals and graduate students. Some of the positions have a secondary responsibility to teach courses. They usually have ultimate responsibility for one or more major research projects. Their positions are primarily grant funded. These positions may or may not earn tenure.

2C: Instructional Staff

These positions provide assistance with the University's teaching and research functions. The primary responsibility is to provide classroom instruction and assistance to the faculty.

Instructional staff do not earn tenure.

3 – Professional/Non-Faculty Positions

3A: University Program Administrators

These positions have responsibility for specialized administrative units and larger University programs. Some are responsible for small, University-wide programs and others serve only a small portion of the University community. Generally these positions require supervision of a staff of persons who perform more detailed tasks associated with the program.

3B: Medical Personnel/Staff

These positions provide medical services to the University community. All of the positions in this group are professionals who work in health-related fields, or convey health-related information as a major portion of their responsibility.

3C: Professional Specialists

These are specialized professional positions. Persons in these positions concentrate on using their specialized knowledge. They are generally not required to have program responsibility or to supervise other staff.

3D: Administrative Assistants/Specialists

These positions provide administrative, detailed work for many University programs. They generally provide assistance to programs headed by persons in positions in 3A. They may also provide administrative support to persons in 1A, 1B and 1C, but do not have ultimate responsibility for unit functions or major projects.

3E: Teaching and Research Staff

These positions provide assistance and support for instruction and research. They generally provide support to principal investigators by helping to gather and organize data results from research efforts. These positions require specialized knowledge related to the research area. They may or may not supervise others involved in teaching or research support.

3F: Information Technology Staff

These positions are information technology professionals with specialized knowledge and training in information technology fields. Many have University-wide responsibilities, while others have responsibilities that are smaller in scope, but vitally important to the functioning of the institution's overall IT scheme. These positions have significant authority and responsibility for the IT programs and projects administered within their area of responsibility. They may or may not supervise other IT professionals.

3G: University Program Managers

These positions provide assistance to the administrators responsible for small or specialized University programs in Group 3A. Incumbents in these positions generally have responsibility for the overall functioning of a portion(s) of the University program. These positions serve as managers and generally have some staff, albeit small, who report to them.

4 – Secretarial/Clerical Positions

4A: Not Applicable/No Longer in Use

4B: Financial Support Staff

These positions require specialized skill in accounting for monetary accounts or property. These positions provide support and assistance for the work performed by financial professionals in Group 3C. Some of these positions require supervision of others who perform similar tasks at a lower level of detail and responsibility.

4C: Office Support Staff

These positions provide detailed, administrative support to administrators, directors and managers of University programs. These positions require experience in a wide range of office management skills. Some of the require supervision of others who perform similar tasks at a lower level of detail and responsibility.

4D: Library Clerical Assistants

These positions require knowledge of administrative skill related to library operations and office management within the library. These positions may also provide assistance and administrative support to library faculty research.

5 – Technical and Paraprofessional Positions

5A: Medical/Science Technicians

These positions require significant technical skills related to work in a medical area or research fields in the sciences. Generally, these positions report to a faculty member who is ultimately responsible for the research project.

5B: Information Technology/Technical Staff

These positions provide technical support and assistance to the professional IT staff in group 3F and other University administrators, directors and managers. These positions require specialized technical skills in information technology fields.

5C: Engineers/Electronics Technicians

These positions require significant, specialized, technical skill to operate, install, maintain or repair electrical equipment, telecommunications equipment or other complex technical machines. These technicians are also involved in planning for the installation and use of complex technical systems or machines.

5D: Computer Service, Support and Repair

These positions require specialized skills and generally have the responsibility for the operation, installation, maintenance and repair of computer hardware and software.

5E: Media/Communications Technicians

These positions combine specialized technical skills and creative skills to plan and design, auditory, print, or visual media projects.

6 – Skilled Crafts

6A: Construction Trades

These positions require specialized technical skills to perform duties related to installing fixtures, repairing or maintaining existing structures, or construction of new buildings. These jobs require knowledge of specialized tools and skills for each trade.

6B: Mechanical Trades

These positions require specialized skill to repair and maintain mechanical equipment, engines or other non-electronic machines, such as trucks, locks, pumps or air conditioners.

6C: Building Maintenance and Operations

These positions require specialized knowledge to operate, monitor, repair and maintain utility service to buildings and machines. These positions are often “customer service” oriented and also provide maintenance of heating and cooling systems, plumbing systems, circulation systems and other indoor appliances.

7 – Service/Maintenance

7A: Protective Services

These positions require specialized skill and training in protection of persons and property, crowd control, and investigation of crimes and complaints.

7B: Plant and Animal Care

These positions require knowledge of the general care of plants or animals. These positions may also include responsibility for the maintenance and operation of machines used to care for plants and animals such as sprinklers, tractors, milk machines or feeders.

7C: Custodial Services

These positions require ability to clean all University buildings and maintain building fixtures, such as windows, chalkboards, and tile floors. These positions may also require knowledge of the proper use of cleaning chemicals, machines or tools.

7D: Food Service

These positions require knowledge of proper food handling and preparation techniques. These positions may also require knowledge of the proper use and maintenance of industrial kitchen appliances and machines, such as ovens, mixers and freezers.