

## **Affirmative Action Policy**

- A. **Policy Statement.** It is the policy of the University of Kansas Medical Center to develop and implement an effective, defensible Affirmative Action Compliance Program<sup>1</sup> for the following affected groups: American Indians/Alaska Natives, Asian/Pacific Islanders, Blacks/African Americans, Hispanics, women, individuals with disabilities, Vietnam-era veterans, special disabled veterans, recently separated veterans and other protected veterans. This program will not use Affirmative Action employment placement goals for the following reasons: to justify either a preference or an adverse effect upon an individual solely on the basis of his/her race/ethnicity, color, religion, sex or national origin to create set-asides for specific groups; or to supersede merit selection principles {41 CFR 60-2.16(e)}. The University shall report annually the results of its Affirmative Action Compliance Program in a written Affirmative Action Plan [41 CFR 60-1.40(a)] which shall conform to current state and federal guidelines as defined by the Office of Federal Contract Compliance Programs and the State of Kansas.
- B. **Legal Basis.** The University of Kansas Medical Center is a federal contractor subject to requirements of Federal Executive Order 11246 as amended, Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, Section 503 of the Rehabilitation Act of 1973, and provisions of Title 41, Chapter 60 of the Code of Federal Regulations (revised 11/13/00).
- C. **Responsibility for Implementation.**
- The Executive Vice Chancellor has overall responsibility for promoting and enforcing the Affirmative Action Compliance Program and ensuring that resources necessary for implementation of the program remain a priority in the University budget. The Director of the Equal Opportunity Office reports directly to the Associate Vice Chancellor for Compliance and has the authority to administer the Affirmative Action Compliance Program for both KUMC and the KU School of Medicine-Wichita. The Director's name, title, location, and telephone number will be included on all internal and external communications regarding the Affirmative Action Program.
  - The Director of the Equal Opportunity Office is responsible for:
    - Developing and maintaining an effective AA/EO compliance program, including nondiscrimination policies and procedures, and ensuring that they are readily available to all faculty, staff, residents, students and the public;
    - Developing and maintaining effective internal complaint procedures, facilitating informal resolution of concerns whenever feasible, investigating complaints of prohibited discrimination, and participating in the determination of administrative responses;

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<sup>1</sup> The *Affirmative Action Compliance Program* must include an organizational profile, job group analysis, placement of incumbents in job groups, computed availability, utilization analysis, placement goals, designation of responsibility for implementation, identification of problem areas, action-oriented programs and periodic internal audits [41 CFR 60-2.10(b)].

- Providing training, education and advice to the campus community regarding University policies and procedures governing Affirmative Action, equal opportunity, nondiscrimination, prohibited harassment, discrimination complaint procedures, and reasonable accommodation.
  - Developing effective and meaningful monitoring, auditing and reporting mechanisms to ensure compliance with state and federal requirements governing employment, academic admissions and financial aid; and acting as the institution's Title IX Coordinator;
  - Overseeing compliance with the Americans with Disabilities Act, the Federal Rehabilitation Act, and provision of services to students, employees and residents with disabilities.
- Vice Chancellors and Deans are responsible for ensuring the success of affirmative action efforts in their divisions. Specific responsibilities include utilizing the appropriate nondiscrimination clause in all contracts, monitoring subcontractor compliance with federal and state nondiscrimination law, and ensuring that employees participate in the University's affirmative action/equal opportunity/nondiscrimination training programs. Each Vice Chancellor and Dean will review annually with the Equal Opportunity Office the effectiveness of the Affirmative Action Program in each operating unit under his/her authority.
  - All members of the KUMC community, including affiliated sites and the School of Medicine-Wichita, are charged with creating an atmosphere conducive to attracting and retaining a diverse workforce. Department heads are responsible for ensuring that University recruitment and selection guidelines, policies and procedures are followed, that required documentation is maintained, and that good faith effort is demonstrated toward the achievement of goals for eliminating underutilization.
4. **Notification of Commitment.** The University of Kansas Medical Center is obligated to notify all students, applicants, residents and members of the public of its commitment to affirmative action, equal opportunity and nondiscrimination. All materials produced by the University to solicit applications for employment or educational programs, publicize activities or services, or otherwise describe programs and departments must contain approved notification statements as listed on the Equal Opportunity Office website.
  5. **Record Retention.** Any personnel or employment record made or kept by the University shall be preserved for at least three years from the date of the making of the record or the date of the personnel action, whichever is later. Such records include, but are not limited to, documents pertaining to hiring, assignment, promotion, demotion, transfer, lay off, selection for training, reasonable accommodation requests, results of physical examinations, job advertisements and posting, applications and resumes, and interview notes [41 CFR 60-1.12(a)]. All records kept in accordance with this requirement must include the gender, race and ethnicity of each employee, and where possible, the gender, race and ethnicity of each

applicant [41 CFR 60-1.12(c)].

6. **Internal Auditing, Monitoring and Reporting Requirements.** As part of its Affirmative Action Program, the University must monitor and audit KUMC and KUSM-W employment decisions and compensation systems to evaluate their impact on affected groups [41 CFR 60-2.10(2)]. In order to identify problem areas, the Equal Opportunity Office shall evaluate personnel activity (applicant flow, hires, terminations, promotions and other personnel actions); compensation systems; selection, recruitment, and other personnel procedures; and any other areas that might impact the success of the Affirmative Action Program [41 CFR 60-2.17(b)]. In addition, the Equal Opportunity Office shall report annually on the attainment of EEO objectives, review results with management, advise senior administrators of program effectiveness, and develop recommendations to improve unsatisfactory performance [41 CFR 60-2.10(d)].
7. **Recruitment.** The Human Resource Departments on both the Kansas City and Wichita campuses are responsible for conducting recruitment. When the position belongs to a job group which is underutilized, the search shall include recruitment efforts which are targeted to attract members of the underutilized group. Such efforts may include advertising in publications known to reach the affected group, making personal contacts with affected group members, or contacting professional associations that serve affected groups. The Equal Opportunity Office shall provide annually a list of underutilized job groups to the Human Resource Departments.