

### Contact the Equal Opportunity Office

- ◆ To seek advice regarding prohibited discrimination or harassment
- ◆ To file a complaint
- ◆ To request an accommodation

To learn more about KUMC's Policies and Procedures related to Equal Opportunity please visit this site: <http://www.kumc.edu/eoo/policies.html>

#### **This site includes information about:**

- ◆ Affirmative Action
- ◆ Equal Opportunity and Nondiscrimination
- ◆ Sexual Harassment
- ◆ Other Forms of Harassment
- ◆ Accommodation of Individuals with Disabilities
- ◆ Service Animals
- ◆ Discrimination Complaints
- ◆ Retaliation and Retaliation Complaints



[KUMC is an AA/EO/Title IX Institution](#)

This brochure is available in alternate formats upon request.

Equal Opportunity Office  
1054 Wescoe, Mail Stop 2014  
3901 Rainbow Blvd.,  
Kansas City, KS 66160  
(913) 588-5048  
TDD: (913) 588-7963  
<http://www.kumc.edu/eoo/>

# EQUAL OPPORTUNITY OFFICE



**KNOW  
YOUR  
RIGHTS**

- PROHIBITED DISCRIMINATION
- HARASSMENT
- DISABILITY ACCOMMODATIONS

# Prohibited Discrimination

## What is discrimination?

It is intentional or unintentional adverse treatment of a person or group that is based on a factor protected by federal and/or state antidiscrimination laws or University policy. At KUMC, these factors include:

### PROTECTED CLASSES

- Sex
- Race
- Color
- National Origin or Ancestry
- Age
- Gender Expression
- Religion or Creed
- Disability
- Veteran Status
- Sexual Orientation
- Genetic Testing & Screening
- Gender Identity

### The adverse treatment must involve one or more issues:

- Terms and conditions of employment (e.g., hiring, promotion, salary, discipline, termination, etc.)
- Access or admission to educational programs, activities or services.
- Academic decisions (e.g., grades, assignments, recommendations, etc.)

### ● Types of Prohibited Discrimination ●

There are FOUR types of discrimination:

- 1. Disparate Treatment** occurs when similarly situated individuals are treated differently based on their protected class.
- 2. Adverse Impact** occurs when a neutral practice or policy is applied consistently, but has the effect of disproportionately excluding or negatively impacting a group sharing the same protected class and it cannot be justified by business necessity.
- 3. Failure to Provide Reasonable Accommodation** occurs when an employer or educational institution fails to make reasonable accommodation for either known disabilities or religious requirements of qualified applicants, employees, residents or students.
- 4. Retaliation** occurs when adverse action is taken against individuals because they file discrimination complaints, oppose discriminatory practices or participate in the investigation of discrimination complaints.

## What is a “Reasonable” Accommodation?

**For an Employee or Applicant:** a modification which enables the employee or applicant, to enjoy equal access to employment without removal or limiting the performance of the essential job duties.

### For a Student or Resident:

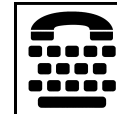
a modification which enables the student or resident to enjoy equal access to an education and training without changing the nature, purpose or standards of the educational program, service or activity.

**A reasonable accommodation neither causes undue hardship on the employer or institution, nor creates a threat or harm to the individual or others.**

## DISABILITY ACCESS SYMBOLS

Large Print

This symbol is used to indicate that print materials may be provided in large print.



This symbol indicates that a **Telephone Typewriter (TTY)** is available. This device is used for communication between deaf, hard of hearing, speech-disabled and/or hearing persons.



This symbol is used to indicate that printed matter is available in **Braille**, including labeling, publications and signage.



This symbol is used to indicate access for people who are blind or have low vision.



This symbol is used to indicate access for individuals with limited mobility, including wheelchair users.

## Disability Accommodations & Access

### What are the University's Responsibilities?

The University is responsible for:

- Receiving accommodation requests from:
  - employees and applicants for employment
  - students and applicants for admission
  - residents and applicants for admission
- Considering the requests on a case-by-case basis, and
- Providing reasonable and effective accommodations.



Q  
&  
A

### What Accommodations Can Be Made?

Needs are very individualized; many employees, applicants, students and residents with disabilities require no accommodation at all. Even those who receive an accommodation in one setting may not require the same accommodation in another. No two situations are alike. Each request requires that the employee, applicant, student or resident work together with the EO/Disability Specialist to identify and implement a reasonable accommodation.

### What Is a "Covered" Disability?

A covered disability is a physical or mental impairment that substantially limits, restricts, or prevents one or more major life activities, major bodily functions and/or the performance of tasks that are of central importance to most people's daily lives.

### What are the Responsibilities of the Employee, Applicant, Student or Resident?

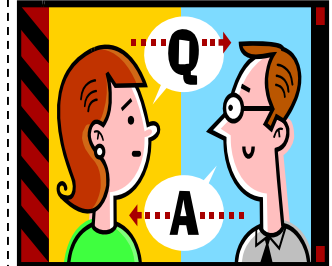
- \* Requesting accommodation
- \* Providing documentation which verifies the nature/extent of the disability and addresses the need for accommodations

## Prohibited Harassment

### What is Prohibited Harassment?

Prohibited Harassment is a form of discrimination consisting of verbal or physical behavior which is:

- Unwelcome,
- Based on a protected class and
- Severe or pervasive enough to create a hostile environment or negatively impact academic or job performance



### What to do if YOU are harassed...

You may feel you are overreacting, believe you encouraged the harasser or think your situation is not serious enough to report. You fear being seen as a "tattle tale" and worry about the negative effect that might result. **You don't have to tolerate prohibited harassment!** You are not responsible for the harasser's actions and behaviors. You are responsible for taking care of yourself.

- \* **Know your rights and responsibilities.**
- \* **Document the behavior/treatment.** Focus on FACTS: who, what, when, where, your response and if there were witnesses.
- \* **If appropriate, directly and respectfully tell the person (s) that the behavior is unwelcome.**
- \* **Seek assistance/advice.**
- \* **Report the behavior to an appropriate University official:**

- |                            |                     |
|----------------------------|---------------------|
| • Supervisor               | • Professor/Faculty |
| • Department Head/Chair    | • Dean              |
| • Equal Opportunity Office | • Student Services  |

### Examples of Prohibited Harassment:

- racist or sexist jokes, comments or e-mails
- display of offensive pictures/photographs, graffiti, screen savers
- subtle or overt pressure for sex or intimate relationships
- unnecessary touching or other unwelcome physical contact
- disparaging remarks about one's protected class status (such as race, age or disability)

## Is YOUR Behavior Harassing?

Acceptable behavior varies widely from person to person.

Our backgrounds and life experiences influence what is comfortable. Here are some self-protection hints for avoiding harassing behavior:

- **Do not assume that others will enjoy off-color jokes, sexual advances, ethnic or racial slurs, or other derogatory comments based upon a protected class.**
- **Sharpen your listening and observation skills. If a person's response, whether verbal or physical, seems negative, trust that it is. Always assume that "no means no."**
- **If you're not sure whether your workplace behavior is acceptable, ask yourself, "How would I feel if my spouse, child or close relative witnessed, or were on the receiving end of such behavior?"**
- **If you think you have offended someone, try to discuss the matter directly, and apologize if appropriate.**

**If you are a person in authority  
(e.g. supervisor, department head, professor)  
you are responsible for...**

- ⇒ Understanding and enforcing University policies
- ⇒ MONITORING the working/learning environment
- ⇒ Taking complaints seriously-Persons in authority are both institutionally and legally liable for failure to take immediate and appropriate corrective action
- ⇒ Reporting complaints
- ⇒ Protecting employees, students and residents from retaliation



## What happens if you bring a concern to the EOO?

**We know that when you have a concern, you may be frustrated and angry. It may help you to know how our office determines whether or not we can handle your concern.**

### Steps We Will Take to Assist You

- **First**, we will determine if you are covered by the University's EO policies. These policies cover current KUMC students, residents and employees, applicants for admission or employment, and members of the general public who wish to access University programs, activities or services.
- **Secondly**, we will ask you to detail how you've been adversely treated.
- **Thirdly**, if you believe that you have been discriminated against, we will ask you to identify the **protected class(es)** basis for this alleged treatment. If you believe that you've been retaliated against, we will ask you to identify the protected activity that you engaged in (e.g., filed a complaint, participated in an investigation or opposed an illegal practice).
- **Finally**, we will ask you to explain **why** you believe your protected class or protected activity was the reason for the adverse treatment. Reasons may include knowledge that similarly situated individuals of a different protected class were treated more favorably, discriminatory statements were made by the person(s) responsible for the adverse treatment, prohibited pre-employment/pre-admission inquiries were made, or there was an unwarranted difference in treatment after you engaged in a protected activity.

If your concern falls within the EOO jurisdiction, we can assist you by either facilitating informal resolution or conducting an investigation. If we do not have jurisdiction over your concern, we will refer you to the appropriate resource.

**We recognize that confidentiality is essential in matters involving prohibited discrimination and harassment. We will disclose information only to individuals with a legitimate need to know.**