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**INSTITUTIONAL OPPORTUNITY & ACCESS
POLICY****Nondiscrimination, Equal
Opportunity, and Affirmative
Action****PURPOSE:**

To outline the University's policies on nondiscrimination, equal opportunity, and affirmative action.

APPLIES TO:

All University of Kansas employees, students, volunteers, and affiliates

CAMPUS:

Lawrence, Edwards, Parsons, Juniper Gardens, Yoder, Medical Center, Kansas City, Wichita, Salina, Topeka,

POLICY STATEMENT:

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: 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, 1049 Miller Building, 3901 Rainbow Blvd. Kansas City, Kansas, 66160 (913)588-5048, 711 TTY.

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

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.

CONTACT:

Executive Director of the Office of Institutional Opportunity and Access
1246 W. Campus Road
Room 153A Carruth O'Leary
Lawrence, KS, 66045
785-864-6414, 711 TTY
IOA@ku.edu

APPROVED BY:

Chancellor

APPROVED ON:

Sunday, December 1, 2002

EFFECTIVE ON:

Saturday, February 1, 2003

REVIEW CYCLE:

Annual (As Needed)

RELATED POLICIES:

- [Discrimination Complaint Resolution Process](#)
- [Policy Against Racial and Ethnic Harassment](#)

RELATED PROCEDURES:

Any person who has a question regarding the applicable laws or policies, or who feels discriminated against, is encouraged to contact the Office of Institutional Opportunity and Access, 1246 W. Campus Road, 153 Carruth O'Leary, Lawrence, KS 66045, phone 785-864-6414; 1049 Miller Building, 3901 Rainbow Blvd. Kansas City, Kansas, 66160 (913)588-5048; email ioa@ku.edu.

Any person who would like to report discrimination on the basis of sex, or who has an inquiry concerning the application of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in the institution's education programs and activities, should contact the KU Title IX Coordinator, Office of Institutional Opportunity and Access, at (785) 864-6414 or sexualharassment@ku.edu. Reports also may be made to the Office of Civil Rights (Region VII), Department of Education at 816-268-0550; the Office of Civil Rights Department of Education website provides additional [contact information](#) » and detailed information on [how to file a complaint](#) ».

DEFINITIONS:

Sexual Harassment: "Sexual Harassment" means behavior, including physical contact, advances, and comments in person, through an intermediary, and/or via phone, text message, email, social media, or other electronic medium, that is unwelcome; based on sex or gender stereotypes; and is so severe, pervasive and objectively offensive that it has the purpose or effect of substantially interfering with a person's academic performance, employment or equal opportunity to participate in or benefit from University programs or activities or by creating an intimidating, hostile or offensive working or educational environment. Sexual Harassment may include but is not limited to:

- (1) unwelcome efforts to develop a romantic or sexual relationship;
- (2) unwelcome commentary about an individual's body or sexual activities;
- (3) threatening to engage in the commission of an unwelcome sexual act with another person;
- (4) stalking or cyberstalking;
- (5) engaging in indecent exposure; voyeurism, or other invasion of personal privacy;
- (6) unwelcome physical touching or closeness;
- (7) unwelcome jokes or teasing of a sexual nature or based upon gender or sex stereotypes; and

(8) sexual violence, as defined below.

Title IX and University Policy prohibit gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Violence: “Sexual violence” means any physical act which is sexual in nature that is committed by force or without the full and informed consent of all persons involved. Sexual violence may include but is not limited to rape, sexual assault, sexual battery, and sexual exploitation. Sexual violence can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual violence can be committed by men or by women, and it can occur between people of the same or different sex.

Gender Identity: The gender that a person claims for oneself – which may or may not align with the gender assigned to the person at birth.

Gender Expression: How a person behaves, appears, or presents oneself with regard to societal expectations of gender. This may include clothing, hairstyle, facial make-up, vocal inflection, posture, and behavior regardless of the individual’s biological sex.

University Employee includes faculty, unclassified academic staff, unclassified professional staff, University Support Staff (Lawrence/Edwards Campus), classified staff (UMKC), and all student employees, regardless of nature of appointment.

Affiliates for purposes of this policy are (1) employees of the following University affiliated corporations or organizations: Kansas Athletics, Inc., University of Kansas Memorial Union, Inc., KUMC Student Union, Inc., University of Kansas Center for Research, Inc., Hilltop Child Development Center, Studio 804, Inc., the Reserve Officers Training Corps (ROTC), University of Kansas Medical Center Research Institute, Inc., KU Center for Technology Commercialization, Inc., and KU Health Partners; (2) adjunct or courtesy faculty and researchers, including post-doctoral fellows; (3) retired and emeritus members of KU faculty and staff and of the affiliated corporations/organizations listed above; (4) visiting scholars; (5) research visitors; and (6) advisors of registered student organizations.

Volunteers: Volunteers give their time and effort without cost to the University of Kansas and do not receive compensation, access to University facilities, and/or University services of any type for their work. Volunteers must be identified with their campus association by submitting the Volunteer Registration Form to

HR/EO. Volunteers do not qualify as affiliates. If you have questions or need additional information regarding volunteers, please contact Human Resources at hrdept@ku.edu, 785-864-4946, or refer to the [Affiliates and Volunteers Policy](#).

KEYWORDS:

Discrimination, Complaint, Hearing, Affirmative Action, Resolution, Equal Opportunity, Grievance

REVIEW, APPROVAL & CHANGE HISTORY:

4/22/14: Updated phone number and links for the Office of Civil Rights Department of Education, technical/formatting edits.

2/14/14: Technical edits. Equal Opportunity Policy and Affirmative Action Policy approved 1977; revised 1987; 2002.

Nondiscrimination Policy and Equal Opportunity Policy amended to include gender identity and gender expression: recommended by the University Senate on October 8, 2009; endorsed by the Provost on October 16, 2009, and approved by the Chancellor on October 22, 2009; updates approved September 14, 2011; added University of Kansas Combined Notice of Nondiscrimination and IOA Office information April 27, 2012.

February 2014: revised to become a University-wide policy.

Personnel: Affiliates/Volunteers Categories: *Workplace Rules & Guidelines*,

Personnel: Faculty/Academic Staff Categories:

Workplace Rules & Guidelines,

Personnel: Staff Categories: *Workplace Rules & Guidelines*,

Personnel: Student Employees Categories: *Workplace Rules & Guidelines*,

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