



FORT LEWIS COLLEGE EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

I. Statement of Policy

- A. Safeguarding and promoting the rights and welfare of all employees is the responsibility of Fort Lewis College. In order to meet this institutional responsibility, Fort Lewis College has instituted this Equal Opportunity and Affirmative Action Policy (hereinafter the “Policy”). It will provide for continuing review of the activities of Fort Lewis College in keeping with this responsibility and for compliance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, the Equal Pay Act of 1964, related Executive Orders 11246 and 11375 and revised Order Number Four, Sections 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, the Age Discrimination in Employment Act of 1967 as amended in 1978, Americans with Disabilities Act of 1990, and all Civil Rights laws of the State of Colorado.
- B. Fort Lewis College does not discriminate on the basis of race, age, color, religion, national origin, gender, disability, sexual orientation, political beliefs, or veteran status. Accordingly, equal opportunity for employment, admission, and education shall be extended to all persons. The College shall promote equal opportunity, equal treatment, and affirmative action efforts to increase the diversity of students, faculty, and staff.
- C. This Policy applies to all students, faculty, staff of the College, and to all programs administered by the College. All members of the Fort Lewis College community have a responsibility to work to ensure a discrimination-free environment and promote affirmative action programs. Fort Lewis College is committed to the following:
1. to recruit, hire, train, transfer, and promote persons in all job classifications, based on the principles of equal opportunity and affirmative action;
 2. to assure that all personnel actions such as compensation, benefits, transfer, reduction in force, reemployment, professional development are based on the principles of equal opportunity and affirmative action;

3. to recruit, admit, and educate students based on the principles of equal opportunity and affirmative action;
4. to assure that such programs as financial aid, health services, housing, scholarship, and recreational activities are administered based on the principles of equal opportunity and affirmative action; and
5. to provide due process for complaints of discrimination and harassment.

II. Executive Responsibility

- A. The President is the designated administrative official of Fort Lewis College to initiate and carry out the Policy in all administrative subdivisions of the College. The President delegates responsibility for implementation and compliance with the Policy to his or her staff.
- B. Administrators at all levels must assume responsibility for implementation and compliance with the Policy. Equal Opportunity and Affirmative Action is an important part of the supervisory and administrative duties and it will constitute a job performance criterion.

III. Responsibilities of the Office of Equal Opportunity

The Equal Opportunity Coordinator (hereinafter the “Coordinator”) is appointed by the President. The Coordinator shall report directly to the President on all matters relating to the Policy. The Coordinator shall:

- A. be the convener of the Equal Opportunity and Affirmative Action Committee.
- B. advise and assist the President on the preparation of the plans, procedures, regulations, reports, and other matters pertaining to equal opportunity and affirmative action.
- C. prepare reports as directed by the President.
- D. develop procedures for and monitor all faculty and exempt staff searches to ensure compliance with Equal Opportunity and Affirmative Action requirements.
- E. be an *ex-officio* member of search committees for faculty and exempt staff and participate in the design of recruiting campaigns.
- F. monitor the hiring process, seniority policies and other procedures for classified staff, when needed.

- G. approve and monitor emergency searches.
- H. prepare, or assist in preparing, reports required by governmental agencies concerning equal opportunity and affirmative action.
- I. be responsible for distribution of the College's Equal Opportunity and Affirmative Action Plan to faculty, staff, and students of the College.
- J. be responsible for providing education and training to faculty and staff on the issues covered in College's Equal Opportunity and Affirmative Action Plan.

IV. Responsibilities of the Equal Opportunity and Affirmative Action Committee

The Equal Opportunity and Affirmative Action Committee shall be a standing committee of Fort Lewis College. This committee shall be composed of six members (two faculty members, one classified staff, two exempt staff and one student) and are appointed by the President. The Coordinator and the Human Resources Director shall be *ex-officio* members of the Committee. The Committee shall:

- A. serve as an advisory group to the President through the Coordinator.
- B. review periodically the College's Equal Opportunity and Affirmative Action Plan and recommend changes to the Plan, if needed, to the Coordinator who shall bring those recommendations to the attention of the President.
- C. recommend changes in programs and procedures to the President to eliminate any known discriminatory or unfair practices.
- D. review periodically the hiring process in general and report its finding to the President through the Coordinator.
- E. investigate formal complaints filed under the College's Grievance Procedure for the Resolution of Complaints of Unlawful Discrimination, Discriminatory Harassment, and Sexual Harassment and issue written reports.

V. Student Service

A. Statement of Anti-Discrimination

- 1. Fort Lewis College is committed to providing students service regardless of a student's race, age, color, religion, national origin, gender, disability, sexual orientation, political beliefs, or veteran status, in accordance with Title VII of the 1964 Civil Rights Act, Title VIII of the Housing Act of 1968, Title IX of the Education Amendments Act of 1972, and Section 504 of the Rehabilitation Act of 1973.

2. The Coordinator will work with the appropriate offices to ensure equal opportunity in all student services including but not limited to recruitment and admission of students, financial aid, campus housing, student activities, academic support, and student regulations.

B. Monitoring and Evaluation Procedures

It is the responsibility of the various offices to maintain the following information and provide the information as needed by the Coordinator.

1. Recruitment and Admissions

The Director of Admission is responsible for providing the following information:

- a. admissions criteria used, including test scores and any weighting factors;
- b. age, ethnicity, national origin, gender, and veteran status of the applicant pool, admitted students, and entering students for the Fall trimester of each year; and
- c. description of the recruiting efforts and the recruitment schedule for the previous year, including schools and potential groups of students contacted.

2. Attrition and Retention

The Director of Institutional Research is responsible for providing the data which show annual student retention rates by age, ethnicity, national origin, gender, and veteran status.

3. Financial Aid and Scholarship

The Director of Financial Aid and the Director of Admission are responsible for providing the following information:

- a. type, amount and source(s) of financial aid and scholarship;
- b. number of recipients by age, ethnicity, national origin, gender, and veteran status;
- c. selection criteria used for all types of financial aid and Fort Lewis College scholarships; and
- d. procedures for dissemination of information regarding availability of all types of financial awards to applicants, new students and continuing students.

4. Housing

The Director of Housing and Conference Services is responsible for providing policies and procedures relating to housing, including room/apartment and roommate assignments policies.

5. Student Activities

The Director of Leadership Center is responsible for providing the following information:

- a. a list of current student organizations and clubs;
- b. a statement of non-discrimination in policies and practices from each organization and club on the above list; and
- c. a description of procedures and policies which assure that College sponsored activities and College posting policies are non-discriminatory.

6. Student Regulations

The Office of Vice President for Student Affairs is responsible for providing a current copy of the student handbook.

VI. Recruitment and Initial Appointment of Faculty and Exempt Staff

A. Recruitment and Selection Procedures

All College searches for faculty and exempt staff must adhere to the “Search and Appointment Procedure for Faculty and Exempt Staff” which is designed to attract the most qualified persons, especially for those in all protected and under-represented groups, for employment at the College.

B. Affirmative Recruitment and Selection

The College recognizes that preferential hiring solely on the basis of one’s protected group status would be unlawful even as a means of addressing under-representation of certain protected group. However, the College’s educational interest in enhancing the diversity of faculty and exempt staff may rationally be considered by the Search Committee.

C. Nepotism

Although employment of more than one member of a family is not prohibited by the College, each employment application must be considered independently and no employee may participate in any manner in decision-making process affecting a member of his or her family.

VII. Other Employment Practices

A. Transfer and Promotion

It is the College policy to apply the same equal opportunity and affirmative action principles to employment transfer and promotion as to initial appointment. All employees will be encouraged to seek advancement to higher positions by applying for openings for which they are qualified.

B. Compensation and Benefits

1. Salary and benefits procedures will be administered fairly and equitably for all staff members adhering to the policies of Fort Lewis College and the Colorado Department of Personnel & Administration.
2. All salary and wage adjustments will be based on the individual's performance evaluation and the availability of funds. When any unjustified pay differentials under the Equal Rights Act of 1964 and Title VII of the Civil Rights Act of 1964, as interpreted by the Higher Education Guidelines Executive Order 11246, are discovered, the College must correct them in a reasonable time.

C. Terminations of Employment

It is the policy of the College to apply the equal opportunity and affirmative action principles to terminations of employment. The formal employee exit process shall be used for all benefits-eligible employees terminating their employment with the College and the Coordinator shall be informed of any complaints of discrimination associated with a termination of employment.

The Director of Human Resources shall provide the Coordinator with an annual report on terminations, no later than September 30 of each year. This report will include information about voluntary and involuntary termination in each job category for age, ethnicity, national origin, gender, disability, and veteran status.

VIII. Dissemination and Education of the College's Equal Opportunity and Affirmative Action Plan

- A. References to the Policy and a non-discrimination statement will be incorporated into recruitment brochures and all other related informational and promotional literature which is distributed to potential students.
- B. All job announcements shall contain a statement that the College is an equal opportunity and affirmative action employer.
- C. All current faculty and staff will be notified periodically, via campus email, of the College's Equal Opportunity and Affirmative Action Plan with a link to the full text of the Plan. Hardcopy of the Plan will be provided by the Coordinator upon request.
- D. All new employees will be informed of the College's Equal Opportunity Plan by the Director of Human Resources. Hardcopy of the Plan will be provided by the Coordinator upon request.

- E. All new employees are required to attend a workshop/training on sexual harassment and other forms of discrimination and harassment. Workshop/training will be provided by the Coordinator.
- F. Notifying students about sexual harassment and other forms of discrimination and harassment policies will be handled by the Office of Vice President for Student Affairs.

IX. Evaluation of Employment Policies and Practices

Each administrative unit is responsible for data collection and reporting on equal opportunity and affirmative action practices as requested by the Coordinator.

X. Utilization Analyses/Workforce Analyses

- A. The College shall conduct annual utilization analyses and workforce analyses to identify areas of under-utilization within the College so that the College can establish goals and timetables to correct under-utilization.
- B. “Under-utilization” is defined as having less representation of minorities and women in a specific job category than would be reasonably expected by their availability.
- C. “Availability” is defined as the existence of minorities or women possessing qualifications in a particular job classification in an area in which the College can reasonably be expected to recruit.
- D. A database will be maintained by the Human Resources for the entire workforce and for individual units, subdivided by job categories.
- E. Statistical data for each job categories will be gathered according to gender and ethnic categories.
- F. The workforce analyses shall include identification of veteran status (Vietnam Era and/or disabled) and handicap status when possible.
- G. In determining the availability of ethnic minorities and women in the various areas of the workforce, external available relevant data will be used.
- H. “Under-utilization” will be determined by comparing availability in each of the job categories with the actual number of women and minorities in the Fort Lewis College workforce. Using the “under-utilization” information, problem areas in the workforce can be identified. Where disparity of representation of women and minorities is identified, a plan for improvement in terms of specific goals and timetable will be made by the Equal Opportunity

Coordinator in consultation with various administrators and presented to the President.

- I. Good faith efforts to achieve the goals listed in the plan must be shared among the administrators, faculty and staff.

XI. Purchasing and Sub-contracting

The College shall incorporate the Equal Employment Opportunity clause in all contracts, leases, and like documents as stipulated in Executive Orders 11246 and 11375.

XII. Grievance Procedure

- A. Inquiries and complaints relating to the College's Equal Opportunity and Affirmative Action Policy can be made to the Equal Opportunity Coordinator, 455 Berndt Hall, 382-6977.
- B. If an individual wishes to notify the College of a possible discrimination and/or harassment and requires resolution, he or she must complete the College's Complaint form. Complaints, both informal and formal, will be handled under the Grievance Procedure for the Resolution for Complaints of Unlawful Discrimination, Discriminatory Harassment, and Sexual Harassment.

Approved: February 11, 2009