



**MOREHEAD STATE
UNIVERSITY**

**EQUAL OPPORTUNITY
AFFIRMATIVE ACTION
PLAN**

2011



Morehead State University is an affirmative action, equal opportunity, education institution.

**This plan presents analysis of personnel transactions for the period
November 1, 2010 to October 31, 2011**

**Placement goals are set for the period
January 1, 2011 to December 31, 2011**

2011
Morehead State University
Equal Opportunity/Affirmative Action Plan

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MOREHEAD STATE UNIVERSITY EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PLAN

1. INTRODUCTION

University Personnel Policy PG-5 (Affirmative Action/Equal Opportunity for Employment) adopted by the Morehead State University's Board of Regents on July 1, 1985, and revised on June 15, 2006, ensures equal employment opportunity and affirmative action in all University programs and activities. Included are fair employment practices for and utilization of University facilities by, all persons without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws.

The current Affirmative Action Program has been revised to meet the ever-changing needs of the University, as well as changes in state and federal laws and regulations. The need for continuous development and periodic updating of personnel employment policies and procedures is recognized.

Morehead State University is committed to recruit, employ, retain and promote in compliance with principles of equal employment opportunity and affirmative action. The University has been encouraged by both the U.S. Department of Education's Office of Civil Rights and the Kentucky Council on Postsecondary Education to be specifically aware of the availability and utilization of African Americans in the Commonwealth and to take affirmative steps to recruit and employ such individuals in faculty, administrative and staff positions.

In addition, Morehead State University is committed to the principle that all benefits and opportunities afforded to employees and applicants for employment under this Plan shall also be afforded to students. The University requires its suppliers and contractors to ensure optimum opportunities for participation by veterans, minorities, females and persons with disabilities. Each contractor is expected to follow an affirmative action program that is in accord with state and federal regulations.

In summary, Morehead State University is committed to taking steps to remove any barriers and systemic discriminatory practices in an effort to reach institutional hiring and diversity goals. The Affirmative Action Plan applies to all administrative officers, faculty, staff, students and applicants for employment or admission to Morehead State University, and for those utilizing University facilities.

2. POLICY STATEMENT FOR AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

Morehead State University Policy Statement for Affirmative Action and Equal Employment Opportunity.

Morehead State University is firmly committed to a policy of Equal Employment Opportunity and will administer its personnel policies and conduct its employment practices in a manner which treats each employee and applicant for employment on the basis of merit, experience and other work-related criteria without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws.

Hiring goals have been established that outlines our good faith efforts in practicing equal employment opportunity and affirmative action. These goals ensure that commitment is manifested in all aspects of employment including advertisement, recruitment, hiring, promotion, demotion, transfer, tenure, compensation and training. Morehead State University is committed to making a good faith effort to meet our hiring goals through an annual review of progress. In addition, all students are guaranteed access to educational opportunities, financial assistance, and social and recreational programs.

The Chief Diversity Officer (CDO)/Affirmative Action Officer (AAO) has the responsibility to develop and monitor affirmative action and other equal employment opportunity programs. However, management personnel at every level including vice presidents, deans, directors, chairs, coordinators and supervisors must share in the responsibility for promoting affirmative action and equal employment opportunity to ensure that compliance is achieved.

Anyone desiring information regarding the University's Affirmative Action Program may contact either the Chief Diversity Officer at 202 Howell McDowell Administration Building, 783-9381, or the Affirmative Action Officer at 101 Howell McDowell Administration Building, 783-2097. A copy of the Affirmative Action Plan will be made available to any employee or student upon request.

Wayne D. Andrews, President
Morehead State University

3. DISSEMINATION OF POLICY

Morehead State University recognizes the importance of communicating its EEO policies and procedures to employees, prospective employees and students. To ensure the dissemination of these policies, the University has taken the following action:

A. Internal Dissemination

- 1) Copies of our affirmative action programs will be made available for inspection to any employee or applicant upon request to promote understanding, acceptance and support. Policies are re-emphasized to managers and supervisors annually.
- 2) Questions by any employee, applicant for employment, student or interested party regarding the Affirmative Action Plan may be directed to the AAO/CDO.
- 3) Information about the Affirmative Action Plan and its relationship to the University Strategic Plan and Diversity Plan will be periodically communicated to the University community via internal publications.
- 4) Statements of nondiscrimination, equal opportunity and affirmative action appear in official University publications such as student handbooks, catalogues, schedules, letterhead stationery, as well as the MSU official website.
- 5) Morehead State University Affirmative Action policy and the EEO poster are posted on bulletin boards located throughout our facilities and office work areas.
- 6) All applicants who believe they are a qualified individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, or who are a qualified protected veteran under the equal employment opportunity provisions of the Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended, have been invited to identify themselves if they wish to benefit under this affirmative action program. Employees may self-identify at anytime.
- 7) All employees are advised annually of the University's policy and encouraged to aid in Morehead State University's affirmative action efforts to ensure a fair and effective program.

B. External Dissemination

- 1) Advertisements and promotional documents for positions and programs at the University contain a statement that Morehead State University is an equal opportunity/affirmative action educational institution.
- 2) A statement on equal opportunity/affirmative action is communicated to the

general public annually through publication in The Morehead News and the Lexington Herald-Leader.

- 3) All recruiting sources, including State employment agencies, educational institutions and social service agencies have been informed of the University's policy concerning the employment of qualified individuals with disabilities and qualified protected veterans and have been advised to actively recruit and refer qualified persons for job opportunities.
- 4) Contractors, subcontractors, organizations providing personnel for contracted work, vendors and prospective vendors of products and services to the University are informed of their obligations to adhere to the principles and practices of equal opportunity/affirmative action as prescribed by law and by University policies.
- 5) An equal employment opportunity/affirmative action clause is included in all purchase orders, leases, contracts and agreements.

4. RESPONSIBILITY FOR IMPLEMENTATION OF THE MOREHEAD STATE UNIVERSITY'S EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PLAN

The ultimate responsibility for ensuring that principles of equal opportunity employment and affirmative action are practiced at Morehead State University rests with the President, who oversees the administration of, and the maintenance of compliance with, the University's Equal Opportunity/Affirmative Action Plan. The Provost and Vice President for Academic Affairs, the Vice President for Administration and Fiscal Services, the Vice President for Student Life, the Vice President for University Advancement, the Chief of Staff and Vice President for Planning and Budgets and the Chief Diversity Officer (hereinafter Cabinet) directly assist the President with this responsibility. The President has appointed an AAO to implement and coordinate the Plan.

A. Chief Diversity Officer/Affirmative Action Officer

- 1) Provides leadership and support in promoting the principles of equal opportunity and affirmative action throughout the University community.
- 2) The AAO develops, reviews and revises the Equal Opportunity/Affirmative Action Plan in accordance with federal, state and local agencies' rules and regulations.
- 3) Proposes policies and procedures, policy statements and guidelines to ensure equal opportunity and affirmative action in all functions of the University.
- 4) Coordinates the establishment of University hiring goals and timetables, and develops strategies to achieve these goals.
- 5) The AAO oversees the collection and analysis of University employment data regarding workforce, job category, availability, utilization, terminations,

promotions, transfers, applicant data, and adverse impact analyses.

- 6) The AAO/CDO monitors University recruitment, hiring, promotion, demotion, transfer, tenure and termination recommendations for compliance with the Equal Opportunity/Affirmative Action Plan.
- 7) Provides training and assistance in equal opportunity and affirmative action, on an as needed and/or requested basis, to University executive administrators, deans, department chairs, faculty, directors, coordinators and staff.
- 8) The CDO serves as the institutional representative to the Kentucky Council on Postsecondary Education's Committee on Equal Opportunities, and maintains a liaison role with civil rights groups, community groups and both state and national organizations supporting equal opportunity and affirmative action.
- 9) The CDO prepares an annual report on the progress made toward attainment of objectives set for the University in the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development.
- 10) Serves as a member of the University Affirmative Action Committee (ex officio) and the President's Diversity Council/Campus Environment Team.
- 11) Investigates complaints of discrimination in compliance with procedures set forth in University Personnel Policy PG-5.
- 12) Investigates complaints of sexual harassment in compliance with procedures set forth in University Personnel Policy PG-6.
- 13) Assists the General Counsel in the University's response to complaints of discrimination filed with the Equal Employment Opportunity Commission (EEOC), U.S. Department of Education's Office of Civil Rights, and the Kentucky Commission on Human Rights, and other federal, state and local agencies.
- 14) Ensures that current legal information affecting equal opportunity and affirmative action is disseminated to appropriate University personnel.
- 15) Reports directly to the President and provides periodic reports to the President regarding the status of University progress toward maintaining compliance with the Equal Opportunity/Affirmative Action Plan.

B. Cabinet Members

- 1) Ensures compliance with all equal opportunity and affirmative action principles within their respective divisions/units.

- 2) Develops strategies for recruiting, hiring, training and promoting qualified women and minorities for faculty and staff positions within their respective divisions/units.
- 3) Utilizes efforts in equal opportunity and affirmative action as criteria for evaluating the annual job performance of deans, department chairs, directors and coordinators within their respective divisions, colleges, departments/units.
- 4) Reviews affirmative action data regarding recruitment, hiring, promotion, demotion, transfer, tenure and termination recommendations for compliance with the Equal Opportunity/Affirmative Action Plan and the goals established for their respective divisions.
- 5) Provides equal opportunity and affirmative action training programs for managers, faculty and staff within their respective divisions.
- 6) Facilitates employment of persons with disabilities by considering "essential functions" and "reasonable accommodations."
- 7) Reviews the minimum qualifications of all employee positions within their respective divisions to ensure equal opportunity and affirmative action.
- 8) Assists in ensuring that University facilities are equally available to all persons entitled to their use regardless to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws, and that all faculty, staff and students are afforded equal opportunity to participate in University sponsored educational, training, recreational and social activities.
- 9) Refers complaints of discrimination to the AAO/CDO in compliance with University Personnel Policy PG-5.
- 10) Refers complaints of sexual harassment to the AAO/CDO in compliance with University Personnel Policy PG-6.

C. Academic Deans

- 1) Ensures compliance with all equal opportunity and affirmative action principles within their respective colleges.
- 2) Develops strategies for recruiting, hiring, training and promoting qualified women and minorities for faculty and staff positions within their respective colleges.
- 3) Utilizes efforts in equal opportunity and affirmative action as a criterion for evaluating the job performance of department chairs, directors and coordinators within their respective colleges.

- 4) Reviews affirmative action data regarding recruitment, hiring, promotion, demotion, transfer, tenure and termination recommendations for compliance with the Equal Opportunity/Affirmative Action Plan and the goals established for their respective colleges.
- 5) Facilitates employment of persons with disabilities by considering "essential functions" and "reasonable accommodations."
- 6) Refers complaints of discrimination to the AAO/CDO in compliance with University Personnel Policy PG-5.
- 7) Refers complaints of sexual harassment to the AAO/CDO in compliance with University Personnel Policy PG-6.

D. Department Chairs, Coordinators, Directors, Unit Heads and Supervisors

- 1) Develops strategies for recruiting, hiring, training and promoting qualified women and minorities for faculty and staff positions within their respective departments or units.
- 2) Ensures that all vacant positions within their units are filled in accordance with the Equal Opportunity/Affirmative Action Plan.
- 3) Facilitates employment of persons with disabilities by considering "essential functions" and "reasonable accommodations."
- 4) Refers complaints of discrimination to the AAO/CDO in compliance with University Personnel Policy PG-5.
- 5) Refers complaints of sexual harassment to the AAO/CDO in compliance with University Personnel Policy PG-6.

E. Office of Human Resources

- 1) Assists all administrators and hiring supervisors in implementing the Equal Opportunity/Affirmative Action Plan.
- 2) Explains search policies and procedures to administrators, hiring supervisors and search committee chairs.
- 3) Assists the AAO in reviewing each search conducted at the University for compliance with equal opportunity/affirmative action principles.
- 4) Facilitates employment of persons with disabilities by considering "essential functions" and "reasonable accommodations."

- 5) Generates reports relating to search data as well as information pertaining to promotions, transfers, and terminations in order to develop the University Affirmative Action Plan.
- 6) Provides data and assists the Office of Institutional Research and Assessment to ensure accuracy of externally communicated statistics.
- 7) Maintains all search materials, records and documents in accordance with federal laws and regulations.
- 8) Coordinates workshops, seminars and training sessions regarding equal opportunity/affirmative action principles.

F. HRIS/EEO Specialist

- 1) Conducts annual University workforce, job group, availability analysis, and utilization analyses for inclusion in Volume II of the University's Affirmative Action Plan.
- 2) Conducts adverse impact analyses regarding job applicant pools, hires, promotions, terminations, etc.

G. University Affirmative Action Standing Committee

- 1) Makes recommendations concerning policies, procedures, implementation of, and revisions to, the Equal Opportunity/Affirmative Action Plan.
- 2) Assists the CDO in identifying areas of concern regarding affirmative action and equal employment opportunity.
- 3) Constitutes, when necessary, an Affirmative Action Grievance Committee pursuant to University Personnel Policy PG-5 to review investigative findings of the CDO regarding an affirmative action or equal opportunity complaint of discrimination.
- 4) Educates the University concerning affirmative action, discrimination and sexual harassment.

H. President's Diversity Council

- 1) Advises the President on issues and practices that impact the University's commitment to diversity and equity, and providing recommendations for addressing inequities under relevant federal, state and local laws and policies.
- 2) Collaborates with the AAO concerning policies, procedures, and implementation of the Affirmative Action Plan, the Diversity Plan and the

Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development on Equal Opportunities.

- 3) Coordinates and implements the University Diversity Plan, proposing diversity-related initiatives that will assist the University in meeting its affirmative action program goals and Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development goals.
- 4) Reports annually to the campus the actions taken and the progress made toward achieving affirmative action, diversity and Council goals.

5. EQUAL OPPORTUNITY/AFFIRMATIVE ACTION HIRING PROCEDURE

A. Personnel Recruitment, Selection, and Employment. The University follows a broad, comprehensive, open recruitment process for full-time positions. In addition, MSU recognizes its obligation to seek out, identify, encourage and hire minorities, women and other protected class applicants defined by applicable federal law.

- 1) All positions are categorized by EEO classification: Executive/Administrative/Managerial (EEO-1), Faculty (EEO-2), Professional Non-Faculty (EEO-3), Clerical/Secretarial (EEO-4), Technical/Paraprofessional (EEO-5), Skilled Crafts (EEO-6), and Service Maintenance (EEO-7). Positions are recruited for and processed through the Office of Human Resources. The recruitment period for a position depends on EEO classification and is defined below.
- 2) A request by a unit to waive a search must be approved by up-line supervisors including the President, Director of Human Resources, AAO/CDO, and a budget representative. Waivers should be rare and will only be approved in situations involving budgetary constraints, achieving University diversity and affirmative action goals, emergency situations involving time constraints, career ladder movements, or for other extraordinary circumstances, such as reorganizations. A request is formally submitted on a Search Procedure Waiver Request Form and can be accessed via the Human Resources website. Rationale for the request must accompany the form as well as an MSU Application for Employment form completed by the applicant.
- 3) Any unit that wishes to fill a vacancy or new position must initiate an on-line Job Posting Request via the NovusHR Job Applicant Tracking System. The request must contain the following information: a) draft position announcement and attached official job description, b) recommended type of search, i.e., internal or external, and proposed posting dates, c) search committee membership if the position is classified as EEO-1, EEO-2, or EEO-3 (search committees can be used for other positions but are not mandatory), d) list of recommended newspapers, professional journals, other publications, and websites where the position is likely to attract qualified applicants, and e) position funding information. The draft announcement must be consistent with

the official job description on file in Human Resources. If modifications need to be made to a description, those should be approved through Human Resources before initiating a Job Posting Request so the on-line job description can officially be changed. With regard to search committees, assignments should include members of protected classes. In addition, the immediate supervisor of the position may serve on the committee with the approval of the appropriate vice president; otherwise, the committee will recommend a candidate for employment to the immediate supervisor. The immediate supervisor will make the decision with regard to final selection.

- 4) The Job Posting Request will require up-line supervisory approval along with budgetary and affirmative action review. The AAO will ensure that the job announcement and qualifications are not exclusionary or discriminatory. The President will provide final authorization to conduct a search.
- 5) Upon approval, a Human Resources representative will review each Job Posting Request for completeness and accuracy and make any appropriate additions and/or deletions deemed necessary for proper job recruitment.
- 6) The Human Resources representative will post each opening on the Human Resources website. Those positions that are categorized as EEO-1 or EEO-2 will normally be recruited both internally and externally at the same time. For those jobs categorized as EEO-3, EEO-4, EEO-5, EEO-6, or EEO-7, the hiring supervisor may request an internal only posting to provide current employees with an opportunity for promotion or transfer. Internal recruitment will extend for a period of one week. Unless an internal search is recommended, positions will be advertised concurrently, both internally and externally. Concurrent recruitment will ensure that we are making efforts to increase diversity in our applicant pools and attract the greatest number of qualified applicants. With regard to recruitment, a unit may request to fill a position from a prior position announcement if the unit is filling another vacancy with same title, responsibilities, and qualifications as one previously announced and for which qualified applicants still remain in the pool. This is simply requested via email and must have the support of those that normally approve the recruitment and filling of a position.
- 7) Positions categorized as EEO-4, EEO-5, EEO-6, and EEO-7 will be advertised locally and in areas in close proximity to the University. Job announcements will generally be placed in The Morehead News, Bath County Outlook, Fleming County Gazette or Fleming Shopper, and Mount Sterling Advocate. Additional and/or substitution publications or media sources recommended by the hiring unit official will be considered for use by Human Resources provided a sufficient pool of qualified applicants can be anticipated. Positions categorized as EEO-3 will be recruited for statewide or regionally. Typical sources for advertising will be The Morehead News, Lexington Herald-Leader and The Louisville Defender. Additional and/or substitution publications or media sources recommended by the hiring unit official will be considered for use by

Human Resources provided a sufficient pool of qualified applicants can be anticipated. Finally, positions categorized as EEO-1 and EEO-2 will be recruited for nationally in at least one national publication such as The Chronicle on Higher Education. Additional and/or substitution publications or media sources recommended by the hiring unit official will be considered for use by Human Resources provided a sufficient pool of qualified applicants can be anticipated.

- a) Within professional disciplines, vacancies may be advertised in professional journals and newsletters, via various college and university email addresses, and in other print media targeting protected classes. Recruitment occurs, when feasible, at professional meetings.
 - b) The local office of the Kentucky Department for Employment Services is provided with notices for all position vacancies at Morehead State University. Additionally, notices are forwarded to the NAACP and Urban League in Lexington, Kentucky.
 - c) Notices for EEO-1, EEO-2, and EEO-3 positions are forwarded to placement offices at predominantly and traditionally black educational institutions and to organizations and associations representing women, Hispanics, veterans, and persons with disabilities. The Office of Human Resources and the CDO may also identify and place advertisements in newspapers that have a high minority readership pool. Announcements will also be sent to the AAAA job-posting site, KABHE, and other appropriate on-line job posting sites as identified by the Offices of Human Resources and Affirmative Action.
 - d) All job announcements state that Morehead State University is an Equal Opportunity/Affirmative Action employer.
- 8) Upon position posting, individuals interested in announced vacancies will apply online via MSU's website that links to the NovusHR Applicant Tracking System. This application stores electronic applicant information for all candidates that submit applications. Applicant data will be maintained for each search for a period of at least three years from each successful candidate's hire date. Applicants will complete the online MSU Application for Employment and Background Check form. In addition, applicants will be provided with the opportunity to complete the Voluntary Self-Disclosure Form which will provide the University with personal information, i.e. birth date, sex, ethnic background, race, disability information, etc. This information will be used for statistical, reporting, and affirmative action reasons only.
- 9) At the conclusion of each position's posting period, a Human Resources representative and the AAO will approve applications submitted for consideration. Prior to affirmative action approval, the AAO will review the applicant pool to ensure it has reasonable representation of females and

minorities based upon availability statistics. The position may be re-advertised if fewer protected class candidates apply than would reasonably be expected, or if in the judgment of the Affirmative Action Officer, a re-advertisement would likely result in a better representation of minorities and/or females. The Office of Human Resources will approve all applications submitted with the exception of duplicate applications, which are common in NovusHR. When an applicant needs to update his/her application for a position, it actually becomes a new application rather than revising the original, thus a duplicate application for the same job exists. The most current application will be the one approved. Human Resources officials do not screen applications but will review the final employment recommendations in relation to qualifications and other employment requirements (salary recommendation, criminal history, etc.)

- 10) The hiring supervisor and search committee members for a position will be granted access to view applications and supporting documents after approval of such applications. These individuals will screen application materials based on the knowledge, skills, and abilities required for the position and listed in the job announcement.
- 11) Prior to inviting any candidates to campus for interview, the search committee chair will submit a “short list” to the CDO for approval. The short list is submitted to the CDO via email. The CDO may request written or oral justification for the non-selection of protected class candidates.
- 12) Upon short list approval, interviews of candidates will be conducted in a manner that provides due consideration of each applicant in a fair and objective manner. Each candidate should be afforded an equitable period of time for evaluation, and interviews should not contain legally impermissible questions. The interview is conducted for the purpose of collecting additional information about each applicant’s job-related knowledge, skills, and abilities that will be helpful in making an employment recommendation.
- 13) Should an internal candidate apply for a position, he/she waives his/her right to participate in the selection process utilized by the hiring department.
- 14) All selection decisions are to be based solely upon the individual's qualifications for the position (knowledge, skills and abilities). Where candidates are determined to be substantially equally-well qualified for a position, the search committee, hiring supervisor and administrators will consider the Equal Opportunity/Affirmative Action Plan, Diversity Plan, and the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development hiring goals of the University in making a final determination.
- 15) Upon recommendation of employment, a Search Committee Report is submitted to the Office of Human Resources by the position supervisor or search committee chair. Also, a Hiring Request is initiated on-line in NovusHR

and submitted for online approvals. Prior to making an offer of employment, the hiring supervisor must ensure that the request is approved by all administrative officials. This may be checked via the “workflow” tab in NovusHR. A representative from the Office of Human Resources will also provide a follow-up call or email to the supervisor after approvals to verify that an offer of employment can be made. Under no circumstances should an offer be conveyed until all appropriate approvals have been obtained.

- 16) The AAO/CDO has the authority to take any measures, at any stage of the search process, which he/she deems necessary to ensure that all searches are conducted in compliance with the Equal Opportunity/Affirmative Action Plan.

B. Hiring Responsibility (The following procedures are designed to ensure equal employment opportunity and affirmative action in the employment process.)

1) Search Committee and Committee Chairs

- a) Reviews all requirements for the position, job description, and announcements prior to screening applications.
- b) Conducts an aggressive search to encourage and seek non-traditional, under-utilized persons based upon the University's availability and utilization analyses.
- c) Reviews all applications or nominations in accordance with search and screen guidelines.
- d) Obtains approval from both the department chair or unit administrator, and the AAO/CDO, prior to conducting campus interviews with candidates on a short-list.
- e) Interviews final candidates and submit evaluations and/or recommendations to the department chair or unit administrator.
- f) Completes Search Committee Report, forwards report to the Office of Human Resources and provides employment recommendation(s) to the Department Chair or Unit Head (Hiring Supervisor).

2) Department Chair or Unit Head (Hiring Supervisor)

- a) Reviews employment recommendation(s) from the search committee, selects a candidate, and initiates a Hiring Request on-line for approval by up-line supervisors, the AAO/CDO, a Human Resources representative, and budget officer.

- b) Updates the Search Committee Report if candidate recommended is other than the recommendation of the search committee.
- c) Makes employment offer after securing all approvals. Under no circumstances should an offer be conveyed until all appropriate approvals have been obtained.

3) **College Dean**

- a) Reviews and approves/rejects the on-line hiring request.
- b) Consults, as necessary, with the AAO regarding the appropriateness of all Affirmative Action procedures throughout the process.

4) **Vice President**

- a) Reviews and approves/rejects the on-line hiring request.
- b) Consults, as necessary, with the AAO regarding the appropriateness of all Affirmative Action procedures throughout the process.

6. **OTHER UNIVERSITY POLICIES AND PROCEDURES RELATED TO EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

A. Classification Plan

A staff classification plan is maintained for the majority of positions at the University. This plan reflects the duties, responsibilities, and work requirements of position groups, which involve work of equal value, based upon various factors (complexity of duties, educational requirements, experience, latitude, accuracy, contacts, physical application, job condition, and supervision). The plan is designed to establish and maintain a compensation program that is equitable, market-driven, and uniform so that the University can attract and retain a high level of qualified employees. The Office of Human Resources compensation and benefits staff members will self-audit the non-exempt and exempt compensation annually, or as necessary for equity analyses.

B. Compensation

The University will continue to act to ensure that fairness exists in compensation at all levels of employment. Salaries will be set without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws. There is no unified salary program for University faculty. The market demands for a discipline, the skills and qualifications of the faculty member, and the amount and quality of specific experience in the field of practice account for salary differences

among faculty. Salary equity reviews are performed by the Office of Human Resources as requested through administrative channels.

C. Faculty Tenure and Promotion

The process for consideration for tenure and/or promotion will be considered without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws.

D. Leave Policies

The University does not discriminate against persons based on race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws in its leave policies including medical, personal, sabbatical, family and leave without pay.

E. Fringe Benefits

The University monitors its fringe benefits program to ensure that the program is available to all employees in a nondiscriminatory manner without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws.

F. Grievance Procedures

The purpose of the University's grievance procedures is to provide a timely resolution, free from bias, to a grievance that has failed to be resolved through the normal employee/supervisor, faculty/student, or applicant relationship. Outlines of the grievance procedures can be found in University Personnel Policies PG-5 (Affirmative Action/Equal Opportunity for Employment); PG-6 (Sexual Harassment); PAc-18 (Faculty Rights and Responsibilities); PSE-8 (Staff Exempt Appeal Procedure); and, PSNE-9 (Staff Non-Exempt Appeal Procedure). The status of the employee, student, or applicant shall not be adversely affected, or the employee, student, or applicant penalized in any way, because of filing a grievance. Persons who feel that they have been discriminated against based upon race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws may discuss the issue with the AAO or the designee.

G. Employment of Relatives

Selection, placement, promotion, and all other matters pertaining to employment of faculty, staff and student workshops and student graduate assistants shall be made without regard to the relationships of an individual. However, placements shall not be made where one employee is in a position to supervise or to influence the related

employee's selection, placement, rate of pay, promotion, tenure, workload or other status or interest of the relative in violation of University Personnel Policy PG-22 (Employment of Relatives). State law prohibits the employment of some persons who have relatives serving on the Morehead State University Board of Regents (See PG-22).

H. Documentation of Personnel Actions

The qualifications of each candidate are to be judged in relationship to the standards established for the position. The extent to which each candidate meets, or does not meet, the qualifications for the position is documented and the records retained in the Office of Human Resources. Annual reports on affirmative action efforts and records of personnel decisions and actions are kept for three years by the Office of Human Resources.

I. Equal Opportunity for Students

Morehead State University ensures equal opportunity and treatment in all areas related to student admissions, instruction, accommodations, financial assistance programs, employment, placement, and other services without regard to race, color, national origin, age, religion, sex, sexual orientation, disability, and any persons protected by a veteran status, or any other protected class under relevant state and federal laws.

Students who feel that they have been discriminated against have the right to file a grievance in accordance with procedures set forth in Appendix J of the Eagle Student Handbook entitled, "Grievance Procedure: Title IX, Title VI, Section 504, and ADA," and should contact the CDO or the designee, by calling (606) 783-9381 or 783-2022 or writing to 202 Howell McDowell, MSU, Morehead, KY 40351-1689, or send email to affirmativeaction@moreheadstate.edu.

Students seeking resources and assistance regarding a disability should contact the Disability Services Coordinator, Office of First Year Programs and Academic Services, 204B Adron Doran University Center, by calling (606) 783-5188. If the Disability Services Coordinator is unable to address a student's needs, then the AAO should be contacted.

Other resources available to students within protected classes include the Office of Human Resources, Office of Graduate and Undergraduate Programs, Office of Multicultural Student Services, Office of First Year Programs & Academic Services, Office of the Provost, and the CDO.

7. INTERNAL AUDIT AND REPORTING SYSTEM

To assure that Morehead State University's Affirmative Action Program is fully implemented, and is progressing towards accomplishing its goals, the following internal audit systems have been established:

- A. Workforce Analysis** - Conducted annually by the Office of Human Resources and consists of a detailed listing of all employees by EEO category, gender and minority

status within each division and department within the University.

- B. Job Group Analysis** - Conducted annually by the Office of Human Resources and consists of a detailed listing of all employees by EEO category, gender and minority status within similar job groups or job families within the University.
- C. Availability Analysis** - Conducted annually by the Office of Human Resources and consists of a study conducted for each job group based upon a factor analysis as required by the Office of Federal Contract Compliance policy, and the Selected Labor Area (SLA) for the United States. The SLA for job groups within EEO-1 (Executive and/or Managerial) and EEO-2 (Faculty) categories is national. The SLA for job groups within the EEO-3 (Professional Non-Faculty) category is statewide. The SLA for job groups within EEO-4 (Secretarial and/or Clerical), EEO-5 (Technical and/or Paraprofessional), EEO-6 (Skilled Crafts), and EEO-7 (Service and/or Maintenance) is local.
- D. Utilization Analysis** - Conducted annually by the Office of Human Resources in collaboration with the Office of Institutional Research and Assessment, and consists of a comparison of the Workforce and Job Category Analyses to the Availability Analysis in order to determine utilization or underutilization of women and minorities for each job category within the University.
- E. Adverse Impact Analyses** - Conducted annually by the Office of Human Resources in collaboration with the Office of Institutional Research and Assessment, and consists of studies to determine whether women and minorities are adversely affected in University selection processes involving applicant pools, hirings, transfers, promotions, disciplinary actions, terminations, salaries, etc.
- F. Annual IPEDS Report** - Submitted annually by the Office of Institutional Research and Assessment to the U.S. Department of Labor in collaboration with the Office of Human Resources, and consists of statistics related to the gender and minority composition within the University for each of the seven separately defined EEO categories.
- G. Annual Reports to the Council on Postsecondary Education** - Submitted annually by the AAO/CDO to the Kentucky Council on Postsecondary Education Committee on Equal Opportunities regarding progress toward objectives established within the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development.
- H. Reports to Executive and Mid-Level Managers** - Periodic reports by the AAO/CDO are presented as needed and/or requested to the President, vice presidents, deans, department chairs and unit supervisors regarding University progress toward both affirmative action goals and Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development objectives.

8. IDENTIFICATION OF PROBLEM AREAS AND EXECUTION OF

AFFIRMATIVE ACTION PROGRAMS

A. Hiring Goals

- 1) Hiring goals for women and minorities will be reviewed and updated on an annual basis utilizing the results of the University's workforce, job groups, availability and utilization analyses.
- 2) The University remains committed to meeting hiring goals for minorities established by the Kentucky Council on Higher Education's Committee on Equal Opportunities in the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development.
- 3) Applicant flow data regarding women and minorities will be monitored by adverse impact analysis.
- 4) All members of search committees, search committee chairs, hiring supervisors and administrators will adhere to University Personnel Policy PG-5 (Affirmative Action/Equal Opportunity for Employment), the University's Equal Opportunity/Affirmative Action Plan, and all other University policies and procedures pertaining to the hiring process.
- 5) The University will continue to advertise positions in publications intended to attract qualified and available women and minorities for positions.
- 6) The AAO/CDO and the Office of Human Resources will continue to monitor the wording of all job descriptions and advertisements for exclusionary language, review applicant pools and short-lists for diversity, and review written justifications for not hiring female and minority applicants in positions where women and/or minorities are under-utilized.
- 7) The AAO/CDO will conduct workshops and seminars regarding University search procedures annually on campus.
- 8) Each administrator and manager will develop strategies consistent with the University Strategic Plan and Diversity Plan within their divisions and units for assisting the University in meeting affirmative action, diversity plan, and the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development goals.
- 9) The University will strive for the development of "action-oriented" affirmative action plans, "best practices" diversity strategies within the institution, and will support community action programs external to the institution.
- 10) The AAO/CDO will make periodic reports to administrators and managers regarding progress toward affirmative action, diversity, and the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution

Diversity Plan Development.

B. Student Recruitment and Retention

The University remains committed to meeting the recruitment, retention, and graduation goals for Kentucky resident African Americans established by the Kentucky Council on Postsecondary Education's Committee on Equal Opportunities in the .

- 1) The University is committed to the establishment of a culturally diverse student population on campus.
- 2) Each enrollment services counselor within the Office of Enrollment Services has responsibility for identifying and recruiting qualified minority students to the University.
- 3) The Office of First Year Programs and Academic Services, the Minority Retention Coordinator, the Minority Academic Coordinator, the CDO and the Office of Multicultural Student Services will develop and implement annual activities designed to improve minority student retention at the University.
- 4) The University will continue to participate in programs designed to attract international students to campus.
- 5) The University will review programs regarding both minority admissions and minority student financial aid in accordance with recent court decisions.

9. COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

Morehead State University will comply with all state and federal laws regarding nondiscrimination. The University reaffirms its commitment to give special attention to the special concerns associated with equal treatment on the basis of sex.

A. Recruitment

- 1) Applicants of both sexes will be sought for all vacancies unless sex is a bona fide occupational qualification.

B. Personnel Policies and Practices

- 1) The University's policy ensures that women are treated equally with men in all aspects of employment. All written personnel policies and job practices related to opportunities, pay rates, hours or other working conditions will state that no employee will be discriminated against based on sex.
- 2) No distinction will be made between married and unmarried persons of one sex that is not also made for the opposite sex.

C. Seniority

- 1) No seniority list or system will be maintained solely on sex.

D. Compensation and Promotion

- 1) All employees will be paid and promoted on the basis of the job-related skill, effort and responsibility required as well as the working conditions, competitive market forces and performance factors. Sex will not be considered in pay and promotion decisions.

E. Pregnancy and Related Medical Conditions

- 1) The University will not discriminate against employees on the basis of pregnancy or related medical condition.

F. Sexual Harassment

- 1) The University will make every effort to see that University Personnel Policy PG-6 (Sexual Harassment) is communicated to supervisors and employees, and that it is properly enforced.

10. **POLICY STATEMENT ON SEXUAL HARASSMENT**

Sexual harassment is a form of unlawful sex discrimination. Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 prohibit sexual harassment. It is the policy of the University that all employees and students have the right to work and learn in an environment free from unlawful, unwelcome and unwanted harassment. Morehead State University prohibits sexual harassment of its employees, students, guests, visitors, or other service providers in any form.

No supervisor shall threaten, or insinuate either explicitly or implicitly, that any employee's submission to, or rejection of, sexual activities will in any way influence personnel decisions regarding the employee's employment evaluation, duties, wages, advancements, shifts, or any other condition of employment or career development.

University Personnel Policy PG-6 (Sexual Harassment) defines sexual harassment, and outlines the steps and procedures for filing complaints. Students with questions regarding sexual harassment should contact the Dean of Students or his/her designee. Faculty or staff members should contact the AAO or his/her designee.

Wayne D. Andrews
Morehead State University

11. **REHABILITATION ACT OF 1973, § 504/AMERICANS WITH DISABILITIES ACT
AFFIRMATION ACTION PLAN – INVITATION TO SELF-IDENTIFY**

A. General

Morehead State University supports efforts designed to provide employment opportunities for the disabled. Recognizing that disabled individuals are a valuable human resource, the University has implemented an affirmative action plan for the employment and advancement of qualified physically and mentally disabled individuals.

The University will keep confidential any information provided by the employee concerning the disability other than what is needed for accommodations, first aid or safety personnel, or for government employees charged with enforcing prohibitions or discrimination on the basis of covered disability.

B. Physical and Mental Requirements

- 1) The University reviews physical and/or mental job qualification requirements when the position is initially classified to ensure that they are job related, essential, and nondiscriminatory to the extent that they are consistent with "business necessity" and "safe performance" on the job.
- 2) The University reviews, on an as needed basis, personnel policies and procedures related to selection processes involved in hiring, promotions and training opportunities for nondiscrimination to ensure that disabled individuals are not unfairly screened-out.

C. Accommodations to Physical and Mental Limitations of Employees

Morehead State University will reasonably accommodate the physical and mental limitations of qualified, disabled applicants or employees so as to ensure that each one is afforded equal opportunity for employment and advancement. In determining the degree of accommodations that may be reasonably undertaken, business necessity and expenses will be considered with such other related factors as efficiency, health and safety, the essential functions of each specific job, etc. Each decision regarding accommodations will be determined on an individual basis.

D. Dissemination

Morehead State University recognizes the importance of communicating its equal employment opportunity policies and procedures to employees and prospective employees.

1) Internal Dissemination

- a) Post on the university's "official" bulletin boards as well as in personnel policy manuals the university's policy statement on affirmative action

and equal employment opportunity with respect to persons with disabilities.

2) External Dissemination

- a) All position announcements include an equal employment opportunity statement.
- b) An equal employment opportunity statement is included on all official University letterhead.

I. Responsibility for Implementation

1) Affirmative Action Office/Chief Diversity Officer

The AAO/CDO is responsible for the following:

- a) Develops policy statements, affirmative action programs and both internal and external communication programs.
- b) Ensures the consistency and completeness of Morehead State University's Affirmative Action Plan with federal, state and local agencies' rules and regulations.
- c) Provides feedback to line managers on their affirmative action progress.
- d) Designs, implements and monitors internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
- e) Serves as a liaison between the University, government regulatory agencies, and organizations and other community groups serving the disabled.

2) Managers and Supervisors

Vice presidents, deans, department chairs and unit heads have a primary responsibility for decisions affecting progress toward achieving affirmative action goals. This responsibility includes:

- a) Reviews qualifications of all employees to ensure disabled persons are given full opportunity for transfers and promotions.
- b) Reasonably accommodates employees with disabilities.
- c) Ensures that employees with disabilities are afforded full employment opportunities and are encouraged to participate in all University

sponsored educational, training, and social activities.

- d) Ensures that their department, college, unit or division fully complies with the spirit and policies of the Affirmative Action Program.

12. **AFFIRMATIVE ACTION PLAN FOR DISABLED VETERANS, RECENTLY SEPARATED VETERANS, OTHER PROTECTED VETERANS, AND ARMED FORCES SERVICE MEDAL VETERANS**

A. General

The university does not discriminate against employees or applicants for employment because they are disabled veterans, other protected veterans, recently separated veterans, or armed forces service medal veterans. The university takes affirmative action to employ or advance in employment qualified disabled veterans, other protected veterans, recently separated veterans, or armed forces service medal veterans at all levels of the organization.

Keep confidential any information provided by the employee concerning their disability other than what is needed for accommodations, first aid or safety personnel, or for government employees charged with enforcing prohibitions of discrimination on the basis of disability status as a veteran, other protected veteran, recently separated veteran, or armed forces service medal veteran.

B. Consideration of Qualifications

- 1) Each applicant applying for employment with the University is invited to voluntarily identify him/herself as a disabled veteran, recently separated veteran, other protected class veteran, or armed forces service medal veteran and to indicate any reasonable accommodation that can be made to enable him/her to perform a job that he/she would not otherwise be able to do.
- 2) Whenever disabled veterans, recently separated, protected class veteran, or armed forces service medal veterans are considered for employment, the employment applications are annotated on computer to identify positions for which they were considered.
- 3) If a disabled veteran, recently separated, other protected class veteran, or armed forces service medal veteran is not included by the search committee or hiring supervisor on a short-list of applicants to be interviewed for a position, verbal or written justification for must be provided to the AAO.
- 4) Whenever an accommodation is made for the hiring, promotion or training of the disabled or recently separated, other protected class veteran, armed forces service-medal veteran a description of the accommodation is documented and kept with the Affirmative Action Officer/ADA Coordinator.

C. Physical and Mental Requirements

- 1) Selection processes involved in hiring, promotions and training opportunities are reviewed on an as needed basis to ensure that no qualified disabled, recently separated, or other protected class veteran is screened out.
- 2) Job requirements are reviewed when the position is initially classified to ensure that they are realistic and do not contain unnecessary qualifications, which would serve to screen out qualified disabled, recently separated, or other protected class veterans.

D. Outreach and Positive Recruitment

- 1) The university does not discriminate against employees or applicants for employment because they are disabled veterans, other protected veterans, recently separated veterans, or armed forces service medal veterans. The university takes affirmative action to employ or advance in employment qualified disabled veterans, other protected veterans, recently separated veterans, or armed forces service medal veterans at all levels of the organization.

E. Dissemination

Morehead State University recognizes the importance of communicating its EEO policies and procedures to employees and prospective employees. To ensure the dissemination of these policies, the University has taken the following action:

1) Internal Dissemination

- a) Written communication from the President reemphasizing the University's commitment to Equal Employment Opportunity and Affirmative Action is distributed throughout campus.
- b) A copy of University Personnel Policy PG-5 (Affirmative Action and Equal Opportunity for Employment) is contained within the University's Personnel Policy Manual, Eagle Student Handbook and other print and on-line publications.
- c) Bulletin boards throughout campus bear the appropriate federal and state EEO posters.
- d) Meetings are held with management and supervisory personnel to discuss EEO programs.
- e) The progress of the Affirmative Action Program is reported at least

annually.

- f) Emphasis is placed on affirmative action, equal employment and educational opportunities, and diversity during training and orientation sessions.
- g) University publications periodically discuss issues pertaining to EEO equal employment and educational opportunities, diversity, and Affirmative Action.

2) External Dissemination

- a) Post on the university's "official" bulletin boards as well as in personnel policy manuals the university's policy statement on affirmative action and equal employment opportunity with respect to disabled veterans, other protected veterans, recently separated veterans and armed forces service medal veterans.
- b) An equal employment opportunity clause is included on all official University letterhead.

I. Responsibility for Implementation

1) Affirmative Action Officer/Chief Diversity Officer

The AAO/CDO is responsible for the following:

- a) Develops policy statements, affirmative action programs and both internal and external communication programs.
- b) Ensures the consistency and completeness of Morehead State University's Affirmative Action Plan with federal, state and local agencies' rules and regulations.
- c) Provides feedback to line managers on their affirmative action progress.
- d) Designs, implements and monitors internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
- e) Serves as a liaison between the University, government regulatory agencies, and organizations and other community groups serving disabled veterans, recently separated veterans, other protected class veterans, and armed forces service medal veterans.

2) Managers and Supervisors

Vice presidents, deans, department chairs and unit heads have a primary responsibility for decisions affecting progress toward achieving affirmative action goals. This responsibility includes:

- a) Reviews qualifications of all employees to ensure disabled, recently separated, or other protected class veterans are given full opportunity for transfers and promotions.
- b) Reasonably accommodates disabled, recently separated, other protected class, and armed forces service medal veteran employees.
- c) Ensures that **all** veteran employees are afforded full employment opportunities and are encouraged to participate in all University sponsored educational, training, and social activities.
- d) Ensures that their department, college, unit or division fully complies with the spirit and policies of the Affirmative Action Program, Diversity Plan and the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development goals.
- e) Participates at training workshops and seminars concerning issues of the disabled, recently separated, or other protected class veterans.
- f) Coordinates efforts for meeting special needs of disabled faculty, staff and students with the ADA Coordinator/Affirmative Action Officer, Director of Human Resources, and Disability Services Coordinator.

13. POLICY STATEMENT FOR DISABLED, RECENTLY SEPARATED, OR OTHER PROTECTED CLASS VETERANS AND DISABLED PERSONS

Morehead State University is subject to Sections 503, 504 and 508 of the Rehabilitation Act of 1973 as amended, Section 402 of the Veterans Readjustment Assistance Act of 1974 and the Americans with Disabilities Act of 1990. The University is required to take affirmative action to employ and advance in employment qualified disabled, recently separated, or other protected class veterans, and disabled individuals. Employees, job applicants and students self-identify as an employee, applicant or student with a disability.

To assist the University in guaranteeing your legal rights, please inform your supervisor, residence hall staff, faculty member, Disability Services Coordinator, and/or the Affirmative Action Officer/ADA Coordinator of any reasonable accommodations needed to fulfill the essential functions of the position you presently hold, or for which you wish to internally/externally apply, or to participate fully in the educational program of your choice. University Personnel Policy PG-5 sets forth the steps and procedures for filing a complaint if you experience discrimination as a result of your disability or veteran status.

Wayne D. Andrews, President
Morehead State University

