SENATE ACTION FORM

No. 1092

Subject: Equal Opportunity 1-1-508

Reference to Senate Minutes dated: March 2, 2015

Senate Action:

MOTION: The Codification Committee recommends approval of the proposed changes to 1-1-508 of the Board Policy Manual to clarify the Equal Opportunity policy (see attachment).

VOTE: The motion passed with a hand vote of 19-0, no abstentions.

Response requested:

_____ approval for placement in University Catalog

_____ approval for placement in University Regulations

_____ recommendation to Board for placement in Board Policy Manual

_____ none (sent as information item)

_____ other action requested/comments:

_________________________  ____________________________
Faculty Senate Chair                  March 3, 2015  Date

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Administrative review of Senate action (unnecessary for information items):

_____ reviewed by VPAA/Provost. Check ______ if comments attached

_____ reviewed by General Counsel. Check ______ if comments attached

Presidential action:

_____ approve;   _____ reject;   ____ return to Senate for discussion/modification (comments attached)

_________________________  ____________________________
President/Designated Administrative Officer                  Date

Date of Board approval (if applicable): _____________________________

PLEASE RETURN SIGNED ORIGINAL AND ATTACHMENT TO THE FACULTY SENATE OFFICE, BOX 75.
1-1-508 Equal Opportunity Policy.

1-1-508(1) Purpose. It is the purpose of this Equal Opportunity Policy, and the Discrimination Review Complaint Procedures, 2-2-201 et seq., to encourage the development of tools for the elimination of contained in the University Regulations, to eliminate discrimination and sexual harassment through education, information and discussion, and to provide a means for investigating procedures to investigate complaints of those subjected to alleged acts of discrimination, or sexual harassment and/or discriminatory policies and/or practices of the University alleged to discriminate in violation of law or these policies. Retaliation prohibited under applicable Federal and State laws and under this Equal Opportunity Policy. A University employee, official or student who violates any provision of this Equal Opportunity policy will be subject to discipline including but not limited to termination or expulsion. The President is charged with the implementation of the University’s Equal Opportunity Policy.

1-1-508(2) Non-Discrimination Policy. The University will not engage in unlawful discrimination against any person with respect to employment or the provision of educational services, because of race, color, religion, gender, sex, age, national origin, disability, sexual orientation (heterosexuality, homosexuality, bisexuality, transgender status, or another individual’s perception thereof) or veteran status, as prohibited under the applicable provisions of Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Executive Order 11246, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Family and Medical Leave Act of 1993, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam Veterans’ Readjustment Assistance Act of 1974 and the Colorado Anti-Discrimination Act. It is the University's policy to prohibit discrimination in employment or the provision of educational services on the basis of political affiliation. The University will take affirmative action to ensure that applicants for employment, its employees, applicants for student admission, and its students, are employed, and that employees are treated during employment are treated by the University without regard to race, color, religion, gender, sex, age, national origin, disability, sexual orientation, veteran status, or political affiliation. The University will likewise take affirmative action to ensure that student applicants and enrolled students are treated at the University without regard to race, religion, gender, age, national origin, disability, sexual orientation, veteran status, or political affiliation. Such affirmative action will include training programs, outreach efforts, recruiting activity and other positive steps, but not be limited to, the following employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff, retirement, or termination; rate of pay or other forms of compensation, and selection for training, including apprenticeship, in accordance with the laws of the United States and the State of Colorado. Furthermore, The University will post in conspicuous places notices setting forth the provisions of this University’s Equal Opportunity Policy.

1-1-508(2.3) Policy on Sexual Harassment Policy. It is the policy of the BOT of the University to maintain the University as a place of work, study, and residence, free of sexual harassment and exploitation of its students, faculty, staff, and administrators. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is so frequent or severe that it creates a hostile or offensive employment or educational environment, is defined as set forth in 2-2-210. Notwithstanding the foregoing, the definitions of discrimination and sexual harassment shall not include conduct, discourse, materials or methodologies which serve legitimate education purposes and are protected by the accepted tenets of academic freedom, the First Amendment, or are otherwise constitutionally protected. Violation of this policy is absolutely prohibited on the campus or in relationship to any University programs wherever located. The University is committed to take appropriate action against those who violate the University’s policy prohibiting sexual harassment, including corrective and disciplinary action. In addition, the University will take all reasonable steps to prevent or eliminate sexual harassment by non-employees including customers, clients, and suppliers who are likely to have contact with University students, faculty or employees.
1-1-508(4) Non-Retaliation Policy. The University will not tolerate reprisal or retaliation of any kind against an individual who in good faith: complain of discrimination, or sexual harassment and/or retaliation under applicable law or these University policies, or who participates in any procedure to investigate and address a complaint regarding discrimination or sexual harassment. Any University employee, official or student who is in violation of this non-retaliation policy will be subject to discipline this Equal Opportunity Policy; provides information with respect to any complaint regarding prohibited discrimination, sexual harassment or retaliation; or participates in an investigation of such complaint.