







IUPUI OFFICE OF EQUAL OPPORTUNITY

ANNUAL REPORT

JANUARY 31, 2011

**Kim D. Kirkland, Ed.D.
Director, Office of Equal Opportunity**

Office of Equal Opportunity Staff

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Campus Impact

The Office of Equal Opportunity, also referred to in this report as the “Office” or OEO, is responsible for monitoring compliance with the University’s Equal Opportunity, anti-discrimination, and anti-harassment policies as well as federal and state laws and regulations; investigating and resolving complaints of discrimination and harassment on the basis of sex, sexual orientation, race, color, religion, national origin, ancestry, disability, age, or veteran status; monitoring institutional employment practices and procedures; and conducting training programs and presentations on Equal Opportunity/Affirmative Action – racial and sexual harassment and a wide range of diversity programs and workshops in order to ensure the most wholesome and productive learning and working environment for students, faculty and staff. Individuals who believe they have been unlawfully harassed or discriminated against are encouraged to contact the Office.

Staff members from the Office serve as members on various university committees as well as community groups that include the Equal Opportunity Council, Committee for People with Disabilities, Behavioral Consultation Team, Faculty Behavior Concerns Task Force, IUPUI Diversity Cabinet, Diversity Dialogue Group, Diversity Management Committee, IUPUC Diversity Cabinet, Indiana Diversity Roundtable, Intergroup Dialogue, School of Nursing’s Diversity & Enrichment Committee, IUPUI Athletics Diversity Advocacy Committee, Staff Council, Black Faculty and Staff Council, Human Resources Advisory Committee, Women’s Advisory Council, and the Ohio Diversity Committee.

The primary functions and tasks of the IUPUI Office of Equal Opportunity during 2010 included:

- Affirmative Action Plan
- Employment Monitoring
- Investigating complaints of harassment and/or discrimination
- Reasonable Accommodations
- Program Development and Training
- Liaison to federal and state agencies on matters involving EEO/AA practices, policies, and charges of discrimination

I. **AFFIRMATIVE ACTION PLAN**

Development of the IUPUI Affirmative Action Plan (AAP) is one of the primary responsibilities of the Office of Equal Opportunity. In essence, the AAP is a snap-shot of the University's workforce that includes the following components:

- Workforce Analysis – representation of women and minorities across organizational units.
- Job Group Analysis – summarizes the workforce by a set of broad occupational categories – grouping job titles with similar job content, similar pay, and similar promotional and/or developmental opportunities.
- Availability – looks at the current workforce by job group as compared to individuals available in the workforce based on U.S. census data, graduation statistics, the internal labor pool, and other relevant sources.
- Comparison of Incumbency to Availability – compares the current representation of women and minorities in our workforce to availability estimates to determine where we need to make greater efforts to reach parity and diversify the workforce.
- Goal Setting – goals are set for job groups where the incumbency and availability statistics are significantly different. The Office of Equal Opportunity meets with each dean/vice chancellor/major unit leader to review their current workforce profile, identify opportunities for recruitment in the immediate future, and discuss efforts and strategies to meet workforce goals for women and minorities.
- Unit Action Plan – each dean, vice-chancellor and/or senior leader of a major unit submits a Unit Action Plan (UAP) to the Office that describes major efforts and strategies for reaching identified goals. The UAP should address specific outreach efforts to recruit female and minority faculty and staff, professional development opportunities for them, and opportunities for recruitment which are anticipated over the next several years. In addition, the UAP should link components of the plan to IUPUI's Diversity Performance Indicators. Moreover, OEO's annual meeting with the Deans, senior and executive management includes a review of their progress towards goals and a discussion of strategies for achieving parity for their individual units and the campus as a whole.

The IUPUI Affirmative Action Plan is available on-line at:

<http://www.iupui.edu/~oeo/reports/2010AAP.pdf>

II. EMPLOYMENT MONITORING

Analysis of employment activity as it relates to hires, promotions, transfers, and terminations is required by Department of Labor regulations. The Office of Equal Opportunity captures and monitors recruitment, referral, screening and appointment activity for each faculty and professional staff vacancy to ensure the continuity and integrity of the hiring process for all academic and professional staff positions. Employment data are maintained in the University's On-line Application system (U-OLA) for professional staff and the Faculty Applicant Monitoring system (FAM) for faculty. These systems facilitate the search process and ensure compliance with capturing federally required data relative to selection and placement decisions.

While OEO staff members are available to assist search committees with strategies for diversifying the applicant pool, Search and Screen Protocols (SSP) training modules are also available on-line to assist faculty, staff and students in their work as a member of an IUPUI search committee. The link to this web site can be found at <http://www.iupui.edu/~o eo/sstraining/index.html>. In addition, a resource listing is available at this link <http://www.iupui.edu/~o eo/documents/recruitresources.pdf> which can help facilitate diversifying the applicant pools.

Applicant count in the following summary is based on recruitment for positions appointed during the time period 01/01/10 – 12/31/10. Applicants who applied to positions that were withdrawn are excluded from these numbers since Adverse Impact Analysis can only be conducted against searches that end successfully.

Summary of Faculty & Professional Staff Recruitment, Appointments and Separations

Faculty				Professional Staff			
	2010	2009	2008		2010	2009	2008
Total Applicants	4,907	4,170	3,435	Total Applicants	15,619	9,077	10,931
Total Appointments	267	169	221	Total Appointments	293	219	327
Total Exceptions Approved	4	12	22	Total Exceptions Approved	4	1	9
Total Exceptions Denied	1	9	4	Total Exceptions Denied	5	0	1
Total Separations	165	173	165	Total Separations	222	*191	216
Pending Appointments	16	33	35	Reclassifications	71	*101	130
Search Exception Justifications:				Search Exception Justifications:			
Programmatic Need	2	3	13	Programmatic Need	4	1	6
Target of Opportunity	0	4	1	Target of Opportunity	0	0	1
Transfer	1	5	8	Transfer	0	0	2
Spousal Accommodation	1	0	0	Spousal Accommodation	0	0	0

Note: Faculty data excludes Adjuncts, Part-time, Postdoctoral, Visitors, and Volunteers

*** Reflects a change in the 2009 totals as the professional staff (PA01) classification was inadvertently excluded**

2010 Employment Monitoring Activity By Constituent Group

Faculty

	Male	Female	Unks	Total	Wht	Blk	Asn	Hsp	NA	NHOPI	Multi	Unk	Grand Total
Applicants	1,547	722	2,638	4,907	1,241	116	792	85	1	1	15	2,656	4,907
Appointments	140	127	0	267	181	17	58	4	0	1	6	0	267
Pending Appointments	3	4	9	16	7	0	0	0	0	0	0	9	16
Exceptions Granted	4	0	0	4	4	0	0	0	0	0	0	0	4
Separations	99	66	0	165	111	6	42	3	1	0	2	0	165

Note: Faculty data excludes Adjuncts, Part-time, Postdoctoral, Visitors, and Volunteers

Professional Staff

	Male	Female	Unks	Total	Wht	Blk	Asn	Hsp	NA	NHOPI	Multi	Unk	Grand Total
Applicants	4,689	9,867	1,063	15,619	10,148	2,827	881	335	19	13	257	1,139	15,619
Appointments	84	208	1	293	238	33	16	2	0	0	2	2	293
Exceptions Granted	3	1	0	4	3	1	0	0	0	0	0	0	4
Separations	73	149	0	222	168	23	22	5	0	0	4	0	222
Reclassifications	19	52	0	71	62	2	4	1	0	0	2	0	71

Legend:

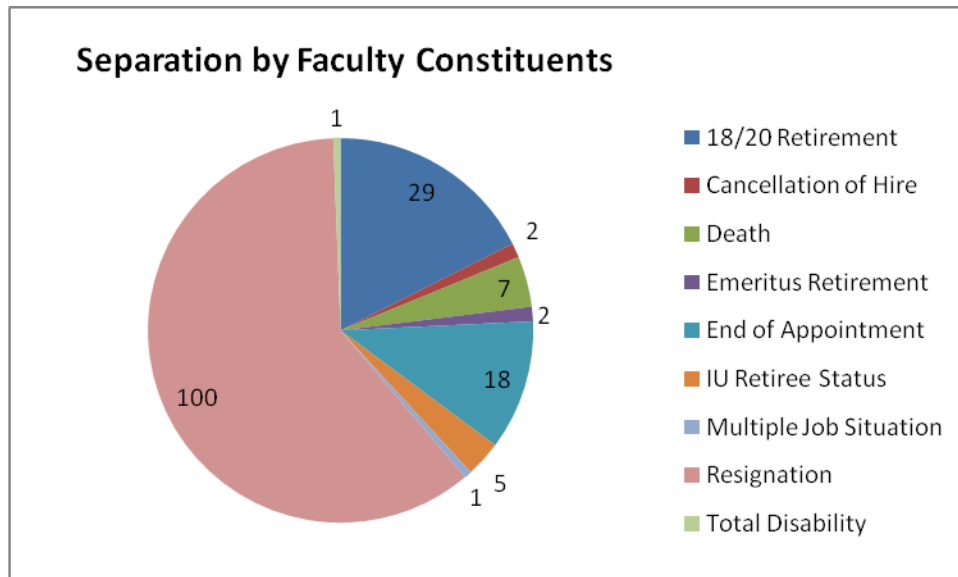
Wht White	Asn Asian	NHOPI Native Hawaiian/Other Pacific Islander
Blk Black	Hsp Hispanic	Multi Two or more races
Unks Unknown Gender	NA Native American	Unk Unknown Ethnicity

Sources: IUPUI OLA/FAM, IUIE, s:/rlmorgan/2010/fac_council

2010 Separations By Constituent Group

Faculty Separations

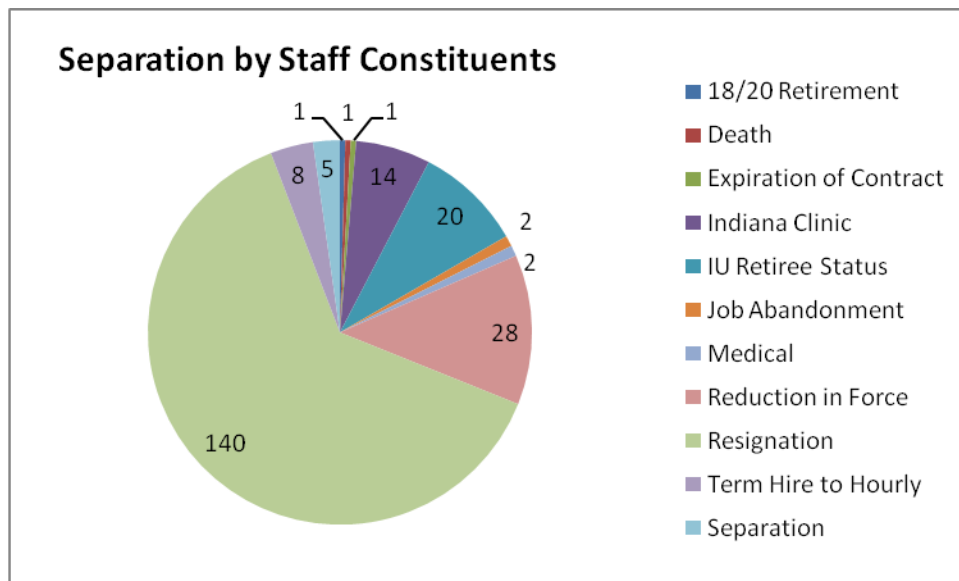
Type	Classification							Grand Total
	Academic Specialist	Faculty	Lecturer	Librarian	Research Associate	Scientist Scholar		
18/20 Retirement	0	29	0	0	0	0	29	
Cancellation of Hire	0	2	0	0	0	0	2	
Death	0	7	0	0	0	0	7	
Emeritus Retirement	0	2	0	0	0	0	2	
End of Appointment	3	5	0	0	8	2	18	
IU Retiree Status	1	1	2	0	1	0	5	
Multiple Job Situation	1	0	0	0	0	0	1	
Resignation	4	59	8	1	17	11	100	
Total Disability	0	1	0	0	0	0	1	
Grand Total	9	106	10	1	26	13	165	



2010 Separations By Constituent Group

Professional Staff Separations

Type	Classification									
	Admin Service	Aux Service	Health Prof	Info Tech	Media Relations	Research Develop	Facilities Services	Student Services	Grand Total	
18/20 Retirement	0	0	1	0	0	0	0	0	0	1
Death	0	0	0	0	0	0	1	0	0	1
Expiration of Contract	0	0	0	0	0	0	0	1	0	1
Indiana Clinic	6	0	4	3	1	0	0	0	0	14
IU Retiree Status	8	0	3	2	4	2	1	0	0	20
Job Abandonment	0	0	0	0	0	1	0	1	0	2
Medical	1	0	0	0	0	1	0	0	0	2
Reduction in Force	7	1	3	3	5	6	0	3	0	28
Resignation	27	5	28	18	11	25	2	24	0	140
Term Hire to Hourly Separation	1	0	2	1	0	4	0	0	0	8
Separation	2	0	1	2	0	0	0	0	0	5
Grand Total	52	6	42	29	21	39	4	29	0	222



III. COMPLAINTS

Responsibility for addressing complaints of discrimination or harassment (sex, race, religion, national origin, disability, sexual orientation, etc.) is a major responsibility vested with the Office of Equal Opportunity by the Chancellor. The Office uses a three-pronged approach to categorizing complaints:

- 1) **Consultative Approach** which could include verbal conversations between the complainant and the respondent, as appropriate. These are issues raised by complaining parties and generally involve exploratory meetings with individuals to understand their concerns, rights and responsibilities within the university environment, to offer advice on alternative solutions, and to identify appropriate resources for resolution. While these issues are addressed by the Office, they do not rise to a level of illegal harassment or discrimination. OEO will consult, make an assessment, and intervene as appropriate, which may include facilitated discussions, but no official notice of complaint or investigatory report will be issued.
- 2) **Mediation** which is an intervention to work with both the complainant and the respondent to help them reach a mutually agreed upon resolution. OEO will assess the situation to determine whether mediation is appropriate. Either the Complainant or the Respondent may refuse mediation or, once commenced, end mediation at any time. No adverse inference is to be drawn from any such decision.
- 3) **Formal Investigation** includes a comprehensive investigative approach. OEO will make a determination on the classification of the complaint. OEO will make a preliminary assessment that the issue(s) raised warrant a formal investigation. OEO will provide notification to the relevant parties and Decisional Authority, as appropriate. If OEO determines a need for immediate interim action, e.g. removal, reassignment, administrative leave, or suspension, such actions will be administered by the Decisional Authority.

IUPUI's formal Operating Procedures for Processing Complaints of Discrimination can be accessed at the following link:

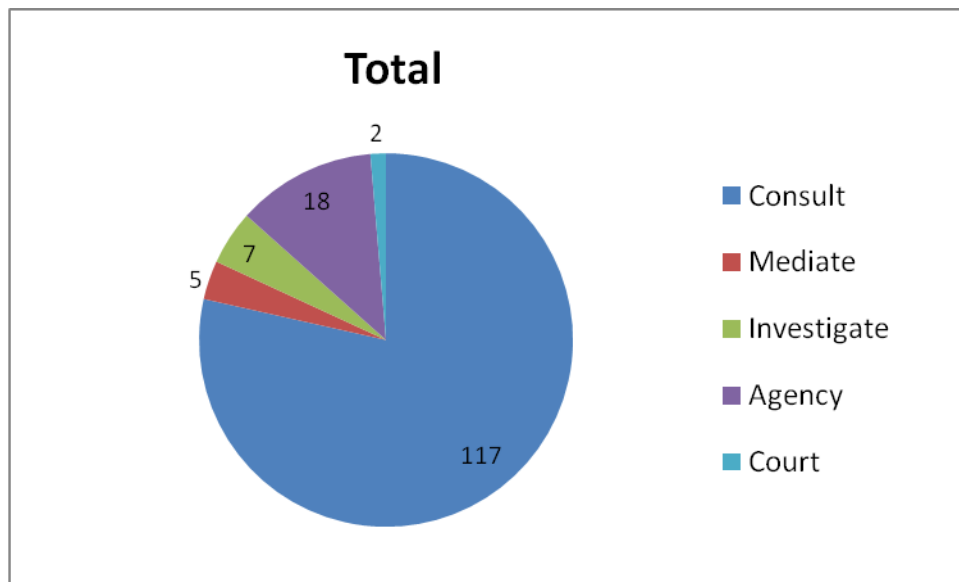
<http://www.iupui.edu/~oee/policy/IUPUIinvestigativeOperatingProcedures.pdf>

Agency complaints are charges of discrimination filed with governmental compliance agencies such as the U.S. Equal Employment Opportunity Commission, Indiana Civil Rights Commission, U.S. Department of Justice, and U.S. Department of Education – Office for Civil Rights. These complaints are handled by the Office of Equal Opportunity on behalf of the Indiana University-Purdue University Indianapolis campus.

**2010
Complaint Data by Approach**

Total

	Consult	Mediate	Investigate	Agency	Court	Complaints Filed	% of Total
Faculty	15	1	2	1	0	19	13%
Staff	63	2	1	9	1	76	51%
Students	34	2	3	5	1	45	30%
Other	5	0	1	3	0	9	6%
Total	117	5	7	18	2	149	100%

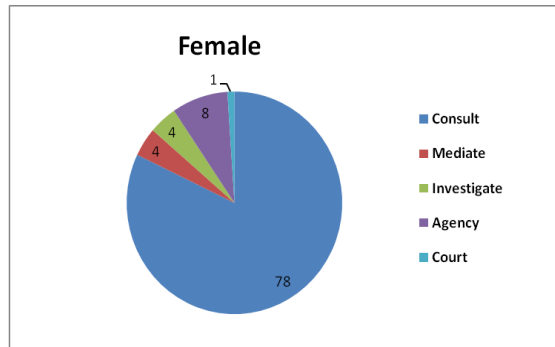


Other: Visitors and/or other non-employee related complainants

2010 Complaint Data by Approach

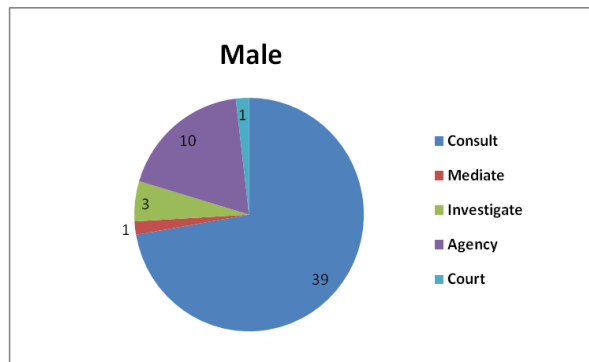
Female

	Consult	Mediate	Investigate	Agency	Court	Complaints Filed	% of Total
Faculty	11	1	1	0	0	13	14%
Staff	42	1	0	3	1	47	49%
Students	23	2	2	4	0	31	33%
Other	2	0	1	1	0	4	4%
Total	78	4	4	8	1	95	100%



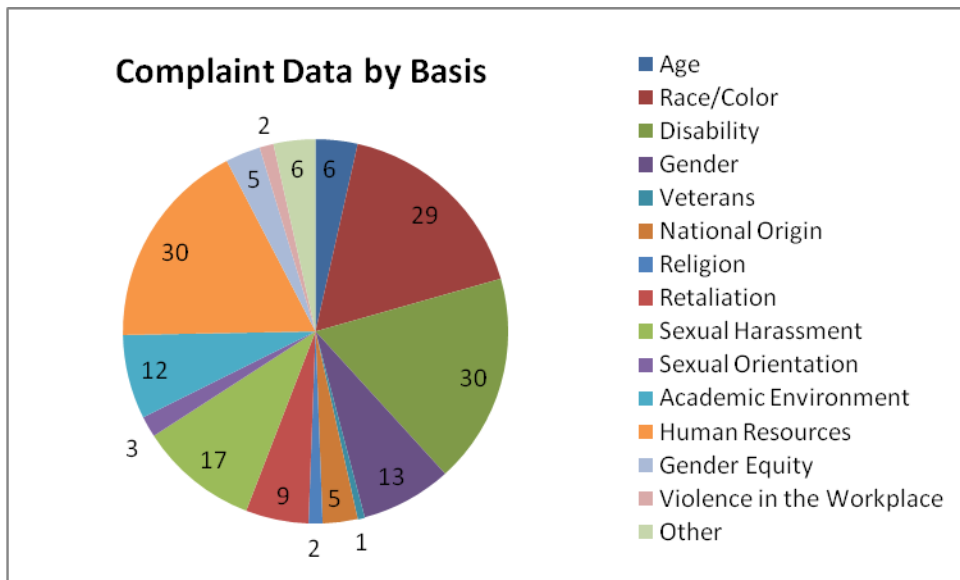
Male

	Consult	Mediate	Investigate	Agency	Court	Complaints Filed	% of Total
Faculty	4	0	1	1	0	6	11%
Staff	21	1	1	6	0	29	54%
Students	11	0	1	1	1	14	26%
Other	3	0	0	2	0	5	9%
Total	39	1	3	10	1	54	100%



**2010
Complaint Data
Summary by Basis**

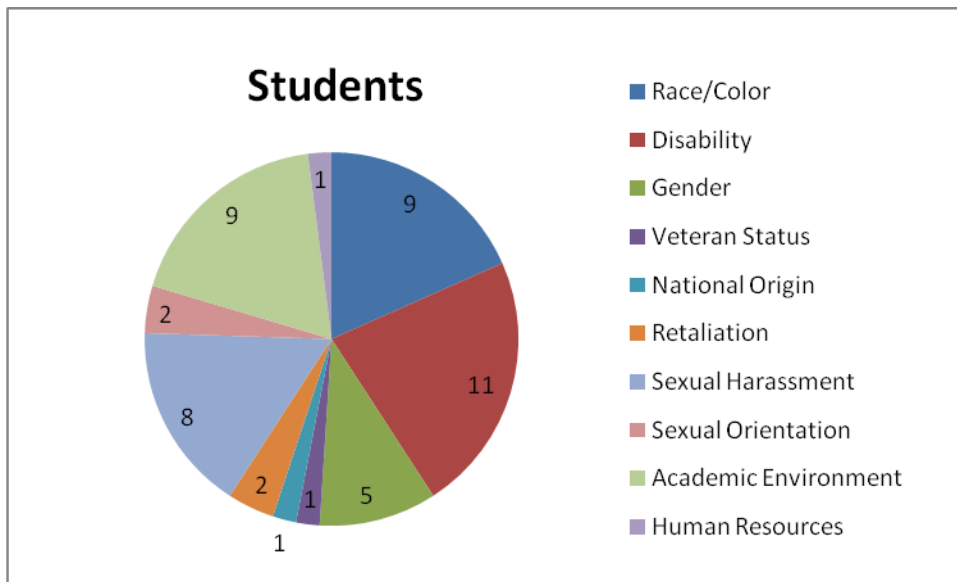
	Consult	Mediate	Investigate	Agency	Court	Total
Age	4	0	0	1	1	6
Race/Color	18	1	0	8	2	29
Disability	23	2	0	5	0	30
Gender	6	0	3	4	0	13
Veterans	1	0	0	0	0	1
National Origin	4	0	0	1	0	5
Religion	2	0	0	0	0	2
Retaliation	2	0	1	6	0	9
Sexual Harassment	16	0	1	0	0	17
Sexual Orientation	2	0	1	0	0	3
Academic Environment	11	0	1	0	0	12
Human Resources	28	2	0	0	0	30
Gender Equity	5	0	0	0	0	5
Violence in the Workplace	0	0	2	0	0	2
Other	6	0	0	0	0	6
Total	128	5	9	25	3	170



**2010
Complaints Data
Summary by Basis**

Students

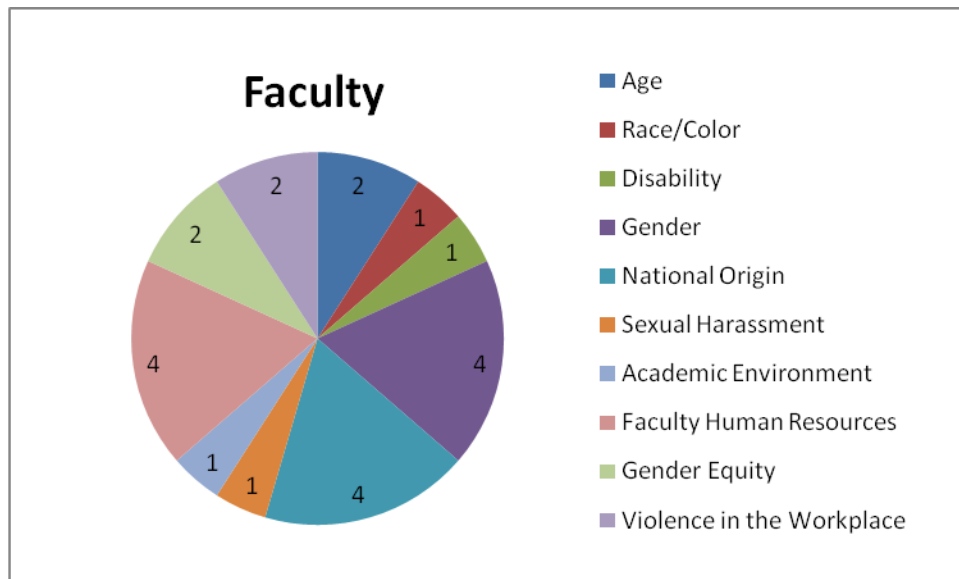
	Consult	Mediate	Investigate	Agency	Court	Total
Race/Color	4	1	0	3	1	9
Disability	9	1	0	1	0	11
Gender	4	0	0	1	0	5
Veteran Status	1	0	0	0	0	1
National Origin	1	0	0	0	0	1
Retaliation	0	0	0	2	0	2
Sexual Harassment	8	0	0	0	0	8
Sexual Orientation	1	0	1	0	0	2
Academic Environment	8	0	1	0	0	9
Human Resources	1	0	0	0	0	1
Total	37	2	2	7	1	49



**2010
Complaints Data
Summary by Basis**

Faculty

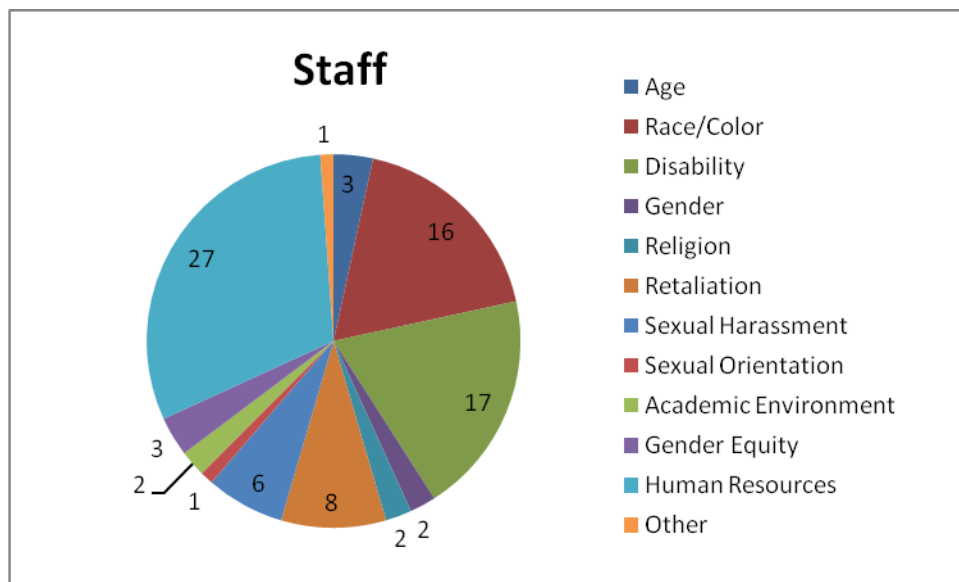
	Consult	Mediate	Investigate	Agency	Total
Age	2	0	0	0	2
Race/Color	1	0	0	0	1
Disability	1	0	0	0	1
Gender	2	0	2	0	4
National Origin	3	0	0	1	4
Sexual Harassment	1	0	0	0	1
Academic Environment	1	0	0	0	1
Faculty Human Resources	3	1	0	0	4
Gender Equity	2	0	0	0	2
Violence in the Workplace	0	0	2	0	2
Total	16	1	4	1	22



**2010
Complaints Data
Summary by Basis**

Staff

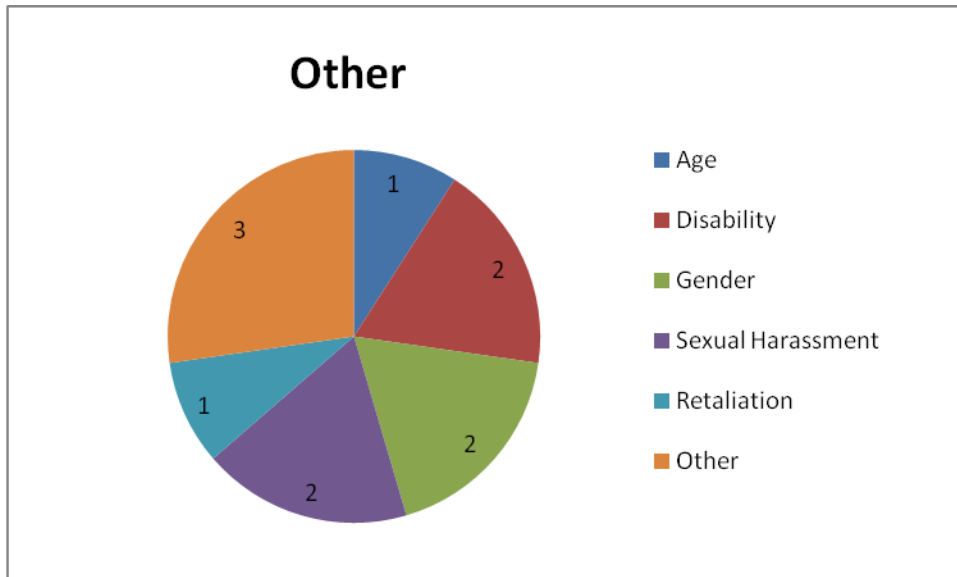
	Consult	Mediate	Investigate	Agency	Court	Total
Age	2	0	0	0	1	3
Race/Color	11	0	0	4	1	16
Disability	13	1	0	3	0	17
Gender	1	0	0	1	0	2
Religion	2	0	0	0	0	2
Retaliation	3	0	1	4	0	8
Sexual Harassment	6	0	0	0	0	6
Sexual Orientation	1	0	0	0	0	1
Academic Environment	2	0	0	0	0	2
Gender Equity	3	0	0	0	0	3
Human Resources	26	1	0	0	0	27
Other	1	0	0	0	0	1
Total	71	2	1	12	2	88



**2010
Complaints Data
Summary by Basis**

Other

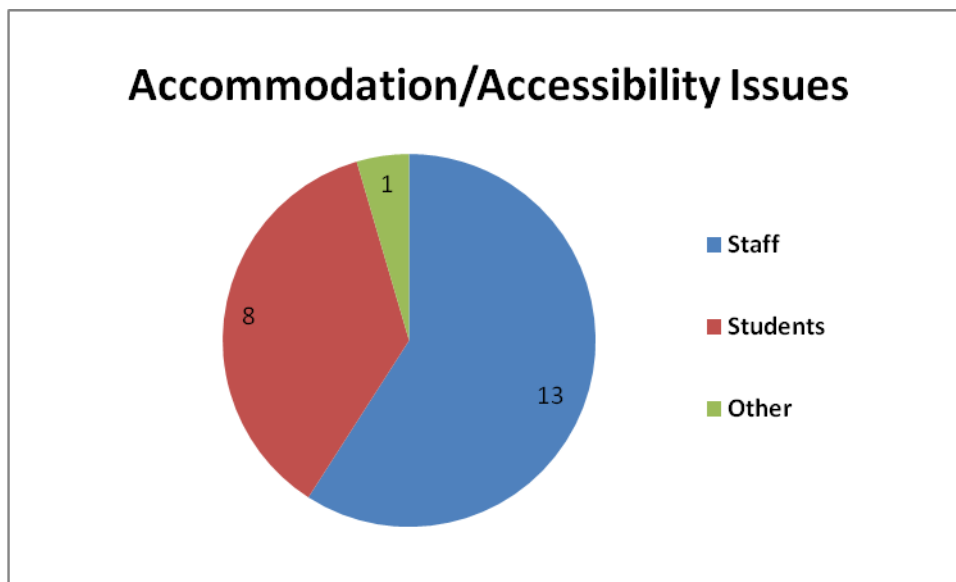
	Consult	Investigate	Agency	Total
Age	0	0	1	1
Disability	1	0	1	2
Gender	0	0	2	2
Sexual Harassment	1	1	0	2
Retaliation	0	0	1	1
Other	3	0	0	3
Total	5	1	5	11



IV. REASONABLE ACCOMMODATIONS

The Office of Equal Opportunity is involved in the reasonable accommodation process for faculty, staff and students. Pursuant to the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), the Office works closely with supervisors, faculty, staff, students, Adaptive Educational Services, and the Department of Occupational Health Services to determine whether individuals with a disability are qualified under the law, and to ensure that they are afforded a reasonable accommodation to perform their jobs and/or in the classroom.

The Office also investigates claims of discrimination under the ADAAA and works with schools and departments to remedy those claims. During 2010 the Office processed reasonable accommodation requests for **eleven staff members and facilitated eleven accessibility complaints for staff members, students and/or visitor(s).**



V. PROGRAM DEVELOPMENT AND TRAINING

The Office implemented an on-line **Preventing Sexual Harassment (PSH)** training program designed to educate users about sexual harassment, applicable university policies and procedures, and the law. The program has several modules that incorporate scenarios relevant to faculty, staff, administrators, supervisors, students, as well as the medical community and concludes with an exam and certificate upon successful completion.

IUPUI's Equal Opportunity Council along with the Women's Advisory Council and the Faculty and Staff Councils endorsed the practice that all IUPUI employees (full- and part-time faculty and staff) be required to successfully complete an online PSH training module. Therefore, beginning January 1, 2011 all current employees will be required to successfully complete an online PSH training module by June 30, 2011 unless they can document that they have successfully completed it or attended a comparable classroom training program within the past three years. For current employees that have completed an online PSH training module more than three years ago, the "Refresher" course is an alternative to the "First-Time User" course. In addition, all employees new to the IUPUI campus will be required to complete the "First-Time User" course within 90 days of assuming their position.

This web site <http://training.newmedialearning.com/psh/iupui/index.htm> links to the automated, online PSH training program. These training modules explain state and federal laws, university policies, and procedures for reporting inappropriate conduct. They also have illustrations of what constitutes sexual harassment, including words or actions that some may not recognize as being disrespectful to others. Although this training program is not a substitute for discussions and other shared activities, it is a way for each of us privately to come to understand our personal responsibilities for creating an atmosphere of dignity and mutual respect for everyone.

The Office also implemented on-line **Search and Screen Protocols (SSP)** training modules to assist faculty, staff and students in their work as a member of an IUPUI search committee. As an employer, IUPUI has an obligation to ensure fairness and equity in every search process and open and broad-based searches help to achieve the most diverse applicant pools. Open searches are important to our demonstration that diversity is an educational value. This is something that we ascribe to as a University and full, fair and open searches help us to achieve that goal.

This web site <http://www.iupui.edu/~oeo/sstraining/index.html> links to the automated, online SSP training modules. These search and screen protocols are divided into **five distinct modules**.

1. The **"Search Process"** module is intended as a general guide to the recruitment, selection and appointment process as monitored by IUPUI's Office of Equal Opportunity. It addresses the search process as it relates to the search committee, the job/position description, experience, advertising and recruitment, applicant screening, and addresses the challenges and strategies for increasing the applicant pool.
2. The **"Quick Tips – Guidelines for Pre-employment Inquiries"** module provides information about the do's and don'ts as they relate to the formal interview as well as informal discussions with candidates. These tips are specifically directed towards gender and family matters, age, national origin and citizenship, disabilities, and other characteristics.

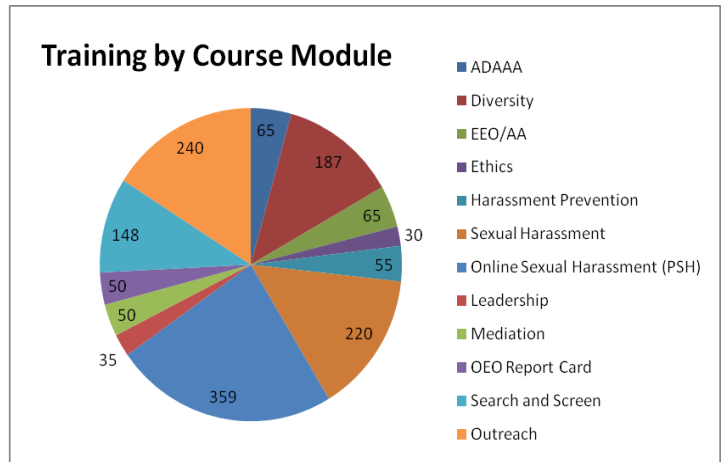
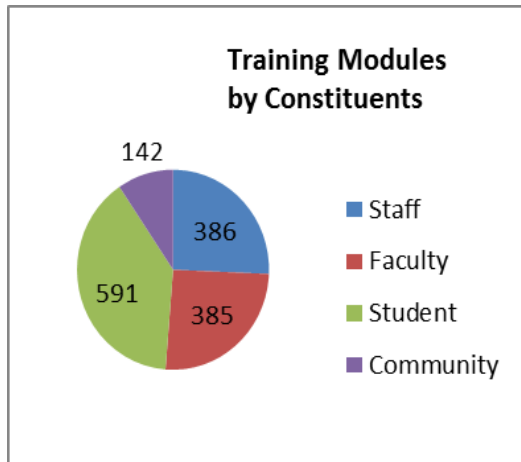
3. The module on ***“Hiring with the Americans with Disabilities Act Amendments Act in Mind”***, also known as the ADAAA, speaks to affirmative and negative phrases regarding disabilities, provides general tips about the appropriate manner in which to interact with people living with a disability, and provides guidelines for communicating with individuals with various disabling conditions.
4. The ***“Cultural Norms”*** module explores 10 aspects of culture that candidates bring into the interview process and how some of what tends to get in our way is grounded in culture.
5. And lastly, ***“Rater Errors”*** focus on the biases that we bring and attribute to individuals as we engage in the search and screen process.

The Office partners with Human Resources Administration (HRA) for presenting three of the six modules of the **Fundamentals of Supervision** (legal compliance) training series. These modules include equal employment opportunity/affirmative action, sexual harassment, and Americans with disabilities. In addition to the compliance training, this partnership has resulted in the development and offering of **Mediation training** to interested staff and faculty within the IUPUI community. Mediation training in particular is beneficial to those individuals whose role may require assisting others in the resolution of disputes.

The OEO staff dedicates a significant amount of its time to the development and implementation of workshops and presentations that increase and enhance the awareness of the campus community of equal opportunity and inclusion. The Office delivers compliance training and workshops on a variety of EEO/AA topics to students, faculty, staff and others members of the university community. Through these efforts, various training programs was presented to approximately **1,504 participants** that included Sexual Harassment Prevention, ADA, Diversity, EEO/AA, Faculty Applicant Monitoring, and Search and Screen protocols.

**2010
Participant Data by
Training and/or Presentations**

Type	Staff	Faculty	Student	Community	Total
ADAAA	55	0	0	10	65
Diversity	0	46	35	106	187
EEO/AA	55	0	0	10	65
Ethics	0	0	30	0	30
Harassment Prevention	0	0	55	0	55
Sexual Harassment	55	82	83	0	220
Online Sexual Harassment (PSH)	150	10	199	0	359
Leadership	0	0	35	0	35
Mediation	0	50	0	0	50
OEO Report Card	0	50	0	0	50
Search and Screen	71	72	4	1	148
Outreach*	0	75	150	15	240
Total	386	385	591	142	1,504



* Outreach includes staff participation in various campus-wide activities

VI. LIAISON TO FEDERAL AND STATE AGENCIES

The Office is involved in federal and state as well as local and national organizations related to its regulatory responsibilities that include the Indiana Industry Liaison Group (an alliance between the OFCCP, Department of Labor, and major federal contractors), the Equal Employment Opportunity Commission, the Indiana Civil Rights Commission, the Diversity Cabinet of Central Indiana, the American Association of Blacks in Higher Education, Society for Human Resource Management, and the American Association for Affirmative Action. Additionally, the Office works with and responds to all federal and state compliance agencies when charges of discrimination or harassment are filed against the University.

VII. GOALS AND OBJECTIVES

The Office was successful in completing all goals established in 2010 with the exception of the development of a web-based faculty application process and a presence at Staff Orientation.

- ✓ Implement the On-line Search and Screen Protocols training modules
- ✓ Refine the Disability Accommodation Request Form
- ✓ Broaden communication of the Search and Screen process campus-wide
- ✓ Continue Mediation training to campus constituents
- ✓ Maximize opportunities to increase image building across the campus
 - ✓ Welcome Week
 - ✓ Faculty Orientation
 - ✓ Jagperks Discount and Resource Fair
 - ✗ Staff Orientation – increase image building across campus
- ✗ Explore and develop a web-based faculty application process – next generation of FAM

In addition to the on-going functions and responsibilities, the Office has identified goals and objectives for 2011 that include:

1. Participation at Staff Orientation to increase an awareness of the Office across campus
2. Exploration of a web-based faculty applicant tracking process – next generation
3. Monitor and track compliance for completion of the on-line Preventing Sexual Harassment module
4. Publish a bi-monthly Newsletter from the Office
5. Redevelop the Campus Civility Statement
6. Move the Office of Equal Opportunity to the Safeco Building
7. Continue to serve as a member of various campus committees and community organizations

IUPUI
Office of
Equal Opportunity

Compliance Communications



OFFICE OF EQUAL OPPORTUNITY

INDIANA UNIVERSITY-PURDUE UNIVERSITY INDIANAPOLIS

TO: Deans, Directors, Department Heads, Chairpersons, HR Liaisons, Fiscal Officers and Managers

FROM: Kim D. Kirkland, Ed.D.
Director, Office of Equal Opportunity (OEO)

DATE: February 4, 2011

SUBJECT: IUPUI Search and Screen Protocols (SSP) Online Training Modules

Search and Screen Protocols Online Training Modules have been developed to assist faculty, staff and students in their work as a member of an IUPUI search committee. As an employer, IUPUI has an obligation to ensure fairness and equity in every search process and open and broad-based searches help to achieve the most diverse applicant pools. Open searches are important to our demonstration that diversity is an educational value. This is something that we ascribe to as a University and full, fair and open searches help us to achieve that goal.

These search and screen protocols are divided into *five distinct modules*:

1. The ***“Search Process”*** is intended as a general guide to the recruitment, selection and appointment process as monitored by IUPUI’s Office of Equal Opportunity. It addresses the search process as it relates to the search committee, the job/position description, experience – quantity v. quality, advertising and recruitment, applicant screening, and addresses the challenges and strategies for increasing the applicant pool.
2. ***“Quick Tips – Guidelines for Pre-employment Inquiries”*** provides information about the do’s and don’ts as they relate to the formal interview as well as informal discussions with candidates. These tips are specifically directed towards gender and family matters, age, national origin and citizenship, disabilities, and other characteristics.
3. ***“Hiring with the Americans with Disabilities Act Amendments Act in Mind”*** speaks to affirmative and negative phrases regarding disabilities, provides general tips about the appropriate manner in which to interact with people living with a disability, and provides guidelines for communicating with individuals with various disabling conditions.
4. ***“Cultural Norms”*** explores 10 aspects of culture that candidates bring into the interview process and how some of what tends to get in our way is grounded in culture.
5. ***“Rater Errors”*** focuses on the biases that we potentially bring and attribute to individuals as we engage in the search and screen process.

Please use these modules to educate yourself as you begin this critical venture. There are few activities that we undertake that are as critical as recruiting and selecting employees. It's the employees, after all, that put the face on IUPUI. How well searches are conducted directly affect the institution's ability to reach its goals and visions to be one of the best urban universities, recognized locally, nationally, and internationally for its achievements. While we believe that all members of the IUPUI community can benefit from participating in these training modules, we strongly encourage Search and Screen Committee members to review each module in its entirety prior to the launch of the search process. The modules are available at http://mypage.iu.edu/~tnjohnso/EOE_Master/index.html. Questions can be directed to IUPUI’s Office of Equal Opportunity at (317) 274-2306.



OFFICE OF THE CHANCELLOR

INDIANA UNIVERSITY-PURDUE UNIVERSITY
INDIANAPOLIS

TO: Deans, Directors, Department Heads, Chairpersons, HR Liaisons, and Fiscal Officers

FROM: Charles R. Bantz, Chancellor

DATE: January 19, 2011

SUBJECT: Online Preventing Sexual Harassment (PSH) Training Module

IUPUI is a community that values every individual. As a center of learning and research, as a work place, and as a civic space, we are committed to civility, respect, and diversity. Thus, all of us must work to prevent sexual harassment and gender discrimination. Sexual harassment is a form of employment discrimination prohibited under Title VII of the Civil Rights Act of 1964, as amended. It falls under the category of discrimination based on sex. In education, sexual harassment of students is a form of sexual discrimination prohibited under Title IX of the Education Amendments of 1972.

In 2009, the EEOC, at the federal level, processed 93,277 charges of which 28,028 (30%) were based on sex. Likewise, IUPUI's Office of Equal Opportunity processed 116 complaints of which 26 (20%) were based on sex. Of the 26 complaints, 19 (73%) alleged sexual harassment. Moreover, 2008 produced similar results. Of the 103 complaints, 27 (26%) were based on sex, of which 20 (74%) alleged sexual harassment. This year, IUPUI's Equal Opportunity Council (EOC) brought these statistics to my attention for assessment and review. As a result, I, along with the Women's Advisory Council and the Faculty and Staff Councils have endorsed the practice that all IUPUI employees (full- and part-time faculty and staff) be required to successfully complete the online "**Preventing Sexual Harassment**" (PSH) training module. I have completed the module myself and found it both informative and easy to use.

Therefore, beginning January 1, 2011, all current employees will be required to successfully complete the online PSH training module by June 30, 2011, unless they can document that they have successfully completed it or attended a comparable classroom training program within the past three years. For current employees that have completed the online PSH training module more than three years ago, the "Refresher" course is an alternative to the "First-Time User" course. In addition, all employees new to the IUPUI campus will be required to complete the "First-Time User" course within 90 days of assuming their position.

This web site <http://training.newmedialearning.com/psh/iupui/index.htm> links to the automated, online PSH training program. This training module explains state and federal laws, university policies, and procedures for reporting inappropriate conduct. It also has illustrations of what constitutes sexual harassment, including words or actions that some may not recognize as being disrespectful to others.

Please use this tool to educate yourself and others about an important issue so that we maintain and improve the quality of our community life. Although this training program is not a substitute for discussions and other shared activities, it is a way for each of us privately to come to understand our personal responsibilities for creating an atmosphere of dignity and mutual respect for everyone.

IUPUI
Office of
Equal Opportunity

Operating
Policies and Procedures

EQUAL OPPORTUNITY REAFFIRMATION

Memorandum to IUPUI Faculty, Staff, and Students from Chancellor Charles R. Bantz on May 25, 2007

At IUPUI, diversity means three things:

1. diversity is an educational and social asset to be reflected in our learning and work objectives;
2. the persons who comprise our academic community reflect both the current diversity of our service region as well as the evolving demographics of a state and city that aspire to participate fully in a global society; and
3. IUPUI's social and physical environment will enable all of its members to succeed to the fullest extent of their potential.

(Vision for Diversity at IUPUI, Adopted 2001)

Having diversity in classrooms, research labs, clinical practice settings, and places of work are essential to the fundamental work of the University. If students are to learn, they must be encouraged to ask questions, seek knowledge from those with whom they disagree, and take part in open and honest debate. The ability to learn from and use diverse perspectives is instrumental to constructive problem solving and good citizenship. Therefore, it is essential that the campus have an environment that encourages interaction among individuals of diverse backgrounds. Moreover, all employees expect and deserve to work in a healthy, supportive atmosphere that respects differences.

To help accomplish this, the Trustees of Indiana University adopted an equal opportunity/affirmative action policy that is based on resolutions dating from 1969 and reaffirmed unanimously in 1995. The trustees stated, "In reaffirming this policy, which has served us well, we must advocate and perpetuate performance which reflects this commitment. We must and will hold ourselves accountable for our decision and action."

Each year, IUPUI reaffirms its commitment to equal opportunity and to observing requirements embodied in federal and state laws, executive orders, guidelines, and regulations designed to promote affirmative action and assure equal opportunity in education and employment. As part of that reaffirmation, we expect deans, directors, and others who have administrative responsibility and authority to carry out the policies of the trustees and to pursue our shared diversity goals effectively. In addition, we expect employees to perform their duties in a manner that clearly reflects the principle of equal opportunity in every aspect of university life through collaboration, cooperation and collegiality.

The equal opportunity policy at IUPUI prohibits **discrimination or harassment against** anyone based on race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status. **Retaliation against any person who complains of, or participates in, an investigation of unlawful discrimination or harassment is also prohibited.** We will continue to promote and provide equal opportunity in education and training programs, employment, admissions, and all other activities for faculty, staff, and students. All personnel actions, such as compensation and fringe benefits, transfer, promotion, training for employees, as well as all university-sponsored social and recreational programs, will be administered in accordance with our equal opportunity policy.

Responsibility for communicating, interpreting, and monitoring the equal opportunity policy resides with Kim D. Kirkland, Director of the Office of Equal Opportunity at IUPUI. This office maintains a comprehensive program which has been accepted by all relevant agencies of the federal government. The Office of Equal Opportunity is located in the Union Building, 620 Union Drive, Suite 117, Indianapolis, IN 46202. Voice: (317) 274-2306 or TDD: (317) 278-2200.

IUPUI

SEXUAL HARASSMENT POLICY

BACKGROUND/SUMMARY

It is unlawful to harass a person (an applicant or employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

POLICY

IUPUI is subject to and governed by the Indiana University Policy Against Sexual Harassment, adopted by the Indiana University Board of Trustees on June 15, 1998. Indiana University-Purdue University Indianapolis (IUPUI) does not tolerate sexual harassment of students or employees of the University and responds to every complaint, providing proper remediation when harassment is determined to have occurred.

This policy is designed to protect all members of the University community. It applies to relationships among peers, superior/subordinate relationships, as well as all individuals, regardless of their gender or sexual orientation.

PROVISIONS

Faculty, staff and students have the right to raise issues of sexual harassment. Harassment or retaliation against complainants or others who participate in an investigation of a complaint will not be tolerated. Appropriate and prompt disciplinary or remedial action will be taken against persons found to be engaging in such harassment.

Sexual harassment can be a grievous action having serious and far-reaching effects on the careers and lives of individuals. False accusations can have a similar impact. Thus, a charge of sexual harassment will not be taken lightly by a complainant, a respondent, or any other member of the University community.

COMPLAINT PROCEDURES

Faculty, staff or students who believe they have been sexually harassed, or who believe they have observed sexual harassment, should notify their supervisor, an academic or student service dean or official and/or Kim D. Kirkland, Director of the Office of Equal Opportunity within a reasonable time. Both formal and informal procedures, including mediation, shall be utilized to resolve complaints and other incidents of sexual harassment. Complaints received by administrators or supervisors should be forwarded to the Office of Equal Opportunity for investigation and resolution. The Office is located in the Union Building, Suite 117, 620 Union Drive, Indianapolis, IN 46202. Voice: (317) 274-2306 or TDD: (317) 278-2200.

<http://www.iupui.edu/~oeo/policy/IUPUIinvestigativeOperatingProcedures.pdf>

IUPUI

THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008

BACKGROUND AND SUMMARY

The **Americans with Disabilities Act (ADA)**, Public Law 101-336, was enacted on July 26, 1990, "to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities." This federal legislation requires equal treatment of disabled persons in employment, public services and transportation, public accommodations, and telecommunications services.

On September 25, 2008, the President signed the Americans with Disabilities Act Amendments Act of 2008 ("ADA Amendments Act" or "Act"). The Act emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis. The Act makes important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of EEOC's ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA – http://www.eeoc.gov/laws/statutes/adaaa_info.cfm

Indiana University-Purdue University Indianapolis (IUPUI), a public entity, as set forth in Title II of the ADA, is subject to the requirements of the Americans with Disabilities Act. Title II of the ADA prohibits discrimination against qualified individuals with disabilities with regard to services, programs and activities at IUPUI. IUPUI is prohibited from discriminating against qualified individuals with disabilities in its employment practices pursuant to Title I of the Americans with Disabilities Act.

IUPUI NONDISCRIMINATION POLICY FOR PEOPLE WITH DISABILITIES

Indiana University-Purdue University Indianapolis is committed to the spirit and letter of the Americans with Disabilities Act. Heretofore, the University has been subject to the nondiscrimination provisions of Sections 503 and 504 of the Rehabilitation Act of 1973. Under Sections 503 and 504, the University has instituted various administrative policies, practices and procedures to ensure nondiscrimination against individuals with disabilities. These policies, practices and procedures have been amended to comply with the requirements of the Americans with Disabilities Act.

Accordingly, "no qualified individual with a disability shall, by reason of such disability, be either excluded from participation in, or be denied the benefit of services, programs, or activities" of Indiana University-Purdue University Indianapolis. Moreover, no qualified individual with a disability shall be discriminated against because of the disability with regard to the job application process, the hiring or discharge of employees, compensation, advancement, job training, and other terms, conditions and privileges of employment.

COMPLIANCE RESPONSIBILITY

Responsibility for coordinating IUPUI's compliance with the requirements of the Americans with Disabilities Act resides with Kim D. Kirkland, Director of the Office of Equal Opportunity.

Additional information on policy or complaint procedures is available in the Office of Equal Opportunity located in the Union Building, Suite 117, 620 Union Drive, Indianapolis, IN 46202. Voice: Call (317) 274-2306 or TDD: (317) 278-2200.