AFFIRMATIVE ACTION PROGRAM
FOR MINORITIES & WOMEN
University of Washington
November 1, 2020 through October 31, 2021
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Preface

University of Washington, (also referred to as the University), is committed to the concept and practice of equal opportunity and affirmative action. In preparing this Affirmative Action Program (AAP), we have been guided by Section 503 of the Rehabilitation Act of 1973 (as amended) (29 U.S.C. § 793) and its implementing regulations (41 C.F.R. Part 60-741) and the Guidelines on Affirmative Action issued by the Equal Employment Opportunity Commission (“EEOC”) (29 C.F.R. Part 1608). Nothing contained in this AAP or its supporting data should be construed as an admission by the University, in whole or in part, that it has contravened any federal, state, or local employment practice laws, or to sanction the discriminatory treatment of any person.

While the University firmly believes in dissemination of its affirmative action policies and equal employment opportunity practices and makes the non-data components of this AAP available for review to employees and applicants upon request, the AAP remains a proprietary document of the University. Moreover, the data on which the University has relied in preparing this AAP are confidential and sensitive, and the University believes release of the data would subject the University to commercial harm. Reports that require specific data, such as names of employees and salary information, are not an official part of this AAP. This information is on file at the University as Documentation and Supporting Data for AAP Reports, and is available for review only as required by law.

If this AAP or any supporting data or documentation are submitted to the Office of Federal Contract Compliance Programs (OFCCP) pursuant to the Executive Order, the Rehabilitation Act, the Vietnam Era Veterans' Readjustment Assistance Act and/or any implementing regulations (as any or all have been or may be amended), the Equal Employment Opportunity Commission, any local or state fair employment practice agency, or any other federal, state or local government agency, those documents and the information they contain are to be considered confidential and not subject to disclosure without notifying the University of the agency’s decision to disclose and providing the University with ample time to contest the disclosure. Advance notice of disclosure should be sent to Shelley Kostrinsky, Affirmative Action Officer. The University requests this information be treated as exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552.

No information contained in the AAP or any supporting data or documentation is to be copied, removed from the premises, or released to other individuals without a prior notification to and permission from the University.

This AAP does not constitute an express or implied contract between the University and its employees, job applicants, or other persons, nor does it change in any way the basic at will employment relationship all University employees have with the University. Nothing in this AAP creates a private right of action on behalf of any individual or group against the University.
Equal Employment Opportunity and Affirmative Action Statement of Policy

The University of Washington reaffirms its policy of equal opportunity regardless of race, color, creed, religion, national origin, sex, citizenship, sexual orientation, age, marital status, gender identity or expression, genetic information, disability, or status as a protected veteran. This policy applies to all programs and facilities, including, but not limited to, admissions, educational programs, employment, and patient and hospital services. Any discriminatory action can be a cause for disciplinary action.

Discrimination is prohibited by:

- Presidential Executive Order 11246 as amended,
- Washington State Gubernatorial Executive Orders 89-01 and 93-07,
- Title VI and Title VII of the Civil Rights Act of 1964,
- Washington State Law Against Discrimination RCW 49.60,
- Title IX of the Education Amendments of 1972,
- State of Washington Gender Equity in Higher Education Act of 1989,
- Sections 503 and 504 of the Rehabilitation Act of 1973,
- Americans with Disabilities Act of 1990,
- Age Discrimination in Employment Act of 1967 as amended,
- Age Discrimination Act of 1975,
- Vietnam Era Veterans’ Readjustment Assistance Act of 1972 as amended,
- UW Executive Order No. 31,
- As well as other federal and state statutes, regulations, and University policy.

Equal Opportunity and Affirmative Action compliance efforts at the University of Washington are coordinated by the Office of Equal Opportunity and Affirmative Action. You may contact eoaa@uw.edu for more information.

Mark A. Richards

Mark Richards

Provost and Executive Vice President for Academic Affairs
Sex Discrimination Policy

41 C.F.R. 60-20.1 – 60-20.6

Pursuant to University of Washington’s equal employment opportunity and affirmative action policy, the University prohibits sexual discrimination and harassment in the workplace. This policy applies to all terms and conditions of employment, including but not limited to, recruitment, hiring, promotion, transfer, demotion, layoff or recall from layoff, termination, wage and benefit administration and selection for training or other employment opportunities. The terms “because of sex”, on the “basis of sex”, “regardless of sex” and “without regard to sex” include, but are not limited to, because of or on the basis of pregnancy, childbirth or related medical conditions, sexual orientation, gender identity and transgender status. In furtherance of the University’s commitment to ensuring equal employment opportunity regardless of sex, the University will take the following steps, as appropriate:

- Recruit individuals for all positions without regard to their sex, except where sex is a bona fide occupational qualification
- Ensure job postings and recruitment materials do not express a sex preference, unless sex is a bona fide occupational qualification
- Review employment practices and personnel policies to ensure that applicants and employees are not discriminated against or harassed
- Provide qualified employees with an equal opportunity to any available job without regard to their sex, except where sex is a bona fide occupational qualification
- Administer employment opportunities, wages, hours, conditions of employment, retirement programs, and other employee benefits regardless of sex
- Develop written policies which prohibit unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature towards employees and take reasonable steps to prevent such harassment from occurring
- Provide appropriate restroom and other facilities for applicants and employees
- Refrain from reliance on any state laws which conflict with the non-discrimination provisions of Title VII of the Civil Rights Act of 1964 or Executive Order 11246 and are superseded thereby
- Ensure employees are not discriminated against because of pregnancy, childbirth, or related medical conditions. Females affected by pregnancy, childbirth, or related medical conditions will be treated the same as other persons who are not so affected but are similarly able or unable to work
- Administer any seniority systems without regard to sex
- Determine wage schedules without regard to sex
- Ensure individuals are not restricted to certain job classifications based on sex.
Pursuant to University of Washington’s equal employment opportunity and affirmative action policy, the University prohibits religious and national discrimination and harassment in the workplace. This policy applies to all terms and conditions of employment, including but not limited to, recruitment, hiring, promotion, transfer, demotion, layoff or recall from layoff, termination, wage and benefit administration, and selection for training or other employment opportunities. In furtherance of the University’s commitment to ensuring equal employment opportunity regardless of national origin or religious beliefs, the University will take the following steps, as appropriate:

- Recruit individuals for all positions without regard to their national origin or religious beliefs
- Provide qualified employees with an equal opportunity to available job openings without regard to their religion or national origin
- Administer employment opportunities, wages, hours, conditions of employment, retirement programs, and other employee benefits regardless of religion or national origin
- Provide reasonable accommodation for sincerely-held religious beliefs unless doing so would pose an undue hardship on the University’s business.
- Develop reasonable procedures to carry out the University’s obligation to provide equal employment opportunity without regard to religion or national origin
- Inform employees of the University’s commitment to equal employment opportunity without regard to national origin or religion
- Inform recruitment sources of the University’s commitment to equal employment opportunity and seek their assistance and support to
- Review employment practices, personnel policies, and available records to ensure that applicants and employees are not discriminated against or harassed
- Engage in outreach activities with religious and ethnic organizations and educational institutions
Responsibility for Implementation

41 C.F.R. 60-2.17

University of Washington has assigned primary management responsibility and accountability for ensuring full compliance with the Affirmative Action Program to Shelley Kostrinsky, the Affirmative Action Officer of the University. The Affirmative Action Officer has the authority, resources, support of and access to top management necessary to ensure the effective implementation of the AAP. The identity of the Affirmative Action Officer appears on internal and external communications regarding the University's equal employment opportunity and affirmative action policies.

The duties of the Affirmative Action Officer and designees include:

- Developing policy statements, AAPs, and internal and external modes of communication
- Overseeing regular discussions with local managers, supervisors, and employees to ensure the University's policies are being followed
- Training personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes to ensure the commitments in the University's Affirmative Action Program are implemented
- Advising managers and supervisors that the University is obligated to prevent discrimination and harassment of applicants and employees on any basis protected by law
- Identifying any problem areas in implementing the AAP, and developing solutions
- Ensuring policies are in place to identify any barriers to employment based on sex, gender identity, sexual orientation, race, color, religious creed, or national origin and assisting managers in developing solutions to ensure all individuals benefit from equal employment opportunities
- Designing and implementing an internal audit and reporting system to measure the effectiveness of the University's Program, indicate the need for remedial action, determine the degree to which the University's objectives have been attained, determine whether all employees have had the opportunity to participate in University-sponsored educational, training, recreational, and social activities, and ensure each University location is in compliance with applicable laws and regulations
- Serving as liaison between the University and enforcement agencies, and between the University and organizations of and for minorities or females
- Encouraging active involvement by University representatives in the community service programs of local organizations of and for minorities and females
- Ensuring posters and notices are properly displayed or disseminated in ways that are accessible and understandable to applicants and employees
- Keeping management informed of developments in the affirmative action area.
Organizational Profile

41 C.F.R. 60-2.11

As one of the diagnostic components of University of Washington’s AAP, the University has completed a profile of the workforce at the Main Plan establishment. The organizational profile is an overview of the staffing patterns at this establishment and is used to determine whether there are areas in the workforce where individuals are underrepresented or concentrated by gender or race.
Job Group Analysis

41 C.F.R. 60-2.12

As the second diagnostic component of the AAP, University of Washington has prepared a job group analysis. The job group analysis is the first step in comparing the representation of minorities and females in the workforce covered by this AAP with the estimate of the available qualified minorities and females who could be employed by the University in positions covered by this AAP.

In designing job groups, jobs have been placed in job groups based upon the general criteria of relatively similar content, similar opportunities, and similar rates of pay. Similarity of content refers to the relative duties and responsibilities of the job titles which make up the job group. Similarity of opportunities refers to training, transfers, promotions, pay mobility and other career enhancement opportunities offered by the jobs within the job group.

The job groups in this AAP were developed to serve as a basis for a statistical analysis comparing current workforce utilization to weighted internal and external availability, and, thereafter, to develop annual goals as to minorities and females. Accordingly, job content (reflected in census data matches) and opportunity for advancement (important for determining feeder jobs) have been relied upon more than pay rates in grouping jobs. Moreover, where possible, and, consistent with other factors, job groups were devised which are of a sufficient size to conduct a meaningful utilization analysis. Necessary differences exist in the statistical analysis for utilization and the statistical analysis which would be appropriate for compensation. Therefore, the University does not suggest or agree its job groups contain jobs whose incumbents are sufficiently similarly situated (considering a variety of factors including tasks performed, effort, level of responsibility, working conditions, work location, job difficulty, minimum qualifications, performance and other objective factors) to be included in the same group for purposes of statistical analysis of rates of pay or compensation.

The Job Group Analysis report identifies the job groups created for this AAP, the job titles that comprise each job group, and the percentage of minority incumbents and the percentage of female incumbents in each job group.
The availability analysis is a part of the Incumbency vs. Estimated Availability Analysis - the final diagnostic component of this AAP. The purpose of the availability analysis is to establish a benchmark against which the demographic composition of the University's workforce may be compared to determine whether barriers to equal employment opportunity may exist within particular job groups.

Pursuant to applicable regulations, the availability analysis for each job group examines two potential areas of availability: individuals with the requisite skills outside the establishment (external availability) and individuals within the establishment who are promotable, transferable, and/or trainable (internal availability). In determining availability, the University has selected a reasonable recruitment area and the pool of promotable, transferable, and trainable employees in such a way as not to exclude qualified minorities and females. Moreover, when determining external availability, the University has used the most current and discrete statistical information available. For this availability analysis, the University has used the EEO Tabulation 2006-2010 American Community Survey data. Finally, where a job group is composed of different job titles that carry different availability rates, the University calculated a composite availability figure. The University arrived at the composite availability figure by determining the proportion of the job group incumbents employed in each job title, weighting the availability for each job title by the proportion of incumbents employed in that title, and adding together the weighted availability estimates.

A brief written rationale for the selection of the recruitment areas and internal pools by job group is included with this AAP.
Comparison of Incumbency vs. Estimated Availability

41 C.F.R. 60-2.15

University of Washington has compared the representation of minorities and females in each job group with their representation among those identified in the availability analysis as available for employment in the job group. Where actual representation was less than the calculated availability, the University determined whether the difference was greater than could reasonably be expected.
Placement Goals

41 C.F.R. 60-2.16

As required by applicable regulations, University of Washington has established placement goals where the actual representation of minorities or females in a job group is less than would be reasonably expected based on calculated availability.

In establishing placement goals, the University applied the following principles:

- When the percentage of minorities or females employed in a particular job group is less than would reasonably be expected, given their availability percentage in that job group, the University established a percentage annual placement goal at least equal to the availability figure derived for minorities or females, as appropriate, for that job group.
- Placement goals are not quotas that must be met, nor are they to be considered as either a ceiling or a floor for the employment of individuals of a specific race or sex.
- In all employment decisions, the University makes selections in a nondiscriminatory manner. Placement goals do not provide a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that individual's sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or other characteristic protected by law.
- Placement goals do not create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results.
- Placement goals are not used to supersede merit selection principles, nor do these placement goals require the University to hire a person who lacks qualifications to perform the job successfully or hire a less qualified person in preference to a more qualified one.

As is described in more detail in the Action-Oriented Program section of this AAP, where a placement goal is set, the University will develop affirmative steps to increase the recruitment and training of the underrepresented group.
Identification of Problem Areas by Organizational Unit and Job Group

41 C.F.R. 60-2.17(b)

University of Washington has conducted analyses of its total employment process, including evaluating the workforce by organizational unit and job group, personnel activity, compensation systems, and other personnel procedures to determine whether and where impediments to equal employment opportunity exist.

An analysis of each of these processes follows.

**Composition of the Workforce by Organizational Unit**

The University has analyzed its workforce to determine if minorities or females are significantly underrepresented or concentrated in any organizational unit.

**Composition of the Workforce by Job Group**

The University has conducted an availability analysis by job group, considering both external and internal availability, and has compared incumbency to estimated availability to determine placement goals. The descriptions of Factor 1 and Factor 2 by job group are summarized in this AAP. The University has established affirmative action placement goals and programs to address any areas of underutilization and will continue to make a good faith effort to reach the placement goals established by implementing action-oriented programs.

**Analysis of Progress Towards Prior Year Goals**

When the percentage of minorities or females employed in a particular job group is less than would reasonably be expected given their availability percentage in that job group, the University has established an annual percentage placement goal at least equal to the availability figure derived for minorities or females, as appropriate, for that job group.

**Review of Personnel Activity**

The University has analyzed additional personnel activities to determine whether and where impediments to equal employment opportunity exist and whether there are significant selection disparities by race/ethnicity or gender. These activities include applicant flow, hires, promotions, terminations, and other personnel actions.

**Applicant Flow**

The University accepted applications for open positions, and persons interested in obtaining employment with the University were advised to apply according to the University’s current policy. The University periodically reviews recruitment and selection actions to ensure there are no barriers to equal employment opportunity.

**Hires**
The University periodically reviews recruitment, selection and hiring actions to ensure there are no barriers to equal employment opportunity and no significant differences in selection rates by gender or race/ethnicity. Job descriptions are reviewed to make sure duties are accurately described and the experience and education requirements are job related. Job descriptions will continue to be written without regard to sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristic protected by law.

Application forms are reviewed to ensure all requested information is job related, and the forms comply with all applicable laws. Where applicable, tests will be reviewed and administered in a non-discriminatory manner.

University representatives who are involved in the selection process will be briefed on the University's obligations. Hiring decisions are to be based on the applicant's experience, skills, abilities, education, and any other job-related criteria.

**Promotions**

The University provides employees the opportunity to be promoted. The University periodically reviews promotional actions to ensure there are no barriers to equal employment opportunity and no significant differences in selection rates by gender or race/ethnicity.

The University provides reasonable opportunity for employees to advance by offering training and other developmental opportunities. Most promotional opportunities are posted, providing interested employees with an opportunity to apply.

**Terminations**

The University periodically evaluates its termination practices to ensure there are no barriers to equal employment opportunity and no significant differences in selection rates by gender or race/ethnicity. When terminations or reductions in force are necessary, the University makes its decisions without regard to sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristic protected by law.

**Review of Compensation Systems**

As part of its affirmative action obligations, the University has reviewed its compensation systems to determine whether those systems are being administered without regard to an individual's sex, race, ethnicity, or other characteristic protected by law. If the University discovers significant compensation system differences between individuals who are similarly situated, it will determine whether they are the result of legitimate, nondiscriminatory factors.
University of Washington has developed and executed action-oriented programs designed to correct any problem areas that may exist. To remove identified barriers and expand employment opportunities, the University engages in or has made plans to implement the activities outlined in this AAP, as appropriate.

The University's commitment to equal employment opportunity is publicized and employees are encouraged to participate in the University's Affirmative Action Program through activities such as the following.

- Written notification of the University's affirmative action policy will be sent to all subcontractors, including subcontracting vendors and suppliers, and request appropriate action on their part.
- The University will make the Equal Employment Opportunity Clause part of all covered contracts and purchase orders.
- The University's Equal Employment Opportunity and Affirmative Action Statement of Policy will be made available to applicants and employees. The policy will include a statement that employees and applicants are protected from coercion, intimidation, and interference or discrimination for filing a complaint or assisting in an investigation under Executive Order 11246, as amended. When applicable, the University will publicize the policy in University publications.
- The University will hold meetings with executive, management and supervisory personnel to explain the University's policy of affirmative action and to make clear the President's support for the policy.
- Advertisements or solicitations for prospective employees will indicate the University is an equal opportunity employer.
- The University will seek to include individuals covered by this AAP when employees are pictured in consumer and personnel recruitment advertising.
- The University will encourage qualified minority and female applicants to apply for available job openings through the following activities, as appropriate:
  - Minority and female, as well as non-minority and male, employees will be actively encouraged to refer applicants to the University.
  - The University will send available job opportunities to the State Employment Services Delivery System.
  - The University will identify local organizations and/or community agencies specializing in placing and/or developing training programs for protected individuals and send them notices of vacant positions.

Where placement goals exist as defined by the OFCCP, the University will contact universities and two- and four-year local colleges, vocational technical schools, high schools, local business schools, and state and community organizations which attract qualified minority and female students.

During the period from November 01, 2019 to October 31, 2020, targeted recruitment activities with diverse outreach and recruitment sources were conducted.
The University will implement procedures to ensure minority and female employees are given equal opportunities for promotion, such as the following:

- On-the-job training will be provided to all qualified employees to assist them in developing the necessary knowledge and skills for promotion to higher level jobs.
- The University will continue to make opportunities for advancement widely known through its career development process and by encouraging minorities and females to take advantage of these opportunities. Internal job opportunities may be posted so employees may apply to positions of interest.
- The following internal training programs will be offered to eligible employees without regard to sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristic protected by applicable law:
  1. Professional and Organizational Development courses, including the award winning Strategic Leadership Program
  2. Veterans Incubator for Better Entrepreneurship program
- The University may offer employees the opportunity to participate in external training programs such as the following:
  1. WA State Tuition Exemption Program
  2. Professional memberships in ILG
  3. Participation at professional conferences
Internal Audit and Reporting System

41 C.F.R. 60-2.17

It is the responsibility of the University's Affirmative Action Officer to monitor employment and personnel practices to ensure compliance with applicable regulations and adherence to the University’s Affirmative Action Policy, and to measure the effectiveness of University of Washington's AAP.

The University's audit and reporting system is designed and implemented to:

- Measure the effectiveness of the AAP
- Identify any need for remedial action
- Determine the degree to which the University's objectives are being attained
- Determine whether protected individuals have had the full opportunity to equal employment and to participate in all University sponsored educational, training, recreational, and social activities
- Measure the University's compliance with the AAP's specific obligations
- Document the actions taken to monitor the University's compliance with the AAP's specific obligations.

To measure the effectiveness of the AAP, the University may take the following actions:

- Audit the University's voluntary self-identification process to monitor the number of individuals who choose to self-identify and evaluate whether changes could be made to University's self-identification process to encourage greater voluntary self-identification
- Monitor records of applicant flow, referrals, placements, training, transfers, promotions, terminations, and compensation decisions to evaluate the degree to which equal employment opportunity and organizational objectives are being obtained
- Report on the organization's progress towards equal employment opportunity and any identified problem areas so appropriate steps can be taken to resolve any issues
- Examine available utilization and benchmark data regarding protected individuals and develop action-oriented programs to address any areas of underutilization
- Review available data computations and analyses regarding applicants and hires
- Review the effectiveness of the University's recruitment and outreach activities
- Use a schedule to regularly assess any mental and physical qualifications to ensure they are job-related and consistent with business necessity
- Regularly assess the University’s personnel processes to ensure all individuals have equal opportunity in employment
- Audit communications with vendors and subcontractors to ensure such communications reflect the University's commitment to equal employment opportunity and affirmative action
- Audit communications with applicants and employees to ensure such communications reflect the University's commitment to equal employment opportunity and affirmative action
• Audit job listings to ensure the postings reflect the University's commitment to equal employment opportunity and affirmative action, and such postings are timely listed with the appropriate state employment delivery system
• Audit personnel policies to ensure such policies reflect the University's commitment to equal employment opportunity and affirmative action

Where the Affirmative Action Program is found to be deficient, the University shall endeavor to undertake necessary action to improve the Program.
Exhibits
Nondiscrimination and Affirmative Action

1. Nondiscrimination and Non-Retaliation

The University of Washington, as an institution established and maintained by the people of the state, is committed to providing equality of opportunity and an environment that fosters respect for all members of the University community. This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation. To facilitate that goal, the University retains the authority to discipline or take appropriate corrective action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, harassment, or retaliation.

University policy:

- Prohibits discrimination or harassment against a member of the University community because of race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, genetic information, disability, or veteran status.

- Prohibits any member of the University community, including, but not limited to, academic personnel, staff, temporary staff, academic student employees, student employees, and students at all University campuses and locations, from discriminating against or unlawfully harassing a member of the public on any of the above grounds while engaged in activities directly related to the nature of their University affiliation.

- Prohibits retaliation against any individual who reports concerns regarding discrimination or harassment, or who cooperates with or participates in any investigation of allegations of discrimination, harassment, or retaliation under this policy, or any individual who is perceived to have engaged in any of these actions.

This policy is adopted in compliance with Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq) and the Pregnancy Discrimination Act, Title IX of the Education Amendments of 1972 (20 USC § 1681), Title I and II of the Americans with Disabilities Act (ADA) of 1990 as amended, the
Notice Regarding Impact of 2020 Education Department Federal Regulations:

In compliance with the recent federal regulations implementing Title IX of the Education Amendments of 1972, 34 CFR Part 106, the University published Executive Order No. 70, Compliance with Education Department Sexual Harassment Regulations. In addition to other requirements, the Education Department’s federal regulations define prohibited conduct and set forth grievance procedures for “formal complaints” of such conduct. To address those "formal complaints," the University will incorporate the grievance procedures set forth in Executive Order No. 70 into applicable University processes, including this order. Where there are conflicts, those grievance procedures will control. If the allegations that form the basis of a "formal complaint" involve alleged conduct that would potentially fall under the federal regulations and other University policies, then the University may, in its discretion, initiate a combined proceeding, and responsible personnel will apply the policies and procedures that correspond to each.

For the purposes of complying with federal regulations and Executive Order No. 70, the University has designated the University Complaint Investigation and Resolution Office (UCIRO) and Title IX Investigation Office (TIXIO) as the offices to receive complaints of sexual harassment, sexual assault, and other sexual misconduct and to determine whether Executive Order No. 70 applies.

Individuals with questions should contact the Office of the Title IX Coordinator.

2. Affirmative Action

In accordance with Executive Order 11246, as amended, and other applicable federal and state laws and regulations, the University, as a federal contractor, takes affirmative action to ensure equality of opportunity in all aspects of employment without regard to race, color, religion, sex, and national origin, and to employ and advance individuals with disabilities and protected veterans.

3. Access for Individuals with Disabilities

In accordance with the Americans with Disabilities Act (ADA), as amended, the Rehabilitation Act of 1973, and applicable federal and state laws, the University is committed to providing access and reasonable accommodation in its services, programs, activities, education, and employment for individuals with disabilities.

4. Definitions

Terms used in this policy are intended to have the meaning given to them by applicable federal or state laws and regulations.
A. **Discrimination** is conduct that treats a person less favorably because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity of expression, disability or veteran status.

B. **Harassment** is conduct directed at a person because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status that is unwelcome and sufficiently severe, persistent, or pervasive that:

1) It could reasonably be expected to create an intimidating, hostile, or offensive work or learning environment, or

2) It has the purpose or effect of unreasonably interfering with an individual's work or academic performance. Harassment is a form of discrimination.

C. **Retaliation** means to take adverse action against individuals because they have (or are perceived to have) reported concerns under this policy or cooperated with or participated in any investigation related to this policy.

D. **Sexual harassment** is a form of harassment characterized by:

1) Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature by a person who has authority over the recipient when:

   a) Submission to such conduct is made either an implicit or explicit condition of the individual's employment, academic status, or ability to use University facilities and services, or

   b) Submission to or rejection of the conduct is used as the basis for a decision that affects tangible aspects of the individual's employment, academic status, or use of University facilities; or

2) Unwelcome and unsolicited language or conduct that is of a sexual nature and that is sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive working or learning environment, or has the purpose or effect of unreasonably interfering with an individual's academic or work performance. This also includes acts of sexual violence, such as sexual assault and sexual exploitation.

Domestic violence, relationship violence, stalking, and sexual assault are addressed in Executive Order No. 51, Sexual Violence Elimination, and Chapter 478-121 WAC, Student
Conduct Code for the University of Washington. Depending on the circumstances, each or all policies may apply.

E. **Veteran status** includes protected veterans as defined by current federal and state laws. It also includes individuals affiliated with the United States armed forces as defined by any federal or state law establishing protection for veteran service, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), Executive Order 11246, and Chapter 49.60 RCW.

5. **Application of Policy**

A. **Academic Freedom**

   The University will interpret this policy on nondiscrimination and non-retaliation in the context of academic freedom in the University environment.

B. **Selective Admissions**

   The University’s admission policy provides for a selective admission process with the objective of attracting students who demonstrate the strongest prospects for high quality academic work. This selective admission process shall assure that the University's educational opportunities shall be open to all qualified applicants without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status. The process of admission shall be mindful of the need for diversity in the student body and for highly-trained individuals from all segments of the population.

C. **Employment**

   The University will recruit, hire, train, and promote individuals without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status and based upon their qualifications and ability to do the job. Except as required by law, all personnel-related decisions or provisions such as compensation, benefits, layoffs, return from layoff, University-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status. Additionally, in accordance with Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), the University prohibits discrimination and harassment in any aspect of employment on the basis of genetic information. The University
will also not request or require genetic information of an employee or family member of the employee, except as specifically allowed by GINA.

D. **Recruitment**

The University seeks affirmatively to recruit qualified minority group members, women, protected veterans, and individuals with disabilities in all levels of employment as part of its commitment as a federal contractor.

E. **Nondiscrimination**

Except as otherwise required by law and as provided in Section 6 below:

1) The University will operate its programs, services, and facilities without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status, and

2) The University will make its programs, services, and facilities available only to organizations or government agencies that assure the University that they do not discriminate against any person because of race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.

F. **University Housing**

Except as required by law, assignments to University residence halls and other housing facilities provided for students are made without regard to race, color, creed, religion, national origin, age, disability, sexual orientation, gender identity or expression, or veteran status.

G. **Contracting**

The University will make reasonable efforts to lease, contract, subcontract, purchase and enter into cooperative agreements only with those firms and organizations that comply with all applicable federal and state nondiscrimination laws, including, but not limited to: Executive Order 11246, Title VII of the Civil Rights Act, 42 U.S.C. Sec. 2000e et seq.; the Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.; and Washington State's Law Against Discrimination, Chapter 49.60 RCW.

6. **Exceptions**
A. Organizations Not Subject to Applicable Laws

This policy does not apply to organizations and government agencies that are not subject to otherwise applicable state or federal laws or regulations concerning nondiscrimination and non-retaliation.

B. University Housing

In accordance with RCW 49.60.222, the University may consider sex, marital status, or families with children status in assignments to residence halls and other student housing.

C. Citizenship Status

It is not a violation of this policy to discriminate because of citizenship status which is otherwise required in order to comply with law, regulation, or executive order, or required by federal, state, or local government contract, or which the State Attorney General determines to be essential for an employer to do business with an agency or department of the federal, state, or local government.

7. Complaint Procedures

The University provides internal procedures for the investigation and resolution of complaints alleging discrimination, harassment, or retaliation under this policy. The process for bringing a complaint against a University employee is described in Administrative Policy Statement 46.3, Resolution of Complaints Against University Employees. The process for bringing a complaint against a University student is described in Chapter 478-121 WAC, Student Conduct Code for the University of Washington.

8. Responsibility to Report and Cooperate

All University employees, including academic personnel, staff, temporary staff, academic student employees, and student employees are required to report to their supervisors or the administrative heads of their organizations any complaints of discrimination, harassment or sexual harassment and/or retaliation they receive. In addition, all University employees are encouraged to inform their supervisors or the administrative heads of their units (and their Academic Human Resources Consultant or Human Resources Consultant), of inappropriate or discriminatory or retaliatory workplace behavior they observe. Supervisors and administrative heads who receive such reports have the responsibility to initiate a response by contacting an appropriate office as indicated in Administrative Policy Statement 46.3.
All University employees are also required to participate, provide information as requested, including personnel or student files and records and other materials recorded in any form, and otherwise fully cooperate with the processes described in Administrative Policy Statement 46.3.

9. Consequences of Violation of Policy

Any member of the University community who violates any aspect of this policy is subject to corrective or disciplinary action, including, but not limited to, termination of employment or termination from educational programs.

10. History


For related information, see:

- Executive Order No. 51, "Sexual Violence Elimination"
- Executive Order No. 56, "Reporting Suspected Child Abuse or Neglect"
- Executive Order No. 70, "Compliance with Education Department Sexual Harassment Regulations"
- Administrative Policy Statement 46.2, "Affirmative Action Program"
- Administrative Policy Statement 46.3, "Resolution of Complaints Against University Employees"
- Administrative Policy Statement 46.5, "Reasonable Accommodation of Employees With Disabilities"
- Student Governance and Policies, Chapter 208, "Reasonable Accommodation of Students with Disabilities"
- Student Governance and Policies, Chapter 210, "Student Conduct Policy for Discriminatory and Sexual Harassment, Intimate Partner Violence, Sexual Misconduct, Stalking, and Retaliation"