



**OFFICE OF FEDERAL CONTRACT COMPLIANCE
PROGRAMS (OFCCP)
EXECUTIVE ORDER 11246
AFFIRMATIVE ACTION PROGRAM**

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AAP Administrator: Mikah K. Thompson, Esq.
Director of Affirmative Action/EEO/Title IX Coordinator

Approved by: Leo Morton
Chancellor

Establishment's Name: University of Missouri – Kansas City

Establishment's Address: 5100 Rockhill Road
Kansas City, Missouri 64110



University of Missouri – Kansas City

AFFIRMATIVE ACTION PROGRAM

for

MINORITIES AND FEMALES



University of Missouri – Kansas City

EXECUTIVE ORDER 11246 AFFIRMATIVE ACTION PROGRAM

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I. Introduction

Confidentiality

The material set forth in this Affirmative Action Plan ("AAP") is confidential and may include personnel files, investigatory records, trade secrets, operations information, statistical data and other commercial and financial data, within the meaning of the Freedom of Information Act ("FOIA") (5 U.S.C. § 552), Title VII of the Civil Rights Act of 1964 (as amended) (42 U.S.C. §§ 2000e seq.), and the Trade Secrets Act (18 U.S.C. § 1905, and 44 U.S.C. §3508), the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions. Pursuant to 18 U.S.C. § 1905, the Office of Federal Contract Compliance Programs ("OFCCP") is prohibited from voluntarily releasing this information under the FOIA. In addition, FOIA's Exemptions 3 and 4 protect information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act ("APA"). See e.g., *CAN Financial Corp. v Donovan*, 830f.2d 1132, 1144 and n. 73 (D.C. Cir.) certiorari denied, 485 U.S. 977 (1988).

This AAP contains certain proprietary information relating to the University of Missouri – Kansas City's business that, if disseminated, could be detrimental to the competitive and business interests of this organization. At a minimum, the complexity of this data is subject to misinterpretation and misuse, which again can be very harmful to business goals and objectives solely unrelated to the affirmative action and equal employment opportunity concept. Accordingly, this AAP and its supporting data are to be disclosed only to individuals, companies and government agencies only where such individuals or entities have a legitimate business interest or legal entitlement to the information. The University of Missouri – Kansas City ("The University") specifically requests the following:

1. If this information is submitted to the OFCCP pursuant to the relevant Executive Order and regulations, it is 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 reasonable time to contest the disclosure.
2. If this information is supplied to another government contractor, EEOC representative or any other person who is given access to the AAP, it is not to be copied, reproduced, or disclosed without prior notification to the University.
3. No information contained in the AAP is to be copied, removed from the premises or released to other individuals without prior notification to the University.
4. All monitoring system reports as required by federal regulations and laws have been completed. 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.

Lastly, this AAP does not constitute an express or implied contract between the University and its employees, job applicants or other persons. Nothing in this AAP provides any individual or group with a private right of action against the University.



Background

The University, one of four University of Missouri campuses, is a public university serving more than 16,000 undergraduate, graduate and professional students. The University has established Schools of Dentistry, Medicine, Pharmacy, Nursing, Biological Sciences, Education, Computing and Engineering, Law and Graduate Studies; the College of Arts and Sciences; the Conservatory of Music and Dance; and the Henry W. Bloch School of Business and Public Administration.

The University is a federal government contractor subject to the affirmative action requirements of Executive Order 11246, the Rehabilitation Act of 1974 as amended, and the Vietnam Veterans' Readjustment Assistance Act of 1974, as amended, Section 4212. In compliance with these laws, the University has developed and implemented this AAP. Notwithstanding its obligations to comply with federal employment laws and regulations, the University is fully committed to the concept and practice of equal opportunity and affirmative action in all aspects of employment.

UMKC's Workforce

This AAP establishes annual placement goals for minorities and/or women when their employment within a specific job group is less than would be reasonably expected given their respective availability percentages in that particular job group. The University's placement goals within this AAP are not intended as rigid, inflexible quotas that must be met, but rather as targets reasonably attainable by applying every good faith effort in implementation. Moreover, the placement goals are not intended, nor is the effect of such placement goals intended, to discriminate against any females or minorities with respect to any employment opportunities for which they are qualified. Nothing herein is intended to sanction the discriminatory treatment of any employees. Indeed, all employment decisions at the University are made based on job-related criteria and in strict accordance with the Guidelines on Affirmative Action issued by the Equal Employment Opportunity Commission (EEOC) (29 C.F.R. Part 1608).

The University's workforce is divided into 246 job groups, which are included within the seven EEO-1 job categories as defined by the U.S. Department of Labor. The University has grouped jobs having similar content, wage rates and opportunities. As detailed in the Job Group Analysis, this AAP covers 3,485 employees including 893 minorities (25.6 percent) and 1898 women (54.5 percent). It is expected that these employees will help us reach mutual goals of profitability and efficiency, resulting in both business and personal growth. As described in detail below, the University has a continuing commitment to implementation of this AAP.

Terminology: This AAP consists of terminology contained in Executive Order 11246 and its related regulations. The use of such terms as "underutilization," "deficiency," "concentration," "affected class," "goal," "problem area," etc., should not be construed as an admission by the University, in whole or in part, that any problem area exists or that minorities or women have been or are presently being underutilized, concentrated, or discriminated against in any way by the University in violation of federal, state, or local fair employment practice laws. Furthermore, 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 such federal, state, or local employment practice laws.

Reporting Period: This AAP covers the reporting period November 1, 2014 to October 31, 2015.



II. Equal Employment Opportunity (EEO) Policy Statement

The EEO Policy statement on the following page is posted on the University Of Missouri-Kansas City's bulletin board along with our required employment posters as well as the University of Missouri-Kansas City's website.



University of Missouri – Kansas City EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is the policy of the University of Missouri-Kansas City (UMKC) not to discriminate against any employee or applicant for employment because of race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, gender expression, age, genetic information, disability or protected veteran status. It is also the policy of UMKC to take affirmative action to employ, and to advance in employment, all persons regardless of their status as minorities, females, individuals with disabilities, or veterans, and to base all employment decisions only on valid job requirements. This policy shall apply to all employment actions including, but not limited to, recruitment, hires, upgrades, promotions, transfers, demotions, layoffs, recalls, terminations, rates of pay or other forms of compensation; and selection for training, including apprenticeship, at all levels of employment. Furthermore, the University will provide qualified applicants and employees who request an accommodation due to a disability with reasonable accommodations, as required by law.

UMKC prohibits harassment of employees and applicants based on race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, gender expression, age, genetic information, disability or protected veteran status. UMKC also prohibits retaliation against employees and applicants for filing a complaint, opposing any discriminatory act or practice, assisting or participating in any manner in a review, investigation, or hearing or otherwise seeking to obtain their legal rights under any Federal, State, or local EEO law requiring equal employment opportunity. Prohibited retaliation includes, but is not limited to, harassment, intimidation, threats, coercion or other adverse actions that might dissuade someone from asserting their rights.

As Chancellor of UMKC, I am committed to the principles of affirmative action and equal employment opportunity. In order to ensure dissemination and implementation of equal employment opportunity and affirmative action throughout all levels of the University, I have selected Mikah K. Thompson, Esq., as the Director of Affirmative Action, Equal Employment Opportunity, and Title IX Coordinator for UMKC. One of Ms. Thompson's duties is to establish and maintain an internal audit and reporting system to allow for effective measurement of UMKC's programs.

In furtherance of UMKC's policy regarding affirmative action and equal employment opportunity, UMKC has developed a written Affirmative Action Program (AAP) that sets forth the policies, practices and procedures to which UMKC is committed in order to ensure that its policy of nondiscrimination and affirmative action for minorities, females, individuals with disabilities and protected veterans is accomplished. This AAP is available for inspection by any employee or applicant for employment upon request between 9 AM and 4 PM, Monday through Friday in the Office of Affirmative Action. The plan is also located on our website (<http://info.umkc.edu/hr/affirmative-action/>) and hard copies are located in the Miller-Nichols Library and the Health Sciences Library. Any questions should be directed to me, your supervisor, or Mikah K. Thompson as the Director of Affirmative Action, Equal Employment Opportunity, and Title IX Coordinator.

A handwritten signature in black ink, appearing to read 'Leo E. Morton', is written over a horizontal line.

Leo E. Morton
Chancellor
University of Missouri-Kansas City



III. Establishment of Responsibilities for Implementation of the Written Affirmative Action Program

A. Designation of Responsibilities of AAP Administrator

The ultimate responsibility for the AAP implementation rests with Leo Morton, Chancellor. Primary management responsibility and accountability for ensuring full compliance with this AAP is assigned to Mikah Thompson, Director of Affirmative Action. Thompson has the authority and necessary resources to ensure the AAP's effective implementation. The Chancellor, along with top management, actively supports the program and will provide assistance when needed.

The Director of Affirmative Action's duties include:

1. Developing policy statements, AAP methods, and internal and external communication techniques;
2. Assisting in identification of problem areas, and developing strategies to eliminate any problems identified;
3. Creating, monitoring, and reporting methods that will:
 - a. Measure the effectiveness of the University's equal employment and AAP;
 - b. Indicate any need for remedial action;
 - c. Determine the degree to which the University's placement goals and objectives are being attained;
 - d. Provide management with a working understanding of the University's AAP placement goals and objectives;
4. Meeting with managers, supervisors and employees to ensure that they fully understand and are following the University's EEO policies;
5. Ensuring that supervisors understand that their work performance is being evaluated in part on the basis of their demonstrated commitment to equal employment opportunity, and that it is their responsibility to prevent all types of unlawful workplace harassment;
6. Serving as liaison between the University and enforcement agencies; appropriate minority and women's organizations; and community action groups engaged in employment opportunities for minorities and women;
7. Making contact with predominately female and minority high schools, colleges, and technical schools in the area for recruitment purposes; and
8. Ensuring that the University complies in the following ways:
 - a. EEO posters are properly displayed; and
 - b. All employees are afforded the opportunity and are encouraged to participate in all the University-sponsored educational, training, recreational and social activities.



B. The Responsibilities of the Company's Management to Ensure Implementation of the AAP

To ensure full potential of this AAP is reached, managers and supervisors are expected to:

1. Assist the Affirmative Action Director in the identification of any problem areas and help to eliminate any barriers to equal employment opportunity;
2. Whenever possible, become involved in local minority organizations, women's organizations, community action groups, and community service programs;
3. Work with the Affirmative Action Director to periodically review hiring and promotion patterns and training programs to isolate impediments to the attainment of affirmative action placement goals and objectives;
4. Review the qualifications of employees to ensure that minorities and women are given full opportunity for transfers/promotions and provide career counseling;
5. Provide career counseling for employees as needed;
6. Adhere to the University's policy of equal employment opportunity for all employees and ensure that the policy is understood, supported and adhered to by the employees they supervise; and
7. Take action to prevent the harassment of employees based on protected characteristics or due to a perception that an individual might have been the beneficiary of the University's affirmative action efforts.



IV. Dissemination of Affirmative Action & EEO Policies

Internal Dissemination

The University's commitment to equal employment opportunity and affirmative action is communicated internally in the following ways:

1. Policies regarding nondiscrimination in employment and affirmative action are contained in the University's employee handbook, which is accessible electronically on the University's Human Resources website.
2. All posters required by the Department of Labor are posted on the University's Human Resources
3. The University's prior years' Affirmative Action Plans are available for review in the Office of Affirmative Action, 212 Administrative Center, and in the following locations on campus:
 - a. The Affirmative Action website, <http://info.umkc.edu/hr/affirmative-action/>
 - b. The Reference Desk in the Miller Nichols Library; and
 - c. The Circulation Desk in the Health Science Library.
4. The University's online application system displays the University's EEO Policy statement properly, and all notices required by the Department of Labor are posted properly on electronic job announcements and applications.

External Dissemination

The University's commitment to equal employment opportunity and affirmative action is also communicated externally in the following ways:

1. Providing recruiting sources from which the University seeks qualified applicants, including minorities and women, with access to the University's equal employment and affirmative action policy statement, which is located on the University's Career Opportunities web page;
2. Distributing several publications featuring the University's students, faculty, staff, alumni and volunteers. These publications include articles about minorities and women who are making headlines locally and nationally.



V. Identification of Problem Areas

The University of Missouri-Kansas City performs in-depth analysis of its total employment process to determine if there are areas where minority and/or female groups may face impediments to equal opportunity. The following analyses are conducted in order to reveal any potential problem areas:

Placement Goals

An analysis of incumbency versus availability is performed to determine whether there are problems of minority and/or female utilization. Whenever a problem exists, as defined by a statistical methodology, Placement Goals are set (see the Placement Goals report which follows this section).

Whether there are Placement Goals or not, steps will be taken to encourage and increase the percentage of qualified minorities and/or females applying for positions both externally and internally. These steps may include, but are not limited to the following:

- Working with hiring managers and recruiters to determine appropriate outreach to attract qualified applicant pools;
- Recruiting at colleges and universities with a significant percentage of minority and/or female students;
- Publishing job advertisements in newspapers and/or magazines that target minorities and/or females;
- Offering mentorship programs for minority and/or female employees;
- Offering job training to minorities and/or females currently employed by the company in order to increase their chances of advancement;
- Offering tuition reimbursement to employees to obtain training that will increase their chances of advancement;
- Using recruitment companies that specifically target minorities and/or females; and
- Continuing to use the services of the respective Employment Service Delivery System.

Personnel Activity

The University has analyzed additional personnel activities to determine: (1) whether and where impediments to equal employment opportunity exist; and (2) whether there are significant selection disparities by race/ethnicity or gender. These activities include applicant flow, hires, promotions, terminations, and other personnel actions.

1. *Applicant Flow*

During the plan year, November 1, 2014 through October 31, 2015, the Human Resources department accepted applications for open positions, and all persons interested in obtaining employment with the University were advised to apply according to the University's current policy. Applications and complete records were kept to ensure compliance with equal employment opportunity goals.

2. *Hires*

The University's Human Resources Department utilizes non-discriminatory criteria in its hiring practices. Specifically, the following procedures have resulted in hiring decisions that are free of discrimination:



- The University's job descriptions explain in specific detail the essential functions of the associated job. All required qualifications for each job are non-comparative and strictly relevant to the essential job functions listed within the description.
- In accordance with the OFCCP's regulations, all job postings and applications include language that stating the University is an equal opportunity employer and all qualified applicants will receive consideration regardless of race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.
- Hiring and pre-employment tests have been reviewed and are administered in a nondiscriminatory manner.
- All employees are encouraged to refer qualified applicants to the University for employment. In addition, the University has formal recruitment procedures to apprise minority and women's groups, educational institutions, and other referral sources of openings.
- Placing an applicant in a specific job in a department is the responsibility of management. Hiring decisions are based on the applicant's knowledge, skills, abilities, and any other job-related criteria.

A review of external hires for the prior plan year indicates the presence of equal employment opportunity a strong commitment to affirmative action.

3. *Promotion Practices*

The analysis of the University's promotion practices revealed that neither minorities nor women are being treated disparately in promotions. While the University has not implemented formal succession plans, the University's practices regarding Direct Promotions have contributed to the University's success in achieving equality. Notable aspects of the University's direct promotion practices include:

- Management-initiated promotions are based on performance and other job-related criteria without discrimination on account of race, color, religion, sex, age, disability veteran status, or national origin.
- Most promotional opportunities providing all interested employees with an opportunity to apply and notify pertinent managers of their special skills are posted.
- A direct promotion will not be approved when an underutilization exists within the AAP job family in which the vacancy is located unless it is also approved by the Affirmative Action Officer.
- Any vacancy created by a direct promotion may be filled through a subsequent direct promotion until the vacated position fails to produce a promotable internal candidate. All vacancies must be filled through regular recruitment procedures.
- The University's program of career development enables all employees to designate career paths and positions for which they wish to be considered.



4. *Compensation Systems*

As part of its affirmative action obligations, the University has conducted a compensation analysis to determine whether there are pay disparities on the basis of gender, race, or ethnicity. According to our analysis, the University has not identified any significant problem areas. If the University discovers significant salary differences between men and women or non-minorities and minorities, it will determine whether they are the result of legitimate, non-discriminatory factors such as tenure, time in job, time in grade, performance, education, previous experience, etc. Where appropriate, the University will take all reasonable and immediate steps to make any necessary adjustments.

5. *Terminations*

The University has evaluated its termination practices to determine whether there are disparities on the basis of gender, race or ethnicity. The University's terminations did not present a problem for women or minorities. When terminations or reductions in force are necessary, the University makes its decisions without regard to race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.

Technical Phases of Compliance

The University's analysis of the technical phases of compliance reveals that the University fully complies with all the technical phases of its affirmative action obligations:

1. Equal Employment Opportunity posters are prominently displayed in each University location.
2. The University notifies all contractors and subcontractors via purchase orders and subcontracts that they may be subject to federal affirmative action obligations.
3. The University requires that all of their qualified contractors and subcontractors develop and maintain a written AAP.
4. The University's employment application has a statement concerning Equal Employment Opportunity.
5. All recruitment agencies and area schools and colleges will continue to be notified of the University's commitment to the goals of affirmative action.
6. All recruitment advertising includes the solicitation "An Equal Opportunity Employer" or its abbreviation.
7. All other required affirmative action notices and policy statements are posted on University bulletin boards and are updated annually.
8. All personnel and employment records made or kept by the University are retained for the required period as mandated by OFCCP regulations.
9. The University files annual IPEDS and VETS-100 reports with the appropriate agencies.



<<PLACEMENTGOALS>>



VI. Accomplishment of Prior Year Placement Goals

Where goals were established for the prior year, the University developed action-oriented programs designed to accomplish the established goals and objectives, thereby enhancing employment and advancement opportunities in the company for minorities and/or females. The results of the prior year's Affirmative Action Program are identified on the Goal Attainment report.



<<GOALATTAINMENT>>



VII. The Development and Execution of Action-Oriented Programs

Job Descriptions & Application Process

- The University has analyzed and will continue to analyze all positions and prepare written descriptions to accurately reflect position functions. The position description format ensures consistency in similar job positions across various organizational units.
- Job descriptions have been and will continue to be reviewed to determine the knowledge, skills, abilities, and other requirements necessary for the adequate performance of every job. Specifications will continue to be consistent for the same job in all organizational units and will not contain any requirements that would result in discrimination on the basis of race, color, religion, sex, age, disability, veteran status, national origin, or other characteristics protected by law.
- Job descriptions are available to incumbents and all members of management involved in the recruitment, screening, selection, and promotion process. Job descriptions are also made available to employees, applicants, and recruiting sources as appropriate.
- The University has carefully evaluated the total selection process and found it to be free from discrimination.
- The University does not and will not use any selection techniques that can be improperly used to discriminate against minority groups or women.

Recruiting

Ongoing Measures

- The University continues to contact the following recruitment sources for qualified minority and female candidates: National Association of Professional Women; KC Hispanic Chamber of Commerce; Urban League; News from Indian Country; and KoreaDirect.com.
- The University continues to participate in the Aim for Peace Job Fair and the Urban League Hiring Fair.
- Minority and women, as well as non-minority and male, employees are actively encouraged to refer applicants to the University's organization.
- The University continues to evaluate selection methods to ensure consistency, relation to job duties and avoid any disparate impact.

Possible Measures to be implemented

- The University will consider developing and sending to female and minority organizations letters expressing the University's interest in receiving qualified minority and female candidates.
- The University will also assess the rates at which its recruiting sources provide qualified minority and female candidates and use this information to replace ineffective sources and



focus the University's recruitment efforts on the sources producing the highest rates of minority and female hires.

Promotions

The University has implemented the following programs and procedures to ensure that minority and female employees are given equal opportunities for promotion:

- On-the-job training is provided to all qualified employees to assist them in developing the necessary knowledge and skills for promotion to higher-level jobs. In addition, a tuition reimbursement benefit is also available to all qualified employees.
- The University uses a formal performance evaluation program for all employees. In addition, management and supervisors are trained on the basic methodology of performance evaluation.
- Neither minority nor female employees are required to possess higher qualifications than those of the lowest qualified incumbent in the job for which they apply.
- Seniority practices are not a problem since the University has no formal seniority system. Promotions are based on merit selection principles.
- The University will continue to make opportunities for advancement into more stimulating positions widely known through the University's career development process and by encouraging minorities and women to take advantage of these opportunities.

Training

Ongoing Measures

- The University's Hiring Managers have access to the Hiring Manager's website, which contains helpful tips for conducting interviews. The website also includes a copy of the University's HR policies, which outline the University's commitment to equal employment opportunity.
- The University requires all new supervisors and managers to complete core courses within six months of hire. These courses include: (1) Supervisor Foundations; (2) Policy Overview; (3) Legal & Effective Discipline; (4) Interviewing and Selection; (5) Litigation Landmines; and (6) Importance of Appraisals.
- To celebrate diversity in all aspects of university life, creating inclusive environments, culturally competent citizens, and globally-oriented curricula and programs. In consultation and cooperation with the Chancellor's Diversity Council, opportunities for campus wide training and various lecture series and events have been established and continue to be programmed (<http://info.umkc.edu/diversity/>).

Possible Measures to be implemented

The University will consider developing an affirmative action training program to provide its managers, supervisors and other key decision makers with formal classroom sessions, on-the-job reinforcement and periodic refresher training on relevant equal employment topics. The training may include the following concepts:



- Diversity & Inclusion
- Strategic Focus
- Diversity Management Challenges
- Implementation Plans
- Performance Diversity Measurement
- Identification of Problem Areas & Setting Corrective Goals
- Implementation of Audit & Reporting Systems
- Developing and Executing Action-Oriented Programs

Employee Relations & Complaint Resolution

- All of the University's facilities, sponsored recreation, social events and special programs are available to all eligible campus employees without regard to race or gender.
- Staff organizations and associations are available to employees in accordance with individual choice and interest.
- The University provides informal and formal complaint resolution processes, which offers employees and applicants the opportunity to resolve discrimination-related complaints at a low level.



VIII. Internal Audit and Reporting Systems

The University has developed and implemented an auditing system that periodically measures the effectiveness of its total AAP. The University views the activities that are listed below as critical to the success of the AAP.

1. The Affirmative Action Director will continue to monitor records of applicant flow, referrals, placements, rejected offers, training, transfers, promotions, terminations, and any layoffs or recalls to ensure that the University's non-discriminatory policy is carried out. Procedures are reviewed and revised as problems are identified. Internal reporting will be required on a scheduled basis as to the degree to which EEO is obtained.
2. Top management is and will continue to be informed of any problems that arise in their respective areas so that immediate and appropriate steps can be taken to resolve any issues.
3. The University recognizes its responsibility to affirmative action and is committed to fulfilling this responsibility by complying with all government regulations and laws pertaining to equal employment opportunity. As part of this commitment, management will be kept abreast of developments in the affirmative action area. The primary vehicle for communication with management will be periodic affirmative action briefings.
4. The Affirmative Action Director will generate internal reports on a regular basis to evaluate the degree to which equal employment opportunity and organizational objectives are being obtained.
5. An internal auditing system will be developed and implemented to periodically measure the effectiveness of its total affirmative action program.
6. The University will review report results with all levels of management as to the degree to which their affirmative action goals and compliance are being attained, and will design and implement corrective actions, including adjustments in programs, as needed.
7. Progress on the University's AAP will be discussed at supervisors meetings, and relevant information will be communicated to employees during regular departmental meetings as appropriate.
8. The Affirmative Action Director will periodically report to the Deputy Chancellor for Diversity of the University and other appropriate top management on the effectiveness of the program and will submit recommendations for improvement.