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PREFACE

Kansas State University (also referred to as the University) is committed to the concept and practice of equal opportunity and affirmative action. In the preparation of this Affirmative Action Plan (AAP), we have been guided by Section 503 of the Rehabilitation Act of 1973 (as amended) (29 U.S.C. Section 793) and its implementing OFCCP regulations (41 C.F.R. Part 60-741), and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (as amended) (38 U.S.C. Sections 4211 and 4212) and its implementing OFCCP regulations (41 C.F.R. Part 60-250). 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.

In developing and implementing this AAP, Kansas State University has been guided by its established policy of providing equal employment opportunity. Nothing herein is intended to sanction the discriminatory treatment of any person. Thus, this AAP has been developed in strict reliance upon the Guidelines on Affirmative Action issued by the Equal Employment Opportunity Commission (EEOC) (29 C.F.R. Part 1608).

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 that 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.

STATEMENT OF POLICY
41 C.F.R. 60-741.44(a), - 250.1
Affirmative Action Policy

Kansas State University has a longstanding policy of non-discrimination in matters of employment. Our Affirmative Action Plan constitutes a serious commitment of the University to the continuing implementation of that policy.

The policy of Kansas State University is to assure equal opportunity to qualified individuals regardless of their race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, genetic information, military status, or veteran status, and to promote the full realization of equal employment opportunity for minorities and women through a comprehensive affirmative action program. In addition, the University will assure equal opportunity for persons with disabilities, disabled veterans, and Vietnam Era veterans regarding positions for which they are qualified.

The affirmative action policy covers all aspects of the employment relationship - including recruitment, hiring, assignment of duties, promotion, tenure, compensation, selection for training, and termination. The policy applies to all units and governs employment of all employees, including student employees, of Kansas State University.

Diversity has a value to be weighed in the hiring process. It is not enough for us to say that we will not discriminate. It is our legal and moral obligation to take positive action to insure the full realization of equal opportunity for all who work or seek to work for Kansas State University. We must make special efforts to identify promising minority persons and women for positions in all areas and at all levels in which these groups are unrepresented or under represented relative to their availability. Then, we must base our selections on the candidates' qualifications to carry out the responsibilities of the positions and the University's affirmative action goals.

The administration of the University is committed to and reaffirms its support of the principle of equal employment opportunity and charges each unit within the University to conduct its recruitment and employment practices in conformity with this principle and in accordance with the Affirmative Action Plan. Responsibility for monitoring the implementation of this policy is delegated to the Office of Affirmative Action, 214 Anderson Hall.

Kirk Schulz, President
Kansas State University

Date

DEFINITIONS

"SPECIAL DISABLED VETERAN" means a veteran of the U.S. military, ground, naval or air service who is entitled to disability compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Department of Veterans Affairs for disability rated at 30 percent or more, or rated at 10 to 20 percent in the case of a veteran determined under 38 U.S.C. 3106 to have a serious employment handicap, or a person whose discharge or release from active duty was for a service-connected disability.

"DISABLED VETERAN" is (1) A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) A person who was discharged or released from active duty because of a service-connected disability.

"QUALIFIED DISABLED VETERAN" means a special disabled veteran or disabled veteran as defined above who satisfies the requisite skill, experience, education, and other job-related requirements of a particular job and is capable of performing the essential functions with or without reasonable accommodations made for his or her disability.

"VETERAN OF THE VIETNAM ERA" means a person who (i) served on active duty in the U.S. military, ground, naval or air service for a period of more than 180 days, in the Republic of Vietnam between February 28, 1961 and May 7, 1975, and was discharged or released therefrom with other than a dishonorable discharge, or (ii) served on active duty in the U.S. military, ground, naval, or air service for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and was discharged or released therefrom with other than a dishonorable discharge, or (iii) was discharged or released from active duty in the U.S. military, ground, naval or air service for a service-connected disability if any part of such active duty was performed in the Republic of Vietnam between February 28, 1961 and May 7, 1975, or in another place between August 5, 1964 and May 7, 1975.

"ARMED FORCES SERVICE MEDAL VETERAN" is any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

"OTHER PROTECTED VETERAN" means a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the Department of Defense.

"RECENTLY SEPARATED VETERAN - ONE YEAR" means any veteran during the one-year period beginning on the date of the veteran's discharge or release from active duty.

"RECENTLY SEPARATED VETERAN - THREE YEARS" means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.

"COVERED VETERANS" means special disabled veterans, disabled veterans, veterans of the Vietnam Era, Armed Forces service medal veterans, other protected veterans, recently separated veterans-one year, and recently separated veterans-three years.

"INDIVIDUAL WITH A DISABILITY" means a person who, generally, (i) has a physical or mental impairment that substantially limits one or more of his or her major life activities, (ii) has a record of such impairment, or (iii) is regarded as having such an impairment.

For the purposes of this Plan, an individual with a disability is "substantially limited" if he or she is unable to perform a major life activity that the average person in the general population can perform, or is significantly restricted as to the condition, manner, or duration under which a person can perform a particular major life activity as compared to the condition, manner, or duration under which the average person could perform that same activity.

"A QUALIFIED INDIVIDUAL WITH A DISABILITY" means an individual with a disability as defined above who meets the requisite skill, experience, education, and other job-related requirements for a particular job and is capable of performing that job, with or without reasonable accommodation for his or her disability.

RESPONSIBILITY FOR IMPLEMENTATION
41 C.F.R. 60-741.44(i), 41 C.F.R. 60-250.44(i)

Affirmative action for individuals with disabilities and Covered Veterans is the responsibility of every employee at Kansas State University. Roberta Maldonado-Franzen, the University's Director of Affirmative Action, is responsible for the implementation and monitoring of this AAP at the University. Roberta Maldonado-Franzen, a member of Senior Management, has the support and staff to manage the implementation of this Plan. In carrying out this responsibility, the Director of Affirmative Action and designated staff will:

- Develop policy statements, AAPs, and internal and external modes of communication,
- Oversee regular discussions with local managers, supervisors, and employees to ensure that the University's policies are being followed;
- Advise supervisors that their work performance is being evaluated on the basis of their affirmative action efforts and results, as well as other criteria, and that the University is obligated to prevent harassment of employees placed through affirmative action efforts;
- Identify, in conjunction with line management, known employees with disabilities and Covered Veterans and any problem areas in implementing the AAP, and develop solutions, including possible modes of accommodation;
- Design and implement internal audit and reporting systems that will measure the effectiveness of the University's Plan, indicate the need for remedial action, determine the degree to which the University's objectives have been attained, determine whether known employees with disabilities and Covered Veterans have had the opportunity to participate in all University-sponsored educational, training, recreational, and social activities, and ensure that each University location is in compliance with applicable laws and regulations;
- Serve as liaison between the University and enforcement agencies, and between the University and organizations of and for persons with disabilities, and encourage active involvement by University representatives in the community service programs of local organizations of and for individuals with disabilities and Covered Veterans,
- Keep management informed of the latest developments in the entire affirmative action area,
- Arrange for career counseling for known employees with disabilities and Covered Veterans, where appropriate.

REQUEST FOR SELF-IDENTIFICATION

41 C.F.R. 60-741.42, 41 C.F.R. 60-250.42

Following an offer of employment but prior to an individual beginning other employment duties, Kansas State University invites job applicants who are individuals with disabilities or Covered Veterans and believe themselves covered by the Rehabilitation Act of 1973, as amended, or the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, to identify themselves in order to receive the benefits of affirmative action (see Exhibit A). If an individual identifies himself or herself as an individual with a disability or a disabled veteran, the University seeks the advice of the individual concerning any necessary accommodations to allow the individual to perform his/her job.

REVIEW OF PERSONNEL PROCESSES
41 C.F.R. 60-741.44(b), 41 C.F.R. 60-250.44(b)

Kansas State University continues to review its personnel procedures to determine whether they assure the careful, thorough, and systematic consideration of the job qualifications of employees or job applicants who are known individuals with disabilities or Covered Veterans for job vacancies, promotions, and/or educational or training opportunities and to assure that the personnel processes facilitate the implementation of the University's affirmative action obligations.

Vacancies are advertised, and applications are accepted from any interested person. Kansas State University's employment application includes a full non-discrimination statement to further assure applicants of the University's policy of equal employment. All non-executive positions that we do not expect to fill from within will be referred to the State Department of Employment and Training, as well as other recruiting sources.

The disability or veteran status of any otherwise qualified individual who applies for any vacancy, promotion, transfer, or training opportunity will not be a factor in these employment decisions. The University periodically reviews the physical and mental job qualifications to ensure that they do not tend to screen out individuals with disabilities or Covered Veterans for reasons that are not job-related or consistent with business necessity, nor consistent with the safe performance of the essential functions of the job. Thus, individuals with disabilities and Covered Veterans who meet job qualifications will be considered on an equal basis with all other applicants. Moreover, the University considers military experience only to the extent that it increases the veteran's qualification for the job. Finally, the University ensures that its personnel processes do not stereotype individuals with disabilities or Covered Veterans.

Consistent with the regulations, the University has instituted the following procedures to further assure the careful, thorough, and systematic consideration of the job qualifications of employees or job applicants who are known individuals with disabilities or Covered Veterans for job vacancies, promotions, and/or educational or training opportunities and to assure that its personnel practices facilitate the implementation of the University's affirmative action obligations:

1. As covered individuals apply for positions within the University, their personnel forms will be annotated to identify each vacancy for which the person was considered.
2. The personnel records of each known covered individual will include (i) the identification of each promotion for which the person was considered, and (ii) the identification of each training program for which the person was considered.
3. In each case where a covered individual is rejected for employment, training, or promotion, a statement of the reasons will be appended to the file. This statement will include a comparison of the qualifications of the covered individual and the person(s) selected.
4. Where applicants or employees are selected for hire, promotion, or training, and the University undertakes any accommodation which makes it possible to place a covered individual in the job, the University will keep a record of the accommodation in a

confidential medical file.

This information will be quickly retrievable for review by government officials and the University's personnel officials for use in investigations and compliance activities.

REVIEW OF PHYSICAL AND MENTAL JOB REQUIREMENTS
41 C.F.R. 60-741.44(c), 41 C.F.R. 60-250.44(c)

Kansas State University reviews physical and mental job qualification requirements as job qualification requirements are established or revised to ensure that qualification requirements do not screen out qualified individuals with disabilities or qualified disabled veterans for reasons that are not job-related, consistent with business necessity and the safe performance of the essential functions of the job.

To the extent that any physical or mental job qualification measurements tend to screen out qualified individuals with disabilities or qualified disabled veterans in the selection of employees or applicants for employment or in other change in employment status such as promotion or training, Kansas State University will assure that the requirements are related to the specific job(s) for which the individual is being considered and are consistent with business necessity and the safe performance of the job.

ACCOMMODATIONS
41 C.F.R. 60-741.44(d), 41 C.F.R. 60-250.44(d)

Kansas State University has made and will continue to make reasonable accommodations, which do not impose undue hardships on its business, to the known physical and mental limitations of otherwise qualified employees and job applicants.

Included among the specific accommodations for individuals with disabilities and disabled veterans that have been implemented are the following:

1. Short- and long-term disability programs that provide pay for eligible employees absent due to disability.
2. A personal leave policy that enables eligible employees to accumulate paid time off to be used for medical appointments, personal illness, or any other reason.
3. A medical leave of absence is available to any employee who provides medical documentation of disability.
4. Should reasonable accommodations be necessary to facilitate access to work areas by employees or applicants who are qualified individuals with disabilities or qualified disabled veterans, the University will take any reasonable steps to provide such accommodations.
5. If necessary to accommodate a disability, the University will redesign jobs to eliminate nonessential functions unless the redesign creates an undue hardship.
6. The University will arrange suitable work hours for employees returning from sick leave, leave of absence, and long-term disability where that arrangement is reasonable.
7. The University will accommodate employees with disabilities by allowing a reasonable amount of time off for physicians' visits.
8. Special parking for individuals with disabilities or disabled veterans is available at Kansas State University.

If an individual has a disability or is a disabled veteran, he or she is encouraged to tell us about (i) any special methods, skills, and procedures which qualify him or her for positions which he or she might not otherwise be able to do so that he or she will be considered for any position of that kind, and (ii) the accommodations which would enable him or her to perform the job properly and safely, including special equipment, changes in the physical layout of the job, elimination of certain duties related to the job, provision of personal assistance services, or other accommodations. These individuals may contact Roberta Maldonado-Franzen, the Americans with Disabilities Act Coordinator.

Where an employee who is known to be an individual with a disability or a disabled veteran is having significant difficulty performing his/her job and the University reasonably concludes that the performance issues may be related to the known disability, the University will notify the employee of

the performance problem and confidentially inquire whether the problem is related to the employee's disability. If the employee indicates that his/her disability is impacting his/her performance, the University will engage in confidential discussions with the employee regarding reasonable accommodations to improve performance.

COMPENSATION

41 C.F.R. 60-741.21(i), 41 C.F.R. 60-250.21(i)

In offering employment or promotions, Kansas State University does not reduce the amount of compensation offered to individuals with disabilities or Covered Veterans because of any disability income, pension, or other benefit that the employee receives from another source.

**OUTREACH, POSITIVE RECRUITMENT AND
EXTERNAL DISSEMINATION OF POLICY
41 C.F.R. 60-741.44(f), 41 C.F.R. 60-250.44(f)**

Kansas State University has reviewed its employment practices to determine whether personnel programs provide the required affirmative action for employment and advancement of qualified individuals with disabilities and qualified Covered Veterans.

While the University believes that there are no deficiencies in its current employment practices with respect to these employees, it has planned the following outreach, positive recruitment, and external dissemination programs to augment its existing affirmative efforts:

1. All executives, management officials, supervisors, and other employees of the University will be encouraged to assist in the effort to disseminate Kansas State University's policy of affirmative action to individuals outside the University.
2. The University will inform recruiting sources of Kansas State University's policy of affirmative action for individuals with disabilities and Covered Veterans. Recruiting sources will be requested to actively recruit and refer qualified individuals with disabilities and qualified Covered Veterans for all positions.
3. Kansas State University will enlist the assistance and support of local recruiting sources, social service agencies, and organizations especially knowledgeable about the availability of individuals with disabilities and Covered Veterans.

These sources will be informed of the University's AAP and will be requested to refer qualified individuals with disabilities and qualified Covered Veterans for employment consideration, including those not currently in the workforce who have requisite skills.

4. Kansas State University will incorporate the affirmative action clause for individuals with disabilities in purchase orders, leases, and contracts made by the University and are covered by the Rehabilitation Act of 1973, as amended, and its implementing regulations. The affirmative action clause for Covered Veterans will be incorporated in purchase orders, leases, and contracts made by the University that are covered by the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, and its implementing regulations.
5. Kansas State University will notify local organizations, community agencies, secondary schools, and colleges known to specialize in assisting individuals with disabilities and Covered Veterans about Kansas State University's policy of affirmative action and request their advice, assistance, and referrals of potential employees, including those who are not currently in the work force but who have requisite skills.
6. While advertising is very limited, Kansas State University will include disabled individuals and/or Covered Veterans when employees are pictured in consumer and personnel recruitment advertising.

7. Kansas State University will make reasonable accommodations for qualified individuals with disabilities and qualified disabled veterans.
8. Kansas State University will take positive steps to attract qualified individuals with disabilities and Covered Veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures.
9. Kansas State University will review the employment records of its known employees with disabilities or Covered Veterans to determine the availability of promotable, qualified individuals with disabilities, and to determine whether present and potential skills are being fully utilized or developed.
10. The University will send written notification of University policy to all contractors, subcontractors, vendors, and suppliers, requesting appropriate action on their part.
11. When Kansas State University advertises in newspapers for prospective employees, the advertisement will include the EEO solicitation "Kansas State University is an Equal Opportunity Employer " or a relevant abbreviation, [recommended addition] and actively seeks diversity amount its employees."

INTERNAL DISSEMINATION OF POLICY
41 C.F.R. 60-741.44(g), 41 C.F.R. 60-250.44(g)

The University recognizes that, however strong its outreach program, internal support from supervisory management and other employees is necessary to ensure maximum effectiveness of its AAP for individuals with disabilities and Covered Veterans so that these employees' awareness of the needs of individuals with disabilities and Covered Veterans can be increased. Accordingly, the University will utilize the following procedures to maximize the internal implementation and dissemination of its policy:

1. Kansas State University will invite employees who are individuals with disabilities or Covered Veterans to participate in the AAP.
2. The University will communicate to employees its obligation to take affirmative action to employ qualified individuals with disabilities and qualified Covered Veterans and will encourage employee referral of covered applicants.
3. Kansas State University's Policy and Procedure for Discrimination and Harassment Complaints is posted on the University's Office of Affirmative Action web site. The posting includes 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 the Rehabilitation Act of 1973, as amended, or the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (see Exhibit E). The Kansas State University's policy on affirmative action is posted on official University Bulletin boards.
4. Meetings with executive management and supervisory personnel will be conducted at least annually to explain the University's policy of affirmative action and to impart to these personnel their responsibility in making the AAP a success. Top-level management personnel will attend these meetings so that all will know their support of affirmative action.
5. Meetings with all employees of the University will be conducted by department heads to inform the employees of Kansas State University's policy of affirmative action and to explain the employees' responsibility to comply with the policy.
6. An invitation to participate in Kansas State University's policy of affirmative action is disseminated to all applicants once the company has extended a job offer, but prior to the applicant's first day of employment.
7. Since Kansas State University has no collective bargaining agreement, no notification of union officials is necessary.

DEVELOPMENT AND EXECUTION OF AFFIRMATIVE ACTION PROGRAMS

In addition to the affirmative action programs previously mentioned, the University is developing and executing the following programs:

1. The University will continue to review all physical or mental job qualifications.
2. The University will continue to review and evaluate its entire personnel selection process, including training and promotion, to ascertain whether the process permits the stereotyping of individuals with disabilities or Covered Veterans in a manner that limits their access to jobs for which they are qualified.
3. All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes will be trained on affirmative action for individuals with disabilities and Covered Veterans.
4. If Kansas State University holds briefing sessions for recruitment sources, representatives from agencies who specialize in individuals with disabilities and Covered Veterans will be included. Formal arrangements will be made for the referral of job applicants, for follow-up, and for feedback on the disposition of applicants referred.
5. Arrangements will be made to provide opportunities for employees with disabilities and Covered Veterans to discuss any performance problems with their supervisors, and any need for accommodation with their supervisors, the Office of Affirmative Action, or the Human Resources Department.
6. As Kansas State University makes employees available for participation in community activities, employees who are individuals with disabilities or Covered Veterans will be among those who are encouraged to participate.
7. When Kansas State University conducts recruiting efforts at various schools, special efforts will be made to reach students with disabilities and Covered Veterans.

INTERNAL REVIEW PROCEDURE

The University has developed an internal review procedure whereby individuals with disabilities and Covered Veteran employees can raise any issues or claims that may arise during the course of their employment. General communications procedures encourage any and all employees, including those with disabilities or who are Covered Veterans, to discuss such issues or claims. All matters brought to the attention of the Director of Affirmative Action will be formally and confidentially addressed.

MONITORING AND REPORTING SYSTEMS
41 C.F.R. 60-741.44(h), 41 C.F.R. 60-250.44(h)

It is the responsibility of the University's Director of Affirmative Action to monitor all employment and personnel practices to ensure compliance with applicable regulations and adherence to the University's Statement of Policy, to report specific problems to the appropriate management personnel, and to measure the effectiveness of Kansas State University's AAP.

The University's audit and reporting system is designed 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 individuals with known disabilities or Covered Veterans have had the full opportunity to participate in all University sponsored educational, training, recreational and social activities;
- Measure the University's compliance with the AAP's specific obligations.

To ensure that the audit system is effective, all records concerning applicants who are individuals with disabilities or Covered Veterans will be maintained for two years, and all personnel actions involving these employees will be individually maintained as a part of their personnel files.

Special reports summarizing affirmative action efforts to assist covered employees, descriptions of any formal complaints, etc. will be provided to members of upper management at least annually. This AAP will be updated annually and will include a summary of the previous year's actions and programs.

HARASSMENT
41 C.F.R. 60-741.44(e), 41 C.F.R. 60-250.44(e)

Kansas State University has developed and implemented procedures to ensure that employees who are individuals with disabilities or Covered Veterans are not harassed because of their disability or veteran status.

A copy of our Policy and Procedure for Discrimination and Harassment Complaints that forbids harassment against individuals based on protected characteristics is included in the Exhibits section (see Exhibit E).

TRAINING
41 C.F.R. 60-741.44(j), 41 C.F.R. 60-250.44(j)

The University trains all personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes to ensure that the commitments in the University's AAP are implemented.

LISTING OF EXHIBITS

Exhibit A - Appendix 22: Invitation for Individuals with Disabilities and Covered Veterans

Exhibit B - 2010 Vets 100 Report

Exhibit C - State of Kansas Veterans' Preference Policy

Exhibit D - Policy and Procedure for Discrimination and Harassment Complaints

Exhibit E - PPM 4410.070 Special Considerations in Recruiting

EXHIBIT A

AFFIRMATIVE ACTION PROGRAM

WORKERS WITH DISABILITIES, SPECIAL DISABLED VETERANS, DISABLED VETERANS, VIETNAM
ERA

VETERANS, ARMED FORCES SERVICE MEDAL VETERANS, OTHER PROTECTED VETERANS, AND
ONE-

OR THREE-YEAR RECENTLY SEPARATED VETERANS

As a government contractor, Kansas State University is subject to the Rehabilitation Act of 1973 (Section 503), and Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA), which require government contractors to take affirmative action to employ and advance in employment, qualified persons with disabilities, qualified Vietnam veterans, and other qualified eligible veterans covered by VEVRAA as defined below. If you are a qualified person with a disability or a veteran covered by VEVRAA, we would like to invite you to participate in our affirmative action program. If you would like to be included under the affirmative action program, please tell us. You may inform us of your desire to benefit under this program at this time and/or at any time in the future. Kansas State University's affirmative action program describes the University's commitment to undertaking affirmative action to recruit, place and advance in employment covered veterans and qualified individuals with disabilities. The affirmative action program is available to all employees for review during regular business hours. Submission of this information is voluntary and your decision not to provide it will not affect the consideration you are being given for employment or subject you to any adverse treatment. The information you provide will be kept confidential as far as practicable and in accordance with the law, and will be used to assist in providing reasonable accommodation and for statistical reporting as required by government agencies. In particular, the following may have access to the information you provide: (i) supervisors and managers may be informed regarding restrictions on the work or duties of disabled persons, and regarding necessary accommodations, (ii) first aid and safety personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment, and (iii) Government officials engaged in enforcing the Americans with Disabilities Act or laws administered by the Office of Federal Contract Compliance Programs, may be informed. The information shall not be used in a manner inconsistent with VEVRAA or Section 503.

RETURN TO THE AFFIRMATIVE ACTION OFFICE
214 Anderson Hall

AA-1
APPENDIX 22 Kansas

State University Manhattan, KS 66506 Federal and State laws and regulations require Kansas State University to invite applicants to voluntarily self identify. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information provided on this form will be used only in ways that are consistent with the Vietnam Era Veterans' Readjustment Assistance Act of 1974, the Americans with Disabilities Act, and Executive Order 11246. It will not be included in your application or personnel file. The information is considered confidential and will be used by the Office of Affirmative Action for the purpose of establishing protection under the law, determining appropriate accommodations, administering first aid, and compliance with laws and regulations. The information will be protected against misuse by others.

Name: _____ (please print) Date: _____ 1. GENDER Male
Female 2. RACE/ETHNICITY Please check one word below which best describes your racial or ethnic group:
____ White ____ Black ____ Hispanic ____ Asian/Pacific Islander ____ American Indian/Alaskan Native 3. DISABILITY
A. A handicap or disability means any physical or mental impairment, which causes you difficulty in securing, retaining, or advancing in employment. Please check one word below which best describes your disability, if any: ____ Visual
____ Hearing ____ Speech ____ Physical ____ Developmental ____ Other (please describe) ____ None B. Please
indicate whether you will need special accommodations during the interview process. ____ Yes ____ No If yes, please
describe: 4. VETERAN STATUS A. Are you a disabled veteran? ____ Yes ____ No B. Are you a Vietnam Era
Veteran (between August , 1964, and May 7, 1975)? ____ Yes ____ No If yes, date of discharge?
Signature: _____

State of Kansas

<http://da.ks.gov/ps/aaa/recruitment/veterans.htm>

Veterans Preference

The State of Kansas recognizes the enormous contributions of men and women who have served their country in uniform. As a veteran of the Armed Services, you may be entitled to preference when seeking employment with state government.

Why Preference is Given?

In recognition of the sacrifices made by those serving in the Armed Forces, the State of Kansas enacted laws to prevent veterans seeking State employment from being penalized because of time spent in military service. Veterans' preference recognizes the economic loss suffered by citizens who have served their country in uniform, restores veterans to a favorable competitive position for Government employment and acknowledges the obligation owed to disabled veterans. Veterans' preference is not so much as a reward for being in uniform as it is a way to help make up for the economic loss suffered by those who answered the nation's call to arms.

Eligible veterans, or the spouses of veterans, who meet requirements receive preference for employment, promotional opportunities, and a higher retention standing in the event of reductions in workforce. Qualified veterans or spouses who qualify for veterans' preference are guaranteed an interview and to receive consideration for the position for which they apply. The veterans' preference laws do not guarantee the veteran a job. Preference does not have as its goal the placement of a veteran in every vacancy; this would be incompatible with the merit principles that are the foundation of the state's civil service system.

When is Veterans' Preference Given?

Each veteran who meets the requirements for a vacant position shall be offered an interview for that vacancy when all of the following conditions are met:

1. The vacancy is a regular classified position that states in its job notice that the position is "Veterans Preference" Eligible (VPE). This includes all external, internal or agency only vacancies.
2. No individuals who are eligible for the Kansas Employee Preference Program have applied for that vacancy.
3. The military service member was not dismissed or did not resign in good standing from state service.
4. The military service member's active duty is not for the Reserves or National Guard training.
5. The military service member is separated and not on active service at the time of application.

How To Determine Eligibility

State Law - As amended by the 2008 Legislature, K.S.A. 73-201 provides veterans' preference for veterans who separated honorably from active service. Veterans' preference shall be approved:

A. If you entered military service before October 15, 1976.

- During any war between April 6, 1917 through July 2, 1921, and December 7, 1941 through April 28, 1952.
- Between April 28, 1952 and July 1, 1955.
- In any campaign or expedition for which a campaign badge or service medal was authorized.
- For more than 180 days since January 31, 1955, but before October 15, 1976 (excluding the six month Reserve or Nation Guard training program.)

B. If you entered military service between October 15, 1976 and on or before September 11, 2001

- In any campaign or expedition for which a campaign badge or service medal was authorized. Examples of some of the most common campaign medals are: Haiti, El Salvador, Lebanon, Grenada, Panama, Bosnia, Kosovo, Afghanistan, Southwest Asia (Persian Gulf), Rwanda and Somalia.
- Active duty during the Gulf War (August 2, 1990 through January 2, 1992).
See Campaigns and Expeditions which Qualify for Preference.

C. If you entered military service on or after September 11, 2001

- Received the National Defense Medal.

D. If you separated from the armed services under honorable conditions and have a disability certified by the United States Department of Veterans Affairs as being service connected, were issued the Purple Heart by the United States government or were released from active service with a service-connected disability.

E. If you voluntarily retired from the active service with the pay grade of 03 or lower unless you retired due to wounds received in combat or are disabled veterans.

F. If you are a spouse of a veteran who has a 100% service-connected disability or 100% unemployable as determined by the United States Department of Veterans Affairs .

G. If you are the unremarried spouse of a service member, who died while, and as a result of, serving in armed forces.

H. If you are the spouse of a prisoner of war, as defined by K.S.A. 75-4364, and amendments thereto.

How to Identify Veterans Preference' Eligible (VPE) Job Vacancies

Veterans Preference Eligible (VPE) job vacancies are in the classified civil service where the qualified veteran can take advantage of their veterans' preference. These vacancies will state in the job vacancy announcement that the vacancy is a "Veterans Preference Eligible (VPE)" opening. In this event, the hiring agency will provide preference to qualified veterans throughout their selection process; in addition, the posted opening provides you with the qualifications, any preferred qualifications, performance standards, and the process that will be used for selection so that you may make an informed assessment if you qualify for the job and will be competitive in the selection process, and that you would be successful in the job.

Am I Guaranteed the Job?

Qualified veterans are guaranteed an interview and to be considered for a position for which they apply and meet the qualifications for the position but are not guaranteed to be hired for the job.

How to Apply for Veteran's Preference

Applicants claiming veterans' preference for the first time must complete the Veteran Preference field on the Personal Information Registration form, and submit a complete, legible copy of their discharge document (DD 214), showing enlisted and discharge dates, type of discharge, medals received, etc. Please mail the copy of your DD 214, to the Department of Administration, Division of Personnel Services, 900 SW Jackson, Room 252, Topeka, Kansas 66612 or you can fax your DD-214 to (785) 291-3715.

How to be Successful in Job Search

Completing an application and submitting it is not a guarantee for success in being hired. The application and/or resume play an important role in the job search process. The purpose of an application or resume is to communicate your qualifications to hiring managers who, in turn, invite you to job interviews. It is very important in the job interview that you are able to communicate what skills you acquired in the military that are transferable to the job for which you are interviewing. Unfortunately, few people can identify and talk about their skills even though they possess numerous skills which they use on a regular basis. This becomes a real problem when you must go to a job interview. Since the hiring managers want to know about your specific abilities and skills, you must learn to both identify and communicate your skills to them. Will that be enough? It depends. If the position for which you are being interviewed requires specific preferred or essential skills that you do not possess, then the answer is no. If, however, no preferred or essential skills

are required and the hiring manager thinks that you can be trained, then the answer may be yes. If you do not get the job, statistics show that the most successful job seekers are those who develop a high degree of self-reliance, maintain a positive self-image, and are willing to risk rejection a few times without becoming discouraged.

If you need assistance, we recommend taking advantage of the many high quality services that the State of Kansas' Workforce Centers provide to veterans. The Workforce Centers have specially-trained staff to ensure veterans of the U.S. Armed Forces receive maximum employment and training opportunities. Services can include counseling, interview and resume writing workshops and job development with potential employers. To make an appointment with a Veterans Employment Representative or a Disabled Veterans Outreach Specialist, contact your local or nearest Workforce Center office. Click here for the phone numbers and street addresses of the local or nearest Workforce Center Office.

In addition, the State provides Applicant Workshops throughout Kansas in assisting applicants in their job quest. Click here to sign up for the next available session.

Contact the Division of Personnel Services for General Questions:
psweb@da.ks.gov, (785) 296-4278

For Vacancy Specific Questions, Please Contact the Agency Recruiter Advertising the Vacancy.

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POLICY AND PROCEDURE FOR DISCRIMINATION AND HARASSMENT COMPLAINTS

I. POLICY

Kansas State University will maintain academic and work environments that are free of discrimination, racial/ethnic harassment, including sexual harassment and retaliation for filing a complaint under this policy. Discrimination or harassment based on race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, military status, or veteran status is prohibited. Retaliation against a person for reporting or objecting to discrimination or harassment is a violation of this policy whether or not discrimination, or harassment occurred. This Policy is not intended and will not be used to infringe on academic freedom, or to censor or punish students, faculty, employees, or staff who exercise their First Amendment right to express ideas and opinions on any topic.

Supervisors and administrators are obligated to report complaints to the Office of Affirmative Action, to keep complaints confidential, to protect the privacy of all parties involved in a complaint and to prevent or eliminate discrimination, harassment or retaliation; failure to do so is a violation of this Policy. Complaints must be filed within one year of the alleged behavior, are confidential and will not be disclosed to anyone who does not have a need to know. The University cannot guarantee absolute confidentiality because the University is obligated to investigate complaints, protect the privacy of all parties to the extent possible consistent with preventing future acts of discrimination, harassment or retaliation, providing a remedy to persons injured and allowing respondents to reply

to a complaint if it warrants an administrative review. Complaint information may be disclosed to state or federal anti-discrimination agencies for investigations and during litigation.

An impartial administrative review team consisting of a representative of the Office of Affirmative Action and a responsible administrator will evaluate each complaint, decide how to resolve it and ensure that all involved are treated fairly. If the team decides to conduct an administrative review, it will inform the complainant and respondent of the content of the complaint, allow each of them a full opportunity to be heard and respond to questions concerning the progress of the review. The time required for reviews will vary, however, the goal is to complete reviews as quickly as possible. At any point during the administrative review, the team may refer either or both parties to the ombudspersons, Employee Assistance, Employee Relations, University Counseling Services, Dean of Student Life, Human Resources, dean or department head, Mediation Services, or the human systems consultant.

The team will provide a report of its findings and recommendations to the complainant, respondent and the responsible administrator with authority to act on the findings and recommendations. When appropriate, the administrative review team report will include instructions to the responsible administrator to provide the Office of Affirmative Action a written report concerning implementation of the recommendations. The Office of Affirmative Action will contact the responsible administrator to monitor implementation of the recommendations and place the report(s) in the case file.

Persons who violate this policy are subject to disciplinary action, up to and including dismissal from employment or expulsion from the University following proceedings prescribed in the University Handbook, or the By-Laws to the Constitution of the KSU Student Governing Association. Remedial actions will be taken to restore any losses. Examples of remedial actions include, but are not limited to reevaluation of a grade, an evaluation completed by someone other than the respondent, reconsideration of an application for employment, placement in a position, back pay and lost benefits, rescission of a disciplinary action, or a change of housing.

Any person who knowingly files a false complaint, or who knowingly provides false or misleading information is subject to disciplinary action. No action will be taken against an individual who makes a good faith complaint, even if the allegations are not substantiated.

II. DEFINITIONS

- A. **Discrimination:** In this Policy, discrimination is treating an individual adversely in employment or academic decisions based on race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, military status, or veteran status without a legitimate, nondiscriminatory reason for the treatment or maintaining seemingly neutral policies, practices or requirements that have a negative effect on employment or academic opportunities of members of protected groups without a valid business or academic reason.
- B. **Harassment:** In this Policy, harassment is conduct toward a person or persons based on race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, military status, or veteran status that has the purpose and effect of: (1) Creating an intimidating, hostile, or offensive work or educational environment for the person(s), or (2) Unreasonably interfering with the work, academic performance, living environment, personal security, or participation in any University-sponsored activity of the person(s), or (3) Threatening the employment or academic opportunities of the person(s). Repeated incidents, even where each would not, on its own, constitute harassment, may collectively constitute harassment under this definition.
- C. **Responsible Administrator:** In this Policy, responsible administrator means a unit or department head, director; an individual named by the president, provost and senior vice president, a vice president, an associate vice president or a dean, who serves on the administrative review team; or the University official with authority to implement the findings and recommendations of an administrative review team.

- D. Retaliation:** In this policy, retaliation is any attempted or completed adverse action taken without a legitimate reason against an individual because he or she has filed a complaint, opposed a policy or practice the individual believed was discriminatory or participated in the resolution of a complaint under this policy.
- E. Sexual Harassment:** In this Policy, sexual harassment is unwelcome sexual advances, requests for sexual favors, disparagement of members of one sex or other verbal or physical behavior of a sexual nature when: (1) Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, living environment, or participation in a University activity or program; or (2) Submission to or rejection of such conduct is used as the basis for or as a factor in decisions affecting that individual's employment, education, living environment or participation in a University activity or program; or (3) Such conduct is sufficiently serious, and repeated often enough to (a) unreasonably interfere with an individual's job or educational performance, or (b) create an intimidating, hostile, offensive or abusive environment for that individual's employment, education, living environment or participation in a University activity or program.

Sexual harassment may occur between persons of the same or opposite sex, and either as single or repeated incidents. The alleged conduct will be evaluated by considering the totality of the circumstances (the nature, frequency, intensity, location, context and duration of the alleged behavior).

III. PROCEDURE FOR REVIEWING COMPLAINTS

- A. Step 1-The Initial Report:** Any applicant for employment, employee, staff or faculty member, student, graduate student or participant in a university activity or program who experiences conduct that the person believes constitutes discrimination, harassment, sexual harassment or retaliation should:
1. Report the complaint to the head of the department or unit in which the conduct occurred. However, if that person's conduct is the reason for the complaint, then report the conduct to the next higher level of supervision; or
 2. Report the complaint to the Office of Affirmative Action.
- B.** Students may also report their complaint to the Office of Student Life.
- C. Step 2-Formation of the Administrative Review Team:** The individual who receives the complaint will inform the Office of Affirmative Action of the complaint. Likewise, the Office of Affirmative Action staff member who receives the complaint will inform the head of the department or unit, unless that person's conduct is the reason for the complaint. In that case, the Office of Affirmative Action will ask the president, provost and senior vice president, a vice president, an associate vice president or a dean to designate a responsible administrator to serve on the administrative review team. The Office of Affirmative Action staff member and the responsible administrator become the administrative review team for the complaint.
- D. Step 3- Administrative Review Team's Initial Evaluation of the Complaint:** The team will interview the complainant as soon as possible after the report so that both team members hear the complaint and get sufficient information to decide how to resolve the complaint. If the team determines that the conduct, as reported, does not warrant further review under this Policy, the team will notify the complainant of its decision within five (5) calendar days or as soon as possible. That notice will explain the team's decision, explain how the complainant can appeal the decision and refer the complainant to the appropriate University office, service or program with the expertise to address the person's complaint. Time for the notice may be extended for good cause.
- E. Step 4-Written Complaint:** If the complaint warrants further review, the administrative review team will accept a written complaint, or will draft a complaint based on information obtained during the interview. In the latter case, the team will ask the complainant to read and, if necessary, to revise and sign the complaint.
- F. Step 5-Investigation:** With or without a signed complaint, the administrative review team will:
1. Meet with the respondent to provide a copy of the complaint, explain procedures, caution against retaliation, ask the respondent to provide an oral or written response within ten (10) calendar days, and inform the respondent that the review will proceed with or without the response;

2. Receive, clarify and evaluate the respondent's response to the complaint, if a response is made; and
 3. Interview any persons with specific knowledge of the alleged incident(s) and review relevant policies, procedures, files, documents and records.
- G. **Step 6-Determination and Written Report:** The team will consider all of the information it gathered and decide whether or not the respondent violated this Policy. If the team determines that the respondent did not violate this Policy, it will provide the complainant, the respondent and the responsible administrator a written report that describes the review, presents findings, and any recommendations and what the complainant and respondent must do to file an appeal or a grievance. If the team determines that the respondent violated this Policy, it will prepare a written report to the complainant, the respondent and the responsible administrator that describes the review, presents findings and recommendations for sanctions and remedial actions, referrals and follow-up and explains what the complainant and respondent must do to file an appeal or a grievance.
- I. **Appeals Beyond the Administrative Review Process:** A complainant or respondent who is not satisfied with the resolution of a complaint, may appeal the administrative review team's determination and/or, any sanction(s) imposed by the responsible administrator.
1. A classified employee with permanent status may appeal to the Classified Employee Peer Review Committee.
 2. A current and former unclassified professional and faculty may appeal to the General Grievance Board.
3. An undergraduate student may appeal to the Student Discrimination Review Committee.
4. A graduate student may appeal to the Dean of the Graduate School.

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Kansas State University

Policies and Procedures Manual

4410.070 Special Considerations in Recruiting

Kansas Employee Preference Program

An employee who has been laid off by a State agency may be eligible for Kansas Employee Preference if they meet the minimum requirements for the position. If a department's pool of applicants includes one of these employees, mandatory restrictions apply. Employment Services Staff will contact departments in these instances.

Veterans' Preference

Candidates who qualify for Veterans' Preference <<http://da.ks.gov/ps/aaa/recruitment/veterans.htm>> and meet the minimum requirements and who receive a rating greater than zero in each of the preferred selection criteria must be offered an interview and considered for the position, regardless of their total score or their average score.

Drug Screening, Alcohol, and Controlled Substance Testing for Commercial Drivers and Safety Sensitive Positions

Commercial Driver Positions

All announcements for positions requiring a commercial driver's license (CDL) will contain a statement that alcohol and controlled substance testing is required as a condition of employment.

Safety Sensitive Positions

All announcements to recruit applicants for designated safety sensitive positions, as law enforcement officers authorized to carry firearms, will contain a statement that drug screening is required at the time an offer of employment is made. Offers of employment are contingent upon successful passing

of the relevant substance testing.