



FLORIDA STATE UNIVERSITY

6C2-4.011 Affirmative Action Program.

(1) ~~Preface.~~ As a federal contractor, the University is required to take positive steps, also known as affirmative action, to avoid illegal discrimination against certain groups that have been the subject of discrimination including women, racial and ethnic minorities, individuals with disabilities and certain veterans. The premise being that absent discrimination, the University's workforce will generally reflect the gender and racial/ethnic profiles of the qualified labor pool from which the University recruits. ~~Affirmative action. Various diagnostic analyses are required to discover potential problems and then positive programs to correct or eliminate those potential problems should be implemented. The diagnostic analyses and action-oriented programs are known collectively as an affirmative action program or an AAP, essentially the revision of standards and practices to assure that the University is in fact drawing from the largest market place of human resources in staffing. Nondiscrimination requires the elimination of all existing discriminatory conditions whether purposeful or inadvertent. The premise being that unless positive action is undertaken to overcome the effects of systematic institutional forms of exclusion or underutilization, a benign neutrality in employment practice will tend to perpetrate the status quo ante indefinitely.~~

(2) Administrative organization. The responsibility for implementing the affirmative action program of the University resides with the President. The program is ~~implemented through the regular administrative channels; affirmative action is a complex challenges that~~ and requires the understanding, cooperation, and commitment of all elements of the University community. Because of the unique requirements of an affirmative action program, ~~the President has designated the Office of Diversity and Compliance to coordinate University efforts in this area and to~~ however, additional groups have been activated within the University to ensure good faith efforts and on-going full and complete compliance. Where possible, these groups are temporary until their functions can be absorbed into the regular administrative mechanisms. Where this does not seem a workable solution, they shall remain permanent groups within the University administration.

Specific Authority 1001.74() FS., 6C-5.900(3), (4).

6C2-4.012 Director of Diversity and Compliance/Chief Diversity Officer Assistant to the President for Human Affairs

In order to keep the President more keenly aware of the problems, issues, laws, and latest developments in the area of equal opportunity, human relations and affirmative action, diversity and non-discrimination and in order to meet his/her responsibilities for planning, coordinating, and evaluating these programs affirmative action program of the University, the President appointed an Director of Diversity and Compliance/Chief Diversity Officer, Assistant for Human Affairs. ~~The Director of Diversity and Compliance/Chief Diversity Officer reports to the Chief Human Resources Officer. Assistant to the President for Human Affairs reports directly to the President.~~ Duties of the ~~Assistant~~ Director include:

(1) Serving as a resource person, on a regular basis, to the President, Vice Presidents, other Executive Officers, and the various University and State University System committees and councils involved with equal opportunity, affirmative action, diversity and non-discrimination, human relations, and upon request, to the University community, and the local, state, and national communities regarding the problems, issues, and programs of affirmative action for equal employment opportunities.

(2) Planning, recommending, developing, and/or coordinating the procedures to be used in the implementation of the University's affirmative action programs

(3) Reviewing periodically and reporting to the Board of Trustees, President Vice Presidents, and others as appropriate, on the progress made by the various University units regarding their goals and

timetables and their elimination and/or revision of policies and practices which have had a disparate impact upon minority group members and women.

Specific Authority ~~110.051(2)(e), 240.001(1)(e), (d), (g), 240.227(1) FS. Law Implemented 110.051(2)(e), 240.001(1)(e), (d), (g), 240.227(5) FS., 6C2 4.013, F.A.C. History New 9 30 75, Formerly 6C2 4.12, 110.112(c), 1001.74(19) FS.~~

~~6C2 4.013 The President's Advisory Committee for Racial Minorities, Women, and the Physically Handicapped.~~

~~In order to involve a wide variety of individuals in the deliberations related to human relations and affirmative action, the President established an Advisory Committee for Racial Minorities, Women, and the Physically Handicapped. This committee has representation from the University academic and nonacademic personnel, the student body, and from the local community. The responsibilities of this committee include:~~

~~(1) Reviewing the current policies, practices, and programs of the University to determine their impact upon the opportunities for minority group members and women.~~

~~(2) Advising the President about the revision of current policies, practices, and programs which have had a disparate impact upon minority group members and women.~~

~~(3) Recommending to the President the formulation of new policies, practices, and programs which aid the University in meeting its responsibilities for human affairs and affirmative action.~~

Specific Authority ~~120.53(1)(b), 240.001(1)(d), 240.042(2)(a) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a) FS., 6C 4.001(1), (5), 6C 4.002(1), F.A.C. History New 9 30 75, Formerly 6C2 4.13.~~

~~6C2 4.014 Human Affairs Associates.~~

~~In order to establish a University wide network for improving employment practices with respect to minority group members and women, a human affairs associate has been designated by each Dean or Director to serve as liaison between the divisions, colleges, and/or Deans or Directors and the President's Office. He or she has responsibility to and receive the assistance and recommendations of the Office of the President with respect to human affairs and affirmative action. The responsibilities of Human Affairs Associates include:~~

~~(1) Facilitating the communications of their divisions, colleges, and/or schools with respect to the affirmative action guidelines provided by the Office of the President.~~

~~(2) Aiding in the implementation of affirmative action programs as they relate to their divisions, colleges, and/or schools.~~

~~(3) Acting as special assistants to their Deans or Directors with respect to problems and programs of affirmative action.~~

~~(4) Being available as initial contacts for counseling and referral services to employees in their unit.~~

~~(5) Screening complaints which imply discrimination and referring the same to appropriate grievance bodies.~~

Specific Authority ~~120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 110.051(2)(e) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 110.051(2)(e) FS., 6C 4.001(1), (5), 6C 5.001(1), (2), 6C 5.002(1), (3), F.A.C. History New 9 30 75, Formerly 6C2 4.14.~~

~~6C2 4.015 Equal Opportunity Committee.~~

~~In order that patterns of discrimination may come to the attention of the University before formal charges or grievances are filed, an Equal Opportunity Committee has been established. This committee is comprised of nine (9) persons including representatives from the faculty, administrative and professional staff, career service employees, and students. The responsibilities of this committee include:~~

~~(1) Reviewing periodically the operations of the several units of the University, to ascertain whether there are policies or practices which have a disparate impact upon minority group members and/or women.~~

- (2) Reporting the results of reviews to the appropriate official of the units under review.
- (3) Reporting periodically to the President the recommendations given and the subsequent affirmative action taken by the unit under study, or the unit's subsequent neglect of affirmative action.
- (4) Maintaining a public record when cases are referred to appropriate University bodies or other state agencies for resolution.

Specific Authority ~~120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 112.041(1) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 112.041(1) FS., 6C 5.001(1), (2), 6C 5.002(1), (3), F.A.C. History New 9-30-75, Formerly 6C2-4.15.~~

~~6C2-4.016 Equal Opportunity Commission.~~

~~In order that individual complaints of discrimination may come to the attention of the University before formal charges are brought through outside agencies, and Equal Opportunity Commission has been established. This commission has broad representation from the University community. The responsibilities of this commission include:~~

- ~~(1) Receiving and investigating complaints from academic and nonacademic personnel, and students alleging discriminatory policies.~~
- ~~(2) Conducting formal hearings of the complaints when appropriate.~~
- ~~(3) Maintaining a transcript of all proceedings which are available to the President of the University and to any court of agency authorized by law to review the action of the commission.~~
- ~~(4) Making every reasonable effort to resolve complaints without formal investigation.~~
- ~~(5) Rendering recommendations to the President regarding all complaints either that the claim be dismissed or specify actions to remedy violations of the University's policy against discrimination.~~

Specific Authority ~~120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 112.041(1) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(1), (2), 112.041(1) FS., 6C 5.001(1), (2), 6C 5.002(1), (3), F.A.C. History New 9-30-75, Formerly 6C2-4.16.~~

~~6C2-4.017 Task Force on Faculty Women's Salaries.~~

~~In order that the unequal salaries of women faculty members might come to the attention of the University without delay, the chief academic officer appointed a Task Force on Faculty Women's Salaries. The responsibilities of this committee include:~~

- ~~(1) Determining whether or not women faculty are equitably paid relative to male faculty within academic departments.~~
- ~~(2) Recommending to the chief academic officer the adjustments necessary if any, to achieve salary equity between sexes within the departments.~~
- ~~(3) Responsible officials and designated groups, where appropriate, effect the development and implementation of affirmative action plans.~~

Specific Authority ~~120.53(1)(b), 240.001(1)(d), 240.042(2)(a), (b), 112.041(1) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), (b), 112.041(1) FS., 6C 5.001(1), (2), 6C 5.002(1), (3), F.A.C. History New 9-30-75, Formerly 6C2-4.17.~~

6C2R-4.01318 Non-Anti-Discrimination Policy and Procedures.

Article I Purpose.

The Florida State University affirms its commitment to a policy of nondiscrimination on the basis of race, religion, color, age, sex, or national origin, disability, veteran's or marital status and establishes the following procedures to prevent such discrimination in accordance with due process within the University community. In doing so, the University recognizes its obligation to strive actively to build a community in which opportunity is equalized and use its facilities and human resources to develop the skills and opportunities of the members of all the groups so they may play reasonable and productive roles in society. This policy is relevant to all aspects of the University, including the choice of contractors and suppliers of

goods and services. An employee of Florida State University (FSU) who feels that he or she has been aggrieved may obtain a hearing of the grievance by filing a formal complaint detailing the time, the place, and the specific facts in support of the alleged discriminatory act. The University establishes has designated the Office of Diversity and Compliance to review and investigate such complaints. ~~the Equal Opportunity Committee and the Equal Opportunity Commission to carry out its policy in the manner outlined below.~~ All units of the University will take appropriate action to implement this policy and these procedures. The President appoints a director of the Equal Opportunity Committee and an executive secretary for the Equal Opportunity Commission. The director and executive secretary serve as ex officio members with voice but without vote and as support staff in the investigative stages of the complaint.

~~Article II Prohibited Acts.~~

(1) Kinds of discrimination prohibited.

(a) Disparity of treatment in employment, job placement, training, promotion, termination, salary or other economic benefits on the basis of race, religion, color, age, sex, ~~or~~ national origin, disability, veteran's or marital status.

(b) Limitation to access to residence, or to participation in educational, athletic, social, cultural, or other activities of the University because of race, religion, color, age, ~~or~~ national origin, disability, veteran's or marital status.

(c) Discrimination of the foregoing types on the basis of sex, unless based on bona fide requirements of distinctions in housing, restrooms, athletics, and other such areas.

(d) Harassment based on race, religion, color, age, sex, ~~or~~ national origin, disability, veteran's or marital status.

(e) Retaliation for filing complaints or protesting practices which are prohibited under this article.

(2) Scope of prohibitions.

(a) All educational, athletic, cultural, and social activities occurring on the Florida State University campus.

(b) University sponsored off-campus programs.

(c) Housing supplied or regulated by the University.

(d) Employment practices between the University and its employees.

(e) Choice of contractors and suppliers of goods and services.

~~Article III Equal Opportunity Committee.~~

~~(1) The Equal Opportunity Committee shall be established.~~

~~(2) Composition and selection of the Equal Opportunity Committee and its staff:~~

~~(a) This Committee shall be composed of a director with voice, but no vote, and nine representatives of the faculty, administrative and professional staff, career service employees, and students. The 9 members shall be distributed as follows: 3 faculty, 1 administrative and professional, 3 career service, 1 graduate student, and 1 undergraduate student.~~

~~(b) The members of the Equal Opportunity Committee shall be chosen as follows: The President (or Chief academic officer), from a list supplied by the Committee on Appointments, shall select three faculty members, at least one of whom shall be from the protected classes, for one year terms. The Student Body President of Florida State University shall select the two student members, one of whom shall be from the protected classes, for one year terms. The Vice President for Student Affairs shall select three career service members, at least one of whom shall be from the protected classes, for two year terms. The Vice President for Administration shall select the member from the administrative and professional staff for three year terms except the first term shall be for two years.~~

~~(c) At the first meeting of the year, the Equal Opportunity Committee shall select a chairperson from among its members to serve for that year. Five voting members will constitute a quorum for the purpose of recommending final action of the Committee.~~

~~(d) The Assistant to the President for Human Affairs or an employee of the University designated by him or her and approved by the Committee shall serve as secretary of the Equal Opportunity Committee~~

and shall handle requests by the Committee for staff assistance.

(e) A legal advisor shall be provided by the University to the Committee.

(3) Jurisdiction and procedures of the Committee.

(a) The Committee shall conduct periodic reviews of the operation of the several units of the University, to ascertain whether there are policies or practices of said units which may reflect discrimination. Prior to the review of any unit appropriate notification shall be made to the President. Upon recommendation by the Committee, and approval of the President, units of the University shall provide access to the records necessary for the review. Any such review in the name of the Committee and under authority granted in this statement of policy shall be undertaken only after specific authorization of the Committee and shall be under the continuing supervision of the Committee and the confidentiality of personnel records and the principle of privileged communication shall be respected. Any alleged abuse of the powers of this Committee may be appealed at any time directly to the President of the University.

(b) Should the Committee identify policies, practices, or patterns of behavior that may reflect discrimination as defined in this document, it shall report the same to the responsible officials of the unit. The Committee shall also recommend to appropriate responsible officials such affirmative action it deems necessary to correct the discriminatory practices or patterns.

(c) If responsible officials receiving recommendations for affirmative action from the Committee pursuant to paragraph two fail to initiate affirmative action without delay, the Committee shall report such failure of action to the President.

(d) Any person or persons having knowledge of acts which might constitute prohibited discrimination, but without a personal grievance, shall have the right to file a complaint with the appropriate Human Affairs Associate reciting the facts of such alleged discrimination and requesting corrective action in the same manner as a person aggrieved. Such complaints shall have the same right as an aggrieved party to appeal to the Equal Opportunity Commission in the same manner as provided in Article IV (3)(a) of this document.

(e) In appropriate cases, complainants may be referred to appropriate University bodies or other state agencies for the resolution of their complaints. The Committee shall maintain a public record of such referrals and the actions taken by the University bodies or agencies to which referred.

(f) Complaints involving interpersonal relations not connected with the official functions of the University or not involving discrimination as defined above shall be referred to appropriate agencies.

(g) The Committee through its director shall make regular monthly reports to the President of the University.

Article IV The Equal Opportunity Commission.

(1) An Equal Opportunity Commission shall be established.

(2) Composition and selection of the Equal Opportunity Commission.

(a) Two students appointed by the Student Body President from nominees submitted by the University Student Judiciary. Initially one junior shall be appointed for two years and one senior for one year. Thereafter, all those appointed shall be juniors and shall serve for two years, unless appointed to fill an unexpired term. At least one member shall be a minority group member and one female. One graduate student shall be selected by the Presidents of the various graduate school associations for a two year term. Two faculty members shall be selected by the Faculty Senate Steering Committee for three year terms. Initial appointments shall be for one and two years. At least one shall be a minority group member or female or both. One Law faculty member shall be selected by the Dean of the College of Law for a three-year term. One member representing administrative and professional personnel shall be selected by the Vice President for Administration to serve for three years. One member shall be selected by the Vice President for Administration representing the clerical and technical workers for a term of three years. The VPA shall also select one member representing labor to serve for three years except that the initial appointment shall be for two years. Members of the Commission shall not serve concurrently on the EO Committee.

~~(b) The President of the University shall appoint an executive secretary to the Commission.~~

~~(c) At the first meeting of the year, the members of the Commission shall elect from among their number a chairperson, who shall serve in that capacity for the year.~~

~~(3) Jurisdiction of the Equal Opportunity Commission.~~

~~(a) The Commission shall have jurisdiction to hear complaints filed by University students and academic and nonacademic employees where the complaint alleges that the complainant was a victim of discrimination in violation of the policies defined in this document. Such claims, to be entitled to consideration, shall specify the time, the place, and specific facts in support of the alleged violation.~~

~~(b) All claims shall be in writing and shall be filed with the Equal Opportunity Commission via Human Affairs Associate.~~

~~(c) The Commission shall forward an information copy of the written claim to the Office of University Human Affairs.~~

~~(d) The Commission shall have jurisdiction over complaints referred by the Equal Opportunity Committee as authorized by the section establishing that committee.~~

~~(e) The Commission shall have jurisdiction to consider any claims properly brought within this policy notwithstanding the availability of other procedures for the resolution of such claims; in this regard, it is recognized that the University has established grievance procedures applicable to faculty, staff, and students which run concurrent with the right of an individual to complain to the Commission; it is also recognized that those rights of appeal accorded career service employees under Title 60K, F.A.C., are preserved and shall run concurrently with the right of the affected to seek the jurisdiction of the Commission.~~

~~(4) Procedures of the Equal Opportunity Commission.~~

~~(a) Within 5 days of the filing of the complaint, the executive secretary of the Commission shall discuss with each claimant the nature of his or her particular case and perform the necessary preliminary data collection.~~

~~(b) The chairperson, subsequent to receiving the claim and preliminary data from the executive secretary, shall contact the complained against individual in order to ascertain whether the complaint can be satisfactorily resolved without recourse to a formal investigation and hearing. If such resolution is possible, the chairperson shall authorize a voting member of the Commission to attempt to conciliate the claim. If no such resolution is possible, the chairperson of the Commission shall order that a formal investigation of the claim be conducted.~~

~~(c) In the case where conciliation is recommended and fails, the procedures authorized in paragraph (4)(d) concerning formal investigation will be followed.~~

~~(d) In cases where formal investigation is recommended, the chairperson of the Commission shall appoint three, i.e., one faculty, one student, and one employee other than faculty, voting members of the Commission to investigate the claim. In the course of such investigation, these members shall make every reasonable effort to resolve the complaint. The members shall within 20 days of receipt of the complaint report to the chairperson of the Commission whether or not in their judgement there is sufficient basis for holding a formal hearing. After the filing of such report, the three members who investigate the claim shall not participate further in any hearing in the preparation of any recommendation that may be rendered by the Commission.~~

~~(e) The Commission shall decide, after receipt of the report described in paragraph (4)(d) above, whether or not a formal hearing shall be conducted. In the case of a claim referred by the Equal Opportunity Committee, the Commission shall promptly decide whether or not to hold a formal hearing on the basis of the claim referred. If the Commission decides not to hold a formal hearing, the executive secretary of the Commission shall so notify the individual who filed the claim or the Equal Opportunity Committee; such notification shall include a brief statement of the reasons for the Commission's decision.~~

~~(f) A hearing shall be held in those cases which after investigation require the taking of live testimony and involve genuine issues related to prohibited practices which cannot be resolved by recourse to~~

documents, data, affidavits, or statements of persons or which involve the resolution of credibility issues or contradictory statements made in the course of an investigation.

(g) ~~A hearing shall not be held upon a complaint that challenges a policy or practice of the University which is alleged to be discriminatory or to operate in a discriminatory manner. Such a practice or policy shall be referred to the Equal Opportunity Committee for investigation and determination as to whether such policies or practices have a disparate impact on protected classes and cannot be justified on a reasonable basis.~~

(h) ~~In cases where hearings are not held, the Commission shall issue a recommendation based upon a review of the investigative file.~~

(i) ~~In any formal hearing conducted by the Commission, the following procedures shall apply: (1) the complainant and the party charged with violation of the University policy against discrimination shall receive notice of the hearing at least 10 days in advance of such hearing; (2) the complainant and the party charged with violation of the University policy against discrimination shall have an opportunity to present evidence in support of their positions; (3) the complainant shall carry the burden of demonstrating, by a preponderance of the evidence, a violation of the University policy by the party charged; (4) the Commission shall maintain a transcript and record of all proceedings, which records shall be available to the President of the University and to any court or agency authorized by law to review the action of the Commission; (5) the Commission shall notify the parties involved in writing of its recommendation; (6) either party may at his own expense and at his own choosing be represented by counsel; (7) hearings shall be closed except by agreement of the parties involved that they are to be public; (8) the formal rules of evidence shall not apply to hearings before the Commission.~~

(j) ~~Following a formal hearing, the Commission shall render a recommendation to the President within 20 days. The Commission may conclude that a claim lacks merit and recommend dismissal of the claim. The Commission may conclude that there is merit to the claim, in which case its recommendation shall state the findings that support its conclusion and shall specify the action or actions it recommends to remedy the violation of the University policy against discrimination. It should be understood that the purpose of the Recommendation is to remove the effects of the discrimination or prevent its continuation or repetition.~~

(k) ~~The Commission through its executive secretary shall make regular reports as required by the President of the University.~~

(l) ~~In the event the President takes no action on the recommendation of the Commission within 20 days receipt thereof, such recommendation shall be the binding decision that shall be carried out.~~

1000.05, 112.043, 112.044 FS, 6C-5.900(4)(c), F.A.C.

6C2-4.019 Affirmative Action Guidelines for Divisions and Departments.

(1) ~~Policy. The Florida State University is committed to nondiscrimination because of race, religion, color, sex, or national origin. This commitment applies in all areas with students, faculty, and other University personnel. It is also relevant to those aspects of the University concerned with the choice of contractors, suppliers of goods and services, and to the use of University facilities.~~

(2) ~~Florida State University believes in equal opportunity practices which conform to both the spirit and the letter of all laws against discrimination. The University actively strives to build a community in which opportunity is equalized and uses its facilities and human resources to develop the skills and opportunities of the members of all groups so they may play responsible and productive roles in society.~~

Specific Authority 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 112.041(1) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), 112.041(1) FS., 6C 5.001(1), (2), 6C 5.002, F.A.C. History New 9-30-75, Formerly 6C2-4.19.

6C2-4.020 Definition of Terms.

(1) ~~An affirmative action program is a set of specific and result oriented procedures to which a contractor commits himself to apply every good faith effort. The objective of those procedures plus such~~

efforts is equal employment opportunity. Procedures without effort to make them work are meaningless; and effort, undirected by specific and meaningful procedures, is inadequate. An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and women, and further, goals and timetables to which the contractor's good faith efforts must be directed to correct the deficiencies and thus to increase materially the utilization of minorities and women, at all levels and in all segments of his work force where deficiencies exist.

(2) Nondiscrimination. Those practices and policies which, when implemented, do not operate to the detriment of any person on grounds of race, color, religion, sex, or national origin.

(3) Goals. Those projected levels of achievement resulting from analysis by the college, division, or department regarding its employment deficiencies and of what it can reasonably do to remedy them given the availability of qualified women and minorities and the expected turnover in its work force.

(4) Recruitment. The process by which a department develops an applicant pool from which hiring decisions are made.

(5) Hiring. The process of selection from an applicant pool.

(6) Anti Nepotism. Those policies or practices which prohibit or limit the simultaneous employment of two members of the same family and which have an adverse impact upon one sex or the other. Those stated or implied presumptions against the consideration of more than one member of the same family for employment within the same department.

(7) Placement. Job category assignments and treatment of individuals within a single classification.

(8) Training. The processing of programs and/or instructions directed toward remediation, upgrading or specific skills, and gaining new skills.

(9) Condition of work. All terms and conditions of employment including work assignments, education and training opportunities, research opportunities, use of facilities, and opportunities to serve on committees or decision making bodies.

(10) Test. Any paper and pencil or performance measure used as a basis for employment decisions and all other formal scores, quantified, or standardized techniques of assessing job suitability.

(11) Minorities.

(a) Members of ethnic groups, identified as American Negro, Spanish surnamed Americans, American Indian, and American Oriental. All others, including Caucasians, should be identified as "Other".

(b) Women; an affected class which, by virtue of past discrimination, continue to suffer effects of that discrimination.

(12) Job Classification. The assignment of a position to a class or group of positions that are sufficiently similar as to kind or subject matter of work, level of difficulty or responsibilities, and qualification requirements of the work to warrant the same treatment as to title, pay range, and other personnel transactions.

(13) Disparate Treatment. Qualitatively or characteristically dissimilar treatment which prompts negative affects for a particular individual or group.

Specific Authority 120.53(1)(b), 112.041(1) FS. Law Implemented 120.53(1)(b), 112.042(1) FS., 6C-5.001(1), 6C-5.002(1), F.A.C. History New 9-30-75, Formerly 6C2-4.20.

6C2-4.021 Affirmative Action Procedures for Divisions and Departments.

(1) Gather data.

(a) Identify composition of staff by race, sex, salary, and job classification.

(b) Identify percentage of qualified women and minorities available in and to the FSU community and surrounding area.

(c) Examine recruitment, placement, promotion, termination, and training practices.

(d) Examine nepotism, conditions of work, and leave and grievance procedures.

(2) Interpret data and determine needs.

(a) Identify non-compliance practices.

~~(b) Ascertain personnel affected and involved.~~
~~(c) Ascertain AA components adversely affected by current university and/or state policies.~~
~~(3) Establish goals and timetables.~~
~~(a) Determine appropriate goals (significant, measurable, and attainable, separate for minorities and women.)~~
~~(b) Determine appropriate timetables.~~
~~(4) Establish structure and processes.~~
~~(a) Revise and/or modify structure of areas in non-compliance.~~
~~(b) Develop programs and/or packages which encourage and attract participation of women and minorities in the workforce.~~
~~(c) Make proper referrals and/or recommendations according to University protocol which would affect policy change when or where needed.~~
~~(d) Develop monitoring devices.~~
~~(e) Make copy of plans including steps (1) (4) available to Office of University Human Affairs.~~
~~(5) Implement program.~~
~~(a) Activate processes and programs.~~
~~(b) Actively promote and monitor compliance policies.~~
~~(c) Utilize and respond to unit and University wide monitoring devices.~~
~~(d) Increase general awareness and particular knowledge of laws and responsibilities with reference to equal employment opportunities.~~
~~(6) Evaluate program.~~
~~(a) Conduct periodic reviews of action taken.~~
~~(b) Determine the extent to which goals have been obtained.~~
~~(c) Where appropriate, reactivate step (4)(a).~~
~~(d) Process adjustments through step (5).~~
~~(e) Send copy of evaluation results to Office of University Human Affairs.~~
~~(7) Actions and cautions; Recruiting.~~
~~(a) Utilize minority group persons as interviewers and members of search committees and/or recruiting teams.~~
~~(b) Establish contacts in the minority and women's communities. The key to good contacts is credibility—credibility between your department and the contact, credibility between the contact and the minority and women's communities, and credibility among women's groups and organizations.~~
~~1. Contact the nationally known minority groups or women's organizations.~~
~~2. Contact community organizations—school committees, churches, local centers. In some places, these lesser known groups have closer contact with the people than the organizations with national reputation.~~
~~3. If experience shows no group is an adequate contact, seek out individuals and leaders who are well known—ministers, doctors, barbers, beauticians.~~
~~4. If these sources fail, seek out the leaders of community demonstrations. Do not be deterred by radical rhetoric; some of these leaders may have more credibility than better known groups.~~
~~5. Invite minority and women leaders to visit, tour, and/or lecture to your department.~~
~~6. Make an effort to bring minority group members and women into your vacancy information system and equalize their opportunities.~~
~~(c) When you have job openings:~~
~~1. Notify University personnel office.~~
~~2. Advertise in minority and women's community media (newspapers, magazines, radio and T.V. stations.) Utilize these media as regularly as you use other forms of advertising. Always use the phrase, "An Equal Opportunity Employer". Also, indicate that "we welcome applications from minorities and women".~~

3. Utilize referral agencies with a large minority clientele as often as other referral agencies are used.
4. Make clear to non specialized agencies that applicants will be rated on merit only, and encourage them to send minority group and women applicants.

5. Encourage minority and women employees to refer their friends.

(d) Avoid:

1. Relying exclusively upon word of mouth referral.

2. Relying upon walk ins.

3. Relying upon qualifications which are not job related and tend to "screen out" applicants rather than "screen in" qualified minority group persons and women.

4. Restricting positions by sex, unless there is a bona fide occupational qualification involved.

(8) Applications. Accept applications from minorities and women whether or not you have an opening. Keep the applications on file; consult them when openings develop. (Minority group persons and women must be built into the system of employment. While white males may hear of future openings by word of mouth from present employees, minority group persons and women most often do not.)

(9) Interview. When you interview applicants, be certain that:

(a) Interviewers understand and carry out your equal employment policies.

(b) Interviewers are not biased by dress and grooming styles which are unique to certain ethnic or age groups.

(c) Interviewing staff is appropriately representative of group being sought in affirmative action efforts.

(10) Employment standards. Qualifications should reflect what the applicant needs to get the job done. Do not lose potentially good workers because you have artificially high standards.

(a) Eliminate requirements for diplomas and degrees where neither is needed for proper position or job function.

(b) Eliminate or be flexible about experience requirements when the job can be quickly learned, and reduce experience requirements which are excessive.

(c) Review a person on the basis of his or her previous success record and promise, as well as academic achievement.

(d) Assume that women do not permit marital status to affect their acceptance of employment.

(e) Assume that minorities are willing to live and work in a predominantly white community.

(f) Assume that wives of current employees are qualifiable according to standards set forth in the State Personnel Policies.

(g) Apply all of the same considerations and equalizations for minorities and women to employment of minority and women students.

(11) Promotion and training.

(a) Apply the same principles of equal opportunity to current employees as you do to new hires.

(b) Post all promotional opportunities and encourage bidding.

(c) Conduct regular, comprehensive reviews of employee mobility. Pay particular attention to the mobility of minority groups and women.

1. If minorities or women seem not to advance, find out why and make or recommend appropriate adjustments.

2. If minorities and women seem not to penetrate certain sections or divisions, or remain stagnated in other areas, find out why and make or recommend appropriate adjustments.

(d) Wherever additional training is needed, provide it. Encourage all employees to take special courses.

(e) Provide career counseling for all employees to stimulate and encourage persons with potential who previously had not been aggressive.

(12) Work conditions to avoid.

(a) Subjecting persons of a particular sex or minority status to heavier teaching or work loads.

(b) Subjecting persons of a particular sex or minority status to less desirable work or class assignments.

~~(c) Withholding from persons of a particular sex or minority status opportunities to serve on key decision making bodies.~~

~~(d) Withholding from persons of a particular sex or minority status opportunities to apply for research grants.~~

~~(e) Withholding from persons of a particular sex or minority group opportunities to apply for leaves of absence for professional purposes.~~

~~(13) Retention and firing.~~

~~(a) If a minority or woman employee is having difficulty adjusting to his or her job, try to determine why.~~

~~(b) Promote an open door policy where minority and women employees can air their problems.~~

~~(c) Establish a clear publicized system of investigating in house complaints of discrimination.~~

~~(d) Before firing an apparently ineffective minority or woman employee, be certain:~~

~~1. You and supervisors or chairmen have made every effort to integrate him or her into the working community, and~~

~~2. If the employee was hired through a group, the group has been notified and been given an opportunity to help the employee.~~

~~(e) If you must fire a minority group person or a woman, explain why to the employee. If additional training, that you can provide, is needed, advise of its availability.~~

~~(f) Some white and/or male workers may resent affirmative action because they believe it threatens them. Do not take this lightly or ignore it. Most often, opposition stems from misinformation.~~

~~(g) Deal with complaints of "reverse discrimination" with the same tact and dispatch as with other discrimination charges. Evaluate each complaint both individually and in the context of the affirmative action plan.~~

~~(h) Through meetings, announcements, publications, and other means, openly discuss the affirmative action program, its benefits, its progress and operation, and how it affects all employees.~~

Specific Authority 120.53(1)(b), 240.042(2)(a), (b) FS. Law Implemented 120.53(1)(b), 240.042(2)(a), (b) FS., 6C-5.001(1), (2), F.A.C. History New 9-30-75, Formerly 6C2-4.21.

6C2-4.022 Division of Professional Schools and Colleges Affirmative Action Procedures.

~~(1) The Division of Professional Schools and Colleges requires that all personnel vacancies in the Division be filled only after a thorough affirmative action search has been conducted. Documentation on search procedures is to be maintained for record.~~

~~(2) The Affirmative Action policies cover all faculty appointments to include regular, temporary, contract and grant, adjunct and leave of absence replacements, as well as graduate assistant appointments and career service appointments.~~

~~(3) Procedures to be followed, and documentation thereof maintained, in search for faculty positions is as follows:~~

~~(a) Inform Provost of vacancy and obtain written authorization to hire.~~

~~(b) File position listing with Board of Regents Form No. A001 through Florida State University Equal Employment Coordinator.~~

~~(c) Establish open period for applications.~~

~~(d) Advertise in appropriate media.~~

~~(e) Case file documentation required shall include:~~

~~1. File copies of advertisements or list of advertisements by publication for each position, together with text of advertisement.~~

~~2. List of applicants by name indicating Affirmative Action candidates.~~

~~3. Name and vita of person recommended and justification statement.~~

~~4. Provost approves or disapproves in writing.~~

~~5. Invitation (contract letter) is sent to candidate by Dean.~~

- ~~6. Dean notifies Provost in writing of candidate's acceptance or rejection of offer.~~
- ~~7. Dean retains copies of all offers extended.~~
- ~~8. If original offer not accepted, Provost enters certification that original Affirmative Action search stands or was modified by subsequent action.~~
- ~~9. All unsuccessful interviewees must be given an application for them to submit to the State University System to go into the Central Applicant Pool if they so desire.~~
- ~~10. Appointment papers are filed with Provost by Dean.~~
- ~~11. After Provost's review, case file is returned to Dean for file in School's Affirmative Action Files. Such Files are to be kept accurately, up to date, and auditable at any time.~~
 - ~~(4) When position is filled, immediately notify the Equal Employment Coordinator so advertisement in SUS can be cancelled.~~
 - ~~(5) All non-administrative positions must be approved by Provost. Administrative positions must be approved by Provost and Executive Vice President.~~
 - ~~(6) Graduate Assistant positions shall not be required to be advertised externally. Affirmative action search procedures however shall be applied in selecting from the available pool of qualified applicants.~~
 - ~~(7) Procedures to be followed and documentation thereof maintained in search for career service positions is as follows:
 - ~~(a) Inform Provost of vacancy and receive written authorization to hire.~~
 - ~~(b) List position with University Personnel Office.~~
 - ~~(c) Establish open period of one (1) week for grades 1-9 and three (3) weeks for grades 20 and above.~~
 - ~~(d) Affirmative Action compliance procedures include:
 - ~~1. Affirmative Action candidates may be hired at any time within open period without Provost action by direct interaction with the University Personnel Office. Appointment papers for such persons should carry explanatory note.~~
 - ~~2. All requests for hiring authorization after the open period require Provost action.~~~~
 - ~~(e) Documentation required is as follows:
 - ~~1. List of applicants interviewed indicating affirmative action candidates and written assessment of qualifications of all applicants relative to the position.~~
 - ~~2. Vita or comparable personal and employment data sheet of person recommended forwarded to Provost with recommendation and appointment paper.~~
 - ~~3. Provost approves or disapproves recommendation.~~
 - ~~4. Invitation is sent to accepted candidate by Dean or designee and University Personnel Office is informed of action by return of properly completed EA Form 206.~~
 - ~~5. After Provost's review, case file is returned to the Dean for filing in Schools' Affirmative Action files. Such files are to be kept accurately, up to date, and auditable at any time.~~
 - ~~6. Due to critical shortage of applicants in paygrades 11 and below, positions in these paygrades shall be exempted from specific action and documentation as set forth above. Affirmative action goals and principles however are to be considered and applied to the extent practical in all positions.~~
 - ~~7. Units are encouraged to utilize the following aids in recruiting affirmative action applicants:
 - ~~a. Institution and agency lists.~~
 - ~~b. Faculty assistance.~~
 - ~~c. Site visits.~~
 - ~~d. Incentives.~~
 - ~~e. Inter-agency coordination.~~~~~~~~

Specific Authority 120.53(1)(b), 240.042(2)(a), (b) FS. Law Implemented 120.53(1)(b), 240.042(2)(a), (b) FS., 6C-5.004(1), (2)(a), (b), (3)(a), 6C-4.001(8)(a), F.A.C. History New 9-30-75, Formerly 6C2-4.22.

~~6C2-4.023 Division of Arts and Sciences Affirmative Action Procedures.~~

~~(1) Faculty Appointments.~~

~~(a) Deadline dates should not be included in advertisements of open positions without prior discussion with the Provost's Office.~~

~~(b) Copies of advertisements and announcements of an open position (including individual letters) should be sent to the Provost's Office.~~

~~(c) Search or screening committees should have women and/or minority group members of the faculty included if there is such representation within the program unit. A list of the membership of these committees should be filed with the Provost's Office prior to involvement by a committee.~~

~~(d) Prior to the commencement of a search the chairman of the program concerned should review the procedures to be used with the Provost's Office.~~

~~(e) A file of all women and/or minority group members who are considered or who apply for an open position should be kept and each of these individuals should be discussed with the Provost's Office prior to final responses to candidates.~~

~~(f) No invitations for interview visits on campus should be extended without prior discussion with the Provost's Office.~~

~~(g) No commitment, either verbal or written, should be made until the Provost's Office has checked that all the above procedures have been followed.~~

~~(2) Career Service Appointments.~~

~~(a) A copy of all employment action requests should be sent directly to the Provost's Office.~~

~~(b) Career service positions grade 20 and above must be advertised four weeks and positions below grade 20 must be advertised two weeks before they may be filled. (This means that advertisement should begin as soon as an opening is definitely known.)~~

~~(c) Halfway through the advertisement period the Provost's Office should be notified regarding the interviews which have taken place, especially with affirmative action candidates.~~

~~(d) The employing unit must demonstrate that it has taken an active role in the search for affirmative action candidates; that is, the unit must demonstrate it did not simply wait for the Personnel Office to send candidates.~~

~~(e) Appointment of candidates for positions should take into account the current composition of the workforce in the particular program unit and/or position.~~

~~(f) No commitment, either verbal or written, should be made until the Provost's Office has checked that all the above procedures have been followed.~~

Specific Authority 120.53(1)(b), 240.042(2)(a), (b), 110.022(1)(f) FS. Law Implemented 120.53(1)(b), 240.042(2)(a), (b), 110.022(1)(f) FS., 6C 4.001(5), (8)(a), 6C 5.001(1), 6C 5.004(1), (2)(b), F.A.C. History New 9-30-75, Formerly 6C2-4.23.

~~6C2-4.024 Division of Social Sciences and Law Affirmative Action Guidelines.~~

~~Affirmative Action Guidelines for Faculty, Academic, and A&P Appointments.~~

~~The guidelines below are designed to provide assistance in implementing the University's Affirmative Action Policy as outlined in the President's memoranda of January and September, 1974.~~

~~(1) All vacant positions should be advertised in appropriate professional media. Such media should include those aimed at minorities and women.~~

~~(2) In addition to appropriate advertising, each dean and/or department chairman is expected to initiate efforts to identify a pool of female and minority candidates who can be considered for the position along with other candidates. This involves the effective utilization of reliable informants, and the identification of prospective candidates at an early stage in their graduate careers.~~

~~(3) Recruitment for a position should begin early in the academic year and the position held open until~~

~~all reasonable efforts to develop a representative pool of candidates have been exhausted. Under no circumstances should a nonaffirmative action candidate be denied consideration in arriving at your recommendations for appointment.~~

~~(4) All appointments must be approved by the Office of the Provost. In requesting clearance to make appointments, the following information should be provided.~~

~~(a) Media in which position was advertised.~~

~~(b) Independent efforts made to identify a pool of present and prospective minority and female candidates in your discipline.~~

~~(c) A list of the five top candidates deemed qualified for the position including Affirmative Action candidates, if any. Attach a vita for each of these candidates and any Affirmative Action candidates not appearing in the top five.~~

~~(d) State the reasons why the preferred candidate was selected from the list of qualified candidates.~~

~~(5) In considering your request to make an appointment, the Provost may request additional information which should be provided promptly. Exceptions to Affirmative Action appointments will be made depending upon a unit's progress toward the achievement of its goals, the availability of qualified personnel, and other pertinent factors. Under no circumstances will the Provost's Office approve the appointment of a candidate who is not appropriately qualified for the position.~~

Specific Authority 120.53(1)(b), 240.042(2)(a), (b) FS. Law Implemented 120.53(1)(b), 240.042(2)(a), (b) FS., 6C-4.001(5), (8)(a), 6C 5.001(1), 6C 5.004 et seq., F.A.C. History New 9 30 75, Formerly 6C2 4.24.

6C2 4.025 Affirmative Action Guidelines for Career Service Appointments.

~~(1) All vacant positions must be listed with the Personnel Relations Office and the Office of the Provost.~~

~~(2) As with all job applicants, Affirmative Action candidates must satisfy at least the minimum qualifications established for the position by the Division of Personnel. However, a unit may not specify job qualifications which differ from those established in the Career Service Job Manual.~~

~~(3) While primary assistance in identifying suitable candidates will be provided by the Office of Personnel Relations, each unit is expected to develop independent information sources for the identification of a pool of minority candidates. Contacts with local high schools, technical schools, FAMU, and the local Urban League should prove helpful in this regard.~~

~~(4) The Affirmative Action Plan of the University provides that our 1983 goal for the employment of minority Career Service employees should be 34 percent. To accelerate our efforts toward the achievement of this goal, President Marshall has suggested that 80 percent of all new hires during this academic year should be from minority groups. The 1983 goal presupposes a pattern of employment that would exist by that time assuming past practices of racial discrimination are abandoned.~~

~~(5) All Career Service appointments must be approved by the Office of the Provost before an offer is made to a prospective employee. Exceptions to Affirmative Action appointments will be made depending upon a unit's progress toward the achievement of its goals, the availability of personnel, and other pertinent factors. Under no circumstances are non-minority candidates to be denied the right to apply for a position within the Division.~~

~~(6) While the period of time a position is held open before making an appointment will vary with the particular circumstances within a unit, a general rule of thumb is that Career Service positions should be left vacant for a minimum of two weeks. Upon review by the Office of the Provost, an additional waiting period may be required. However, if an appropriately qualified Affirmative Action candidate is identified in less than two weeks, an immediate employment clearance can be requested.~~

~~(7) The University's Affirmative Action Policy presupposes a reasonable proliferation of minorities throughout all Career Service paygrades. Efforts should be made to upgrade minority candidates once entry level employment is achieved within the unit or Division.~~

~~(8) The Administrative Assistant in the Provost's Office will coordinate the Affirmative Action~~

program for the Division. When you have Career Service vacancies to be filled, please keep the Provost's Office informed on a weekly basis of your progress so that the Office can help facilitate your efforts.

Specific Authority 120.53(1)(b), 240.042(2)(a), (b), 110.022(1) FS. Law Implemented 120.53(1)(b), 240.042(2)(a), 110.022(1) FS., 6C 4.001(5), (8)(a), 6C 5.001(1), 6C 5.002(3), F.A.C. History New 9 30 75, Formerly 6C2 4.25.

~~6C2 4.026 Program to Increase Minority Availability in Academic and Administrative and Professional Areas.~~

~~(1) This plan offers an approach to satisfying some of the immediate and future needs for academic and administrative professions at the University. It also presents an approach to coalition of Florida higher education institutions to support and meet their demands within as well as rendering relief regionally and nationally. The strength and effectiveness of the actions herewith suggested are directed toward producing an increased number of minority academicians and administrators within the University.~~

~~(2) Specific objectives:~~

~~(a) Effectuate mechanism for recruiting and education required minority manpower.~~

~~(b) Increase minority student enrollment graduate program.~~

~~(c) Develop a cadre of higher education personnel prepared to contribute an added dimension to traditional systems.~~

~~(d) Aid in realizing the prerequisite to successful affirmative action program goals—pool of applicants.~~

~~(e) Concentrate on preparation of persons for disciplines with greatest discrepancies.~~

~~(f) Help reduce underemployment.~~

~~(g) Help students with professional development who might otherwise remain locked into unchallenging situations.~~

~~(h) Re educate faculty and other personnel for new skills in areas where blacks are few or have been displaced.~~

~~(i) Develop through internship, minority representation within central administration and at other administrative levels.~~

~~(3) Procedures:~~

~~(a) Prior to recruiting participants:~~

~~1. Identify universities for participation in a student or employee exchange for higher education.~~

~~2. Determine disciplines where minority talents are underutilized.~~

~~3. Secure financial support and work out reciprocal arrangements.~~

~~(b) Selection process:~~

~~1. Nominations by departments from institutions committed to both educating and hiring minorities.~~

~~2. Final selection will be made by special advisory commission.~~

~~3. A minimum of five will be appointed the first and subsequent years.~~

~~(c) State University System Commitment.~~

~~1. Tuition waiver for program participants.~~

~~2. Financial resources for participant support.~~

~~(d) University Commitment.~~

~~1. Assignment of department mentor for continued professional development.~~

~~2. Consideration for employment or promotion of program participants upon completion of program.~~

~~(e) Student Commitment. Minimum of 2 years of service in the state for each year of support.~~

~~(f) Sources of funds for expanding program shall come from:~~

~~1. State (special allocation).~~

~~2. Foundations and corporations.~~

~~3. Federal Government.~~

~~(g) Criteria for selection:~~

~~(h) Faculty:~~

~~1. Completion of masters degree.~~

2. 25-35 years of age.
3. Minimum of two years of employment in area of specialty or related area.
4. Nomination by department head, faculty, alumni and student.
5. Eligible for promotion or employment.
6. Meet eligibility requirements for admittance to Ph.D. program.

(i) Administration.

1. Two years of service in profession.
2. Eligible for admittance to university.
3. 25-35 years of age.
4. Demonstrated aptitude for or proficiency in administrative techniques.
5. Nominations by department head or unit officials.
6. Acceptance by an administrative mentor.
7. Eligible for promotion or employment.

(4) Alternatives for participation after two years service at the University.

(a) A year's leave for study, and alternate quarters until completion.

(b) Alternate quarters until completion.

(c) Summer quarters.

(d) A year's leave for study and subsequent summers until completion.

(5) Length of participation (maximum).

(a) Administrative internship—one year or equivalent quarters.

(b) Faculty—three years or equivalent quarters.

(6) The status of participants will be evaluated annually to determine the extent to which they are successfully completing programs and ultimately how many have been appointed or offered contracts for employment in higher education in the state.

Specific Authority 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), (b) FS. Law Implemented 120.53(1)(b), 240.001(1)(d), 240.042(2)(a), (b) FS., 6C 4.001(5), (8)(a), 6C 5.001(1), 6C 5.002(2), (3), 6C 6.001(1), (2), F.A.C. History New 9-30-75, Formerly 6C2 4.26.