

## **Policy 10: Non-Discrimination**

### **10.A: Discrimination/Affirmative Action--General Policy Statement and Long-Range Goals**

The University of Colorado first wrote "A Plan of Affirmative Action" in 1970. In 1971, the plan was revised and adopted by the Board of Regents. The original plan contained good statements of policy but their implementation depended primarily upon general good-will efforts to insure that all segments of the University were aware of the policies and were working fairly to resolve inequities. Today, however, it is recognized that passive non-discrimination is not enough. The president of the University of Colorado, therefore, has determined that action be taken to reaffirm and extend our policies of non-discrimination and to commit the university to a program of affirmative action designed to meet the University's public and professional responsibilities, including the full requirements and spirit of the law.

During the campus visits of the H.E.W. compliance team, the president initiated actions to improve the University's situation in regard to the utilization of women and minorities. Since the issuance of the compliance review in August, 1972, University personnel have spent considerable time in self-appraisal and working out the details of where we are now, where we should be and how to get there. Real affirmative action demands immediate, imaginative and sustained efforts to devise new systems that will result in wider representation of women and minorities at all levels on all four campuses. While preserving our merit-oriented objectives, we must also open doors that have heretofore been closed. We must move swiftly to identify and correct inequities and to design recruiting, training and career advancement programs. Real affirmative action also requires frequent evaluation and analysis to insure that the University is, in fact, maintaining a reasonable rate of progress toward our immediate and long-range goals.

The University has three principal long-range goals:

(1) To achieve within each academic and non-academic unit and within the University as a whole, a diverse, multi-racial faculty and staff capable of providing for excellence in the education of its students and for the enrichment of the communities which it serves. In seeking to fill openings, every effort will be made to recruit in such a way that women and individuals from minority groups will have optimal opportunity to be considered and appointed. Unless it can be clearly demonstrated that a unit goal is impossible to attain because qualified employees are not available, it is understood that all segments of the University are aggressively working to achieve an employee balance which, in ethnic and male/female proportions, approximates that of the general population and of the percentages of qualified individuals available in specific recruitment pools. The University will not seek to hire unqualified faculty or staff, but will do its share in helping increase the numbers of available qualified women and minorities beginning with encouraging more such individuals to enter undergraduate and graduate programs. In addition, departments and units will be encouraged to hire trainees and apprentices who can, through experience, become qualified.

(2) To achieve equity in all aspects of policies and practices for all University employees. Thorough studies are under way, and will be conducted continuously, to identify existing inequities and to design and implement both short-range and long-range corrective actions.

(3) To improve personnel practices and the dissemination of information about them. Improved procedures will be put into effect for the way job openings are announced, how applicants are processed, how positions are filled, how promotions, transfers and reclassifications are determined, and how records on all procedures are kept and improved procedures implemented. A detailed organization chart with designations of career ladders is being developed; an extensive training program to identify promotable and trainable personnel and assist them up the career ladders is being designed; and a complete revamping of personnel data systems has been accomplished. Additional improvements, along with revised faculty and staff handbooks and other means of communication, will follow as soon as feasible.

Although much of the self-appraisal and analysis work is being done by University administrators, including those designated as affirmative action program directors, the University's plan will not be something handed down from the top. Principal responsibility for setting goals and time-tables will be assigned to operational units. Heads of both academic and non-academic departments are preparing "mini affirmative action plans." These will be summarized for reporting purposes, but will be available on file for reviewing and as a means of appraising our progress toward our goals.

It will be the policy of the University of Colorado to continually assess its progress toward these goals for its own use and for regular reporting as required by law. Specific problem areas will receive special attention and lack of progress in given areas will subject the responsible individuals to both persuasion and sanction.

These policies and goals will remain in effect until "underutilization" and inequities no longer exist.

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Last Amended: June 27, 1973

History:

- Adopted June 27, 1973, pp. 46-47

10.B: Reserved for Future Use

10.C: Reserved for Future Use

10.D: Reserved for Future Use

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### 10.E: Salary Review to Determine Inequities

Salaries for faculty at the University of Colorado are based on merit and market considerations, with each department being responsible for determining the salaries of its members based on their performance in teaching, research, and service. Beyond that, there is a procedure whereby the department is authorized to make adjustments if there are inequities in its salary structure. Individuals who are dissatisfied with their salary have the right to appeal through administrative channels and to seek a review through that appeal, and if the subsequent action is not satisfactory, they may appeal to the Privilege and Tenure Committee.

The first part of the procedure is a statistical review using quantitative variables--age, year of terminal degree, and length of service in the University--in a multiple linear regression. The regression equation is first run with data for white male faculty members to arrive at a prediction line for their salaries. A similar kind of calculation then is done for women and minorities on the faculty. This method is not completely satisfactory because the kind of variables it includes are not reflective of merit but are more typical of factors employed in a state personnel system. It is used to flag individuals whose salaries fall at the extremes, so that they may be examined in a second stage.

In the second stage, the department--under the supervision of the vice chancellor for academic affairs, who has ultimate responsibility for the salary-setting process--conducts an individual review of the flagged salaries based on the merit and market criteria originally used. At that point, the department can make further adjustments.

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Last Amended: March 15, 1984

History:

- Adopted March 15, 1984, pp. 394-402

10.F: Reserved for Future Use

10.G: Reserved for Future Use

## **Policy 10: Non-Discrimination**

### **10.H: Portion of Letter to Representative Gonzalez Adopted by the Regents**

The Board of Regents believes that the University has an obligation to invite speakers of diverse knowledge and views to the campus, to give these speakers a forum where they may express their views without harassment, and to protect these speakers from indignities.

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Last Amended: August 22, 1973

History:

- Adopted August 22, 1973, p. 144

10.I: Reserved for Future Use

10.J: Reserved for Future Use

10.K: Reserved for Future Use

10.L: Reserved for Future Use

## Policy 10: Non-Discrimination

### 10.M: Commitment to Needs of Persons with Disabilities

NOW THEREFORE BE IT RESOLVED that the University of Colorado continue to implement programs on each campus that actively engage representatives of the disabled, faculty, students, staff, and administration which address the stereotypes and attitudinal barriers concerning disabilities, and in ADA compliance program planning and implementation processes; and

BE IT FURTHER RESOLVED that the University continue the timely removal of physical and programmatic barriers through the implementation of its current ADA Transition Plans, consistent with the financial resources allocated for ADA implementation by the State of Colorado, as well as through other programs; and

BE IT FURTHER RESOLVED that the University of Colorado develop plans for ensuring that the academic needs of the students with disabilities are met, specifically including access to library materials and computer facilities. The goal is to enable students with disabilities to participate fully in the educational experiences available at the University of Colorado while meeting the academic standards maintained by the institution; and

BE IT FURTHER RESOLVED THAT program enhancements resulting from this resolution be implemented immediately, consistent with available resources, and that the President shall provide to the Board of Regents an annual report that includes both a progress review and identification of the next year's objectives.

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Last Amended: November 18, 1993

History:

- Adopted November 18, 1993, p. 59

10.N: ~~Employee Communication with Regents~~ – moved to the [Regent Policy 8.A.8](#) effective 6/18/2020

10.O: Reserved for Future Use

# Policy 10: NON-DISCRIMINATION

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## 10.P DIVERSITY

### 1. STATEMENT REAFFIRMING BOARD'S COMMITMENT TO DIVERSITY

Recognizing the need for the Board of Regents to provide strong guidance for the university in matters of diversity, the board hereby reaffirms its absolute commitment to the promotion of diversity in the university community. Specifically, the board affirms that a supportive campus environment demands that all participants in the university be treated with absolute respect for their persons and their work. The realization of such a climate of respect must include an openness, on the part of the university, to new definitions of what constitutes valid and valuable research, pedagogy, and service. Additionally, the board recognizes and affirms that a respect for diversity requires a sincere willingness on the part of the institution to allow all its diverse stakeholders to share in the decision making process, and that no individual or group shall be marginalized or systematically excluded. The board endorses the American Council on Education Statement on Academic Rights and Responsibilities of June 23, 2005, and calls for the incorporation of its principles of academic freedom and intellectual pluralism into this policy on nondiscrimination.

Adopted April 20, 1995; reaffirmed May 13, 1999; revised August 21, 2008.

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### 2. DESCRIPTION OF DIVERSITY

"The University of Colorado is committed to building a community of students, faculty, and staff in which diversity is a fundamental value. People are different, and the differences among them are what we call diversity -- a natural and enriching hallmark of life. A climate of healthy diversity is one in which people value a rich panoply of diverse ideas, perspectives and backgrounds, individual and group differences, and communicate openly."

Adopted May 13, 1999.

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### 3. PRINCIPLES FOR DEVELOPING CAMPUS DIVERSITY PLANS

1. Campus plans will be consistent with the University of Colorado's aspiration to be a place where the quality of education is enhanced and enriched by a diverse campus community and from which all students benefit.
2. Campus plans must adhere to state and federal law and the *Laws of the Regents*.
3. Quotas, "set asides" and/or discriminatory practices must not be included in or inferred from campus diversity plans.
4. Campus plans shall establish aspirations that are ambitious, provided they are realistic and attainable - - challenging CU to stretch its creativity and resources in achieving success.
5. Campus plans shall consider extensive input from the campus community, and require approval by the Board of Regents.
6. Campus plans should consider the availability of existing and reallocated resources to achieve objectives consistent with the Integrated Resources Management Strategy (IRMS) process.

7. Campus plans should build on successful programs existing on our campuses, as well as seek innovative new approaches.

8. Campus plans shall institute internal evaluations of success in meeting aspirations, utilizing appropriate monitoring systems.

9. Accountability rests at all levels of the university, including administrative units and academic departments, as well as individual faculty, staff, and students.

10. Campus plans shall be subject to periodic review and updates when the needs of the university so require.

11. In the design of campus diversity plans, race- and ethnicity-neutral approaches shall, where promising, be considered among other strategies.

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Adopted May 13, 1999; revised August 21, 2008.