



College of Osteopathic Medicine
SAM HOUSTON STATE UNIVERSITY

Element 1.5a: Non-Discrimination

- **1.5a-1 Supporting Documentation**
 - Non-Discrimination Policies
 - SHSU Non-Discrimination Policy PRE-29 – [link](#)
 - SHSU Academic Policy Statement 180621 – [link](#)
 - SHSU Finance & Operations Human Resources Policy HR-22 – [link](#)

Sam Houston State University
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PRE-29 – Non-Discrimination Policy

1. NON-DISCRIMINATION POLICY

Sam Houston State University (SHSU or University) is committed to an inclusive educational and work environment that provides equal opportunity and access to all qualified persons. SHSU in accordance with applicable federal and state law (including Title VII and Title IX) and institutional values, prohibits discrimination or harassment on the basis of race, creed, ancestry, marital status, citizenship, color, national origin, sex, religion, age, disability, veteran's status, sexual orientation, gender identity, or gender expression in employment, educational programs, activities, and admissions. Each supervisor, faculty member, employee, and student is responsible for maintaining an environment that is free of discrimination and for addressing behaviors that violate this obligation in accordance with this policy.

With this policy, the SHSU President designates the Office of Equity and Title IX (Equity and Title IX) to receive complaints of discrimination, designate the investigation and hearing of such matters, and to make final decisions, unless another process is appropriate under TSUS Rules and Regulations or SHSU policies and as stated within.

2. PURPOSE

This policy details reporting procedures for presenting, reviewing, and resolving discrimination complaints, including employee grievances. SHSU reviews and resolves complaints of discrimination by any member of the University community, including faculty, staff, and students or third parties utilizing or providing services to the University. Faculty members, staff employees, and students who discriminate against others in connection with a University activity, program, or workplace in violation of this policy are subject to disciplinary action.

This policy aligns with the Texas State University System (TSUS) Rules and Regulations including Chapter V, section 2.114 and Chapter VII, sections 4.3 and 4.4. Accordingly, complaints alleging sexual harassment or misconduct are governed by and investigated under the TSUS Sexual Misconduct Policy and Procedures.

3. DEFINITIONS

3.01 Complainant – the person who reports being the victim of discrimination.

3.02 Discrimination – conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that:

3.02.1 adversely affects the individual or group's employment or education, and

3.02.2 is different than similarly situated individuals or groups with regard to a SHSU service, benefit, or privilege because of the race, color, national origin, ancestry, citizenship, age, sex, religion, disability, marital status, veterans' status, sexual orientation, gender identity, or gender expression of the individual or group.

3.03 Harassment – is a form of Discrimination consisting of unwelcome verbal, written, graphic, or physical conduct that:

- 3.03.1 is directed at an individual or group because of race, or other categories listed at 3.02.2, or
 - 3.03.2 is intended to harass, intimidate, or humiliate an individual or group based upon race or other categories listed at 3.02.2; and
 - 3.03.3 is sufficiently severe or pervasive to have the purpose or effect of interfering with the individual's or group's employment, education, academic environment, or participation in institution programs or activities; and/or creates a hostile working, learning, program, or activity environment.
- 3.04 *Prima facie* case – one presenting facts or documents that, so far as can be judged from first disclosure, would create a presumption of validity in the absence of response, contradiction or rebuttal by the University. Unsubstantiated allegations shall not be sufficient to establish a *prima facie* case.
- 3.05 Respondent – a person reported to have discriminated against an individual or group. The Respondent must be an enrolled student, registered student organization, or currently employed faculty, staff or administrator at the time of the incident.
- 3.06 Retaliation – “Retaliation” means any adverse action, treatment, or condition taken because of an individual's participation in a protected activity (i.e., reporting or opposing discrimination or harassment, or participating in an investigation regarding discrimination or harassment), including an act intended to intimidate, threaten, or coerce, that is likely to dissuade a reasonable person from opposing discriminatory or harassing practices, filing a charge of discrimination or harassment, or participating in an investigation regarding discrimination or harassment.

4. FIRST AMENDMENT RIGHTS

Freedom of speech and principles of academic freedom are central to the mission of the University. Constitutionally protected expression cannot be considered discriminatory under this policy. However, freedom of speech and academic freedom are not without limits and do not protect speech or expression that violates anti-discrimination laws.

5. RESOURCES FOR COMPLAINANTS AND RESPONDENTS

- 5.01 Recognizing the sensitive nature of discrimination, the University will make every reasonable effort to provide informal avenues for resolution.
- 5.02 Staff, faculty and student employees experiencing discrimination in the workplace should notify and may seek assistance from a supervisor, Equity and Title IX and Human Resources.
- 5.03 Benefit-eligible staff and faculty may utilize the SHSU Employee Assistance Program.
- 5.04 Staff and Faculty employees seeking workplace accommodations should contact Human Resources and refer to Finance and Operations Human Resources Policy HR-05.
- 5.05 The University encourages student Complainants and Respondents to consult the Counseling Center or the Dean of Students' Office.

6. SUPERVISORS IDENTIFYING DISCRIMINATORY BEHAVIOR OR ACTIONS IN THE WORKPLACE

Supervisors receiving reports or otherwise identifying workplace discrimination should consult with Equity and Title IX, Human Resources, and leadership within the department and divisions. Following consultation, the supervisor or administrator will base corrective action on a full review of the circumstances. If the supervisor finds discrimination, the supervisor shall take appropriate action including but not limited to exploring informal resolution, training, or employee discipline appropriate for the situation up to and including termination.

7. INFORMAL RESOLUTION

- 7.01 Informal resolution may be appropriate when the conduct involved is not of a serious or repetitive nature and disciplinary action is not required to remedy the situation. No formal investigation is involved in the informal resolution process and no finding is made. Complainants are also encouraged to try recommended dispute resolution techniques described in SHSU Finance and Operations, Human Resources Policy ER-1, 3.e., before making a formal written report of discrimination.
- 7.02 A request for informal resolution should be made within one year (365 calendar days) of the date of the alleged incident to Equity & Title IX. Equity and Title IX facilitates an informal resolution process when it determines the nature of the problem is such that it can be resolved by agreement on an informal basis.
- 7.03 Methods for informal resolution may include, but are not limited to: coaching the person on how to directly address a situation which is causing a problem; mediating the dispute with the parties; aiding in the modification of a situation in which the offensive conduct occurred; training designed for a department or division; assisting with the resolution of a real or perceived problem; or arranging a documented meeting with the alleged offender that involves a discussion of the requirements of this Policy.
- 7.04 The University will document any reported informal resolution. Such documentation will be retained by Equity and Title IX and will be kept confidential to the extent permitted by law.

8. REPORTS OF DISCRIMINATION

- 8.01 Any individual who at the time of the actions complained of was employed by the University, was an applicant for University employment, was enrolled as a student, or was an applicant for admission to the University should report incidents of discrimination in writing and as soon as possible to Equity and Title IX.
- 8.02 Reports received by Equity and Title IX are reviewed and, when submitted within one year (365 calendar days) of the alleged discriminatory event, are analyzed for potential investigation or resolution.
- 8.03 Reports may be made through the online portal located on the website at <https://www.shsu.edu/dept/diversity-inclusion/reporting> or via:
 - 8.03.1 email to nondiscrim@shsu.edu
 - 8.03.2 in person at the John W. Thomason Building, Suite 302

- 8.03.3 mail to:
 - Office of Equity and Title IX
 - Box 2542
 - Huntsville, Texas 77341-2542
- 8.04 Reports must include
 - 8.04.1 the Complainant's name, email address, and a telephone number where Complainant can be reached during business hours;
 - 8.04.2 names and, if known, contact information to include job title and department of the person or persons alleged to have committed the discriminatory act (the Respondent(s)); and
 - 8.04.3 a description of the alleged discriminatory act or acts in sufficient detail to enable a reviewer to understand what occurred, when it occurred, and the basis for the alleged discrimination (e.g., race, color, national origin, ancestry, citizenship, age, sex, religion, disability, marital status, veterans' status, sexual orientation, gender identity, or gender expression).
- 8.05 Every attempt will be made to keep reported information confidential and restricted to only those identified in this policy, individuals that have information related to the investigation or supervisors that otherwise have a need to know. A person who makes a complaint should be advised that principles of fairness and due process require disclosure to the alleged harasser.
- 8.06 SHSU prohibits retaliation against a person who, in good faith, files a discrimination complaint, assists or participates in the investigation of a report of discrimination, or opposes discrimination. Retaliation may include threats, intimidation or taking any form of employment, academic, or benefit-related adverse action against a person because of their filing of a report/complaint of discrimination and/or participating or assisting in any manner with an investigation or resolution of a complaint of discrimination.
- 8.07 Any person knowingly filing a false charge of discrimination may be subject to disciplinary action.
- 8.08 The University may, in the University's discretion, determine not to investigate under the following circumstances:
 - 8.08.1 a complaint fails to describe in sufficient detail the conduct that is the basis of the complaint (does not present a *prima facie* case of discrimination or retaliation);
 - 8.08.2 the conduct described in the complaint is not covered by this policy;
 - 8.08.3 the respondent is no longer enrolled or employed at the University;
 - 8.08.4 the complaint has been withdrawn; or
 - 8.08.5 informal resolution or other appropriate resolution or remedy has already been achieved or has been offered and rejected.

- 8.09 Equity & Title IX shall maintain records and shall, upon request and no less frequently than annually, advise the Chief Diversity Officer of reports of discrimination.

9. INVESTIGATING REPORTS OF DISCRIMINATION

- 9.01 Written reports of discrimination that are not dismissed under Section 8.08 of this policy will be investigated. Additionally, Equity & Title IX may initiate an investigation without a formal complaint when in receipt of information of discriminatory conduct by a SHSU student, faculty, or staff member.
- 9.02 When the incident or alleged behavior may violate other SHSU policies, the matter may be co-investigated with the Dean of Students' Office or Human Resources.
- 9.03 For employee complaints of discrimination in the workplace, Equity & Title IX will initially determine whether the Complainant has established a *prima facie* case of discrimination.
- 9.04 Upon determining a *prima facie* case of discrimination is established for an employee grievance, or that the complaint is otherwise appropriate for investigation, the assigned investigator shall provide the Respondent with written notification of the complaint in sufficient detail to allow the Respondent an opportunity to respond.
- 9.05 Complainant and Respondent may use an advisor, including legal counsel, for advisory purposes. The advisor may only advise the party and may not otherwise participate in the investigation or meetings related thereto.
- 9.06 The investigator will:
- 9.06.1 review all aspects of the complaint;
 - 9.06.2 ascertain the Complainant's desired resolution;
 - 9.06.3 interview and obtain pertinent information from Complainant, Respondent, appropriate witnesses, and other sources;
 - 9.06.4 notify the TSUS Office of General Counsel when an attorney serves as advisor for a party to the complaint. The Complainant and Respondent may have an advisor present, including legal counsel, during any investigatory meetings, so long as the investigator is notified of the name of the advisor in writing at least forty-eight (48) hours prior to the meeting;
 - 9.06.5 within forty-five (45) days conclude the investigation and determine whether discrimination occurred; and
 - 9.06.6 when the Complainant is an employee asserting discrimination in the workplace, the investigator shall:
 - 9.06.6.1 provide the administration an opportunity to respond to the claim;
 - 9.06.6.2 determine whether the administration has stated a legitimate, non-discriminatory reason for its decision or actions; and
 - 9.06.6.3 provide an investigative summary and recommendation.
- 9.07 The Equity & Title IX Department Head, Title IX Coordinator, or either designee shall make a finding regarding the complaint.

10. NOTICE OF FINDING OF INVESTIGATION

- 10.01 For complaints alleging discrimination Equity & Title IX will communicate the findings to the Complainant, and other parties and departments, as necessary.
- 10.02 When a finding of discrimination is made, appropriate corrective actions may include:
 - 10.02.1 Respondent and/or departmental or group training;
 - 10.02.2 counseling;
 - 10.02.3 written reprimand;
 - 10.02.4 for students, such actions detailed in the TSUS Rules and Regulations Chapter VI, § 5.9;
 - 10.02.5 for staff employees, such actions detailed in the SHSU Finance & Operations Human Resources Policy ER-2; and/or
 - 10.02.6 for faculty members, actions provided in the TSUS Rules and Regulations Chapter V § 4 or the SHSU Faculty Handbook.
- 10.03 A finding of discrimination by a third party may include a recommendation of removal of the Respondent's access to the campus.
- 10.04 When it is determined discrimination occurred, the finding shall also be sent to the appropriate SHSU administrators, as follows:
 - 10.04.1 to the Dean of Students, when the Respondent is a student;
 - 10.04.2 to the Dean of Students and the department head of the office where the student works, when the Respondent is a student employee; or
 - 10.04.3 to the AVP of Human Resources, department head, dean, and vice president in the Respondent's reporting line, when the Respondent is a staff employee or faculty member.

11. CORRECTIVE ACTIONS

- 11.01 The appropriate SHSU administrator in receipt of a finding that includes a recommended corrective action shall review and independently determine whether to impose the recommendations or take another course of action.
- 11.02 The SHSU administrator must notify the Respondent in writing of any corrective actions to be imposed as soon as possible, but not later than ten (10) business days of the receipt of the finding.
- 11.03 When a disciplinary action is imposed upon the Respondent, the Respondent may seek review of the disciplinary action only (not to include the finding) through the regular grievance process:

- 11.03.1 Students may seek due process procedures for a sanction of suspension, expulsion, or dismissal through the TSUS Rules and Regulation, Chapter VI, section 5.6 and 5.7;
- 11.03.2 Staff employees and faculty members (when the sanction does not implicate faculty rights under TSUS Rules and Regulations Chapter V) may grieve a sanction under Finance and Operations Human Resources policy ER-1; and
- 11.03.3 When a faculty member's correction action involves non-renewal, revocation of tenure or other rights detailed in TSUS Rules and Regulations Chapter V, § 4, the faculty member may assert due process rights in accordance with that chapter.

12. GENERAL PROVISIONS

- 12.01 Administrative Closure. Equity & Title IX may administratively close and consider a formal discrimination complaint resolved under the following circumstances:
 - 12.01.1 Complainant lacks standing to file a complaint under this policy;
 - 12.01.2 the University cannot locate Complainant;
 - 12.01.3 Complainant resigns from employment or enrollment;
 - 12.01.4 the University approves Complainant's request for case dismissal;
 - 12.01.5 the parties negotiate full remedy or settlement; or
 - 12.01.6. for other reasons identified in applicable laws, regulations, or policies.
- 12.02 Timelines. The deadlines specified for investigation, findings, and corrective action may be extended upon written notice to the Complainant by Equity & Title IX, an administrator, or an assigned investigator, for legitimate educational, investigatory, or business purposes.
- 12.03 Transfer of Function. If an allegation of discrimination is directed against a Supervisor, Vice President, an employee in Equity and Title IX, or in the event of unavailability or other conflict, the review, investigation, finding, and discipline functions assigned to an individual or office by these procedures may be transferred to the AVP for Human Resources or other administrator designated by the President.
- 12.04 Resort to Other Procedures. If prior to filing a report of discrimination, or while a formal complaint is under investigation, a Complainant seeks resolution of discrimination in any other forum, whether administrative or judicial, the University shall have no obligation to proceed further with the complaint investigation or resolution procedure.
- 12.05 Conflict. This policy is subject to the TSUS Rules & Regulations and in the event of any conflict, the Rules & Regulations shall control. If this policy conflicts with any SHSU policy or rule, this non-discrimination policy shall take precedence.
- 12.06 Equal employment opportunity (EEO) training. Employees are required to complete EEO Training within thirty (30) days from their employment date. This training is web based through the University's electronic training program and provides a certificate of completion at the end of the course. Follow up training is required every two (2) years

thereafter. Employees who do not complete the required training will be subject to disciplinary action up to and including termination.

- 12.07 Notice. Notice of SHSU's Prohibition of Discrimination with a link to this policy shall be provided to employees and students on an annual basis.

Reviewed by: Rhonda Beassie, AVP for Human Resources
Approved by: President and Cabinet
Date: March 29, 2022
Next review: September 1, 2024

1. GENERAL

1.01 The Sam Houston State University College of Osteopathic Medicine (SHSU-COM) is committed to training individuals who are prepared to participate in the continuum of medical training to become future doctors of osteopathic medicine. The SHSU-COM does not discriminate on the basis of race, ethnicity, color, sex, sexual orientation, gender, gender identity, national origin, age, disabilities, religion, creed, ancestry, marital status, citizenship, or veteran's status. The SHSU-COM expects that technical standards be met by all applicants and students, but will not discriminate against individuals who are otherwise qualified.

1.02 The SHSU-COM conducts a holistic review process, in compliance with the Texas Education Code Admission and Scholarship Factors for Graduate and Professional Programs. (Tex. Educ. Code § 51.842). In summary, the Office of Admissions and the SHSU-COM Admissions Committee considers the following:

- Motivation, dedication, and passion for the osteopathic medical profession
- Commitment to social accountability and alignment with SHSU-COM mission
- Academic achievement and scholarship
- Socioeconomic background
- Life experience

1.03 SHSU-COM shall annually publish the national and state average MCAT scores and GPAs of matriculated students. Additionally, the SHSU-COM shall annually publish the average MCAT, GPA, and demographic profile of the most recently matriculated student cohort.

2. ADMISSION PREREQUISITES AND MATRICULATION REQUIREMENTS

2.01 At least three years (90 semester hours or 134 quarter hours) towards a bachelor's degree from a U.S. or Canadian college or university accredited by a Texas Higher Education Coordinating Board recognized accrediting body (some courses may be in progress).

2.02 Completion of the following courses with no grade below "C" (2.0 on a 4.0 scale):

- English, 6 credit hours
- Biology, including laboratory; 8 credit hours
- Physics, including laboratory; 8 credit hours
- General Chemistry, including laboratory; 8 credit hours
- Organic Chemistry, including laboratory; 8 credit hours
 - Biochemistry can be substituted for Organic Chemistry II
- Mathematics: 6 credit hours - 3 hours must be Statistics

- 2.03 Submit to a criminal background check prior to matriculation. Applicants are on notice that individuals with a criminal history may be unable to secure partner medical facility approvals for participation in required clinical rotations, which will preclude completion and award of the Doctor of Osteopathic Medicine degree. Applicants are further advised that the Texas State Board of Medical Examiners may deny the application for license to practice medicine of an individual with a criminal history that includes a felony or certain misdemeanors. For more information, applicants should see Title 3 of the Texas Occupations Code.
- 2.04 In order to matriculate, SHSU-COM accepted candidates must submit post-graduation official transcripts reflecting the degree earned from U.S. or Canadian colleges or universities accredited by a Texas Higher Education Coordinating Board recognized accreditation body. Transcripts must include all work completed as well as the degree and the date the degree was conferred or awarded. All degrees must be conferred and verified before the first day of orientation at SHSU-COM.

3. MINIMUM TECHNICAL STANDARDS

- 3.01 The Sam Houston State University College of Osteopathic Medicine expects its applicants and students to meet certain minimum technical standards. Every applicant and student of the Sam Houston State University College of Osteopathic Medicine is expected to possess those intellectual, ethical, physical, and emotional capabilities required to undertake the full curriculum and to achieve the levels of competence required by the faculty and profession.
- 3.02 SHSU-COM applicants must possess the minimum technical skills and abilities included in the AACOM Educational Council on Osteopathic Principles (ECOP) Technical Standards Document. These standards may be viewed at the following link https://www.aacom.org/docs/default-source/councils/aacom_ecop_technical_standards_2009.pdf?sfvrsn=1f226197_4 and are outlined below:
- a. Observation and Visual Integration
 - b. Communication
 - c. Motor Function
 - d. Sensory Skills
 - e. Strength and Mobility
 - f. Intellectual, Conceptual, Integrative and Quantitative Abilities
 - g. Behavioral and Social Attributes

- h. Participation in Osteopathic Manipulative Medicine Laboratory and Clinical Care Encounters
- i. Dress Code in Osteopathic Principles and Practice Laboratories

4. SUBMISSION OF DOCUMENTS

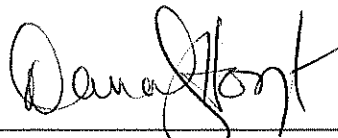
4.01 A medical school applicant must submit the following documentation:

- a. Completed Texas Medical and Dental School Application Service (TMDSAS) application with non-refundable application fee.
- b. Official transcripts from all prior educational institutions attended sent directly to TMDSAS.
- c. MCAT scores released directly to TMDSAS.
- d. Letters of recommendation accepted via TMDSAS.
- e. SHSU-COM Supplemental Application with non-refundable application fee.

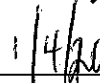
5. MEDICAL STUDENT SELECTION

- 5.01 The Office of Admissions reviews all applications. Candidates with a completed TMDSAS application are invited to complete the SHSU-COM supplemental application.
- 5.02 After submission of the supplemental application, completed files are reviewed and selected qualified candidates are invited to a required in-person interview.
- 5.03 The SHSU-COM Admissions Committee will render final decisions on accepted, rejected, and wait-listed applicants. Decisions are not subject to appeal.

APPROVED: _____


Dana G. Hoyt, President

DATED: _____



CERTIFICATION STATEMENT

This academic policy statement (APS) has been approved by the reviewer(s) listed below and represents SHSU's Division of Academic Affairs' policy from the date of this document until superseded.

Original: June 21, 2018
Reviewer(s): Council of Academic Deans
Academic Affairs Council

Review Cycle: Five years*
Review Date: Spring 2023

Approved: Richard Eglaser
Richard Eglaser
Provost and Vice President
for Academic Affairs

Date: Jan. 6, 2020

*Effective January 2018, Academic Policy Statements will be reviewed on a rotating 5-year schedule. To transition to a distributed review load, some policies may be reviewed prior to the 5-year timeframe, with subsequent reviews transitioning to the 5-year schedule.

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Finance & Operations Human Resources Policy HR-22
Affirmative Action Recruitment

SUBJECT: Equal Access and Equal Employment Opportunity (EEO)

PURPOSE: This policy details the Sam Houston State University (University) commitment to and plan to facilitate the institutional mission, values, and goals of fostering a culture of inclusive excellence where faculty, staff, and community recognize the benefits of collaboration and mutual respect through diverse identities and experiences. Further, this policy supports compliance with state and federal laws requiring equal access and equal employment opportunity.

POLICY: It is the policy of the University, with the support of the University President, that equal employment opportunity and affirmative action recruitment be provided in the employment and advancement for all persons regardless of race, creed, ancestry, marital status, citizenship, color, national origin, sex, religion, age, disability status, veteran status, sexual orientation, pregnancy, or gender identity or expression. Such actions shall apply to all levels of employment, and employment practices, including, but not limited to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. The University makes every effort to provide reasonable workplace accommodations, to applicants and employees, including disabled veterans. The University takes seriously the initiative to make the needed extra efforts to remedy areas of underutilization in our workforce. The University finds that a workforce and student body that is representative of our multicultural society is integral to our educational mission as it promotes learning and valuable experience that prepares our students to succeed in a variety of diverse environments. The University is committed to providing equal employment opportunities and determines increasing diversity is an essential and significant component of the hiring process. Personnel actions are reviewed to ensure EEO compliance.

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1. Dissemination of Policy

The University takes positive steps as needed to make it known to the public the University is an Equal Access and Equal Employment Opportunity institution of higher education. Some of the methods used to inform the public are:

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- a. Internal Dissemination
 - (1) The importance of equal employment opportunity and equal access is clearly documented in University policy.
 - (2) The Affirmative Action Plan is on file in the HR Department and will be made available to any interested individual upon request.
- b. External Dissemination
 - (1) The Equal Employment Opportunity policy statement is on the employment application.
 - (2) Recruitment literature, newspaper advertising, and position announcements contain statements of the University's Equal Employment Opportunity policy.
 - (3) Contracts contain an Equal Opportunity statement.
 - (4) Written notification of Affirmative Action sent to all subcontractors, vendors and suppliers.
- 2. Responsibility for Implementation

As the University's chief administrator over equal access and equal employment, the President of the University has delegated to the Vice Presidents, Deans, Department/Division/School Heads, Supervisors and Faculty the authority and responsibility for carrying out this plan at each corresponding level. Each of these individuals is expected to put forth a good faith effort to assure the success of this plan. The AVP of Human Resources is designated by the President as the University's Civil Rights Compliance (CRC) Officer. The AVP of Human Resources or designees analyze all University personnel actions to ensure compliance with this policy, including

 - a. developing policy statements, and internal and external communication techniques;
 - b. assisting in the identification of focus areas;
 - c. assisting administrators and supervisors in arriving at solutions regarding focus areas;
 - d. serving as liaison between the University and enforcement agencies;
 - e. ensuring support for the University Employee Resource Groups dedicated to historically underrepresented populations; and
 - f. keeping the administration informed of the latest developments in the area of equal opportunity.
- 3. Annual Workforce and Utilization Analysis

a. State Recruitment Plan compares The University's current workforce to the statewide civilian workforce composition provided in the Equal Employment Opportunity and Minority Hiring Practices Report prepared by the Texas Workforce Commission Civil Rights Division (TWCCRD) to identify underutilization of underrepresented groups within each EEO job category. Additional analysis includes separation of faculty by college. The analysis achieves the following determinations:

 - i Current workforce by EEO job category, race, and sex
 - ii Percentage available using data from the TWCCRD report
 - iii Employment goals

b. Federal AAP analysis includes:

 - i Workforce Analysis
 - ii Job Group analysis

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- iii Comparison of Incumbency to Availability
- iv Placement Goals

4. Goals

Where deficiencies exist, the University establishes and sets goals.

- a. The utilization of each protected class is determined by subtracting the availability from the representation in the workforce for each race and sex.
- b. If the remainder is negative, underutilization exists and a goal is established.

5. Identification of Focus Areas

- a. To identify focus areas, a periodic review is made of the following:

- (1) the composition of the workforce;
- (2) the composition of applicant flow;
- (3) the total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, referral procedures, and the final selection process;
- (4) transfer and promotion practices; and
- (5) University training programs, both formal and informal.

- b. The following focus areas have been identified:

- (1) underutilization of underrepresented groups in certain job categories;
- (2) underutilization of underrepresented groups in faculty positions; and
- (3) underutilization of Veterans.

6. Faculty Recruitment Plan to Remedy Underutilization of Underrepresented groups

- a. Posting: To assure that only job-related criteria is considered in the staffing process, the following steps are taken before the job opening is announced. When a posting request is received by the HR Department to fill a faculty position, HR:

- (1) Reviews the job-related criteria to be used in the recruiting and selection process.
- (2) Prepares a job announcement to be posted for at least ten (10) working days.
- (3) Provide the chairperson of search committees with EEO information such as faculty hiring goals, and information on the hiring process.

- b. Recruitment: Job openings for faculty job classifications identified as being underutilized relative to employment goals will receive special effort to recruit qualified protected class applicants. Special efforts may include but are not limited to:

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- (1) targeted advertising and distribution of the job announcement;
- (2) contact with faculty organizations;
- (3) contact with higher education leaders in the targeted class; and
- (4) word of mouth.

c. Applicant Screening Steps:

- (1) Screening – Letters of interest, resumes, and applications are screened by the search committee to determine if the applicants have the minimum requirements for the faculty position. Applicants are screened using a matrix or other selection tool based on previously established job-related criteria. Only applicants who have completed an official application are considered for the job.
- (2) Selection for interview – The most promising candidates chosen by the search committee are selected for a job interview. The search committee chair will provide HR a list of applicants requested for interview. HR will compare applicants for interview with the applicant pool for the job posting to ensure alignment with AAP goals. HR will work directly with the search committee chair to promote diversity of interview pools. Once availability of qualified veterans and underrepresented groups in the applicant pool is confirmed, the search committee may proceed with scheduling interviews.

d. Interviews and campus visits: Candidates accepting interview invitations are offered an interview via video conferencing or in person on campus with members of the search committee and the department chair. The method of interview must be the same for every candidate in a search.

e. Hiring Selection:

- (1) Committee Recommendations – The Search Committee will submit a report to the department chair recommending the candidate(s) deemed best suited for the position.
- (2) Selection – The department chair, in consultation with the dean of the college, will review the Search Committee report and recommend a selected applicant for a job offer.
- (3) Approval - The dean of the college recommends to the Provost and Senior Vice President for Academic Affairs the terms and conditions of the proposed job offer to the chosen candidate. The Provost or designee reviews the dean's recommendation before the job offer is authorized. All faculty appointments are contingent upon the approval of the President and the Board of Regents.

7. Non-Faculty Recruitment Plan to Remedy Underutilization of Historically Underrepresented groups

a. Posting:

To assure only job-related criteria is considered in the staffing process, the following steps are taken before the job opening is announced. When a posting request is received by the Human Resources Department (HR) to fill a non-faculty position, HR will:

- (1) compare the posting request with the standard position description to ensure that it accurately reflects the position functions, and that it is consistent with the position classification;

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- (2) review the required job specifications including the specific education, experience and skill requirements to ensure that the requirements do not create an adverse impact on protected classes;
 - (3) determine the position is correctly classified, or recommend the job for a reclassification study before recruitment efforts begin; and
 - (4) prepare a job announcement to be posted for at least five (5) calendar days for non-exempt positions and ten (10) calendar day for exempt positions, in accordance with the Staffing Policy.
- b. Recruitment:
- Job openings for non-faculty job classifications identified as being underutilized relative to employment goals receive special effort to recruit qualified protected class applicants. Special efforts may include but are not limited to:
- (1) targeted advertising and distribution of the job announcement;
 - (2) contact with organizations, including those specializing in recruitment of historically underrepresented populations, to list vacancy notices. The specific organizations will vary depending on the underutilization;
 - (3) contact with community leaders in the targeted class. The specific leaders will vary depending on the underutilization; or
 - (4) word of mouth.
- c. Applicant Screening Steps:
- (1) Applications are submitted online through the applicant tracking system.
 - (2) Pre-Interview Screening - The hiring supervisor will use a screening tool or matrix to evaluate the applicants based on the required knowledge, skills, abilities, experience and education as outlined in the job vacancy notice. All qualified applicants will be considered. The screening tool or matrix is part of the record that will be maintained to indicate the disposition of each applicant at this step.
 - (3) Selection for interview – The hiring supervisor will provide HR a list of applicants requested for interview. HR will compare applicants for interview with the applicant pool for the job posting to ensure alignment with AAP goals. HR works directly with the hiring supervisor to promote diversity of interview pools. Once availability of qualified veterans and underrepresented groups in the applicant pool is confirmed, the hiring supervisor may schedule interviews.
 - (4) Interview Questions – HR is available to assist the hiring supervisor develop interview questions that cover objective, job related criteria, and inquire about each applicant's knowledge and competencies to perform the job. Interview questions should be similar for each applicant, strictly job related, and meet the legal standard. Questions should not be of a personal nature or any that could be used to discriminate on Civil Rights protected grounds.
 - (5) Interview - During the interview process, the hiring supervisor will use a screening tool or matrix to rate the applicants interviewed.

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d. Hiring Selection:

The hiring supervisor reviews the finalists, and in counsel with HR, selects the applicant to which the job offer will be extended and proposes a hiring salary. The requisition file is reviewed by the HR to assure compliance with EEO guidelines before the selection is final. A record of the disposition of each applicant at this level is maintained.

8. Compensation Practices

The University ensures compensation practices are administered in a fair and equitable manner which does not discriminate against protected class employees as follows:

- a. Merit Pay Increases are reviewed by HR to assure compliance with EEO guidelines and University policy.
- b. All Other Pay Increases - Personnel actions resulting in market or other adjustment in pay is reviewed by HR to assure compliance with EEO guidelines and University policy.

If HR determines a discrepancy exists, action will be coordinated with the hiring department to remedy.

9. Integration of Equal Access and Equal Opportunity

The University has taken the following steps to ensure equal access and equal employment opportunity is integrated into every area of the University and the community:

- a. If apparently qualified minority or female employees are passed over for upgrading or promotion, the department head or supervisor must provide justification and receive approval from the AVP of Human Resources or designee prior to the action.
- b. Supervisors and HR personnel engage in job counseling with employees to aid in opportunities for advancement.
- c. All employees are informed about and actively encouraged to participate in University social and recreational activities.
- d. The HR web site (<https://www.shsu.edu/dept/hr/>) lists all current staff and faculty job openings. The Staff and Faculty Employment Opportunities web pages are available seven (7) days a week, twenty-four (24) hours a day and are updated as changes occur.

10. Sex Discrimination Guidelines

It is the policy of the University to recruit, hire, train and promote persons in all job titles without regard to sex, except where sex is a bona fide occupational qualification. Furthermore, all personnel actions are administered without regard to sex. It is also the policy of the University to maintain a workplace free of sexual harassment.

11. Guidelines on Discrimination Because of Religion or National Origin

It is the policy of the University to recruit, hire, train and promote persons in all job titles without regard to religion or national origin.

The University agrees to make reasonable accommodations to the religious observances and practices of employees or prospective employees, in accord with the Workplace Accommodations Policy HR-05.

The President of the University requires the assistance and support of faculty, administrators, and staff employees in the commitment to the spirit of equal access.

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12. Protected Veterans and Individuals with Disabilities

The University is committed to a policy of taking affirmative action to employ and advance in employment qualified protected veteran employees and qualified employees with disabilities at all levels, including the executive level. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. The University will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled or protected veterans.

13. Additional Policy Guidance

a. Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any activity protected by state, federal or local anti-discrimination laws including the following activities:

(1) Filing a complaint;

(2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA) or any other federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other federal, state or local law requiring equal opportunity for disabled persons;

(3) Opposing any act or practice made unlawful by VEVRAA or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or section 503 or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled persons; or

(4) Exercising any other right protected by VEVRAA or Section 503 or their implementing regulations.

b. The University's obligations in this area stem from not only adherence to various state and federal regulations, but also from a commitment as an employer in this community to provide job opportunities to all persons regardless of race, creed, religion, ancestry, citizenship, color, national origin, sex, age, marital status, sexual orientation/gender identity, gender expression, and status as a protected veteran or an individual with a disability. The University's EEO policy and affirmative action obligations include the full support from the University's President and University Administration.

c. The University will also continually design and implement audit and reporting systems that will measure the effectiveness and the compliance of its affirmative action program, identify the need for remedial actions, determine if objectives were attained, and determine if opportunities to participate in university-sponsored activities were extended to all employees and applicants.

d. The University is also committed to abiding with the Pay Transparency Nondiscrimination Provisions and therefore, will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. University employees who have access to the compensation information of other employees or applicants as part of their essential job functions are informed and trained to not disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) a response to a formal complaint or charge; (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the

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employer, or (c) consistent with the University's legal obligation to furnish the information.

- e. Any questions regarding the University's equal employment opportunity, harassment policies or the complaint procedure, may contact HR.

Reviewed by: Rhonda Beassie, Associate Vice President for HR and Diversity, August, 2022