



**POLICY ON EQUALITY OF OPPORTUNITY
IN RECRUITING AND EMPLOYMENT
PRACTICES**

I.

Policy on Equality of Opportunity in Recruiting and Employment Practices

- A. The University of Washington School of Law is committed legally and ethically to the principle of equal opportunity in the employment of its students. Employers and their representatives (hereafter employers) who use School of Law facilities or services may not discriminate in their recruitment or hiring of University of Washington law students, whether on or off campus, on any basis contrary to law or unrelated to the legitimate requirements of prospective employment. Recruitment or hiring decisions made, in whole or in part, on the basis of race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, genetic information, disability, or veteran status, are impermissible unless lawful and related to the legitimate requirements of prospective employment.
- B. Employers may not engage in discrimination or harassment in their recruitment of University of Washington law students, whether on or off campus per the University of Washington Non-Discrimination and Affirmative Action Policy (Appendix A.)
- C. No employer engaged in recruiting University of Washington law students may use School of Law facilities or services unless the employer abides by the standards described in paragraphs A and B. Before interviewing at the School of Law, employers are required to agree to the policies laid out in this document through completion of the opt-in agreement on the law school's SCS Online website. The assent of an employer claiming a need to take into account any of the classifications listed in paragraph A above in its recruiting or hiring policies or practices must include a written explanation of the reasons for the classification(s) as a factor in such matters. The Assistant Dean that supervises Student and Career Services (hereafter SCS, and Assistant Dean) shall determine whether the assent as so qualified complies with paragraph A above.

Student Complaints Regarding Recruiting Practices

Students are encouraged to notify SCS of improper recruiting practices or inappropriate interviewing conduct by employers as soon as possible after the incident in question.

Complaint Procedure

- A. Any person aggrieved by the conduct of an employer in violation of Part I of this policy may complain to the Assistant Dean, Associate Dean for Students (hereafter Associate Dean), or other person designated by the Assistant Dean. The Assistant Dean, after consultation with the complainant, may take appropriate steps to investigate the complaint, resolve it informally, and remedy any violation that may have occurred.
- B. Should the complainant be dissatisfied with the action proposed to be taken by the Assistant Dean, or if a person has a complaint against the Assistant Dean or other personnel in SCS, that person may seek relief from the Associate Dean.
- C. Should the Assistant Dean conclude that a complaint represents a serious violation of this Policy, he or she shall, prior to acting on the complaint, confer with, and follow any instructions given by, the Associate Dean. If dealing with a violation requires a decision on a matter of substantive policy, the Assistant Dean and the Associate Dean shall consult about the matter and specify the action to be taken.



- D. In the event an employer contests the decision or proposed action of the Assistant Dean, the Associate Dean in consultation with the Dean, shall establish an appropriate procedure for resolving the case, which shall protect the rights of any students involved, the School of Law, and the employer, provided that the Dean shall make final decisions to resolve such disputes.
- E. Any member of the Law School community seeking or involved in the enforcement of the substantive provisions of this Policy shall take all steps possible to insure that the complainant's right to confidentiality is maintained.
- F. The Assistant Dean shall report at least annually to the Dean on employer compliance with this Policy during the prior year, preferably during the fall. Such reports shall include a description of the type and quantity of complaints made about employers, a description of sanctions or other actions taken against employers, and a listing of the names of employers who have been found to be in violation of this Policy. To the extent possible, these reports shall insure the confidentiality of any complainants or victims.
- G. In addition to the reports listed in Paragraph I above, the SCS shall maintain separate enforcement files monitoring each employer's compliance with this Policy.
- H. Students are encouraged to consult informally at any time with the Assistant Dean of Student and Career Services, Associate Dean for Students, faculty, the Ombud or other members of the university community about concerns or issues arising out of the recruitment process.

For more information about the complaint procedure please contact Student and Career Services:
lawpath@uw.edu.



II.

**2018-2019 ABA Standards and Rules of Procedure
for Approval of Law Schools**

Standard 205. NON-DISCRIMINATION AND EQUALITY OF OPPORTUNITY

- (a) A law school shall not use admission policies or take other action to preclude admission of applicants or retention of students on the basis of race, color, religion, national origin, gender, sexual orientation, age, or disability.
- (b) A law school shall foster and maintain equality of opportunity for students, faculty, and staff, without discrimination or segregation on the basis of race, color, religion, national origin, gender, sexual orientation, age, or disability.
- (c) This Standard does not prevent a law school from having a religious affiliation or purpose and adopting and applying policies of admission of students and employment of faculty and staff that directly relate to this affiliation or purpose so long as (1) notice of these policies has been given to applicants, students, faculty, and staff before their affiliation with the law school, and (2) the religious affiliation, purpose, or policies do not contravene any other Standard, including Standard 405(b) concerning academic freedom. These policies may provide a preference for persons adhering to the religious affiliation or purpose of the law school, but may not be applied to use admission policies or take other action to preclude admission of applicants or retention of students on the basis of race, color, religion, national origin, gender, sexual orientation, age, or disability. This Standard permits religious affiliation or purpose policies as to admission, retention, and employment only to the extent that these policies are protected by the United States Constitution. It is administered
- (d) Non-discrimination and equality of opportunity in legal education includes equal employment opportunity. A law school shall communicate to every employer to whom it furnishes assistance and facilities for interviewing and other placement services the school's firm expectation that the employer will observe the principles of non-discrimination and equality of opportunity on the basis of race, color, religion, national origin, gender, sexual orientation, age, and disability in regard to hiring, promotion, retention and conditions of employment.



Appendix A

SCHOOL OF LAW

UNIVERSITY *of* WASHINGTON

University of Washington

NON-DISCRIMINATION AND AFFIRMATIVE ACTION

1. Nondiscrimination and Non-Retaliation

The University of Washington, as an institution established and maintained by the people of the state, is committed to providing equality of opportunity and an environment that fosters respect for all members of the University community. This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation. To facilitate that goal, the University retains the authority to discipline or take appropriate corrective action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, harassment, or retaliation.

University policy:

- Prohibits discrimination or harassment against a member of the University community because of race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, genetic information, disability, or veteran status.
- Prohibits any member of the University community, including, but not limited to, academic personnel, staff, temporary staff, academic student employees, student employees, and students at all University campuses and locations, from discriminating against or unlawfully harassing a member of the public on any of the above grounds while engaged in activities directly related to the nature of their University affiliation.
- Prohibits retaliation against any individual who reports concerns regarding discrimination or harassment, or who cooperates with or participates in any investigation of allegations of discrimination, harassment, or retaliation under this policy, or any individual who is perceived to have engaged in any of these actions.

This policy is adopted in compliance with Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq) and the Pregnancy Discrimination Act, Title IX of the Education Amendments of 1972 (20 USC § 1681), Title I and II of the Americans with Disabilities Act (ADA) of 1990 as amended, the Rehabilitation Act of 1973 (P.L. 93-11) and 45 C.F.R. Part 84, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq), Title IV of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq), Chapter 49.60 RCW, and Gender Equality in Higher Education (Chapter 28B.110 RCW).



2. Affirmative Action

In accordance with Executive Order 11246, as amended, and other applicable federal and state laws and regulations, the University, as a federal contractor, takes affirmative action to ensure equality of opportunity in all aspects of employment without regard to race, color, religion, sex, and national origin, and to employ and advance individuals with disabilities and protected veterans.

3. Access for Individuals with Disabilities

In accordance with the Americans with Disabilities Act (ADA), as amended, the Rehabilitation Act of 1973, and applicable federal and state laws, the University is committed to providing access and reasonable accommodation in its services, programs, activities, education, and employment for individuals with disabilities.

4. Definitions

Terms used in this policy are intended to have the meaning given to them by applicable federal or state laws and regulations.

- A. Discrimination is conduct that treats a person less favorably because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity of expression, disability or veteran status.
- B. Harassment is conduct directed at a person because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status that is unwelcome and sufficiently severe, persistent, or pervasive that:
 - 1) It could reasonably be expected to create an intimidating, hostile, or offensive work or learning environment, or
 - 2) It has the purpose or effect of unreasonably interfering with an individual's work or academic performance. Harassment is a form of discrimination.
- C. Retaliation means to take adverse action against individuals because they have (or are perceived to have) reported concerns under this policy or cooperated with or participated in any investigation related to this policy.
- D. Sexual harassment is a form of harassment characterized by:
 - 1) Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature by a person who has authority over the



recipient when:

- a) Submission to such conduct is made either an implicit or explicit condition of the individual's employment, academic status, or ability to use University facilities and services, or
 - b) Submission to or rejection of the conduct is used as the basis for a decision that affects tangible aspects of the individual's employment, academic status, or use of University facilities; or
- 2) Unwelcome and unsolicited language or conduct that is of a sexual nature and that is sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive working or learning environment, or has the purpose or effect of unreasonably interfering with an individual's academic or work performance. This also includes acts of sexual violence, such as sexual assault and sexual exploitation.

Domestic violence, relationship violence, stalking, and sexual assault are addressed in Executive Order No. 51, Sexual Violence Elimination Policy, and Chapter 478-121 WAC, Student Conduct Code for the University of Washington. Depending on the circumstances, each or all policies may apply.

- E. Veteran status includes protected veterans as defined by current federal and state laws. It also includes individuals affiliated with the United States armed forces as defined by any federal or state law establishing protection for veteran service, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), Executive Order 11246, and Chapter 49.60 RCW.

5. Application of Policy

A. Academic Freedom

The University will interpret this policy on nondiscrimination and non-retaliation in the context of academic freedom in the University environment.

B. Selective Admissions

The University's admission policy provides for a selective admission process with the objective of attracting students who demonstrate the strongest prospects for high quality academic work. This selective admission process shall assure that the University's educational opportunities shall be open to all qualified applicants without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.



The process of admission shall be mindful of the need for diversity in the student body and for highly-trained individuals from all segments of the population.

C. Employment

The University will recruit, hire, train, and promote individuals without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status and based upon their qualifications and ability to do the job. Except as required by law, all personnel-related decisions or provisions such as compensation, benefits, layoffs, return from layoff, University-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status. Additionally, in accordance with Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), the University prohibits discrimination and harassment in any aspect of employment on the basis of genetic information. The University will also not request or require genetic information of an employee or family member of the employee, except as specifically allowed by GINA.

D. Recruitment

The University seeks affirmatively to recruit qualified minority group members, women, protected veterans, and individuals with disabilities in all levels of employment as part of its commitment as a federal contractor.

E. Nondiscrimination

Except as otherwise required by law and as provided in Section 6 below:

- 1) The University will operate its programs, services, and facilities without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status, and
- 2) The University will make its programs, services, and facilities available only to organizations or government agencies that assure the University that they do not discriminate against any person because of race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.



F. University Housing

Except as required by law, assignments to University residence halls and other housing facilities provided for students are made without regard to race, color, creed, religion, national origin, age, disability, sexual orientation, gender identity or expression, or veteran status.

G. Contracting

The University will make reasonable efforts to lease, contract, subcontract, purchase and enter into cooperative agreements only with those firms and organizations that comply with all applicable federal and state nondiscrimination laws, including, but not limited to: Executive Order 11246, Title VII of the Civil Rights Act, 42 U.S.C. Sec. 2000e et seq.; the Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.; and Washington State's Law Against Discrimination, Chapter 49.60 RCW.

6. Exceptions

A. Organizations Not Subject to Applicable Laws

This policy does not apply to organizations and government agencies that are not subject to otherwise applicable state or federal laws or regulations concerning nondiscrimination and non-retaliation.

B. University Housing

In accordance with RCW 49.60.222, the University may consider sex, marital status, or families with children status in assignments to residence halls and other student housing.

C. Citizenship Status

It is not a violation of this policy to discriminate because of citizenship status which is otherwise required in order to comply with law, regulation, or executive order, or required by federal, state, or local government contract, or which the State Attorney General determines to be essential for an employer to do business with an agency or department of the federal, state, or local government.

7. Complaint Procedures

The University provides internal procedures for the investigation and resolution of complaints alleging discrimination, harassment, or retaliation under this policy. The process for bringing a complaint against a University employee is described in Administrative Policy



Statement 46.3, Resolution of Complaints Against University Employees. The process for bringing a complaint against a University student is described in Chapter 478-121 WAC, Student Conduct Code for the University of Washington.

8. Responsibility to Report and Cooperate

All University employees, including academic personnel, staff, temporary staff, academic student employees, and student employees are required to report to their supervisors or the administrative heads of their organizations any complaints of discrimination, harassment or sexual harassment. And/or retaliation they receive. In addition, all University employees are encouraged to inform their supervisors or the administrative heads of their units (and their Academic Human Resources Consultant or Human Resources Consultant), of inappropriate or discriminatory or retaliatory workplace behavior they observe. Supervisors and administrative heads who receive such reports have the responsibility to initiate a response by contacting an appropriate office as indicated in APS 46.3.

All University employees are also required to participate, provide information as requested, including personnel or student files and records and other materials recorded in any form, and otherwise fully cooperate with the processes described in APS 46.3.

9. Consequences of Violation of Policy

Any member of the University community who violates any aspect of this policy is subject to corrective or disciplinary action, including, but not limited to, termination of employment or termination from educational programs.

June 1972; October 24, 1974; April 1975; October 26, 1976; March 12, 1978; April 20, 1979; December 5, 1983; July 20, 1998; June 25, 2008; August 17, 2012; June 21, 2016.

University of Washington Policy Directory
Non-Discrimination and Affirmative Action
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<http://www.washington.edu/admin/rules/policies/PO/EO31.html>