

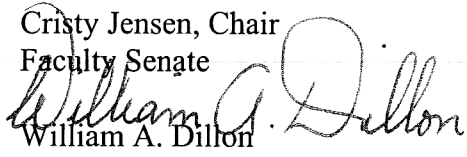


CALIFORNIA STATE UNIVERSITY, SACRAMENTO

FACULTY SENATE

May 11, 2005

To: Cristy Jensen, Chair
Faculty Senate

From: 
William A. Dillon
Presiding Member
University ARTP Committee

Subj: Section 6.06 D of University ARTP Policy

By this means, the University ARTP Committee is forwarding its recommendations about the CODE proposal to amend Section 6.06 D of the University ARTP Policy. Accompanying this memorandum are the following documents:

1. The CODE proposal dated April 19, 2005.
2. Current AA/EOR policy as stated in Section 6.06.D of University ARTP Policy.
3. The Committee's recommendations including a record of the affirmative and negative votes on each recommendation and abstentions, if any.
4. The University's Affirmative Action/Equal Employment Opportunity Hiring Policy.
5. Flow Process for Recruitment and Appointment of Full-Time faculty to illustrate current practice.
6. The Appointment Process Summary
7. The Applicant Flow Information Questionnaire.
8. Table of Contents of the University's Hiring Guidelines
9. Pages 13-15 of the Guidelines.
10. The CSUS website and navigation data from the annual faculty recruitment survey.
11. Data showing faculty by ethnicity in the several colleges of the University.
12. PowerPoint presentation from Fall2003 workshops given for Department Chairs, AA/EOR's and search committee chairs.
13. Copy of a page from the CSUS Office of Institutional Research webpage showing information available on the instructional faculty profile for each college.
14. Information sheet on laws and regulations concerning Affirmative Action and Equal Employment opportunities.
Items 3-14 above were supplied by Sheila Orman, Human Resources, from whose memo d. 22 September, 2004 to the Committee the description of them is taken.
15. Summary by Cathi Christo, member of the University ARTP Committee for the College of Education. The document summarizes the presentation of University Counsel Edmundo Aguilar to the Committee.

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16. Statements by various faculty, Department Chairs and a Dean responding to the UARTP Committee's solicitation of views of the CODE proposal.

Apart from the Committee's recommendations, the documents listed here comprise the written sources of information and understanding on which the Committee relied in its consideration of proposed changes to current policy and practice, including those being made by CODE. The Committee hopes the Senate will find them equally useful as it goes about preparing for its discussion of AA/EOR policy.

WAD/cj
Enclosure

cc: D. Wagner, Vice President, Office of Human Resources
S. Orman, Associate Vice President, Office of Human Resources
C. Jensen, Chair, Faculty Senate

UNIVERSITY ARTP COMMITTEE

Recommendations pertaining to the CODE proposal dated April 19, 2005

May 10, 2005

The University ARTP Committee has met to discuss issues raised in the proposal by the Committee on Diversity and Equity (CODE) dated April 19, 2005, to amend Section 6.06.D of University ARTP Policy. These discussions have been based on the Committee's study of current hiring policies and practices (including current training), the current legal environment of hiring and faculty opinion of the proposal. Materials reflecting these sources of opinion accompany these recommendations. As a consequence of its discussions, the Committee has reached the following conclusions:

In general, the Committee agrees with the goal of the CODE proposal which the Committee takes to be to promote the hiring of a diverse faculty by establishing and keeping alive in the consciousness of everyone participating in searches the desirability and need of diversity hiring. However, the Committee finds itself unable to concur in some of CODE's proposals of means of achieving CODE's goal.

To facilitate the Senate's discussion of CODE's proposal, the Committee has identified the several specific changes that CODE wishes the Senate to make to current Affirmative Action/Equal Opportunity Representative (AA/EOR) policy as stated in Section 6.06.D of University ARTP Policy. What follows is a brief description of each change as the Committee understands it, the Committee's recommendation about the change and a brief statement of reasons supporting the recommendation. Specifically the Committee recommends as follows:

1. Regarding CODE proposed section 4 permitting probationary faculty to serve as Affirmative Action/Equal Opportunity Representatives (AA/EOR's):

Recommendation: The Committee recommends by a vote of 10 to 0 (with no abstentions) that the AA/EOR must be a tenured faculty member, but opposes stating a preference that the faculty member be a full professor.

Reasons: The Committee does so because of the concern that probationary faculty not be placed in the position of advising tenured faculty that a search may be flawed.

2. Regarding the statement in CODE proposal sec. 5 that "the department chair, regardless of serving on the search committee, is responsible for ensuring that issues of affirmative action, nondiscrimination, and equal employment opportunity are reflected in the hiring process."

Recommendation: The Committee recommends by a vote of 9 to 1 (with no abstentions) against adoption of this provision.

Reasons: The Committee prefers the wording in the current policy as being clearer than the proposed wording. In addition, the current policy does not suggest anything but a supervisory role for the Chair. In particular it does not suggest a proactive role by the department chair in raising issues of affirmative action, nondiscrimination and equal employment opportunity and leave the reader guessing as to what the Chair is supposed to do beyond generally supervising the process. The Committee also finds the proposed phrase “reflected in the process” so vague as to leave unclear its operational meaning.

3. Regarding CODE proposal sec. 6 specifying the AA/EOR’s responsibilities:

a. Recommendation: The Committee recommends by a vote of 9 to 1 (with no abstentions) that the AA/EOR have no separate role in reviewing after the fact the information from the search committee about the search, but should consider the information as it is produced and the process as it occurs as part of his or her responsibility as a member of the search committee or in his or her capacity as adviser to the search committee.

Reasons: The Committee makes this recommendation because it does not understand the need for the AA/EOR to make a separate review of the listed items from the current search committee. The AA/EOR will presumably have been involved in the entire process as a member of the search committee and thus have had a part in writing and applying the material to be reviewed. Furthermore, the Committee finds that an apparently separate review by the AA/EOR could possibly impair the collegiality of the committee.

b. Recommendation: The Committee recommends by a vote of 10 to 0 (with no abstentions) that there be no reference in the policy to the AA/EOR’s having access to the data from Human Resources regarding ethnicity/race from the Applicant Flow Questionnaire or statistical data by gender, race/ethnicity for the department and college for the last five years.

Reasons: The Committee makes this recommendation because, according to the University counsel, those data are impermissible bases for decisions relating to hiring under current law. Any introduction of such data into the process by way of informing the judgment of one or more search committee members, including the AA/EOR, has the potential of creating a presumption of impermissible hiring that would be difficult if not impossible to refute. (How does one prove that the search committee knew of the data but was not influenced by it?)

4. Regarding CODE proposed sec. 7 vesting joint responsibility for arguing for the adequacy of the pool in the AA/EOR and the chair of the search committee:

Recommendation: The Committee recommends by a vote of 10 to 0 (with no abstentions) that the AA/EOR not have joint responsibility with the chair of the search committee for arguing for or against the adequacy of the pool.

Reasons: The Committee does so because such a policy would elevate the AA/EOR to a position above the other committee members. It is the responsibility of the search committee as a whole to assess the adequacy of the pool. The committee chair is responsible for reporting the committee's assessment.

5. Regarding CODE proposed sec. 8: requiring "each AA/EOR, in consultation and agreement with the Search Committee, to review the selection techniques to ensure that all procedures followed by the search committee were consistent with affirmative action/equal opportunity guidelines":

Recommendation: The Committee recommends by a vote of 10 to 0 (with no abstentions) against empowering an AA/EOR to do an independent review of the conduct of a search after the search is completed.

Reasons: The guiding principle should be one of collegiality among all members of the committee, including the AA/EOR. Any consideration and discussion of the process must occur as it happens, not by way of a suspensive veto after the fact. Any objections to the process may be made by any participant in it. They should be made at once in order that they may be acted on in a timely way and not delay the search past the moment at which preferred candidates become unavailable. Furthermore, there is a possibility that proposed section 8 could foment litigation by any of the candidates affected by the objection to the process.

6. Regarding the provision in CODE proposed sec. 2 that "the training shall be conducted according to a training protocol established and revised from time to time by Human Resources with advice and consultation from the Faculty Senate Committee on Diversity and Equity":

Recommendation: The Committee recommends by a vote of 9 to 1 (with no abstentions) against any requirement that CODE must be consulted by Human Resources before executing established policy.

Reasons: Such a policy would intrude upon the proper role and expertise of Human Resources in executing hiring policy. Human Resources has the legal responsibility for executing such policy and is the resource for all information regarding the execution of the policy.

7. Regarding CODE proposed sec. 1 relating to training requirements:

The Committee considered the following questions: Should training be for all members of the search committee and the department chair? Should attendance be mandatory? If so, how should attendance be enforced? In the course of the discussion the Committee considered the current practices regarding whether department chairs are members of the search committees, single and multiple AA/EOR's and committees of the whole and how training is now presented without a requirement of mandatory attendance.

a. Recommendation: The Committee recommends by a vote of 9 to 1 (with no abstentions) that training not be required of all members of the search committee.

Reasons: The Committee does so because of the difficulty of enforcing a requirement of mandatory training and the unspecified consequences for the hiring process including litigation of failure to attend such training.

b. Recommendation: The Committee recommends by a vote of 8 to 2 (with no abstentions) that training should be required of at least one member of the search committee.

Reasons: The Committee does so because the knowledge provided in the training should be directly available to the committee engaged in a search.

c. Recommendation: The Committee recommends by a vote of 8 to 2 (with no abstentions) that training be required of department chairs.

Reasons: The Committee does so because of the department chair's responsibility to ensure that the hiring procedures are being followed.

8. Regarding proposed CODE section 3 pertaining to AA/EOR membership on search committees and AA/EOR training

a. Recommendation: The Committee recommends by a vote of 6 to 2 (with 1 abstention) that an AA/EOR be a full voting member of each search committee to serve on an equal footing with the other members.

Reasons: The Committee makes this recommendation because such a status will enhance the seriousness of the position of the AA/EOR and lend support to his or her ability to participate fully in a search with voice and vote equal to those of other members of the search committee. This recommendation leaves to each department the manner of electing or selecting an AA/EOR as a full voting member of each search committee, in

keeping with the historical preference for home rule where possible in ARTP policy. This recommendation envisions no role for the AA/EOR in a search other than or different from that of any other elected, voting member of a search committee. The recommendation assumes that an AA/EOR's participation will be informed by his or her training and interest in affirmative action and equal employment opportunity policy and practice.

b. Recommendation: The Committee recommends by a vote of 7 to 2 (with no abstentions) that Section 6.06.D of University ARTP Policy be amended either by the pertinent part of the CODE proposal or some other language to require training of all AA/EOR's before they serve on search committees.

Reasons: The Committee makes this recommendation because such training is very important to the AA/EOR's ability to function effectively in a search committee as a source of knowledge and understanding about acceptable and unacceptable practices pertaining to affirmative action and equal employment opportunity.

Regarding recommendations 7.c and 8.b above, the Committee did not resolve the question of how a training requirement is to be enforced. If required training is put into effect, a likely consequence would be Human Resource's need to devise online training to enhance accessibility to the training. Required training would also require Human Resources to monitor completion of it by individual faculty members. Some members of the Committee are concerned that a requirement of training might lead to lawsuits based either on an untrained AA/EOR's participation in a search or an AA/EOR's being forbidden to participate because untrained.

9. Regarding the proposed CODE section entitled Appendix II – Consultation services

Recommendation: The Committee recommends by a vote of 7 to 0 (with no abstentions) against writing into policy that the Committee on Diversity and Equity (CODE) will be an alternative source (to Human Resources) of information about affirmative action and equal employment opportunity law and practice in relation to hiring.

Reasons: The Committee makes this recommendation because Human Resources has legal responsibility for managing and executing hiring policy and is the designated resource for all information regarding the execution of policy. The Committee's recommendation is not about what might happen in practice consequent upon CODE's offering assistance in hiring situations, but rather about the provisions of policy.

CODE Recommendations for Revisions to

University ARTP Policy

UNIVERSITY ARTP POLICY

PM FSA 02-11

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October, 2002

Note: new language is underscored and shaded

D. Affirmative Action/Equal Opportunity Representatives

1. In order to assure that the department itself that it is providing equality of equal treatment and equal employment opportunity to all applicants, all members of a department search committee shall be required to attend mandatory training on faculty recruitment offered by the appropriate administrator. each department shall elect or otherwise provide for the selection of an affirmative action/equal opportunity representative to each of its search committees. This The appropriate administrator shall sponsor training shall be held each spring or early fall for all search committee members and the Department Chair affirmative action/equal opportunity representatives to prepare them for their responsibilities. Search Committee members will be required to attend one training session. Thereafter, members will be expected to attend refresher courses as necessary. Search committee members may attend training in any college with an ongoing search. This training shall include information and guidance on such topics as:
2. This training shall be uniform across all colleges and the Library and shall include, but not be limited to, information and guidance on such topics as:
 - a. "Guidelines for Full-time Faculty Recruitment" by Human Resources
 - b. relevant laws and regulation

The training shall be conducted according to a training protocol established and revised from time to time by Human Resources with advice and consultation from the Faculty Senate Committee on Diversity and Equity.

See Appendix I and II.

3. One member from each search committee, including any departmental committee of the whole, shall be elected or otherwise selected to become the Affirmative Action/Equal Opportunity Representative (AA/EOR). The AA/EOR must have attended the training on faculty recruitment. The AA/EOR shall advise the department about recruiting and hiring practices that conform to applicable laws and regulations governing affirmative action, nondiscrimination, and equal employment opportunity.

Revised 4/19/05

~~2. 4. Each affirmative action/equal opportunity representative shall be a tenured or probationary member of his or her department serving, preferably, as a full professor. Every affirmative action/equal employment opportunity representative shall should be elected/selected to the Committee based on an individual's knowledge of and with a view to his or her sensitivity to the issues of affirmative action, nondiscrimination, and equal employment opportunity.~~

~~3. 5. The department chair, regardless of serving on the search committee, is responsible for ensuring that issues Nothing in this section shall be construed to absolve the department chair not elected to serve as an affirmative action/equal opportunity representative of his or her responsibilities in relation to of affirmative action, nondiscrimination, and equal employment opportunity are reflected in the hiring process. A department chair may serve as the affirmative action/equal opportunity representative provided the department elects him or her to serve on the search committee in that capacity.~~

~~4. Each affirmative action/equal opportunity representative shall be elected or otherwise selected as the department directs in the early spring and shall serve a term of no less than one year.~~

~~5. The affirmative action/equal opportunity representative shall serve as either an elected voting member or as an ex-officio non-voting member of the department's search committee or committees.~~

AFFIRMATIVE ACTION/EQUAL OPPORTUNITY REPRESENTATIVE RESPONSIBILITIES

6. In order to better understand the department's current and long-term hiring practices, the AA/EOR shall request and review the following for each search:

From the Search Committee:

- Vacancy announcement
- Dissemination outlets
- Specific criteria used to screen applications, questions used in checking references, and questions used for the interview
- Process used by the committee to screen applications to narrow pool down to "short list."

From Human Resources:

- Optional data on ethnicity/race from the Applicant Flow Questionnaire which is sent to each applicant
- Statistical data by gender, race/ethnicity for the department and college for the last five years

7. Adequacy of the Pool: When the search committee has selected the candidates to be interviewed, the AA/EOR will have joint responsibility with the chair of each search committee for sending a memorandum to the Department Chair and Dean regarding the adequacy of the pool from the information supplied by the Human Resources Office and the procedures followed by the search committee. This memorandum shall be copied to

the appropriate administrator. The memorandum shall set forth the practices employed to produce the pool. The search shall not continue until the Dean of the College has certified the adequacy of the pool. The Dean shall review the practices that have produced the pool to determine if they conform to the University's appointment procedures and meet its legal obligations pertaining to affirmative action and equal employment opportunity.

A pool shall be found adequate as a matter of fact whenever a department has done all in good faith that can reasonably be expected to produce an adequate pool consistent with affirmative action/equal opportunity law and policy.

8. Just before the final recommendation for hire: Each AA/EOR, in consultation and agreement with the Search Committee, will review the selection techniques to ensure that all procedures followed by the search committee were consistent with affirmative action/equal opportunity guidelines. If the procedures were found to be not consistent with the guidelines, the Dean of the College shall review the practices that have produced the recommendation for hire to determine if they conform to the University's appointment procedures and meet its legal obligations pertaining to affirmative action and equal employment opportunity. The Dean shall have the final say in the resolution of all issues regarding the final recommendation for hire.

APPENDIX I – Suggested training topics

a. "Guidelines for Full-time Faculty Recruitment" by Human Resources

- adequacy of applicant pools
- University's policies and procedures
- role of diverse faculty in robust exchange of ideas

b. relevant laws and regulations

- current legal issues/landscape on affirmative action
- recruiting techniques compliant with laws and regulations
- federal funding and affirmative action
- remediation of past discrimination
- race/gender as a plus factor
- the meaning and interpretation of narrowly tailored by the courts
- the meaning and interpretation of compelling factors by the courts
- equity policies including pay equity
- techniques of recruiting that comply with those laws and regulations

APPENDIX II – Consultation services

Departments, department chairs, and/or search committees who are interested in sharing and/or exploring AA/EO issues and policies with CSUS faculty and others with a history of working with these issues and policies may contact the Faculty Senate Committee on Diversity and Equity (CODE) for a list of individuals with skills in these areas .

SECTION 6.06. D. Affirmative Action/Equal Opportunity Representatives

1. In order to assure itself that it is providing equality of treatment and equal employment opportunity to all applicants, each department shall elect or otherwise provide for the selection of an affirmative action/equal opportunity representative to each of its search committees. This representative shall advise the department about recruiting and hiring practices that conform to applicable laws and regulations governing affirmative action, nondiscrimination, and equal employment opportunity.

2. Each affirmative action/equal opportunity representative shall be a tenured member of his or her department serving, preferably, as a full-professor. Every affirmative action/equal employment opportunity representative shall be selected with a view to his or her sensitivity to the issues of affirmative action, nondiscrimination, and equal employment opportunity.

3. A department chair may serve as the affirmative action/equal opportunity representative provided the department elects him or her to serve in that capacity. Nothing in this section shall be construed to absolve the department chair not elected to serve as an affirmative action/equal opportunity representative of his or her responsibilities in relation to issues of affirmative action, nondiscrimination, and equal employment opportunity.

4. Each affirmative action/equal opportunity representative shall be elected or otherwise selected as the department directs in the early spring and shall serve a term of no less than one year.

5. The affirmative action/equal opportunity representative shall serve as either an elected voting member or as an ex-officio non-voting member of the department's search committee or committees.

6. The appropriate administrator shall sponsor training each spring or early fall for all affirmative action/equal opportunity representatives to prepare them for their responsibilities. This training shall include information and guidance on such topics as: relevant laws and regulations, techniques of recruiting that comply with those laws and regulations, adequacy of applicant pools and the University's policies and procedures.

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY

HIRING POLICY

California State University, Sacramento (CSUS) is considered by the Office of Federal Contract Compliance Programs of the Department of Labor to be a contractor for purposes of Federal affirmative action regulations.

CSUS is an Equal Employment Opportunity employer under both Federal and State statutes and regulations.

CSUS hiring policies and procedures will conform to the requirements governing an Affirmative Action/Equal Employment Opportunity employer.

Periodically, the Office of Faculty and Staff Affairs will disseminate a hiring procedures and guidelines document. This document will contain information on recruitment strategies, screening of applicants, and interviewing of candidates.

Replaces: PM 88-11
PM FSA 93-05

7/30/02

FLOW PROCESS FOR RECRUITMENT AND APPOINTMENT OF FULL-TIME FACULTY

I. AUTHORIZATION	II. RECRUITMENT	III. SCREENING	IV. INTERVIEWING	V. OFFER
<p>1. College process for requesting approval of full-time positions;</p> <p>a. Meeting with College Dean to discuss recruitment strategies;</p> <p>b. Dept. forward recruitment package to College Dean for review and approval;</p> <p>3. Dean's office:</p> <p>a. Sends electronic copy of Vacancy Announcement to HR for HR website placement;</p> <p>b. Sends text of journal ads (with Dean's signature) to Procurement.</p>	<p>1. College-wide meeting to discuss recruitment process;</p> <p>2. Department conducts recruitment activities (networking, conferences, etc.);</p> <p>3. Department mails out acknowledgement letters and applicant flow questionnaires;</p> <p>4. Department develops selection criteria, interview questions, and reference check questions;</p> <p>a. Review by Director of EO/AA;</p> <p>5. College Dean determines the adequacy of applicant pool and whether to proceed, extend or cancel search;</p>	<p>1. Paper screening to recommend candidates for reference checking;</p> <p>2. College Dean determines the adequacy of the pool and whether to proceed, extend or cancel search;</p> <p>3. Committee checks references of selected applicants.</p>	<p>1. Selection of Interviewees;</p> <p>2. College Dean determines the adequacy of the interview pool, and whether to proceed, extend or cancel search;</p> <p>3. Conduct interviews.</p>	<p>1. Select and recommend candidate for appointment and prepare Process Summary;</p> <p>2. Forward appointment package/ recommendation to College Dean;</p> <p>a. Decision by College Dean to proceed with the recommendation;</p> <p>3. Appointment package reviewed by HR and Director of EO/AA;</p> <p>4. Appointment package, recommendation and letter reviewed and approved by Vice President for Academic Affairs;</p>

California State University, Sacramento
APPOINTMENT PROCESS SUMMARY

I. POSITION IDENTIFICATION

Date: _____ Posting #: _____
 A. Administrative Unit: _____ College: _____ Div/Dept: _____
 B. Classification: _____ Rank: _____ Step: _____
 C. Status Academic Tenure Track Full-Time Lecturer
 Staff Full-Time Fractional Hourly Intermittent
 D. Proposed Starting Date of Appointment: _____ Salary: _____
 E. New Position _____
 F. Old Position _____ Former Incumbent's Name: _____

II. RECRUITMENT

A. Beginning Date of Announcement: _____ Closing Date: _____
 B. Methods of Advertising:
 ___ Newspapers ___ Professional Journals ___ Others (list)
 ___ University Web Site ___ Letters to Colleagues

III. SELECTION COMMITTEE MEMBERSHIP

	NAME	Class/Title/Rank
Chair:		
Members:		

IV. PROFILE OF APPLICANTS

A. Total Applications Received: _____

B. Applicants Interviewed

Names

C. Candidates Recommended for Appointment

	Name
1 st Choice	
2 nd Choice	
3 rd Choice	



CALIFORNIA STATE UNIVERSITY, SACRAMENTO
APPLICANT FLOW INFORMATION
QUESTIONNAIRE (Confidential)

APPLYING FOR:

Position Title _____

Position # _____

Dept. _____

Faculty Management Staff

Dear Applicant:

California State University, Sacramento has established the achievement of a truly diverse faculty, staff and administration as one of its highest goals.

I would like to request that you take the time to complete the survey below. This survey assists in monitoring the effectiveness of recruitment efforts and in collecting data for compliance with reporting requirements. We very much appreciate your cooperation in the timely completion and return of this form.

Please send this pre-stamped and addressed form directly to the Equal Opportunity/Affirmative Action Office, Sacramento Hall 259, California State University, Sacramento, 6000 J Street, Sacramento. No envelope or stamp is necessary. Fold with the address showing and staple or tape together.

California State University, Sacramento's Equal Opportunity/Affirmative Action Office is located in Sacramento Hall, Room 259. The telephone number is (916) 278-6907. You may contact this office if you have any questions regarding our commitment to Equal Opportunity/Affirmative Action.

Thank you,

David L. Wagner
 Vice President for Human Resources

Name _____ Date _____

Gender: Female Male Age: 40 or over

Self Identification of Ethnic Group. (Please circle appropriate number and letter):

- | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. BLACK
 F = Black
 (African American, African, Other)</p> | <p>3. OTHER NON-WHITE
 X = Other non-white</p> | <p>6. PACIFIC ISLANDER
 P = Hawaiian Q = Samoan
 R = Guamanian/Chamorro
 T = Other _____</p> |
| <p>2. ASIAN
 I = Japanese J = Chinese
 K = Korean L = Vietnamese
 M = Asian Indian U = Cambodian
 Y = Laotian
 S = Other _____</p> | <p>4. HISPANIC
 A = Mexican, Mexican American/Chicano
 B = Puerto Rican C = Cuban
 D = Other _____</p> | <p>7. NATIVE AMERICAN *
 H = American Indian O = Aleut
 N = Eskimo</p> |
| | <p>5. CAUCASIAN
 E = White</p> | <p>8. FILIPINO
 G = Filipino</p> |

*A person with origins in any of the original peoples of North America who maintains cultural identification through tribal affiliation or has community recognition as an American Indian or Alaskan Native.

Please check if the following applies:

Vietnam Era Veteran or other covered vets

How did you learn of this position

- | | | | |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Advertisement - what source:
_____ | <input type="checkbox"/> CSUS flyer - where:
_____ | <input type="checkbox"/> Job Line | <input type="checkbox"/> CSUS employee |
| <input type="checkbox"/> Announcement/flyer -
where posted:
_____ | <input type="checkbox"/> Professional meeting/
conference
_____ | <input type="checkbox"/> Self-inquiry | <input type="checkbox"/> staff member |
| | | <input type="checkbox"/> Social Service Agency | <input type="checkbox"/> faculty member |
| | | <input type="checkbox"/> Internet | <input type="checkbox"/> administrator |
| | | <input type="checkbox"/> Non-campus person | <input type="checkbox"/> Other source _____ |

GUIDELINES

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GUIDELINES

- 4. If the college or department envisions using technology to deliver instruction, a statement such as "the department anticipates increased use of television, the Internet, and other information technologies in delivering instruction." This may also become, depending on the position, one of the Special Knowledge/Abilities listed as a requirement or a preference.

F. REQUEST FOR REFERENCES

Departments are strongly encouraged to request names and phone numbers of references. If letters are requested, they should not take the place of telephone reference checks on semi-finalists and/or finalists.

G. REQUIRED WORDING FOR DIVERSITY STATEMENT:

"California State University, Sacramento is an Affirmative Action/Equal Opportunity Employer, and has a strong institutional commitment to the principle of diversity in all areas. In that spirit, we are particularly interested in receiving applications from a broad spectrum of qualified people who assist the University in meeting its Strategic Plan goal of pluralism; "To develop a campus community whose diversity enriches the lives of all and whose members develop a strong sense of personal and community identity as well as mutual respect." CSUS hires only those individuals who are lawfully authorized to accept employment in the United States.

H. REQUIRED WORDING FOR JEANNE CLERY STATEMENT

"In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, California State University, Sacramento has made crime reporting statistics available on-line at www.csus.edu/police/cleryact.htm. Print copies are available in the library, and by request from the Office of Public Safety and the Office of the Vice President for Student Affairs."

I. WORDING FOR JOURNAL ADS:

"CSUS is an Affirmative Action/Equal Opportunity employer." or
"AA/EO."

III. COLLEGE-WIDE MEETING TO DISCUSS RECRUITMENT PROCESS.

GUIDELINES

Each College Dean will schedule a college-wide meeting to discuss recruitment process with the committees. If requested, the Associate Vice President for Human Resources and the Director of EO/AA will attend the meeting.

IV. DEPARTMENT CONDUCTS RECRUITMENT ACTIVITIES

A. DEPARTMENT AA/EO REPRESENTATIVES

Campus policy (UARTP 6.06) requires that each department elect, or otherwise provide for the selection of an AA/EO Representative(s) (AA/EOR) to its search committee(s). The AA/EOR must be a tenured member of the department faculty. The role of the Affirmative AA/EOR is to advise the search committee on recruitment resources to provide a broadly representative applicant pool. The AA/EOR continues throughout the recruitment process.

RECOMMENDATIONS

1. While not required, we strongly urge departments to have the AA/EOR serve as a voting member of the search committee.
2. AA/EORs should be involved as early as possible in contributing to the development of the language in the vacancy announcement.
3. Use the AA/EOR as a resource person to assist in developing Recruitment strategies. These strategies may include networking with appropriate professional organizations, doctoral degree granting institutions, and relevant campus-based groups. These efforts do not relieve the committee or Department Chair from the obligation to conduct aggressive recruitment.
4. AA/EORs within a College may wish to meet periodically to exchange information and discuss successful recruitment and hiring practices.
5. AA/EORs are involved with hiring full-time faculty. They are not department affirmative action officers. They should not be involved in other affirmative action functions such as complaint investigation.
6. If issues of possible discrimination occur during the hiring process,

GUIDELINES

AA/EORs should contact the appropriate University administrator for assistance.

B. NORMAL ACTIVITIES TO BE CONDUCTED BY COLLEGES /DEPARTMENTS:

1. Human Resources will place university-wide advertisements in the Chronicle of Higher Education and other appropriate general-interest, nation-wide publications.
2. Departments are responsible for placing ads/notices in discipline-specific national professional associations' newsletters, periodicals or web sites.
 - a. The text for advertisements must receive prior approval from the College Dean.
 - b. Requisitions for all publications must be placed in CMS.
 - c. Each Dean's office and Procurement will coordinate placement of the ads in the specified publication
3. After the vacancy announcement has been approved by the College Dean, the following step should be taken:

Dean's office e-mails a copy of the approved vacancy announcement (as an attachment) to ahenrio@csus.edu.
PLEASE MAKE SURE IT HAS BEEN SAVED IN MICROSOFT WORD BEFORE SENDING.
4. Mail vacancy announcements to those universities having strong doctoral programs in specialized field(s).
5. Create as broadly a based applicant pool as possible. Recruitment resources are available in the Equal Opportunity/Affirmative Action Office (SAC-259).
6. Check Doctoral Incentive Forgivable Loan recipients list available in College Dean's office or Equal Opportunity/Affirmative Action Office. Mail vacancy announcements to those who are studying in the area of proposed hire.
7. When possible, attend professional meetings and "network" the

Faculty Recruitment Survey Data Available

www.calstate.edu

-Faculty and Staff

-Systemwide Human Resources

-Academic Human Resources

-Faculty Recruitment

Historical, 1988-2003

2003

2002



2001

2000













1998-99

Instructional Faculty

Instructional Faculty Profile: College of Arts & Letters

- WTUs and FTEF (by Ethnicity and Gender)   Fall 2000 - 2003
- WTUs and FTEF (by Faculty Rank, Tenure Status and New Appointments)   Fall 2000 - 2003
- Tenure Status (by Ethnicity and Gender)   Fall 2000 - 2003
- Faculty Rank (by Ethnicity and Gender)   Fall 2000 - 2003
- Age Range (by Ethnicity and Gender)   Fall 2000 - 2003
- Age Range (by Faculty Rank, Tenure Status, and New Appointments)   Fall 2000 - 2003
- Ethnicity (by Faculty Rank, Tenure Status, New Appointments, and Gender)   Fall 2000 - 2003
- FTEF (for all Tenured and Probationary Faculty, including FERP)   Fall 2000 - 2003

Instructional Faculty Trend: College of Arts & Letters

- Total Faculty Headcount (by Age Range)   Fall 2000 - 2003
- Total Faculty Headcount (by Ethnicity)   Fall 2000 - 2003
- FTEF Breakdown (by Faculty Rank)   Fall 2000 - 2003
- Total Faculty Headcount (by Gender)   Fall 2000 - 2003
- Total Faculty Headcount (by Rank)   Fall 2000 - 2003
- WTU Breakdown (by WTU Category)   Fall 2000 - 2003

FTEF (Full Time Equivalent Faculty) = Share of a full-time faculty position (1.00) supported from instructional funds.
 WTUs (Weighted Teaching Units) = Amount of workload credit earned by a faculty member for instructional, reimbursed and assigned time.

AFFIRMATIVE ACTION PLAN

From: Department of Labor – Facts on Executive Order 11246 – Affirmative Action

<http://www.dol.gov/esa/regs/compliance/ofccp/aa.htm>

Non-construction (service and supply) contractors with 50 or more employees and government contracts of \$50,000 or more are required, under Executive Order 11246, to develop and implement a written affirmative action program (AAP) for each establishment. The regulations define an AAP as a set of specific and result-oriented procedures to which a contractor commits itself to apply every good faith effort. The AAP is developed by the contractor (with technical assistance from OFCCP if requested) to assist the contractor in a self-audit of its workforce. The AAP is kept on file and carried out by the contractor; it is submitted to OFCCP only if the agency requests it for the purpose of conducting a compliance review.

The AAP identifies those areas, if any, in the contractor's workforce that reflect utilization of women and minorities. The regulations at 41 CFR 60-2.11 (b) define under-utilization as having fewer minorities or women in a particular job group than would reasonably be expected by their availability. When determining availability of women and minorities, contractors consider, among other factors, the presence of minorities and women having requisite skills in an area in which the contractor can reasonably recruit.

Based on the utilization analyses under Executive Order 11246 and the availability of qualified individuals, the contractors establish goals to reduce or overcome the under-utilization. Good faith efforts may include expanded efforts in outreach, recruitment, training and other activities to increase the pool of qualified minorities and females. The actual selection decision is to be made on a non-discriminatory basis.

Affirmative Action Goals, Timetables, and Good Faith Efforts

The numerical goals are established based on the availability of qualified applicants in the job market or qualified candidates in the employer's work force. Executive Order numerical goals do not create set-asides for specific groups, nor are they designed to achieve proportional representation or equal results. Rather, the goal-setting process in affirmative action planning is used to target and measure the effectiveness of affirmative action efforts to eradicate and prevent discrimination. The Executive Order and its supporting regulations do not authorize OFCCP to penalize contractors for not meeting goals. The regulations at 41 CFR 60-2.12(e), 60-2.30 and 60-2.15, specifically prohibit quota and preferential hiring and promotions under the guise of affirmative action numerical goals. In other words, discrimination in the selection decision is prohibited.

California State University, Sacramento

The California State University, Sacramento Affirmative Action Plan is updated annually. A copy is on file in the Office of Equal Opportunity/Affirmative Action in the Office of Human Resources, Sacramento Hall 259. The Web site for the Affirmative Action Plan is <http://www.csus.edu/fas/aaplan03.pdf>.

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY (EEO) LAWS

From: Federal Laws Prohibiting Job Discrimination: Questions And Answers

www.eeoc.gov/facts/qanda.html

The federal laws prohibiting job discrimination are:

- Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;
- the Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
- the Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older;
- Title I and Title V of the Americans with Disabilities Act of 1990 (ADA), which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;
- Sections 501 and 505 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities who work in the federal government; and
- the Civil Rights Act of 1991, which, among other things, provides monetary damages in cases of intentional employment discrimination.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces all of these laws. EEOC also provides oversight and coordination of all federal equal employment opportunity regulations, practices, and policies.

STATE EQUAL EMPLOYMENT OPPORTUNITY LAWS

From: Welcome to California

www.dfed.ca.gov/Statutes/statutes.asp

The State's Department of Fair Employment and Housing enforces employment-related laws:

Fair Employment & Housing Act (FEHA)

California Family Rights Act (CFRA)

Unruh Civil Rights Act

Ralph Civil Rights Act

*Cathi Christo's summary of Edmundo Aguilar's presentations
to the VARTP Comm. (4/25/05)*

CODE PROPOSAL:

Starting point:

Basic principles

1. affirmative action: duty to alleviate past effects of segregation
2. equal protection: elimination of factors such as race from governmental decision making
3. prop 209: prohibits state from discriminating or granting of preferential treatment
4. interaction of 209 and federal courts: what may be permissible under federal law may not be permitted under 209
5. under 209 cannot consider race, ethnicity, gender at any time
6. decision by third district court: question of affirmative action under Title 5
 - a. were struck down by court
 - b. this decision about considering adequacy of pools; cannot pay attention to ethnic diversity and bring people back into the pool based on race etc.

CODE PROPOSAL CONCERNS: major issues

1. #7 adequacy of the pool: cannot be on basis of ethnicity, race
2. Appendix 1; guidelines for training topics
 - a. Adequacy of applicant pools
 - b. B. all from remediation of past on are problematic
3. paragraphs 1 and 2

CODE Proposal Concerns: less major issues

1. paragraphs 1 and 2
 - a. training needs to be consistent with federal and state law
2. paragraph 4
 - a. sensitivity to issues of affirmative action: needs to be defined: as currently phrased would be vulnerable
3. paragraph 5
 - a. how are we measuring issues of affirmative action; how is nondiscrimination going to be measured
4. paragraph 6
 - a. why review race, ethnicity data during the process?
5. paragraph 8
 - a. need to clearly define criteria

1) Recruitment:

- a) Restrictions of 209 apply to recruitment as well when targeting particular group
 - i) Looking at a pool to see if it is adequate and going out and recruiting to make adequate is not acceptable
 - ii) Can cast a wide net
 - iii) Once you create categories of race, ethnicity you are becoming suspect
 - iv) Cannot discriminate or grant preference

2) Can possibly show more effort when has been discrimination in the past

- a) These things are not enough to prove past discrimination and allow targeted recruiting
 - i) Statistics
 - ii) Desire to bring in role models
- 3) Can have inclusive recruiting but not because you are trying to reach particular ethnic group
- 4) Writing job announcements in a way that would bring more under-represented groups
 - a) Ex. Particular music class – probably not if there is any suggestion that trying to give preference to a particular group
 - b) If doing it because you are wanting to add something to curriculum then is okay

Arts and Letters Reaction to CODE, presented March 8, 2005
Submitted by Nick Burnett, Arts and Letters Representative, UARTP

I'm writing to add my department's voice to those opposed to the proposed changes that would require every member of a search committee to attend mandatory affirmative action training.

My primary concern is strictly a practical one. Forcing faculty committees to attend training that will undoubtedly be unpopular will bog down the hiring process in ways that could have a very detrimental effect on what is already a complicated and time-consuming process. If our primary goal is to hire the best and brightest to take our faculty positions (as it damn well better be), I would be opposed to anything that could slow down the process.

My other concern is a sense that – at least in our department – there is not a significant problem that needs to be solved. I have personally attended both Affirmative Action new faculty hiring training on multiple occasions and can report that we are handling our searches carefully and according to the university policy. In my opinion, this kind of training for each and every committee member will not result in significant advances in minority hiring.

Thank you for carrying our concerns to the UARTP committee.

Best wishes,

Ernie M. Hills, Chair
Department of Music

I share the feeling of most of the chairs at the Arts and Letters Chairs meeting. I strongly feel we don't need another level of bureaucracy or draconian measures. I've been on hiring committees in two departments, and it was clear in both departments there was a strong desire to find well-qualified diverse faculty. The biggest obstacle to hiring such faculty seemed to be the pay and workload here at Sacramento State and the scarcity of candidates in the disciplinary areas, not the failure of the hiring committee to make a good faith effort. On the other hand, recruiting faculty to serve on hiring committees and then commanding them to go to training meetings will make it more difficult to find faculty willing to serve. In my own department and other small departments, we have to recruit members of our hiring committee from other departments because we don't have enough tenured faculty. This is already difficult, and the new policy will make it even harder or perhaps impossible. Furthermore, the last training I attended was so crowded that Sheila Orman had to move us to a larger room. Perhaps there are certain departments whose deans need to lean on them to attend, but overall attendance appeared to be excellent. If it's not broke . . .

Robby Ching, Director
Learning Skills Center

In response to your visit to the A+L chairs meeting, I wanted to share my response to the CODE proposal----

I have no sense of the "problem" that this draconian policy is meant to address, and would want to have a strong sense of a meaningful, significant issue that could be addressed by what is proposed. I know in my own discipline, the "demographics" of viable candidates has been startlingly "white" despite our best efforts to create a diverse pool. I wonder if the "problem" that CODE is hoping to address is more complex than "simply" the aura of implied discrimination that CODE is raising with this proposal.

In my own activities as the department's AAOR I never felt my input was stifled or not taken at the appropriate time in the process—and the policy CODE has proposed seems to suggest that AAORs have been remiss in undertaking their responsibilities to monitor the process at the department level. I haven't heard anything that would suggest that this has been the case, so I'm not really in favor of adding even more to the current policy in the absence of evidence of some misstep that requires repair.

Candidly, I think the resistance of faculty, who feel already overburdened, to the requirement of "re-education" on these issues will have negative effect on our ability to get folks to serve on personnel committees. I hope this helps. Jackie Donath, Humanities and Religious Studies

Thank you for speaking to the A&L Department Chairs about the proposed ARTP policy.

I have the following concerns:

- 1) Since the Department of History operates as a "Committee of the Whole" in hiring, would the entire faculty be required to attend the training sessions? Our search committees do identify the candidates who will interview on campus, but at that point the "Committee of the Whole" takes over the hiring process.
- 2) When we hire faculty for the Department of History, we seek to identify the best candidates for the position based generally on each applicant's preparation and experience to teach particular courses, their overall teaching experience/abilities and their experience/potential for research. It is not clear to me how in this process the search committee, in particular, would seek to identify diversity candidates through a review of the application materials. We do not ask candidates to identify any aspect of their personal/ethnic/religious characteristics, so I don't know how the search committee in particular would even begin to evaluate candidates on the basis of diversity characteristics -- except, in most cases, on the basis of gender. I don't think it would be a good idea to do anything but seek to hire the candidates who are best qualified based on teaching, research and service experience and potential.

Allowing us to hire in areas where it is more likely that we will have a pool of diversity candidates is a better approach. For example, we may in the near future request to hire an expert in Latin American History, and I expect that we will have a large pool of Hispanics for this position. The process we follow now, however, is not flawed, and it does allow us to identify the best candidates for the advertised position.

- 3) I am somewhat confused by this entire initiative. Although I am not an expert on affirmative action law, this proposed policy seems rife with potential pitfalls.

I hope this input helps and that you understand my basic concern. Thanks
Chris Castaneda, Chair
Department of History

Christo, L C

From: Christo, L C

Sent: Tuesday, February 15, 2005 7:57 AM

To: Christo, L C

Subject: CODE

Kathi, if it's not too late, I wanted to send along my strongest endorsement of the CODE proposal related to AA/EEO representatives across university departments. I think the language of the proposal is appropriate, long overdue, and ultimately will serve to make the role of AA/EEO reps more meaningful in search committees.

Regards,

jc

2/15/2005

Mary Reddick

To: mreddick@csus.edu
Subject: RE: CODE Policy Revision

Mary:

I think the proposed policy will make the search process more laborious without a change in the outcome. If the current policy is adhered to, as it has been in the Library, then I believe search committees are adequately informed of AA/EO law, policy and practices.

Jennifer

Mary Reddick

To: mreddick@csus.edu
Subject: RE: CODE Policy Revision - Rhonda's response

Dear Mary,

I believe it is important that all search committee members go through this training. From my experience as the only librarian that has "outreach" specified in my job description, I have always felt that the importance of outreach should not be left to one person. In fact I have always argued that outreach should be everyone's responsibility. Requiring all of us to be aware of the issues of diversity can only make for a better workplace. Moreover, we might be accountable to our public service roles. The policy would only make for a better search committee.

I strongly endorse the CODE policy.

Kathy Blackmer

Dear Bill,

Thank you for your request for input on the proposed ARTP changes. The department has not had an opportunity to thoroughly discuss the issues and hence it is imperative that I emphasize that the following comments are my own views only, and I do not write on behalf of the department nor in my capacity as Chair of Primary RTP.

I would like to underline, by way of preamble that, in my view, our department has been extremely successful in implementing diversity goals over the past several years of hiring. In fact, in the last 8 years we have hired 14 new faculty of whom only 5 represent the traditional dominant group of white males. From my perspective, therefore, existing university policy is working well. On the other hand, I do not consider myself well informed on what is taking place in other departments, nor on the particular, and possibly unique, problems that other departments may face.

That said, I see no problem with items 2, 3, and 4 of the proposed changes. Conversely, item 1 seems to me to unduly burden an already complex and detailed process, with no reason to believe that this will increase the representation of women and faculty of color among new hires.

With regard to your specific questions:

1. "Whether you could live with it if adopted":
In general, my view is that if I can live with assessment I can live with anything, but in order to live happily I would like to see some arguments and evidence that this proposal effectively addresses the problem, and is not just another bureaucratic accretion that will make us look good but not really accomplish anything.
2. "How much increased difficulty will it cause"
That depends. If the proposal should be acted upon favorably could the committee make clear whether the department search committee would be required to attend annually or would one training session per faculty member be sufficient for a specified duration (e.g. 5 years). If such training is indeed likely to be beneficial, would not the same benefit accrue by the requirement that one member of each search committee should be required to have completed the training rather than the entire committee.
3. Gains in diversity to be anticipated.....
The department of Sociology is totally committed to the University's goals of diversity in hiring. As indicated above, among our present generation of new hires, approximately two-thirds are drawn from traditionally underrepresented groups. In view of this demonstrated commitment I do not anticipate any benefit to us from the proposed policy change.

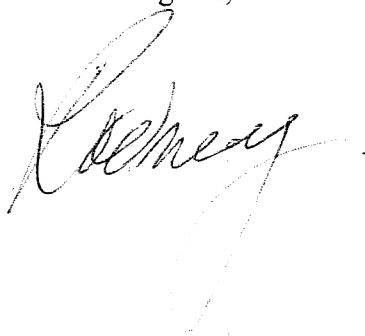
4. Alternatives.....

I am doubtful about the benefits of AA training because I am doubtful that the difficulties we encounter as a campus in achieving diversity goals have much, if anything, to do with a lack of training. Far more significant, in my view, is our disadvantaged competitive position in a seller's market due to our heavy teaching loads which make us less attractive compared to other institutions. This is particularly true when candidates are also told they will be held to scholarly activity requirements as well. Therefore, in my view, the single most important institutional change would be for the President to announce a university-wide commitment to the 9 unit class load. That obviously isn't going to happen but it might be interesting if the ARTP committee could develop some data showing a) what proportion of traditionally under-represented candidates in the interview pool withdrew prior to the interview and b) what proportion of employment offers were rejected in favor of offers elsewhere. That would help to develop a better sense of the source of our problems and build stronger pressure for that kind of institutional change.

Other than that, I do not have any particular suggestions beyond aggressively disseminating information about position openings by all available formal and informal means. This has worked well for us but, of course, different departments can be expected to experience different kinds and degrees of difficulty when addressing this issue.

Thank you for the opportunity to respond,

Best regards,



Rodney Kingsnorth
Dept. of Sociology
Chair, RTP Comm.

Oct. 2004

To Department —

I have in my office a long memo from Bill Dillon, who is chair of the University ARTP Committee.

He is forwarding to Dept chairs and chairs of Dept primary RTP committees (for us that is Nancy) a proposal from the Committee on Diversity and Equity (CODE) to amend the ARTP Policy. This is a significant proposal and if adopted would impact our future hiring practices. I can respond for the Dept., but it would be good to have any and all input. Since this item will come up on the ARTP Committee next Tues Nov. 2, there isn't really time for a dept meeting before then. Perhaps we can discuss this by email? But if there appear to be issues which the full dept needs to discuss, I will schedule a dept meeting soon.

The issue, as I understand it, is how to promote more diversity among the faculty. Apparently there has actually been some decline in the diversity of the faculty in recent years (I am not sure how much decline and or how recently). So the proposal is to step up the role of the Affirmative Action/ Equal Opportunity Representative, already required as part of departmental search committees, and— even more important—to require that searches be suspended if there is disagreement between the Affirmative Action Rep. and the Dept chair about the adequacy of the applicant pool (the search would be suspended until the Dean resolved the disagreement). The Affirmative Action Rep would also be authorized, acting independently, to object to a department's recommendation to hire because in his/her judgment some violation of affirmative action policy had been committed sometime in the course of the process from beginning to final recommendation. In this case again the search would be suspended until the Dean made an independent investigation and the search could be ended altogether.

My own view of this, based on experience with the myriad procedures involved in hiring, is that while the decline in the diversity of the faculty is of some concern, I don't see that this helps meet the problem. We are already required to have an Affirmative Action Rep. who is specially trained and who is supposed to advise the dept on appropriate procedures. Also, our applicant pools are required to be evaluated for diversity at several points along the way (including up to the selections for interviewees) by the Dean. The Dean pays careful attention to diversity. Also, I question how much farther we can go without violating Prop. 209.

More seriously, this could add just another layer of inconvenience for an already overly bureaucratized hiring process. I think it would be highly inconvenient and perhaps demoralizing to have a faculty search suspended or even stopped after a lot of work—not to speak of the problems of losing good candidates.

I think this proposal does not show sufficient good will towards dept intentions, at least towards depts. such as ours. I think we do our best here; that another layer of bureaucracy won't help—in fact it will hurt; and that a remedy for this problem needs to be sought elsewhere.

This is my view. But perhaps you disagree—or have other ideas? If you do respond, please reply to the whole dept.

Thanks.

Mimi

Mimi Gregg, Chair, Dept of Government

Oct. 2004

From: rso@csus.edu
Sent: Wednesday, October 27, 2004 1:02 PM
To: Gregg, Mignon S
Subject: Re: FW: Prposal to Amend the University ARTP Policy relative to hiring.

Government Dept

Mimi--

I believe that everyone in this department wants to see a diversified pool of applicants and adhere to the principles of inclusion in terms of our hiring policies and actions in the department. However, even though I have not read the proposed policy I feel that we should be doing everything possible to insure racial and gender diversity at the university. Many people may feel that this adds on an extra layer of bureaucracy but that was the same rationale used by those who opposed affirmative action and other methods to end racial discrimination. While this department is committed to diversity after John Shoka and David Covin leave the department I will be the only person of African descent in the department. We do not have any Latino presence in the department and the gender balance is not there. In our last hiring process that I was involved in there was no one there officially representing the interests of affirmative action. I as the lone minority person on the panel felt compelled to speak out on the need to diversify our faculty. While I had no problems with the selections that were made we did not have the opportunity to hire a minority person or a woman and we did not do that. What is the real commitment of this department around these matters. I feel we should not be apprehensive to find ways to diversify our faculty to reflect the community and state that we live in. The numbers of minority faculty at CSUS and across the state is unacceptable and I hope that we recognize these imbalances and try and make the changes that will bring about different results in the hiring of minority faculty members.

Stan

On 26 Oct 2004 at 13:04, Gregg, Mignon S wrote:

> I am forwarding this to the whole dept in case you didn't get it.
>
>
>
> Other comments so far-from Chris and Jean-support the reservations I
> have stated.

> -----Original Message-----

> From: Covin, David
> Sent: Tuesday, October 26, 2004 12:50 PM
> To: Gregg, Mignon S
> Subject: RE: Prposal to Amend the University ARTP Policy relative to
> hiring.

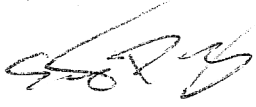
> Mimi,

> Despite the good will shown by our department, I am aware that this
> is not a universal condition at the university. For that reason, I
> support the change.

> David Covin

INTEROFFICE MEMORANDUM

TO: RHONDA RIOS KRAVITZ, CHAIR OF CODE

FROM: STEPHEN PEREZ, CHAIR, DEPARTMENT OF ECONOMICS 

SUBJECT: CODE PROPOSAL TO AMEND SEC. 6.06.D OF UNIVERSITY ARTP POLICY

DATE: 11/16/2004

CC: WILLIAM DILLON, CHAIR OF UARTP COMMITTEE

The Economics Department has been made aware of a proposed change to the UARTP policies regarding AA/EO policies in hiring proposed by CODE. The Department is in agreement that the AA/EO policies are of great importance to maintain fairness in the hiring process. However, the department feels that the proposal goes too far and would unduly impact the hiring process.

The department sees merit in the suggestion that all members of a search committee take some training relative to AA/EO law, policy and practice and feels that this will sufficiently safeguard the hiring process. Further, the department does not see any problem with the current hiring policies.

The department opposes the recommendation that the AA/EOR be given unilateral veto power over the hiring process. If any member of the search process feels that there has been a violation of AA/EO policies, that person should make that concern known. However, vesting veto power in one person is not warranted and could be quite disruptive to the hiring process. Further, we oppose the suggestion to give the AA/EOR the power to object to a department's hiring recommendation. If the AA/EOR has a concern with the hiring process, that concern should be raised immediately and not held until the point of making a hiring recommendation.

Gregg, Mignon S

From: Sheley, Joseph [sheleyj@csus.edu]
Sent: Friday, October 29, 2004 4:40 PM
To: Gregg, Mignon S
Subject: Please Forward to Bill Dillon

Bill:

Thanks for including me on the list of people to look at the CODE amendment language. I can live with it if adopted. It likely will cause some inconvenience in the short run (as most changes do) and, for a few departments in SSIS, some difficulties. Overall, however, most of our programs have worked pretty hard to assure that the best effort is made to get the word out via as many channels as possible about openings. The pools are acceptable ultimately because people put in the recruitment effort up front. Gains in the SSIS pool will not be huge were we to pursue this plan. However, its pursuit might well occasion departmental-level conversations about the manner in which "ability to address the needs of a diverse student population" is addressed as a criterion in evaluations of applicants for faculty jobs. This might become problematic for some programs but ultimately would be worthwhile to discuss.

Again, I appreciate the chance to read the proposed amendment.

Thanks.

Joe

Joseph F. Sheley, Dean
College of Social Sciences and Interdisciplinary Studies
255 Amador Hall
California State University, Sacramento
6000 J. St.
Sacramento, CA 95819-6109
Phone: 916-278-6504 (office) 916-278-4678 (fax)

11/2/2004



CALIFORNIA STATE UNIVERSITY, SACRAMENTO

COLLEGE OF BUSINESS ADMINISTRATION

DEPARTMENT OF ORGANIZATIONAL BEHAVIOR & ENVIRONMENT

MEMORANDUM

To: William Dillon

From: John LaRocco

Re: College of Business Administration Comments on CODE Proposal

Date: December 1, 2004

Dear Bill,

There is a strong probability that I will not be able to attend the University ARTP Committee meeting set for Tuesday, December 7. Should the Committee discuss the CODE proposal, I have compiled the comments that I received from my colleagues at the College of Business Administration. At the end of the comments, I have my own observations. Please feel free to share this information with the UARTP Committee.

I received the following comments from full-time faculty members at the College of Business Administration.

1. The CODE proposal interferes with, and usurps departmental governance.
2. Personally, I think the diversity issue is overblown. Are people not complying with the affirmative action laws?
3. These types of proposals create additional meetings that are not worth the time and dedication of busy Committee members.
4. The CODE proposal adds more hoops to an already complex hiring process.
5. I hope we can successfully fight CODE.
6. I do not see anything alarming in CODE's proposal.

6000 J Street, Sacramento, California 95819-6088 • (916) 278-6463 • (916) 278-5580 FAX

7. I am opposed to training every year. Mandatory training is busy work to justify someone's existence. The proposal is simply intended to make someone feel good and to force compliance.
8. This adjustment adds more bureaucracy to the vital search procedure. Is there any evidence that the University has violated diversity goals? I'd vote the proposal down.
9. The proposal is absurd and insane. The proposal, if passed, will be a disincentive for faculty members to serve on hiring committees.
10. CODE should consider diversity of ideas.

As you can glean, most of the comments are negative. Overall, it is my impression that the CODE proposal was not well received in the College of Business Administration.

I have three observations. First, the CODE proposal appears to put College Deans between the proverbial "rock and a hard place." As I understand the CODE proposal, the EEO officer could stop the search after the interview process referring the matter to the Dean. If the search is halted, the EEO officer, in all likelihood, has some sort of problem with the candidate selected by the Search Committee. If so, the EEO officer undoubtedly advocates for another candidate from among those interviewed. If the Dean sides with the EEO officer, the person that the Committee would have selected would likely sue. If the Dean overrules the EEO officer, chances are good that the person advocated by the EEO officer will institute a lawsuit. In other words, the University is likely to be a defendant in lawsuit regardless of how the Dean acts.

Second, I think we must consider the effect that the CODE proposal may have on college and departmental governance. If a department is concerned about the experience of the members that it elects to a Search Committee, the department could encourage that person to attend whatever training is offered by the University or the College.

Third, the CODE has not presented any evidence that the current hiring process has resulted in a lack of diversity or that its proposal would guarantee even more diversity.

I hope that the UARTP Committee members will consider my comments as well as the comments from my colleagues at the College of Business Administration.

Forseth, Carolann

From: Jeff Lustig [jlustig@igc.org]
Sent: Monday, November 08, 2004 4:47 PM
To: Forseth, Carolann
Subject: Dillon again

Folks,

This proposal is a perfect example of the trend in modern academia to grant management ever greater powers, and at the cost of traditional faculty prerogatives. Given the highly desirable ideal of promoting faculty diversity, some faculty now want to empower the Affirmative Action/ Equal Opportunity Representative to suspend a search whenever there's "disagreement" between the Affirmative Action Rep. and the Dept chair (presumably representing the dept.) about the adequacy of the applicant pool, and then--another major innovation--to empower the dean and an "independent investigation" to become arbiters of the disagreement and doorkeeper of the search--with the power to end the search altogether if he/she is not happy with the departmental choices.

Mimi is right when she says that this proposal fails to meet the problem, as are others who note it adds a new level of bureaucracy and demeans the faculty role. Worse, it shifts the balance within the university's shared governance arrangement because it usurps traditional faculty prerogatives under the cover of pursuing a goal we all support. If passed the proposal would give a formidable power to a dean who might have no real knowledge of a particular disciplinary field, no real knowledge of the pool of applicants available to it, and no knowledge of the disciplinary needs of a particular dept. It would make hiring subject to much more administrative intervention than has ever before been the case.

The problem with hiring women and minorities at Sac State hasn't been lack of diversity in the search. It's been working conditions that aren't competitive with those of other universities. All of our depts. now have had the experience of making offers to women and minorities who chose not to accept those offers once they learned about our salary and working conditions.

If faculty and administration want to really help increase diversity more resources have to be devoted to that effort (instead of, say, to an educationally useless sports arena). Give us the money to increase salaries and lighten course loads. THAT will increase diversity at Sac State.

--Jeff