



California State University, Sacramento  
Faculty Senate  
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Attachment A-2  
Faculty Senate Agenda  
September 28, 2006

## MEMORANDUM

May 9, 2006

To: Alexander Gonzalez  
President

Via: Ric Brown  
Provost and Vice President  
Academic Affairs

From: Cristy Jensen   
Chair  
Faculty Senate

Subj: Initiative Results

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The following ballot measure was adopted by the faculty (86 = yes; 61 = no) in the election concluded on May 5, 2006 and is now forwarded for your information and action:

- Whereas: The Faculty Senate of California State University, Sacramento approved FS 05-69/Ex. (UARTP DOCUMENT – AMEND SECTION 6.06D) at the meeting of February 2, 2006; and
- Whereas: This amendment to the University Appointment, Retention, Tenure and Promotion Policy makes substantial changes to the section of the policy dealing with Affirmative Action/Equal Opportunity Representatives; and
- Whereas: The Faculty Senate, at the March 2, 2006 meeting voted to NOT send FS 05-69/Ex. to a Referendum of the faculty and allow the faculty of California State University, Sacramento to review and express their approval of the changes to the UARTP Policy; and
- Whereas: The faculty of California State University, Sacramento have a direct and vital stake in the University Appointment, Retention, Tenure and Promotion Policy as it guides the professional conduct of most phases of faculty employment; and

Whereas: FS 05-69/Ex. not only describes an enhanced role for the Affirmative Action/Equal Opportunity Representative in faculty recruiting, it also imposes continuing training requirements on all faculty participating on search committees; therefore be it

Resolved: That the Faculty of California State University, Sacramento rescinds the passage of FS 05-69/Ex. (UARTP DOCUMENT- AMEND SECTION 6.06.D) and restores the previous language in the University Appointment, Retention, Tenure and Promotion Policy; and be it further

Resolved: That the Faculty of California State University, Sacramento call upon the Chair of the Faculty Senate to open a campus dialogue on the issue.

A copy of the ballot is attached for your information.

CJ/cj

Enclosure

cc: D. Wagner, Vice President, Human Resources

**Resolution from the Faculty of California State University, Sacramento to Rescind FS 05-69/Ex. (UARTP DOCUMENT – AMEND SECTION 6.06D)**

- Whereas: The Faculty Senate of California State University, Sacramento approved FS 05-69/Ex. (UARTP DOCUMENT – AMEND SECTION 6.06D) at the meeting of February 2, 2006; and
- Whereas: This amendment to the University Appointment, Retention, Tenure and Promotion Policy makes substantial changes to the section of the policy dealing with Affirmative Action/Equal Opportunity Representatives; and
- Whereas: The Faculty Senate, at the March 2, 2006 meeting voted to NOT send FS 05-69/Ex. to a Referendum of the faculty and allow the faculty of California State University, Sacramento to review and express their approval of the changes to the UARTP Policy; and
- Whereas: The faculty of California State University, Sacramento have a direct and vital stake in the University Appointment, Retention, Tenure and Promotion Policy as it guides the professional conduct of most phases of faculty employment; and
- Whereas: FS 05-69/Ex. not only describes an enhanced role for the Affirmative Action/Equal Opportunity Representative in faculty recruiting, it also imposes continuing training requirements on all faculty participating on search committees; therefore be it
- Resolved: That the Faculty of California State University, Sacramento rescinds the passage of FS 05-69/Ex. (UARTP DOCUMENT- AMEND SECTION 6.06.D) and restores the previous language in the University Appointment, Retention, Tenure and Promotion Policy; and be it further
- Resolved: That the Faculty of California State University, Sacramento call upon the Chair of the Faculty Senate to open a campus dialogue on the issue.

**Ballot – PLEASE MARK ONE, REMOVE THIS PAGE AND PLACE IT IN A SENATE BALLOT BOX:**

\_\_\_\_\_ **YES, Rescind the Changes set forth in FS 05-69/EX.**

\_\_\_\_\_ **NO, Do Not Rescind the Changes set forth in FS 05-69/EX.**

**Summary of Changes to Section 6.06 D of the UARTP Policy that result from the Senate's passage of FS 05-69/Ex.**

1. The AA/EOR (Affirmative Action/Equal Opportunity Representative) must be elected.
2. The AA/EOR may be tenured or untenured, based on existing policy.
3. The AA/EOR must be a voting member of search committee.
4. The AA/EOR's term must be for at least one year.
5. The AA/EOR also serves as a recruiting-practice consultant.
6. The AA/EOR may serve as chair of search committee, if elected.
7. Department (or equivalent) Chair may not serve as AA/EOR.
8. No change to Department (or equivalent) Chair and Search Committee members' responsibilities regarding issues of affirmative action, nondiscrimination, and equal employment opportunity except as relates to training.
9. The AA/EOR plays a consulting/oversight role regarding all phases of the recruitment process.
10. The AA/EOR, after the fact, evaluates the effectiveness of the search process and recommends changes and enhancements for future searches.
11. Periodic Training is mandated for all faculty participating on search committees.

**Current UARTP Policy – Section 6.06 D:**

**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.

**The amended Section 6.06 D of the UARTP Policy**

**D. Affirmative Action/Equal Opportunity Representatives**

**1. ELECTION, STATUS, SERVICE: SEARCH COMMITTEE CHAIR, DEPARTMENT (OR EQUIVALENT UNIT) CHAIR AND AFFIRMATIVE ACTION/ EQUAL OPPORTUNITY REPRESENTATIVE**

A. In order to assure itself that it is providing equality of treatment and equal employment opportunity to all applicants, each department (or equivalent unit) shall elect from among its tenured faculty and its probationary faculty if permitted by the department (or equivalent unit) to participate in a search, an affirmative action/equal opportunity representative to serve as a voting member of its search committees. A department (or equivalent unit) may elect the same member to several search committees or a different member to each of several search committees.

B. Each affirmative action/equal opportunity representative shall normally be elected in the early spring or as circumstances require and shall serve a term of no less than one year.

C. In addition to his or her duties as a voting member of a search committee, the affirmative action/equal opportunity representative, based on training and advice from Human Resources and the University Counsel, shall advise the department (or equivalent unit) about recruiting practices that conform to applicable laws and regulations governing affirmative action, nondiscrimination, and equal employment opportunity.

D. An affirmative action/equal opportunity representative may serve as chair of a search committee provided the search committee elects him or her to serve in that capacity.

E. A department (or equivalent unit) chair shall be ineligible by reason of office to serve as an affirmative action/equal opportunity representative.

F. Nothing in this section shall be construed to absolve a department (or equivalent unit) chair whether serving on a search committee or not of his or her responsibilities in relation to issues of affirmative action, nondiscrimination, and equal employment opportunity.

**2. AA/EOR ROLES AND RESPONSIBILITIES**

A. The AA/EOR serves in an advisory and educational capacity to the search committee, not as a compliance officer. The role of the AA/EOR is to help develop an effective and comprehensive recruitment process to assist with the development of an inclusive applicant pool and to ensure the implementation of campus affirmative action and equal employment opportunity policies. The duties and responsibilities carried out by the AA/EOR shall be based on the training and advice from Human Resources and the University Counsel.

- B. Is well informed and knowledgeable on the issues of affirmative action and equal opportunity from both a state and federal perspective.
- C. Based on training and advice from Human Resources and the University Counsel, reviews existing departmental (or unit) and university policies and is advisory to the search committee on issues of affirmative action and equal employment opportunity.
- D. At the time a search is authorized, the Department (or equivalent unit) Chair and the Chair of the Search Committee, in consultation with the AA/EOR, (if selected at that time):
  - i. Critically analyzes the vacancy announcement for inclusivity, vision, and commitment to diversity, e.g., statement that applicant demonstrates a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of students.
  - ii. Develops a comprehensive and broad-based recruitment plan (vacancy announcement, advertising plan and language, and hiring procedures).
  - iii. Calls for departmental (or unit) hiring trend data, Affirmative Action plan, and national availability data to inform the development of the recruitment plan and for consideration of additional actions the department (or equivalent unit) may take to solicit a broad and diverse applicant pool. The data collection and analysis will not discriminate or grant preference to an individual or a group.
  - iv. The availability data will be used to help assess the effectiveness of the recruitment plan and to provide feedback for continuous improvement of the process.
- E. Prior to the commencement of a search (prior to sending recruitment plan to the Dean), the AA/EOR in consultation with the Search Committee Chair and the Department (or equivalent unit) chair reviews the recruitment plan for potential discrimination and ensures equal employment opportunities. If a bias in the process is identified, the AA/EOR shares information with the search committee, the Department (or equivalent unit) Chair, the Dean and Human Resources.
- F. If the AA/EOR, at any time, has reason to believe that inappropriate actions have been taken which may have the effect of discriminating against an applicant, the AA/EOR shall contact the committee chair and then the Human Resources office, as soon as possible.
- G. After committee deliberations have been completed and prior to recommendations being forwarded to the Dean, the AA/EOR shall affirm (by signature on the Applicant Process Summary) that no inappropriate actions have been taken which may have the effect of discriminating against an applicant. If

the AA/EOR fails to sign the Applicant Process Summary, a written statement by the AA/EOR may be included.

H. Following the conclusion of a search, the AA/EOR requests data from the Applicant Flow Information Questionnaire from Human Resources. The AA/EOR compares this data to the availability data to determine if the search process was successful at developing a pool of candidates representative of the available candidates. Using this information, the AA/EOR makes recommendations to the Department (or equivalent unit) Chair regarding future searches.

### 3. TRAINING

- A. The appropriate administrator shall prescribe training for all faculty members who intend to participate in a search. This training shall be uniform across the colleges and their departments (or equivalent units). It shall be designed to prepare faculty for their duties in connection with a search. It shall include information and guidance on such topics as: laws, regulations, university policies and procedures that bear on conducting a paper screening of applications, assessing the adequacy of applicant pools, checking references, conducting interviews and deliberating before deciding on a recommendation. Moreover, department (or equivalent unit) chairs and affirmative action/equal opportunity representatives in particular shall receive training that runs as well to laws and regulations that govern recruiting and to techniques and strategies of recruiting that comply with those laws.
- B. No faculty member shall participate in a search who has not completed the prescribed training before beginning to participate. It shall be the policy of the University to expect, encourage and recruit every full-time probationary and tenured faculty member intending to participate in a search to take the training that will equip him or her to participate. Before entering upon their duties in connection with a search leading to the appointment of permanent faculty or full-time temporary faculty whose appointment may become permanent without an additional search, the department (or equivalent unit) chair, affirmative action/equal opportunity representative and each and every member of each search committee including committees of the whole as provided for in Section 6.06.B.2 and note above shall complete a course of training to be prescribed by the appropriate administrator as provided in subsection 3.A above.
- C. In order to remain eligible to participate in searches from year to year, faculty members shall undergo prescribed training no less frequently than once in three (3) years. The appropriate administrator may extend or reduce the interval between successive instances of required training if he or she determines that doing so is necessary to the case.
- D. If any member of a search committee, at any time, has reason to believe that inappropriate actions have been taken which may have the effect of discriminating against an applicant, that member shall contact the committee chair and then the Human Resources Office.