

**A Study
of the
Affirmative Action Process**

University of Rhode Island

May 17, 1997

Table of Contents

Preface.....	2
Defining the Problem and Overarching Goal.....	4
The Diversity Initiative: Areas for Development and Change.....	9
Recommended Reorganization of the Affirmative Action Office	15
Director of AAO.....	18
Compliance Officer or Aide.....	19
Data Control Clerk.....	19
Diversity Educator	20
Graduate Assistant	20
Workstudy Student(s)	20
Additional Recommendations for AAO.....	21
Recommendations for the Interrelationship of Human Resource Administration and the Affirmative Action Office	29
Affirmative Retention.....	31
Recommended Actions	32
Hiring Success and Statistics	37
Conclusion	40
Acknowledgments	41
Appendix A.....	43
Appendix B	51
Appendix C.....	57
Appendix D.....	59
Appendix E	61
Appendix F	64
Bibliography	72
Partial List of Interviewees, Meeting Participants and Advisors	76

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We can move in [the] direction [of] great polarization—black people amongst black, white people amongst white, filled with hatred toward one another. Or we can make an effort, as Martin Luther King did, to understand and comprehend.... What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or whether they be black.

— Robert F. Kennedy

Evaluation conducted by
Judith Swift
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Preface

The undertaking of a study of the affirmative action process comprised of the personnel and infrastructure in both the Affirmative Action Office and the Office of Human Resource Administration began in August, 1996 at the request of President Robert L. Carothers. The departure of Affirmative Action Officer Salome Heyward to pursue work in the private sector indicated this to be an appropriate time for such a study. Pending a review of the affirmative action hiring process, Sylvia Spears Peters was appointed to the position of Interim Affirmative Action Officer. While most members of the university community seemed to be in accord that such a study was needed, some felt that the more traditional approach of a committee would be more fitting. While I could understand their concern, I was willing to take on the task as an individual fully intending to consult extensively with many individuals and constituencies throughout the University and beyond.

Interestingly enough, other universities have employed independent firms or consultants for such a studies. Previously the University of Rhode Island also used this approach¹; however, recent university-wide reports and meetings—such as the first Open Space meeting in July of 1996—have identified the need to use our own resources more effectively. Furthermore, utilizing an in-house resource to complete a study seemed financially prudent. As a long-term faculty member, I am privileged to have the advantage of firsthand knowledge of twenty-five years of institutional history. All that aside, however, I set about to make this study as broad-based and inclusive as possible. To that end, I interviewed 159 individuals, held open meetings, attended meetings with union executive boards or officials, governance groups, special interest groups and administrative units. Every effort was made to reach interested administrators, faculty, staff, students and alumni. Former staff and faculty were also contacted. In addition, I informally interviewed a significant number of people such as elected officials and corporate leaders whenever opportunities arose. I also spent full days interviewing Affirmative Action staff at the University of Massachusetts, Amherst and the University of Connecticut. I held lengthy telephone interviews with Affirmative Action officers at the University of Vermont, and the University of Maine. Briefer survey calls were undertaken with several other institutions from a broader geographical sample—University of Delaware, University of New Hampshire, Wesleyan University, University of Tennessee, Ohio University et al. A number of attorneys from Rhode Island and Massachusetts served as *pro bono* advisors on points of law.

¹ Flewelling, Rebecca Shellman (Assistant to the President, Tufts University) and William A. Savage (Assistant Chancellor and Director of Affirmative Action, University of Illinois, Urbana-Champaign), “The University of Rhode Island Affirmative Action Program Review,” August 17 and 18, 1989.

For reasons which will become clear in the body of this study, the breadth and depth of the undertaking grew beyond the scope first outlined by President Carothers. He was apprised of the need for this broader look and has supported the more extended time period in order to hear those who wished to be heard. It should come as no surprise that this is a topic of great concern to many in the academic community. Affirmative action and all its ramifications resonate throughout many aspects of campus life in the 90s. Affirmative action is clearly but a few strands—along with equal opportunity, multiculturalism, diversity and many other components—in the complex web of institutional values and actions.

Because affirmative action deals with personnel matters—searches, hirings, reports of discrimination, *etc.*, interviewees were often discussing issues of the most confidential nature. Many of those with whom I spoke asked not to be identified. To protect the privacy of those individuals whose personnel records must be confidential and to keep my pledge of confidentiality to those who spoke so candidly with me, the list of individuals interviewed includes only those who were interviewed in an official capacity. If I have inadvertently omitted anyone who wished their contribution to be noted, I offer my apologies and appreciation.

I also attempt to encapsulate the differing points of view of a myriad of individuals. If in that process, I have misrepresented or given short shrift to anyone, I am equally apologetic. The opinions herein, however, are a collection based on hours of interviews. They represent the honest and genuine concerns of the University community and our strongest supporters and critics—who are often one and the same.

There is understandably a sensitivity to language when referring to people intended to be the beneficiaries of affirmative action; even the definition of protected classes as beneficiaries is debatable. For the purposes of this report, I will follow the sage and sensible advice of Margaret Wilkerson, an African-American Professor of Mathematics in the California higher education system. She noted the following in a memo critiquing a plan² for cultural pluralism in the University community and the curriculum:

I must, however, criticize your use of the term “multicultural,” as a synonym for racial/ethnic. This is, in my opinion, a misuse of the term. “Multicultural” encompasses all cultural groups, not just those that are not white. The way in which the term is used [in the report] places whites at the center and defines everyone else as “other.” I realize that it may seem linguistically awkward to use persons of color or to name all of the targeted groups, but it would certainly be more accurate. Bringing about cultural pluralism on your campus means respect for and empowerment

² Ketrow, Sandra M. and Alfred G. Killilea, Steffen H. Rogers, Judith Swift, “Cultural Pluralism: Enriching Our Future,” The University of Rhode Island Team Report, Lilly Endowment Workshop on the Liberal Arts, June, 1992.

of all cultural groups. “Whites” should not be excluded from this construction, but rather become one of many cultural groups....

I noted your statement that “the presence of multicultural faculty is critical to the creation of a welcoming campus life and learning environment for multicultural students.” I think the point needs to be made that these racial/ethnic faculty are critical to the learning environment for all students, not only for the students of color. The kinds of changes that you are hoping to initiate require you to think about the ways in which these initiatives will benefit white students as well as students of color.

Professor Wilkerson’s observations may be extended to inform all of our decisions regarding affirmative action and the goal of diversity.

Defining the Problem and Overarching Goal

The Equal Employment Opportunity and Affirmative Action hiring process can be viewed from a number of perspectives. Most simply, it is the step-by-step procedure for conducting searches and making selections in compliance with the Office of Federal Contract Compliance Programs (OFCCP) and state and federal regulations. Perhaps the greatest issue we face is this simple fact: the institution could be in compliance with the letter of the law and still – potentially – fail miserably to meet the spirit of the law.

Affirmative Action was originally implemented to redress wrongs resulting from our country’s long history of oppression and racism. Although universities should be expected to serve as models of social equity and the best of operational human ideals, we find that they frequently reflect the conflicting values commonly found in the broader culture. America is a country wherein minorities and women are still struggling to achieve true equal opportunity. Again, it is not surprising that universities often mirror society at large in these matters. At present, the California Civil Rights Initiative is holding up in court and many opponents of affirmative action are hopeful that this may be the death knell for what they view as a discriminatory practice ironically designed to redress discrimination. Others side with the Clinton watchword of “Mend it. Don’t end it.” Whatever the legal future of affirmative action, the University of Rhode Island must take two steps to ensure its position as a leader position in addressing pressing issues of equal opportunity, and social and economic equity.

First, the operation of the Affirmative Action Office must advance in achieving regulatory compliance and the equally important goal of educating the community about diverse populations and their value to all members of the group. Second, the

University must set forth institutional goals for shaping a model community in which equity and diversity are understood and accepted goals. Perhaps now more than ever, it is imperative that the University of Rhode Island step forward and implement initiatives instituted under the current and previous administrations and define institutional values regarding diversity. Once that is accomplished, more significant steps are to build on years of planning and to follow through to ensure that those values transform into tangible—and sometimes measurable—results. And while we must be analytical and thoughtful, the intersection of social and political agenda makes this a matter of considerable urgency. Surely history has taught us that it is far better for the well being of the University to address the problems proactively rather than reactively.

Regardless of the views of those interviewed about affirmative action, equal opportunity is a concept no one disagreed with in the university community. In fact, in keeping with constitutional precepts, there is heartening unanimity regarding the ethical imperative of this principle. Equal opportunity, however, is fundamental to American thinking. We grew up on “log cabin to White House” stories and Horatio Alger rags-to-riches stories designed to capture the imaginations of young white males. The real problem comes in the face of the legally mandated solution to equal opportunity—affirmative action. For the purpose of this report, the definition of affirmative action is taken from the 1995 White House Affirmative Action Review ordered by President Clinton.

Affirmative action is any effort taken to expand opportunity for women or racial, ethnic and national origin minorities by using membership in those groups that have been subject to discrimination as a consideration in decision making or allocation of resources.³

We must gain a substantial consensus based on true understanding that diversity is a critical component for the present and future quality of the University of Rhode Island. If we can agree as a community on this one factor, it follows logically that some system of synergistic correction is essential to achieve diversity in any meaningful way. Diversity is not as simple as the achievement of representative and formulaic fractions of minorities in the overall culturally white-dominated population. Instead, the achievement of real diversity requires recognition of the following:

- Individuals of many cultures must exist in significant enough numbers to be comfortable expressing their concerns in their own unique cultural voice;
- Economic and social disadvantages still cluster predominantly within particular racial groups;

³ President Clinton’s speech announcing the conclusions of the review took place at the National Archives Rotunda on July 19, 1995.

- Racism, gender discrimination and bigotry are all too predominant themes in our society;
- What affirmative action can accomplish is important but too modest, in and of itself, to remedy social ills with strong historical roots;
- Education in cultural differences is critical while, at the same time, respect for individuals as independent of monolithic generalizations is essential;
- If we do not “frontload” the process of achieving diversity, we will pay a high cost on the back end; for example, the loss of talent and human resources, the social cost of blocking opportunity for any group, the high cost of litigation, low morale, distrust and an inharmonious working/learning environment;
- The numerous economic arguments for the value of inclusion in the educational system have been part of the national debate long enough, but these quantifiable arguments are subsumed by an ethical one—actively diversifying our community is the right thing to do.

Clearly, institutions of higher education have a duty to address and redress the effects of discrimination whenever possible. In the 1978 U.S. Supreme Court *Bakke* decision⁴, Justice Lewis Powell’s opinion affirmed the concept that universities have, as part of their mission, an interest in diversity and the values of the First Amendment. Certainly, the University of Rhode Island is not unlike any other selective university (as opposed to those with open admissions policies) in that admissions considerations include many factors, some inclusive and some exclusive. One factor is consideration of in- or out-of-state status. The key is to achieve a balance between the obligation to serve Rhode Islanders and the richness of difference brought by those from out of state. The presence of athletes or artists, international students or older-than-average students are all significant factors in determining the value of any individual as part of the whole. Race and gender are also factors that contribute to an environment in which difference stimulates learning and intellectual and creative growth. All of these and many more are factors. The real questions with the argument for diversity and its achievement through affirmative action is how much race and gender should weigh in as a factor, and to what ends is it appropriate to go to achieve these factors? Christopher Edley, Jr., author of *Not All Black and White*, assesses the place of diversity in higher education as follows:

The nature of the academic process is that interaction produces learning and stimulates creativity. The richness of the mix affects the range of each student’s possibilities for interchange and growth. Other institutional

⁴ *Regents of University of California v. Bakke* (1978).

goals must be served too, of course, and sometimes these are in tension with the goal of racial and other kinds of diversity. For example, a university may feel obliged to focus on state residents, or may want to ensure it has enough students to sustain an engineering department or a baroque wind ensemble or the research work being done in its laboratories. This is hardly news. The point is that while it is perhaps more difficult to say what makes an effective university than what makes an effective police department (though I admit that my sense of this may simply reflect my own experiences and lack thereof), the justification for inclusion and affirmative action is much the same.

There is an additional consideration. Something about these institutions and their functions in society makes it particularly important to assure their effectiveness in dimensions related to race. We care if a police force is no good at controlling traffic violations or investigating reports of missing persons, but we care more if communities of color are systematically underserved or if there is widespread suspicion of police brutality directed at minorities. Alumni may care when a university lets its athletic program languish or when the reputation of a still-good department is eclipsed by the one in a crosstown rival institution. But its thoughtful leaders would care even more if faculty and students were systematically isolated from exposure to the perspectives, contributions, concerns, and aspirations of an entire segment of our society.

Certain institutions fulfill special social functions: schools socialize individuals and provide the critical mechanism for upward socioeconomic mobility; police departments help to maintain the foundation of community and personal security upon which social and economic stability depend; media organizations give us news and information, as well as entertainment, and these, too, shape our civic culture; banks and other financial institutions are essential intermediaries of economic opportunity and entrepreneurial possibility. It defies logic to suggest that we can overcome America's color legacy and achieve racial justice without ensuring that these and other important institutions "look like America," to use President Clinton's phrase.

Edley offers, however, a significant caution on the subject of diversity being broadly accepted as a benefit without concern for the "moral cost to race-conscious decision making."

...it is not enough simply to assert that diversity is a good thing. Is it good enough to justify the moral costs? It's also not enough to make purely instrumental arguments about the unarguable benefits—to an

organization or to the American economy—of being more inclusive. Saying that we need to include minorities in higher education or in a labor pool in order to increase the gross domestic product sounds, to my African-American ears, like the argument that we have to feed the slaves because otherwise they'll be too weak to pick the cotton and the plantation's bottom line will suffer. In certain respects, stark instrumental justifications for inclusion turn people into objects rather than moral beings. That's not an objection to diversity, merely a caution: Beware of treating people as means rather than ends. The better way to think about (and express) the motivation, I believe, is to understand organizations more as organic communities than as cold factories or economist's production functions, with inputs, technologies, and outputs. If employees are community members rather than mere inputs in the production process, then our concern for inclusion takes on a moral cast quite different from a master's concern for his chattel.

"Beware of treating people as means rather than ends." This cautionary note echoed time and time again in shaping this report. The University would do well to consider this simple precept in decision making about diversity.

The legal landscape carved out by the testing of affirmative action appears at times as challenging to traverse as Iceland. There are a number of important judicial decisions that have affected the application of affirmative action in higher education. *Adarand Constructors, Inc. v. Peña*⁵ revolved around the issue of minority preferences in federally subsidized construction contracts. The U.S. Supreme Court concluded that such preferences can be applied only as remedies for specific discrimination and only when they are narrowly tailored to redress past abuse, such as may have been identified in a court of law. The general principles in this decision have had far reaching effects on the legality of affirmative action practices in areas other than construction contracts, including higher education. Another significant judicial action was the Supreme Court's decision not to review the Fourth Circuit's decision in *Podberesky v. Kirwan*⁶ which ended the University of Maryland's Banneker scholarship program.

Banneker scholarships were exclusively available to black students from any part of the country and were based on race and merit, not need. Under the guidelines of the scholarship, a college student from a wealthy black California family could win a scholarship over an equally academically-qualified poor Asian-, Hispanic- or Native-American Maryland resident. The key factors in awarding the scholarship were race and merit; however, out-of-state blacks could not be defined as past recipients of

⁵ *Adarand Constructors, Inc. v. Peña* (1995).

⁶ *Podberesky v. Kirwan* (4th Cir. 1994).

discrimination by the state. Therefore, the Court determined that scholarships were not narrowly tailored to legitimately redress effects of the state's past discrimination.

The brief summation of these cases serves only to shed a small amount of light on the evolving legal morass of affirmative action as a proposed solution to discrimination and its collective past and present effects. The solution is far from simple, but one point is clear: as members of a community of educators, it is not enough to react to laws and judicial interpretation. We have to be part of the discussion, part of the policy making and a model of both introspection and action. In Backfire, Bob Zelnick raises serious counter-arguments against the efficacy of affirmative action and concludes:

But even should opponents of color-coding civil rights prevail in the long run, the goal of advancing minority capital formation in ways that do not corrupt the majority, the minority, or the law remains important. This is, after all, a nation where the racial divides are wide, where horrible disparities exist not of rights but of practical opportunities, and where both whites and middle-class blacks must encourage the black underclass to shed cultural traits that were born during centuries of enforced servitude and segregation. It is not collective guilt that must drive us, but commitment to humanity.

At first glance, Zelnick's argument seems inclusive and right-minded. The definition, however, of cultural traits as undesirable whether they are race, ethnic or gender based is a social field full of landmines. The cultural traits of which Zelnick speaks may also be the very traits that made survival possible—traits worthy of embracing or discarding. The fact remains, however, that educational institutions must be at the center of that careful study and members of those cultures must not be on the periphery. To begin the journey ahead of us, we must ensure that everybody has a seat on the bus. The premise of this report, therefore, is that the legal mandate of affirmative action is but one of many steps needed to effect the overarching goal of community diversity.

The Diversity Initiative: Areas for Development and Change

The following three areas are concerned with principles of Affirmative Action and Diversity.

- 1. Develop a statement of principles, goals and action steps for achievement of diversity and equity in compliance with, but independent of, reliance on state and federal mandates.**

Rationale: The recent California Civil Rights Initiative, Proposition 209, prohibits colleges and universities—among other state and local agencies, from basing decisions

about hiring, admissions, and financial aid on racial and/or gender preferences. When Proposition 209 was passed in November of 1996, it was immediately challenged. Judge Thelton E. Henderson issued an injunction in December of 1996 to block enforcement of the proposition pending a hearing. Recently, the U.S. Court of Appeals for the Ninth Circuit rejected Judge Henderson's ruling. Judge Diarmuid F. O'Scannlain, one of a three-judge panel, issued a decision on behalf of the appeals court and stated that "Proposition 209's ban on race and gender preferences, as a matter of law and logic, does not violate the Equal Protection Clause in the conventional sense." The panel drew the conclusion that the proposition's provisions simply reinforce the equal-protection rights guaranteed by the Fourteenth Amendment.

For those in higher education who are advocates of affirmative action as essential to redress the effects of past and present discrimination, as well as to achieve diversity, the support for Proposition 209 is a real threat to deeply held beliefs that the endemic natures of racism and sexism will only be rectified through a continued rigorous application of affirmative action. And under current case law, the interpretation of the Constitution by the Supreme Court allows the "rare" use of gender and racial preferences to serve compelling governmental interests, *e.g.* to remedy discrimination in circumstances proven in court. For others, the possibility of Proposition 209 as a springboard for the elimination of racial and gender preferences is a highly desirable outcome. Make no mistake, these legitimate differences of opinion are deeply embedded in our own University. No doubt, given the current pattern of judicial decisions, we will see bills introduced at the Congressional level to ban the use of racial and gender preferences. The possibility of this ban makes it all the more imperative that the University of Rhode Island move forward to find alternative and/or complementary means to redress and eliminate of discrimination and achieve a carry through of our logical commitment to diversity.

Again, it should come as no surprise that the members of the University community interviewed for the purpose of this study are as deeply divided over the matter of racial and gender preferences as the rest of the country. For many University citizens, affirmative action equals racial and gender preference. On the one hand, affirmative action was described by some of those interviewed as "a moral outrage and the most blatant form of discrimination"; on the other, it was described as "the only way minorities and women can ever hope to get in the door—never mind through the ceiling—of a white male institution."

The reality is that the University of Rhode Island must remain in compliance regardless of what social sentiment and legislative or judicial actions in other states may be. In addition, however, if as a community of learners we share the common goals that: 1) we value diversity and want to achieve it as an institution and, 2) we agree that institutions of higher education have a responsibility to serve as models of social equity, it is

incumbent upon us to develop and implement a strong policy and a series of action steps to accomplish these goals.

Recommended Action: Utilize the Affirmative Action and Equal Opportunity Committee (a President's committee) or its designated task force(s) to create a statement of institutional principles, goals and action steps for discussion by the University community, and revision and implementation by the Faculty Senate and a commensurate staff decision-making body.⁷

Currently, we have approved by the Board of Governors (BOG) an Affirmative Action and Equal Opportunity Policy (May, 1996) and Affirmative Action and Equal Opportunity Regulations (December, 1996). (See Appendix A.) The statement of Regulations mandates that each unit "shall adopt an affirmative action plan which shall comply with the Board of Governors' Affirmative Action Policy and the guidelines promulgated by the State Equal Opportunity Office, and be consistent with all state and federal laws and regulations." We have such a policy, which is reflective of the BOG policy. Furthermore, while it is essential that URI's policy be in compliance and concert with state, federal and BOG regulations and policies, it should not be our sole purpose to reiterate these collective policies. Rather, our task should be to create a set of principles directly connected with goals and actions both possible and desirable within the unique set of circumstances, challenges and opportunities inherent at the University of Rhode Island.

Currently, we are working more from President Carothers' memo of April 20, 1992 to the Faculty Senate than from any institutional set of policies.⁸ (See Appendix B.) This memorandum was the result of a Conference on Racial and Ethnic Diversity held in November of 1991, which led to recommendations from the Affirmation Action and Equal Opportunity Committee. In May of 1992, the President set forth goals which were approved by a vote of the Faculty Senate and forwarded in a memorandum to the BOG on November 20, 1992.

2. Charge the Affirmative Action and Equal Opportunity Committee or its designated task force to review and update the goals for increasing and enhancing cultural diversity on an annual basis. Create an adequate subcommittee or task force structure to handle all four goal areas, as outlined in the President's memo and the committee's report, in a meaningful way. The four areas are the following:

- Recruitment and Retention of Students
- Goals for Recruitment and Retention of Faculty and Staff

⁷ During the 1996 Open Space Meeting, several staff articulated the need for a staff decision-making body.

⁸ Carothers, Robert L., "Goals for Increasing and Enhancing Cultural Diversity" (memorandum), University of Rhode Island, Kingston, April 20, 1992.

- Building Community
- Increasing Diversity in the Curriculum

Rationale: The positive results of the conference, the committee's work and the President's memo combined with the imprimatur of the Faculty Senate, are that we have begun work on the recommended steps and made some headway toward the goals. The negative result is that we haven't achieved the goals *in toto*; several are moribund for no apparent reason. Moreover, based on the collective sense of those interviewed, whether based in fact or anecdotal evidence, the general perception is that we are losing ground on the diversity front. In the area of equity, perception can be more powerful than reality. One active and devoted African-American alumnus observed, "I am alarmed at the absence of women and minorities in key decision-making positions at all levels of the University." Another alumna who is the president and principal stockholder of a successful Rhode Island-based company commented, "...there are more women in positions of authority—and that's power—in the 'nasty' corporate world. What does that tell me? What about your students?"

The general consensus among interviewees as to why we have not achieved the goals includes the following:

- Information about both plans and achievement of these goals has been sporadic and lacked a unity of dissemination;
- Some of the hiring and admissions goals are unrealistic in light of the availability of positions to be filled and, in some areas, individuals from protected classes readily available to fill them. Some were too ambitious, others constrained by finances or, more importantly, constrained by the institution's setting of financial priorities;⁹
- Attempts to build community values and awareness through events, training, development, *etc.* have been achieved in part but the result has led to the perception and the reality of several disparate groups working independently of each other;
- Attempts to increase diversity in the curriculum have made little progress. The Faculty Senate and a host of curriculum committees have not taken a position on the question of infusion of the curriculum with a broader base of cultural diversity both in terms of content and the modality of intellectual processes;

⁹ Availability of underrepresented classes cannot be analyzed on a national standard across the board. For faculty positions, a national standard is appropriate. For some non-classified professional staff positions, a national standard also applies, but for classified and some non-classified positions, availability of underrepresented classes realistically must be adjusted to a regional or state level.

- Programs for visiting and exchange minority scholars have not been visibly enhanced;
- The goals set forth are strong but reiterate the work of other reports and committee work relegated to the dustpile of institutional planning.¹⁰

There has been no shortage of intelligent thinking on the subject of affirmative action and the hoped-for results of diversity and inclusion. The 1989 Report of the Affirmative Recommendations Committee was replete with excellent suggestions for institutional growth and improvement. President Edward D. Eddy's widely distributed memo of May 16, 1989 indicated some headway in a number of areas.¹¹ However, many of the excellent ideas were shelved as "not achievable in current fiscal climate." In 1997, there is even greater potential for use of this explanation as a reason for not implementing many of the ideas proposed over the past ten years.

Some of the ideas have dissolved as other matters were prioritized as more pressing. And some were repeatedly identified by those interviewed as falling into the "Whatever happened to...?" category. An example is the target of opportunity positions (TOP) proposed by former Provost David Gitlitz for a trial period of 1989-91. Several concerned interviewees mentioned the TOP program as an example of "commitment that dissolves," an initiative that was "discriminatory," a "good plan never followed through on," or another administrative promise that "vanished." Several faculty members and one dean inquired, "Does that TOP plan still exist? Did anything ever happen with it?" The actuality of what occurred may be less important than the fact that for many—minorities and non-minorities—a commitment was made to enact change and members of the University community—many of whom are on the high end of the information food chain—have no idea what happened to that plan. The message, intended or not, is that the goal is not important enough to monitor or to report on to the community. Many members of the community identified this message as discouraging to many minorities, women and white males concerned with diversity in the University community. It is also seen as the message that serves as a wedge between minorities, women, those that support diversity and those who are comfortable with the *status quo*. Fear of change is identified by some as more compelling than social progress. As was stated in the 1991 Report of the Staff Affirmative Recommendations Committee:

On December 23, 1988, the original ARC Report was presented to the University community. Many of the recommendations have not yet been implemented. This may be appropriate due to resource constraints, but that does not release the University from providing status reports. People

¹⁰ Sample Reports: Affirmative Recommendations Committee (ARC), the Staff ARC Report, 1991, the Cultural Diversity Task Force Report, Joint Committee on Equity for Women and Minorities in the Tenure and Promotion Process, Summary Report: Conference on Racial and Ethnic Diversity, November 4-6, 1991.

¹¹ Eddy, Edward D., "Progress on the Affirmative Recommendations Committee Report" (memorandum), University of Rhode Island, Kingston, May 16, 1989.

lose the desire to overcome problems when valid recommendations are made and then ignored. They lose faith in the system to facilitate change when information is not disseminated on a regular basis regarding progress. This must end and reports need to fill the voids that currently exist. Some information is better than thinking your efforts have been ignored.

3. Revitalize the Affirmative Action and Equal Opportunity Committee (AAEOC) and enact legislative change regarding its charge.

Rationale: Some suggestions made to the committee in the March 7, 1995 memo from Greta Cohen and Sheila Black Grubman are still in limbo with no legislative action. On May 1, 1996, President Carothers charged the committee with a series of tasks and recommended changes to its membership structure. Unfortunately, the pressing circumstances of maintaining AAO coupled with a general sense of powerlessness expressed by many past committee members led to a hiatus in the committee's activities.

Recommended Action: This committee should serve a pivotal role in planning, recommending and reviewing implementation of affirmative action and diversity activities. In cooperation with the Director for Equal Opportunity and Diversity, AAEOC should serve as the clearing house for information flow about the work of the many disparate groups serving those targeted as diversity populations¹²—Multicultural Student Services, graduate and undergraduate admissions, AAO, Disability Services, Professional Development, Leadership and Organization Training (PDLOT), *etc.* AAEOC and its subcommittees could address questions of building recruiting strategies in all areas, mentoring, retention, and changing the culture of an historically white institution in the building of a diverse community.

The Affirmative Action Office (AAO) and Its Relationship with the Office of Human Resource Administration (HRA).

First, the AAO alone has several strikes against it before leaving the dugout. The campus community interviewed holds contentious views on affirmative action and points of dispute can be divided into the following major areas:

- Belief that affirmative action is reverse discrimination;
- Misinformation regarding the legal reach and parameters of affirmative action;

¹² For purposes of this report, diversity populations include those groups that are also defined as protected classes and may include people of color, women, people with disabilities and others as defined in the appended statutes, regulations and policies. (See Appendix C).

- Belief that there exists stereotypic categorization of affirmative action candidates as less qualified;
- Belief that affirmative action means quotas and lack of awareness that quotas are illegal;
- Belief that “others” hold racist or discriminatory views and act upon them in the process of searches, selection and retention of faculty, staff and students;
- Belief that affirmative action is stigmatizing to qualified women and minorities;
- Confusion over government laws and regulations *vis-à-vis* equal opportunity and affirmative action, and the difference between and intersection of these two areas.

Specific areas of dissatisfaction over affirmative action and how it is practiced on our campus, most specifically in AAO, are as follows:

- The affirmative action process is unduly cumbersome and actually prevents the attraction and/or hiring of qualified affirmative action candidates;
- AAO serves little to no purpose as a resource to aid in practicing affirmative action; rather it is a “hoop to jump through,” a “policing agency,” and “gives mixed messages” and “conflicting information”;
- AAO hurts our basic intent of affirmative action by “judging us as guilty” [of intent to discriminate] before the fact;
- AAO is seen as reactive, not proactive, and as a policing agency, not a resource.

Recommended Reorganization of the Affirmative Action Office

First and foremost, it is essential that any criticism of AAO be placed in the context of responsibilities and, of more pertinence, resources. Over a dozen Affirmative Action Offices—sometimes defined as Office for Diversity and Equal Opportunity, Office of Multicultural Advancement, Office of Equal Opportunity, *etc.*—were explored, four were interviewed extensively and two were targeted for site visits and interviews. The majority of these were New England-based and all but one were public institutions.

Among those reviewed, it is fair to say that the Affirmative Action Office at the University of Rhode Island ranks low in support for both personnel and resources. Numbers range from a high at the University of Massachusetts, Amherst of six

professional staff, two support staff, a graduate assistant and undergraduate student help, to a low comparable to the University of Rhode Island at the University of Delaware and the University of New Hampshire. As we proceed into an analysis of staffing, hold on to this cautionary note: The University of Rhode Island's AAO has the broadest base of responsibilities of those offices on the lower end of staffing and resources.

URI's AAO has three full-time positions and one part-time temporary position: the Affirmative Action Officer, an Equal Opportunity Resource Aide, a Senior Word Processing Typist, a monthly contracted part-time temporary employee assigned to compile statistics for the Affirmative Action Plan.

In a memo dated June 13, 1996, former Affirmative Action Officer Salome Heyward outlined the functions of AAO as follows:

1. Monitoring the Hiring Process

The Affirmative Action Office has responsibility for:

- a) reviewing all position descriptions to ensure that the descriptions are objective, do not artificially restrict the university's ability to recruit for the position and do not discriminate against protected class members;
 - b) ensuring that recruitment activities utilized will provide the best opportunity to generate a representative applicant pool;
 - c) certifying that in the selection process all applicants are treated fairly and consistently, the integrity of the process, itself, has not been compromised, there is no discrimination against protected classes, and the university's affirmative action hiring objectives are honored;
 - d) ensuring that decisions to fill positions do not inappropriately deprive individuals of a fair opportunity to compete for positions (Ex. placing people in positions as acting, use of recall procedures, etc...).
2. Complaint Investigation – Processing all complaints of discrimination and harassment. This includes conducting and/or managing all internal complaint investigations and assisting the General Counsel and Office of Higher Education in preparing for external complaint proceedings.

3. Training —Providing training with respect to institutional affirmative action guidelines and procedures as well as federal and state statutes and regulations.
4. Reporting —Preparing the state and Department of Labor annual affirmative action plans. Responding to all state and federal compliance inquiries and investigations.
5. Procedural Requirements Review and comment on all institutions procedures, policies and/or guidelines that have an impact on the institution's compliance with federal and state regulatory mandates.
6. Committee Membership
Member of the Affirmative Action Committee as well as other committees addressing affirmative action issues such as the NCAA gender equity committee. Also, the Affirmative Action Office is an active member of the President's team.

Heyward's description is in line with the general duties of other offices interviewed. An Affirmative Action Officer is in essence a compliance officer. The current constitution of AAO, however, requires our Affirmative Action Officer to be responsible for all the proactive components, *e.g.* education, training, resource assistance for searches, *etc.* as well as the compliance components for Equal Employment Opportunity and Affirmative Action, *e.g.* preparation of the Affirmative Action Plan and related reports, investigation of complaints which fall under the purview of Titles VI and VII and related federal and state statutes and regulations, monitoring of searches, *etc.* It is singularly impossible for one person to perform all these functions well. AA officers or directors at all the other institutions I examined concurred. Some went so far as to say that the mixing of the two functions creates a conflict of interest. Others were quite clear that they viewed the understaffing of our AAO as "putting the University at risk." Let us be clear about the risk—citation for non-compliance with OFCCP could result in suspension or curtailment of federal funding.

Consequently, it is not surprising that at URI, past and present Affirmative Action Officers (or the previous title of Special Assistant to the President for Affirmative Action) have elected to focus on one or the other of these clusters of proactive or reactive functions. The result has vacillated between harsh criticism from the community interviewed that the AA Officer —

- is too rigid
- is too compliant
- fails to provide assistance
- is inaccessible

is too involved in the process
should intervene more rigorously
is just a rubber stamp.

When the AA Officer has chosen to focus on the training and educational aspect, the criticism might hold that the office has neglected enforcement of regulations and investigation of discriminatory actions. In some cases, the Affirmative Action Officer has attempted to move from one role to the other—frequently in the same search or complaint. The result is frayed at best and schizophrenic at worst. The only people interviewed who did not find this dual role to be a problem—and this amounted to six search chairs or committee members who reported a positive interaction with AAO—were in cases of searches in which the department or unit had its own minority resources, had learned the procedural pitfalls through previous searches, and/or the search was deemed “clean.” In only one search among those interviewed, the chair was new to the process and reported an excellent relationship with AAO. Moreover, although complaint investigation is not within the purview of this report, there was considerable dissatisfaction voiced, both by complainants and alleged perpetrators of discriminatory practices, about the handling of complaints by AAO. These complaints came up in the context of outlining the overall duties of AAO.

To summarize, the vast majority of the campus community interviewed describes the AAO as harshly as “derelict” with regard to its duties or as a “major obstacle” in the hiring process. In light of the staggering resource problem AAO faces, however, it would be patently unfair to blame AAO and its limited staff. Many of the most vigorous critics recognized this as part of the problem. Instead, immediate steps must be taken to remedy the situation. The following suggested reorganization is minimal in light of the need and is offered with full recognition of the institution’s burdensome financial circumstances.

Recommended Affirmative Action Office Staffing

(See Table of Organization, Appendix D.)

Director of AAO (or Office of Diversity and Equal Opportunity)

Recruit and hire a permanent Director of AAO with the responsibility of supervising and participating in the review, development and implementation of training and educational programs in affirmative action, and diversity as well as review, development and implementation of compliance and complaint procedures. This person will also serve as AA Officer for purposes of approving searches or flagging them for further attention in cooperation with Compliance Officer/Aide. He/she will serve as ADA Compliance Officer in cooperation with Compliance Officer/Aide and Director of Disabilities Services. This individual would ideally be a member of a protected class and/or have extensive experience and evidence of sensitivity to the

concerns of protected classes and communicating to the University community as a whole to the benefits of diversity.

Rationale: AAO needs to be a full-service office with a Director free to establish goals, meet short-term needs, make long-range plans and work broadly with the University community to accomplish cooperative work toward established goals.

Compliance Officer or Aide

Promote the current Equal Opportunity Resource Aide to the position of Compliance Officer or Aide and provide any necessary training commensurate with the position and its duties. This person's work would entail updating the community regarding the status and interpretation of regulations and statutes (in cooperation with University Counsel), review of forms (AA-1, AA-2, AA-3), review of curriculum vitae, review of ADA compliance issues and compilation of reports in cooperation with Data Control Clerk, preparation of information essential to Affirmative Action Plan (AAP) preparation, advising of search committees regarding compliance issues, *etc.*

Rationale: The current position-holder performs many of the functions of a compliance officer as defined at other institutions studied.

Data Control Clerk

Upgrade the assigned position of a Senior Word Processing Typist to that of Data Control Clerk even *if* the function of preparation of the data essential to the AAP does not remain in the AAO at the University of Rhode Island. (Recommendation follows.) *However, this recommendation assumes the reassignment or additional assignment of a Senior Word Processing Typist to HRA.*

Rationale: The current Senior Word Processing Typist was transferred from HRA with all duties assigned to the position intact. This was a full-time position in HRA and remains so in AAO. The only difference is the location of the individual filling the position and the assumption of some advising of search chairs on aspects of affirmative action procedures. Portions of this advice—advertisements, routing forms, and providing routine formats for communicating with candidates—is appropriately served through HRA. The advising of search chairs on affirmative action matters rightfully belongs in AAO, but not without the benefit of formal training for the execution of those duties. If the duties were to go beyond those stated, one could argue that the employee is being asked to work out of the job description. This would be the direct result of having an office that is overburdened and understaffed.

The position of Senior Word Processing Typist entails placing advertisements, logging candidates, sending out form letters—letters of receipt, rejection letters, preparation of the Job Openings List (JOL), and logging of information, *e.g.* Statistical Data Form, AA-2, *etc.* Some of this work is for classified positions and some for non-classified. Similar

functions for classified positions are handled in HRA. At no other institution that I interviewed was there a position in AAO or its comparable office that handled these functions. In fact, some of the equivalent AA Officers strongly recommended that AAO remain independent of the functions related to processing searches because it was critical that it evaluate the search process. Furthermore, they advised that to have someone in AAO responsible for communicating with candidates seriously confuses—perhaps even compromises—the personnel and monitoring responsibilities of AAO. These functions belong in HRA. Additionally, the transfer of this position has done nothing significant to lighten the load of AAO and has served to exacerbate problems of efficiency between HRA and AAO.

Action: Return the functions to HRA with a Senior Word Processing Typist position. The individual holding the position in AAO has skills that combined with additional training could justify promotion to the position of Data Control Clerk.

Diversity Educator

Assign full-time/shared position to AAO responsible for diversity training and education in cooperation with the Director. In light of constrained resources, position may be a joint appointment with PDLOT. Individual would ideally be a member of a protected class and/or have extensive experience and evidence of sensitivity to the concerns of protected classes and educating the University community as a whole to the benefits of diversity.

Rationale: One of the most persistent complaints about AAO was the lack of effort—and many recognized that this was “probably a time thing”—to educate the University community about any aspect of affirmative action and equal opportunity, what constitutes discrimination, how to address discriminatory practices, *etc.* People don’t even expect the critical assistance with cultural awareness and the building of cultural understanding.

Graduate Assistant

Appoint an individual with strong interest in diversity to assist Director with development of Affirmative Action Plan, long-range planning, coordination and communication with other programs addressing diversity issues for the whole campus or serving minority populations.

Workstudy Student(s)

Enlist students to assist in the daily operation of AAO.

Ideally, there should also be an AAO Investigator but this is unlikely in light of budgetary problems. (Recommendation follows.) Also, when budgets allow, a case could be made that an assistant director is a pressing need if AAO is to meet all the University’s present and future obligations.

Additional Recommendations for AAO

Change the name of the Affirmative Action Office to the Office of Diversity and Equal Opportunity or some other more broadly based name that encapsulates the full range of responsibilities.

AAO is responsible for far more than affirmative action. The name itself is loaded with political implications and charged with strong feelings. Far better to define the office by its expansive functions, its broader service to community goals and on the basis of those areas where the university community has the greatest unanimity.

Change AAO – both the perception and the reality – from a policing agency into a resource, from a reactive into a proactive office.

The theme of fear of AAO was repeated over and over again by interviewees who stated a strong interest in doing the right thing but were afraid of being “caught” in a mistake. The desire to have assistance in finding resources in order to increase applicant pools and minority hires was stated repeatedly.

Move the responsibility for compliance with EEO/AA regulations to the Provost and President.

As the chief administrative officers, the legal responsibility is theirs. In the majority of institutions, the AA Officer or his/her counterpart is a recommending member of the administrative staff and does not provide legal certification of the Affirmative Action Plan (AAP) or searches. Also, the current AA Officer at the University of Vermont was trained by a former OFCCP field director who strongly advised this structure be implemented as most appropriate and in keeping with OFCCP expectations. In addition, this serves to send a strong message to vice presidents, deans and department heads that they, in turn, share in the responsibility of compliance.

Educate the University community about the numerous areas which are the responsibility of AAO.

Even if affirmative action were eliminated, AAO and the institution still have compliance and reporting responsibilities for EEO, Americans with Disabilities Act (ADA) and other compliance statutes and regulations along with the responsibility to promulgate compliance through education and training.

Move the responsibility for the completion of the data section of the AAP to the Office of Higher Education (OHE).

In many systems of higher education throughout the country, OHE or the Chancellor’s Office is responsible for completing this section of the AAP. This provides system-wide assessment of progress and is far more efficient because it eliminates the need for duplicative databases. In addition, much of the data is useful

for system-wide analyses of other sorts. HRA would be responsible for providing raw data to OHE. Cautionary note: See Section on Hiring Success and Statistics.

Streamline the search process with random spot-checks of CVs, especially in cases in which there are candidates who are underrepresented in the hiring department/division.

Of all the institutions interviewed, URI is the only one in which every CV is collected and reviewed by the AAO. Random or spot-checks are used in other institutions—particularly in areas where there are underrepresented classes or a history of tainted searches— in order that more effort can be expended to assist search committees with location of minority and women resource lists to expand the pool.

Revise the RF-1 (request to fill a position) and seek approval to remove Commissioner of Higher Education's signature.

The RF-1 was changed to include this signatory authority when there was a hiring freeze initiated in 1989. The signature of administrators within the institution and the Budget Office serves as adequate accountability. The additional signature of the OHE is time-consuming micromanagement. Ideally the RF-1 would be eliminated altogether.¹³

Create publications for search procedures with detailed information to guide search committees in matters of recruitment, expanding the pool, confidentiality, communication with applicants, appropriate interview content, responsibilities of search committee members, etc.

The current Search Procedure Handbook is sketchy at best and leaves too many questions unanswered or subject to chance. Committees are instructed orally on many critical points and left without an adequate reference guide. There are excellent models available from neighboring public institutions, e.g. "Search Procedures: Faculty & Professional Staff," University of Massachusetts, Amherst. Publications would also assist in separating legal mandates from institutional policy from anecdotal misinformation. In the interview process, it was evident that personnel at all levels had conflicting and misleading information.

Deputize faculty, staff and administrators to serve as mentors to search committees.

There are individuals from all sectors of the campus with experience and interest in the search process. Training and utilization of these people would, in part, ease the burden on AAO and provide neophyte committees with ongoing personalized assistance from someone with expertise in their area or an analogous one. This would assist in forwarding the awareness of ways to recruit high quality diversity candidates. Some form of service credit, release from other duties, etc. would be necessary to make this plan workable. The benefit, however, is that more people will

¹³ Barrett, Linda and Financial Structure Team, (untitled memorandum re: recommendations), University of Rhode Island, July 20, 1993.

become informed participants both in the hiring process and in equitable ways to expand candidate pools.

Deputize faculty, staff and administrators to serve as investigators of EEO/AA complaints of discrimination in hiring, harassment, etc.

Any member of the campus community signing on for this task should be given release time commensurate with the additional workload. For faculty, one class release time each semester is suggested. Staff release time would need to be negotiated on an equivalent hourly basis. Based on the number and complexity of complaints received by AAO, three to five individuals should be appointed and trained for three-year assignments. Resources must be made available to send the investigators to pertinent workshops and seminars. The cost of this investment will return to the campus in lowering the risk of high cost litigation by addressing complaints in a timely and thorough fashion. In addition, those who serve as investigators become one more sector of the campus community sensitized to the effects of discriminatory practices and the value of educating the University community.

Train administrative and search committee personnel regarding methods for recruiting, interviewing, selecting and retaining individuals from underrepresented groups.

Administrators—deans and directors, department chairs, former search committee chairs for both staff and faculty—all felt to some degree that they were given too little or conflicting guidance. Several people described circumstances in which they were given absolute requirements by one member of the AAO only to have it contradicted by another. Needless to say, this creates anger and frustration that does not promote acting affirmatively. This sort of experience makes standardized and detailed guidelines all the more essential. In addition to providing publications, AAO should hold annual sessions for people in management positions to address these and related issues on an ongoing basis. One interviewee put it succinctly by saying, “we don’t get on the job training around here, we get on-the-job discovery.”

Create staff, administrative and faculty exchanges with universities and colleges that serve minority populations, such as Historically Black Universities and Colleges (HBCUs) and institutions serving large populations of Hispanic or Native American people.

Too often, searches begin and a search committee chair starts out cold in an attempt to connect with affirmative action candidates. Understandably, the affirmative action candidate would prefer to be an applicant at an institution that has shown long-term interest in minorities. Exchange opportunities create person-to-person relationships and result in the entire institution gaining credibility as a place that welcomes diversity. This message is also carried to students at these institutions which helps to broaden the possibility of creating “feeder” programs and relationships. The development of resources cannot rest solely with AAO. The entire community must participate in growing cross-institutional relationships.

Move the responsibility of ADA Compliance Officer to AAO.

Currently, the Director of Disability Services also acts as the ADA Compliance Officer. Because the Director is the same person making decisions about services for disabled persons, be it learning disabled, physically disabled or psychologically disabled, it is potentially a conflict of interest for the Director to also serve as the evaluator regarding the compliance of his/her own decisions.

Create a reasonable system for Waiver of the Search Process in the case of monthly payroll employees and determine if monthly payroll truly is a gateway for full-time employment.

At present, the University is widely dependent on monthly payroll employees—particularly in the area of per course instructors and researchers. AAO has been out of the official loop of approval on these hires because monthly payroll is intended to address immediate or short-term needs. AAO's concern is twofold: 1) to be in compliance with federal affirmative action guidelines, AAO must track the gender, race/ethnicity of federally financed researchers employed by the University, identify areas of underutilization, set goals and monitor progress; 2) the monthly payroll system may be a gateway for employment without any *bona fide* search process. Currently, forms are being filled out to identify the statistical data on all monthly hires. The validity of the gateway theory needs to be proven one way or the other if it is a potential compliance problem. AAO, however, must exercise extreme care in any revisions to the monthly payroll system. If the process of employing monthly payroll employees is slowed down, many academic departments would have severe trouble delivering the curriculum. Several deans and department chairs were alarmed at the thought that monthly hires could become cumbersome and time consuming. Any plan to eliminate non-compliance problems must maintain flexibility and immediacy. At several other institutions, all temporary hires fall under "waiver of the search process" and they have been audited by OFCCP with no citation for non-compliance.

Proposed Solution: A general set of guidelines for posting lists of possible per course employment or other monthly payroll jobs could be dispersed electronically and likely sources of qualified individuals could be notified when possible to develop an ongoing pool of candidates from which to hire with limited notice. (In cases of per course hires, the need may be known weeks or only hours before the start of a course.) Where appropriate, such as currently exists for hiring in-port crews for the GSO research vessel, waiver of even a fast and limited search process is essential.

Create an expeditious but inclusive search process for employees to be hired on grant, sponsored, and third party money.

Currently, the only individual who is not required to go through a search process on a grant is one listed as a Principal Investigator (PI). PIs, however reported serious setbacks and precious lost time when, once notified of the receipt of funds, they

were required to go through a time-consuming and costly search process. One PI related a circumstance in which a research assistant with a very specific and specialized set of skills and experience was to be hired. The PI had legitimate proof of one reasonable source in which to advertise. AAO required that the PI spend several hundred dollars on advertisements in publications, which in the PI's professional opinion, no one in the field would ever use to seek such a specialized position. The search cost the PI three months and fifteen hundred dollars. All reasonable people would agree that this must not happen; yet, there were several incidents of a similar nature. AAO contains reasonable people. The PIs were reasonable as well. Both sides are trying to do a job—one to protect a research project, the other to protect the institution. The problem is with extant policies. Some institutions they have solved the problem of grant, sponsored, and third party money hires by developing a pre-approved pool. In discussing this with deans and faculty in the hard sciences, they agreed that many research assistants, associates or technicians could be clustered within similar sets of criteria. In this way, advertising for possible clusters could be done in advance to create pools from which to select employees for funded projects. This would allow time for women and minority candidates to be sought out through a variety of appropriate networks. For truly unique and specialized candidates, the PI could submit a request for a waiver of the search process at the time of submission of the application—well in advance of the receipt of the grant.

Code all publications in which advertisements are placed for searches to determine their effectiveness of publications in attracting underrepresented candidates.

There is considerable dissatisfaction over the AAO directive to advertise in a number of minority journals. The argument, on the one hand, is that any serious faculty candidate would look to the Chronicle of Higher Education or, for an entry-level staff position, that the Providence Journal is adequate and the Providence American, superfluous. AAO has countered that the mere fact of publishing a job opportunity in a minority publication sends a strong message to minority candidates. In a time of constrained resources and soaring advertising costs, it behooves us to determine the effectiveness of advertising strategies in providing a diverse pool of candidates. Advertisements from each publication should contain instructions to apply to Box G-1, G-2, etc. to determine the value of a particular advertising outlet. In addition, as candidates self-identify, they could be asked to indicate where and how they became aware of the position.

Require administrators in all divisions to make every effort to approve and notify departments/divisions of permission to search for new hires as early as possible.

One of the major factors for frustration and dissatisfaction with the search process is related to the timeliness of decisions in AAO. The addition of resources coupled with strategies to expedite the AA hiring process will be of limited value if the notification to search does not come in a more timely fashion. Certainly

administrative decisions about some percentage of requested positions could be made in advance to prevent a bottleneck with the result that the majority of searches are rushed.

Create pre-approved hiring plans.

It is entirely possible to be in compliance with an abbreviated or standard search period. True affirmative action, however, requires advance efforts on the part of the hiring unit. When a position is in line to be filled sometime in the future, departments or units should be encouraged to develop an affirmative action hiring plan well in advance of the notice of permission to search. This gives the hiring department, with the assistance of AAO, time to ferret out likely networks or publications for women and minorities. It also gives AAO time to review and approve the plan well in advance. In this scenario, without conventions or deadlines looming, the hiring unit and AAO are much more likely to develop a positive working relationship.

Increase operating funds for AAO.

Currently, AAO is virtually without any resource materials for searches and other areas of responsibility in which resource and educational materials are essential. Other institutions interviewed have videos, publications of minority listings and the funds to desktop publish and print training brochures, purchase educational materials, *etc.* Some have mini-libraries and resource centers. AAO is severely hampered by the lack of any budget to purchase basic professional materials.

Participate in National Graduate Minority Feeder Program

Any program in which we can participate which allows us to create ties with minority institutions and encourages the application of minority graduate students enhances our credibility as an educational institution interested in diversity, not just avoiding OFCCP citations.¹⁴

Pre-approve graduate students upon admission for employment on grant, sponsored or third party money projects.

To ensure the equitable distribution of employment among all graduate students and to assure timely payment to graduate students, approval of their qualification for employment on upcoming projects or clusters of projects should be prearranged through the graduate school and the Research Office.

Develop a thorough set of hiring practices and policies for classified positions.

At present, Affirmative Action Hiring Guidelines cover non-classified positions only. At the present time, HRA is responsible for hiring practices and policies for

¹⁴ Previously recommended by AAEOC in March of 1996.

classified positions. Although this grew out of classified positions having additional union considerations such as lateral transfers, bumping rights and recall rights, the AA Officer has compliance responsibilities for ensuring that all institutional hiring is consistent with EEO/AA regulations. Therefore, classified hirings should be subject to AAO review along with non-classified. A review process that utilizes HRA's expertise with classified positions and ensures AAO oversight on compliance must be developed and implemented.

Avoid use of EEO/AA jargon and define all terms for university community.

As part of the education of the University community, handbooks, seminars and training sessions should be free of "AffirmativeActionSpeak." Many of those interviewed stated that they had no idea what acronyms stood for, what commonly used phrases meant, what terms to use when speaking of protected classes but were too embarrassed to ask because ignorance might be interpreted as insensitivity. Conversely, people from specialized divisions or disciplines—in which universities abound—should not assume that others are conversant with their terminology.

Prepare an Affirmative Action Plan (AAP) annually.

The completion of an AAP is not a negotiable issue. In order to be in compliance if OFCCP makes a site visit, there has to be an AAP on the shelf. Much of the AAP is a compilation of data based on job classifications in EEO categories. The simple formula is to look at how many people from subsets of protected classes should be available in a particular category, determine how many are currently employed and calculate whether or not protected classes are underutilized. The concept of underutilization—or having fewer minorities or women in a particular job category than would reasonably be expected based on their availability—is at the heart of OFCCP's concerns. Employers who are underutilizing minorities are expected to come up with a plan of goals and timetables to redress the problem. The part-time employment of a monthly payroll employee was used to begin to get us up to speed with respect to data for an AAP. While data constitutes the bulk of the plan, text is contributed from administrators to articulate current problems and proposed solutions. There are legitimate concerns with the AAP. (See Section on: Hiring Success and Statistics). This makes it all the more important that the institution provide the resources—or have OHE provide the resources—to ensure a continued careful analysis of the data and job categories.

Encourage the Office of Higher Education to introduce and support legislation which would separate the higher education system of classified civil service from other state agencies.

If this was accomplished, once an individual entered the higher education system as a classified employee, he/she would be provided the opportunity to receive further training and potentially advance within the system without the threat of lateral transfers or bumping from other unrelated areas of the state employee classified system. This separation recognizes the unique skills and abilities required within a system of higher education and could be a motivating factor for employees. At some institutions, AA officers have found that an independent grouping for higher education employees and the promise of growth in the system is attractive to minority candidates and women. Some unionized states have achieved this separation in recognition of the unique skills and experience essential in higher education.

Utilize Section 36-4-26.1 of Rhode Island State Law, which provides a supplemental certification list of minorities in the civil service whenever there is a manifest imbalance in an EEO job category.

Areas that currently are underutilized with respect to protected classes would receive assistance in expanding the presence of women and/or minorities.

Recommendations for the Interrelationship of Human Resource Administration and the Affirmative Action Office

Employees in both offices spoke well and professionally of their colleagues and the work of their respective offices. There was a genuine desire to work cooperatively and, in general, a history to support that cooperation. Areas in which the offices found need for improvement in their inter-office working relationship almost always were directly traceable to a lack of adequate resources.

Require HRA to complete a thorough review of AAO work on EEO job categories to ensure accuracy.

The accuracy of job categories is critical to developing an AAP that is meaningful in institutional evaluation, planning and reporting.

Develop a promotion plan in cooperation with relevant unions to provide advancement opportunities for members of protected classes.

The President has made frequent reference to the need to “grow our own.” Many unions and individual staff members articulated their frustration with the limited opportunity for advancement even with additional education and career training. The majority of individuals affected by the absence of a promotion plan are women in staff positions. Specific information regarding statistics on sex-stereotyped positions and their effect on women—who represent at least 70% of the incumbents—is contained in the report from the RI Pay Equity Commission.¹⁵

Ensure that the promotion and/or hiring plan correct(s) inequities when internal candidates are hired as part of an open search process.

Certainly it is important to maintain a balance between promotions from within and hirings from outside the institution. Too much or too little emphasis on promotion could do a disservice to efforts to correct underrepresented areas with respect to people of color, people with disabilities and women. If an individual is hired as part of an open search, as opposed to a straight promotion, it is unfair to restrict compensation for that individual based on a contractual 10% cap. Unions and management need to work together to correct the conflict between salary at hire and promotion caps.

Ensure equity in compensation of employees who serve in temporary or acting positions by overseeing the fair application of the 10% rule of additional compensation.

¹⁵ “Pay Equity in Public Service: What Is the Reality for Rhode Island’s Classified Workforce?,” Research Center in Business and Economics (URI) and Rhode Island Commission on Women, and Rhode Island Legislative Study Commission for Pay Equity, June 1996.

Interviewees reported cases in which the 10% rule is not applied and higher compensation increases are paid. This practice creates inequity, distrust, low morale and a pervasive belief in the advantaged *versus* the disadvantaged. If it is foreseen that legitimate reasons could exist to exceed a cap, then a policy and process for making such exceptions should be developed. The important principle at work here is careful attention to the equitable application of regulations and policies to all employees.

Prioritize electronic connection between HRA and AAO and provide compatible up-to-date computers for all personnel.

Currently, AAO and HRA are about 20 years behind in the application of technology compared with offices at other institutions studied. Information flow between the two offices is essential and the need often immediate, yet, hard copy and disks are literally hand carried back and forth between the two offices. Crucial information is essential to the work of multiple personnel who work with incompatible computers. AAO has a critical need for immediate and broad communication with University-wide constituencies but AAO is not e-mail connected. These offices also need electronic links with the Offices of the University Counsel, Disability Services and numerous other administrative offices with direct and specific concerns for protected classes.

Employ on-line technology to post positions, announce seminars, conferences, workshops and other opportunities of interest to the broader higher education community. Use e-mail and webpage communication to develop links with other institutions of higher education serving large populations of minorities, and women.

URI must begin to take advantage of the Internet and other links to broaden our connection with the larger diverse populations in higher education. The process of running searches electronically has already begun on an experimental basis. We must, nonetheless, remain cautious about using this technology exclusively in order to prevent exclusion of individuals who may not have ready access.

HRA should be responsible for generation of raw data for the AA Plan.

The basic data essential to the completion of the AAP are inherently part of HRA's recordkeeping. With increased technological support and electronic links, these data could easily be updated and transferred annually to AAO (or OHE).

Return functions and position of Senior Word Processing Typist to HRA.

HRA should be responsible for drafting and placing advertisements for both classified and non-classified positions, logging in applications, sending out receipt of application and rejection letters to applicants (with the input and assistance of the search committee), mailing community information packets to applicants, creating the JOL and all the other functions removed from that office with the transfer of the

Senior Word Processing Typist. *The transfer of these functions must be accompanied by the assignment of a Senior Word Processing Typist position.*

HRA and AAO should utilize new and abbreviated routing of paperwork for the recruiting and hiring of classified and non-classified positions. (See Appendix E.)

Review of paperwork – AA-1, AA-2, AA-3 – indicated redundant and superfluous review and signature routes. URI's paperwork trail was among the most complex of those reviewed from several institutions. The new routing should provide adequate opportunity for administrative oversight and the abbreviated steps will expedite the process.

Provide HRA and AAO with resources to attend special seminars and workshops on managing a diverse community.

Personnel in these two offices are at the heart of our management systems for people. They need opportunities to hone and sharpen their skills and knowledge base in order to provide the best possible service in the care, service and management of the work force and the special needs of diverse populations. Without such training, complaints of a hostile or discriminatory environment will be addressed through the best intentions of employees which may or may not be based in the best professional thinking of the day.

Require AAO and HRA to work together with PDLOT to ensure that training programs offered by PDLOT include information on regulations, policies and procedures in addition to valuable training and workshops on group or interpersonal skills.

From the point of view of good personnel management as well as effective use of resources, HRA, AAO and PDLOT all need to coordinate the dissemination of information and planning of employee training. Otherwise an application of the best intentioned techniques of interpersonal working relations could be out of sync with EEO/AA regulations or fail to include information about valuable programs like the Employee Assistance Program.

Affirmative Retention

If the University is to proceed in President Carothers' stated goals—adopted by the Faculty Senate—to build a diverse community, recruit and retain minorities and women in underrepresented areas, and increase diversity in the curriculum, a major part of the affirmative action hiring process must lead to the affirmative action retention process. In his November 20, 1992 memorandum to the BOG, President Carothers stated:

...I have charged the leadership of the University with responsibility for achieving the goals, leaving much of the strategy for implementation to the creativity and imagination of the various divisions and departments of the University. Specifically, the Council of Deans has appointed a task

force which is responsible for planning on the academic side of the house. Various other administrative officers have specific charges as well. It is my sense that the energy and will to achieve a more diverse and more just community must come from the "grass roots" of the University and that, with the adoption of an official mandate for change, our community can be relied upon to do what's right, including allocation of resources consistent with these goals.

Recommended Actions

Faculty and staff mentors for all new hires and/or newly promoted individuals.

Providing mentors is a clear signal that the community cares about and wishes for the success of the individual. Too many employees are left to cull out information about the culture of the institution—information concerning its structure, policies, procedures and professional and/or social subcultures, and information which is crucial to personal and professional survival.

Be sensitive to the way new hires among people of color, women and people with disabilities are introduced to the University community.

One department chair told of her dismay when a new hire, who was from a protected class, was introduced as a targeted minority hire. The individual had competed in a national search with a full range of candidates. The position had gone to the best candidate, but the new hire felt her introduction marked her as less qualified.

Develop a social culture within the institution that is inclusive and gives administrators, staff, faculty, and students an opportunity to come together as a community.

Events like the President's lunchtime on the quad are too few and far between. More frequent social opportunities will build on each other as a way of creating a cohesive community of people all of whom contribute to the success of the educational mission. Several people interviewed mentioned the need for events that are inclusive and informal. Other events could include a lecture series on diversity issues, a multicultural speakers bureau of community scholars and students.

Use caution and sensitivity when placing community service demands on people of color, women and people with disabilities.

Many people of color, women and people with disabilities interviewed made note of the repeated feeling that they were selected for a particular job as the committee "token" and regretted that they could not have the privilege of believing they were chosen for their expertise. One staff member stated, "I'd like, just once, to see a black face look back at me from the other side of some conference table." Others resented that their time was consumed with being the minority [or woman] in the group observing, "...it's hard to be starting out and watch white male colleagues do no

service work when I get called up for every committee and, come tenure-time, he'll have more articles and I just filled a slot."

Mentors meet with new hires and promotions to monitor assignments and prevent burnout.

The circumstances described in the previous recommendation of overusing protected classes may prevent their accomplishing the record needed for promotion—staff or faculty—or tenure. Without careful monitoring, this can lead to "circulation through the system" of people of color and women.

Support the creation of a staff decision-making body.

If the University is committed to alleviating the tradition of social hierarchy and privilege inherent in the history of institutions of higher education, integration of staff into the governance process is an important step. Because the Faculty Senate addresses curriculum matters appropriately under the purview of the faculty, the creation of a new or adjunct body for governance matters affecting the whole community is more appropriate.

Collaborate and share resources more effectively between and among groups who serve largely minority populations and/or women.

Several faculty, staff and students lamented the perceived lack of communication between many of the programs on campus central to the diversity initiative. Special Programs for Talent Development, the Multicultural Student Center, numerous Student Senate supported clubs and organizations, academic programs such as Women's Studies and African and Afro-American Studies—all these programs need the chance to find common points of interest and mutual support through funded opportunities for cultural or social exchange. However, it must be remembered that these groups all have separate and distinct missions and, while they have the perspective to be leaders in the diversity initiative, they cannot be expected to shoulder the diversity burden without real assistance and support from the community as a whole. Diversity rewards everyone and should be a shared responsibility. The successful stories of community progress in diversity awareness at other institutions involve a truly multicultural—all cultures—commitment on the part of the community.

Hold meaningful exit interviews.

When a person of color or a woman leaves the institution, it is often never determined why they left. In speaking with some former employees from protected classes, they cited the lack of comfort within and surrounding the University community, painful encounters with racism or gender discrimination and a general feeling of isolation—particularly with people of color—as the "only one." When a person chooses to leave, it is damaging to the University in its future efforts if that person carries a message of URI as a chilly environment for minorities.

Educate the general population to hold less monolithic views of gender, race and ethnicity.

Along with the resentment that accrues when asked repeatedly to serve as the committee “token,” people of the same race, ethnicity or gender articulated their exasperation when they are assumed to represent all blacks or Hispanics. Even in an institution of higher education, people need to be reminded that Hispanic may equal Mexican, Puerto Rican, Guatemalan, or Dominican, and Asian could mean Hmong, Vietnamese, Cambodian, or Chinese. And black Americans represent a complex mixture of regional ethos, socioeconomic status, political persuasion, religious affiliation, *etc.* We learned the painful lesson on all sides that not everyone “looks alike.” Now we must aim our development of community awareness at the fact that not everyone thinks alike. An African-American male from Louisiana bayou country may have more in common with an Italo-American female from Cranston than with another African-American male from Brooklyn.

Ensure equal standards as managers and have the courage to discipline people of color and women (and white males) with the same equality under which they should be hired.

This is potentially a dangerous message, but it came through loud and clear from people of color who were irate when they believed a lower standard of performance was allowed for a minority “to avoid the lawsuits.” One minority staff member delivered an impassioned description of the ineptitude and abusive behavior of another minority employee and summed it up as follows: “You want to talk about racism. Keeping somebody around and letting them get away with stuff like that—that’s racism. It hurts everybody else who’s black.” Of course, of paramount importance, with this message comes an equally important expectation of high standards for all employees and requisite management action for poor performance. In essence, never give a member of a protected class a lesser standard for hiring, promotion or, in the case of faculty, tenure. To do so is insulting and a disservice to the individual and stigmatizing to the protected class.

(However, I reiterate that this is a dangerous and potentially volatile recommendation. The following anecdote may better explain the reason for concern. A black male alumnus told of being hired in an entry level position for which he, with an MBA, was overqualified. A white male worker commented to him, “It must be tough to get a job and not know if it’s because you’re qualified.” Our alumnus calmly responded, “Well, it’s a problem you’ve [white males] been dealing with for the last 300 years. I’m glad it’s now [a problem] I get to deal with.”)

Promote programs and develop partnerships that create feeder systems for women and minorities.

Examples —

Partnership between the Rhode Island Department of Transportation (RIDOT) and URI which entails: 1) the creation of a Transportation Engineering Faculty position to be hired from one of the nine HBCUs—now expanded to universities and colleges that serve African-American students in large numbers, 2) the participation of that faculty member in the Transportation Research Activities Center (TRAC), a math and science program for high school students centered around transportation engineering problems and a triangular partnership between RIDOT, selected high schools with large minority populations and URI. The combination of these factors will stimulate interest in the field of transportation engineering among high school students and provide them with a role model both while in high school and here at URI should they gain admission and select URI.

The Graduate School of Oceanography (GSO) has long been predominately populated by white males. At present, they have recognized the need to develop programs to increase the stream of female and minority applicants. A program was developed with the University of Maryland (Eastern Shore) to bring one minority scientist and, during the second year, the scientist and a student to GSO for two consecutive summers. A computer link is established to keep communication going during the academic year. At the conclusion of the two year period, the scientist will have completed a research paper. More importantly, the bond between that scientist, his/her student and GSO is forged. When GSO is searching for a faculty member, that individual is more likely to recommend the best and brightest to look at URI.

At the Providence Campus College of Continuing Education (CCE), the Learning Enhancement for Adults Program (LEAP) is a scholarship program designed for minority adults who wish to pursue a college degree. Upon acceptance, LEAP includes a semester of non-credit courses in writing, reading and word processing. Students receive peer counseling and tutoring support. The program is open to any adult with a high school or equivalency diploma. The program began in 1988 and has seen close to 400 adults complete college degrees.

These programs are a few of the unique examples of what the University can do to create feeder programs to develop and assist an ever expanding pool of capable and qualified contributors from underrepresented classes.

Move Women's Studies and African and Afro-American Studies into more prominent physical space on campus.

The message of tucking these two important programs into the upper reaches of Roosevelt Hall is, however unintentional, that they are less significant in the academic life of the community.

Serve as consultants to the community, the state and others as accomplishments lead to development of models.

The University has an obligation to serve as an exemplar of social and intellectual interaction. As we struggle with the problem of the historical effects and ongoing practice of discrimination, it behooves us in the land (and urban) grant tradition of service, to advance solutions.

Hold ongoing workshops on infusion of diversity into the curriculum.

When the Faculty Senate approved the President's goals for enhancing diversity, the Senate acknowledged the charge to the Provost and the Deans to "expand course offerings and other learning experiences related to diversity." In our system of checks and balances, it is important that all parties review this charge, report regularly on any progress and press forward with the University faculty. Sponsorship of workshops for all faculty and seed money for a limited number of Diversity Teaching Fellows (or release time to assist faculty seeking support for diversity curriculum initiatives) would go a long way toward jump starting this goal.

Promote models of departments and their systems wherein minorities and women find adequate support.

Several faculty in a department with a graduate program spoke about issues that had arisen over minority students believing they were being treated and evaluated differently – and it is important to note that it was only once they achieved a critical mass that the minority students felt comfortable speaking out. The purpose of reporting this is not to air grievances or to judge the situation. Rather, it is to appreciate the extent to which members of the academic department went to address the issue by bringing in a facilitator for discussions, forming committees, working with and advising students. One member of the department remarked, "This has been a very painful process, looking at yourself and finding out that you [or your colleagues] may be a bigot in some way. But the pain is good. I mean it's necessary if we're ever going to change."

Sponsor events to celebrate and explore the challenges of diversity in each of our roles as good citizens of the University community.

Events such as the upcoming Diversity Day, Open Space—these are important opportunities to begin and continue a dialogue about difference and its inherent value.

Name things to reflect their purpose.

This is included at the strong advice of a faculty member and a staff member, both of whom are people of color. Their questions and advice were raised independent of one another. To synthesize: Is the Multicultural Center truly that – does it represent all

cultures or is it a home for students of color. The faculty member said “let’s hang a sign over the front entrance [of the University] that says white cultural center and call others black or Hispanic or whatever. We need to be honest about what institutions of higher education are and not hide behind polite euphemisms.”

Hiring Success and Statistics

With the assistance of Professor Arthur Mead of the Economics Department, some comparisons across institutions are included. The purpose of this is not to judge definitively URI’s accomplishments or lack thereof in EEO/AA hiring. Rather, it is to point out the difficulty with this data-collection process as the only formal evidence of success or failure in affirmative action hiring. Consequently, importance of developing consistent and accurate job categories and maintaining up-to-the-minute data is prodigious. Also, it is important to note that the current data are the result of one part-time employee literally constructing, evaluating and assigning EEO job categories for all positions at the University. Eventually, the data was entered into PRI, an affirmative action software program that is designed for use in the preparation of an AAP.

Dr. Mead notes:

At present, direct comparisons are difficult given that URI still has limited data and that the other two institutions do not have the same reporting of their data. However, URI’s record appears to be poor, *i.e.*, there is a significant amount of underutilization. (See Appendix F for Accompanying Statistical Analyses Tables)

It was possible to make a comparison across the three institutions based on the data in the Workload Comparisons Tables. I have derived some simple percentages for the seven classification categories. The important columns are the last ones (Difference) which give the share of the other school minus the URI share. For example, in job classification 1, UCONN, 34% of the employees are female vs. 35.9% at URI which gives us the difference of -1.8%. What we see in those last two columns is URI generally has a greater representation of females than either UMASS or UCONN (mostly negative numbers). The situation is reversed with respect to minorities. In nearly all classifications the representation of minorities at URI is lower than at the other institutions.

Note: My comments are based on the assumption that the classification scheme is the same at the three institutions which seems to bear out with the possible exception of class 3 where URI is so far below on females as to make me believe that there is either a data error or a different classification.

One of the primary measures of ‘performance’ seems to be the utilization figures. In this analysis the share of minorities and females in an institution’s job classification is compared to that of some representative pool of potential

workers. The difficulty here is that there is no way to know if there is any uniformity in the construction of the pool across institutions and it is the construction of the pool that determines the institution's performance. For example, if the pool of service workers is considered to be the state, but at URI we actually draw on a pool only from South County, then our availability numbers would be higher than they would if we performed the analysis on the local South County area. What this means is that our location in South County would, if the availability figures are based on state figures, be biased upwards making it more difficult for URI to meet the availability targets. If we are serious about doing a good analysis of the situation, we would want to look into this because by changing the pool, we can 'hit' just about any target.

[In fact, David Haller, the temporary employee who completed the herculean undertaking of sorting and compiling these data explained that PRI affords him the ability to select from any of a number of geographically-based census data. For the purposes of URI's AAP, the smallest census pool used to determine availability is the State of Rhode Island. This decision was based on the fact that there are statewide postings of positions combined with the ability to draw from the state civil service. For positions such as assistant directors or directors, Haller expanded the availability numbers to include census figures from Rhode Island and the Greater Metropolitan Boston area. In this case, advertising would be in the Providence Journal and the Boston Globe. For each job category the availability numbers are adjusted based on the decision of the AAO.]

Dr. Mead continues:

Using the AAP data from UMASS, I have compared URI with UMASS. In each institution's report there are separate groups within each classification. For example at UMASS, in class #1, there were four subgroups and in none of those groups was there any underutilization. At URI, however, there were also four groups and in each group there was underutilization. In category 3, meanwhile, at UMASS in the 9 groups of employees, there was underrepresentation of females in 6 (67%) and minorities in 3 (33%). At URI there were 10 groups and females were underrepresented in 6 and minorities were underrepresented in 5. The bottom line: at UMASS in 18.4% of the groups we found underrepresentation of females and in 39.5% of the groups we had underrepresentation of minorities. The figures at URI were 59.1% and 72.7%. Note: The figures are potentially very sensitive to the numbers of groups. If we changed the composition of the groups we could change the summary statistics.

Experiences

It is also possible to look at how UCONN and UMASS have done in recent years. Looking at 1995-96, at UMASS there were 263 nonfaculty searches for full-time workers and 41% were filled with females and 20% were filled with minorities. The situation for full-time faculty was 37% and 23% respectively. At UCONN,

the data for 1994-95 indicate that females accounted for approximately 50% of the hires while minorities accounted for approximately 22% (100-38.-39.8).

Evaluation of President Carothers' Goals

The President has set goals for students, staff, and faculty. Of concern here is primarily the reasonableness of the goals. While it may be a good thing to set ambitious goals, it is unlikely that it is good to set unattainable or unreasonable goals. Consider that approximately 93% of Rhode Island's population in 1992 was white, while in Massachusetts and Connecticut the shares were 91% and 89% respectively.

As for President Carothers' targets for faculty and staff, the major concern is with the fact that we are talking about hitting targets in an environment of decline which raises the difficulty of hitting the targets. It is more difficult for two reasons. First, in the event that minorities are overrepresented in the more recent hires and that layoffs are based on seniority, minorities will be overrepresented in the layoffs. Second, if there are few openings, then the share of minorities in the new hires will need to be exceptionally large and there is nothing in the data from UMASS or UCONN to suggest that the minority shares of new hires will be exceptional (less than or equal to 25% of the hires).

If we are to get a better measure of our success, we should follow the lead of the other institutions and collect and report data on hires and terminations. Look, for example, at the goal of minority representation among the faculty. Using the data in URI's informal report, in 1992 the University had 696 faculty, 24 more than there were in 1996. In 1992, minorities represented 10.63% of the faculty, and by 1996 this share had been raised to 12.05 % as a result of the fact that at URI the number of non-minority faculty fell by 5 % while the number of minorities increased by nearly 0%. By 1996 the University was clearly within striking distance of the goal of 13%, but it would not be likely to be possible to hit the target number of minorities. In fact, in an environment where the size of the faculty (or staff) changes, it makes little sense to think about hitting both a percentage and level target because they are no longer consistent targets. For this reason I would suggest either specification of one goal or specify the goals in terms of hires. The same principles apply to staff hires. *[Although they are compounded by contractual issues of lateral transfers, bumping and recall rights.]*

The review of these statistics by Dr. Mead revealed two very important points: 1) the preparation of this data into any meaningful form requires a good deal of work and consistent entry of updated information, 2) the individual or office responsible for reporting this data in the AAP has considerable discretion with regard to determining the base line for availability and the resultant figures on utilization. If, for example, we were to go to a system-wide preparation and/or comparison of AAP data, it would be

important to consider any comparison of minority hires at RIC *versus* CCRI *versus* URI in light of the urban *versus* rural geographical locations of each and the percentage of resident minority populations. If availability was determined on a statewide basis, it is highly likely that entry level jobs at RIC and CCRI (Warwick campus) would show a higher utilization of minorities. Therefore, preparation and reporting of data is a critical function that requires support, professional expertise, and ongoing oversight.

One can make the same argument in reverse when considering faculty hires. The University hires from a national and international pool, the College less so, and CCRI may tend to search with more emphasis on the regional to national. Again, the difference in availability could be marked. Even within our own University, the College of Continuing Education has a significantly higher proportion of individuals from protected classes because of its urban location.

Conclusion

Affirmative action is rife with problems of political and personal dissatisfaction. It brings a unique set of problems to those it means to assist, those who believe that assistance is due and those who embrace the ends but reject the means. Stanley Fish wrote an op-ed piece for the New York Times in which he offers:

Those who support affirmative action should give up searching for theoretical consistency—a goal at once impossible and unworthy—and instead seek strategies with the hope of relieving the pain of people who live in the world and not in the never-never land of theory.

There are compelling reasons to consider alternative models to affirmative action as it is currently constituted in order to be ready for change, legislative or judicial. One of the most rational arguments being put forth is in The Remedy by Richard D. Kahlenberg:

Class-based affirmative action, a system of preferences for the economically disadvantaged in education, entry-level employment, and contracting, will achieve the legitimate goals of affirmative action while avoiding the major pitfalls associated with racial and gender preferences. ...First, they will help fulfill the promise of genuine equal opportunity. Second, they will indirectly compensate for past discrimination, bring about a natural integration, and provide a bridge to a color-blind future. Third, they should survive the legal and political attack that will, in the end, sharply curtail or even kill race and gender-based preference programs.

The central and overriding argument for class-based affirmative action is that it will help move us from today's inadequate system of formal equal

opportunity toward a more genuine system of equal opportunity under which individuals born into very different circumstances can flourish to their full natural potential. ...Equal opportunity exists when individuals have equal life chances to develop their natural talents to the fullest, should they choose to take the time and effort to do so.

The game is far from over. The opportunity for us to be major players is still open.

Acknowledgments

There are literally hundreds of people who have earned my gratitude during the course of this study and are owed a debt by the University community as a whole. Some University staff, students and faculty came forward out of deep-felt pain or anger; others out of a need to express frustration and confusion. Most importantly, no one came forward out of indifference. While some people may be solely concerned with the administration of affirmative action policies and their implementation, the vast majority of those interviewed were primarily concerned with the larger picture of equity, diversity and the health of the learning environment.

Administrators, staff and faculty from other institutions were keenly interested in our problems and solutions because they mirror the struggle these institutions are experiencing. They were both generous and gracious in their support. I have made every effort to learn from their experience and wisdom and am grateful that we have a wider net of higher education colleagues to expand our thinking and inform our ideas.

I especially want to thank the staff of the Office of Human Resource Administration for their keen interest, cooperation and collegial discussions about the interrelationship between and workings of their office and the Affirmative Action Office. The HRA directors and staff went out of their way to answer my endless questions.

Most particularly, my gratitude and admiration for the Affirmative Action Office and all those who have staffed it through the years and faced a difficult task with inadequate resources. It would be patently unfair if this report were construed as a critique of them rather than of structure, process and resources. My interviews and research has revealed the employees of AAO, past and present, as responsible and highly competent individuals who have worked and continue to work hard to enforce and inform issues that have changed, evolved and surfaced since the institution of the office.

The ideas put forth in this report include the work of many past groups or individuals and their ideas and efforts. We are a community abounding in ideas. Perhaps the best analogy is the Multicultural Center which, at present, is a foundation for a building that

could serve as a centerpiece of our commitment to diversity. We also have the intellectual underpinnings to build an ideological paradigm of equal importance.

This study was completed in the spirit in which it was requested—that of full and honest disclosure. The short answer to a very complex question is that many of us want the Diversity Initiative articulated by the President to succeed. The overwhelming reality is that we need resources—human, procedural and financial—to reach consequential progress. Originating this study was a clear message about the seriousness with which President Carothers holds questions of diversity and inclusion. The findings can be used to nurture seeds of discontent or implement change. The choice—and cost—is ours.

Appendix A

Board of Governors Affirmative Action
and Equal Opportunity Policy

Board of Governors Affirmative Action
and Equal Opportunity Regulations

AFFIRMATIVE ACTION
AND EQUAL EMPLOYMENT OPPORTUNITY -- POLICY

Board of Governors for Higher Education
State of Rhode Island and Providence Plantations

Adopted:	08/24/77 (BR)	07/02/81	(BG)	Legal Citation: 28-5.1
Amended:	05/24/79 (BR)	07/19/84	(BG)	
		08/06/92	(BG)	
		05/20/93	(BG)	
Reaffirmed:	05/30/80 (BR)	07/30/81	(BG)	
	05/28/81 (BR)	07/07/83	(BG)	
		05/24/89	(BG)	
		08/06/92	(BG)	
		05/08/96	(BG)	

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It is the belief and the policy of the State of Rhode Island that the race, color, religion, sex, sexual orientation, national origin, handicap/disability, age (subject to certain limitations established by law) or veteran status of an individual should neither serve as a barrier to his or her equal opportunity for employment nor be the basis of harassment in the workplace. The Rhode Island Board of Governors for Higher Education fully endorses this basic policy of nondiscrimination.

state and federal laws and regulations bar discrimination in employment based on race, color, religion, sex, national origin, age, handicap/disability or veterans status. Notably, the Equal Pay Act of 1963, the Civil Rights Act of 1964, as amended in 1972, Presidential Executive Order 11246, the Age Discrimination in Employment Act of 1967, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Readjustment Act of 1974, the Americans with Disabilities Act of 1990, the Persian Gulf Benefits Act of 1991, and the Civil Rights Act of 1991 prohibit employment discrimination. Rhode Island General Law 28-5.1 directs each state agency to make nondiscrimination the policy of the agency and to rigorously take affirmative steps to ensure equality of employment opportunity.

The Board of Governors for Higher Education recognizes that the mere elimination of discriminatory barriers to employment is often not in itself sufficient to provide equal opportunity. Consciously or unconsciously, practices or conditions may exist which

adversely affect the employment opportunities of entire groups of people, most notably women, members of minority groups, and handicapped/disabled persons. The Board therefore directs the Rhode Island Office of Higher Education and the public institutions of higher education -- namely, the Community College of Rhode Island, Rhode Island College, and the University of Rhode Island -- to pursue affirmative action through positive and aggressive measures designed to provide equal employment opportunities and to overcome the effect of any past exclusions.

Positive actions are required if employment opportunities are to be open to all and if work and academic environments are to be free from discrimination and harassment.

To meet these goals, the Board of Governors shall require the creation and implementation of affirmative action plans. While the chief executive officers at the public institutions of higher education and the Office of Higher Education shall be held accountable for the affirmative action programs, all management personnel shall share in this responsibility.

The Board of Governors furthermore accepts its responsibility to provide leadership in promoting nondiscrimination and equal employment opportunity by ensuring that private institutions approved by the Office of Higher Education provide education for the people of Rhode Island comply with state and federal laws regarding equal opportunity.

The Board of Governors will commit and utilize a variety of resources in support of its policies and will make available to education agencies all possible assistance and resources in the provision of equal employment opportunity and affirmative action.

The Commissioner of Higher Education is charged with ensuring that the personnel policies and practices of the Board of Governors, the Office of Higher Education, and the public institutions of higher education adhere to both federal and state laws and regulations and the policy and regulations of the Board of Governors regarding affirmative action and equal employment opportunity.

The Commissioner is responsible for the development and promulgation of any additional regulations and guidelines necessary to achieve the purpose of the foregoing policy and for the imposition of appropriate sanctions or penalties where necessary, subject to the approval of the Board of Governors.

AFFIRMATIVE ACTION
AND EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS

Board of Governors for Higher Education
State of Rhode Island and Providence Plantations

Adopted: 08124/77 (BR) 07/02/81 (BG) Legal Citation 16-59-4

Amended: 07/19/84 (BG)
 12/11/96 (BG)

I. Affirmative Action Planning

A. Affirmative Action Policy Statement

Each public institution of higher education (the University of Rhode Island, Rhode Island College and the Community College of Rhode Island) and the Office of Higher Education, the four units under the jurisdiction of the Board of Governors for Higher Education, shall adopt an affirmative action plan which shall comply with the Board of Governors Affirmative Action Policy and the guidelines promulgated by the State Equal Opportunity Office, and be consistent with all state and federal laws and regulations.

B. Responsibility for Affirmative Action

The chief executive officer has primary responsibility for all employment within the unit. The chief executive officer is accountable to the Board of Governors/Commissioner to assure that all personnel actions are consistent with affirmative action policies.

Each unit shall specify individuals to take responsibility for effective implementation of the unit's affirmative action policy. These individuals have the responsibility to direct monitoring, administration, management and implementation of the unit's affirmative action plan.

Each unit shall establish an affirmative action committee. Committee membership shall encompass a broad spectrum of the unit's community, including women, minorities and disabled individuals, and should include representatives from all levels of staff. Members shall be appointed by the chief executive officer of the unit. The committee shall issue a program report in writing at least annually to the chief executive officer of the unit, and provision

shall be made for the committee to have direct access to the chief executive officer of the unit on a regular basis.

C. Dissemination of Policy

Each unit shall implement specific and continuing steps to notify applicants for employment, students, employees, sources of referral of applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements within the state that it does not discriminate in its employment practices and that it is taking affirmative action to achieve and maintain a discrimination-free workplace.

D. Grievance Procedures

Each unit shall adopt and publish in appropriate publications grievance procedures providing for prompt and equitable resolution of employee discrimination complaints. Employees should be periodically notified of the procedures, where they are published and who to contact for assistance. The grievance procedure must assure due process for all parties concerned and take into consideration promptness of handling, ease of accessibility, simplicity of procedures, and confidentiality.

Individuals with responsibility for the investigation of grievances shall have sufficient access to authority to ensure the correction of identified noncompliance.

A record of all grievances and their resolutions shall be maintained.

E. Personnel Practices - to ensure consistency with affirmative action plan:

Each unit shall take active steps to recruit members of groups not reasonably represented in the enlisting work force.

Each unit shall ensure that its selection process is clear and equitable. Applications shall be screened on objective criteria only; the person or committee screening the applicants must be able to specify the evaluation criteria.

Each unit shall ensure that there is no impermissible discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, age, handicap disability, or veteran status with respect to the payment of wages or the extension of employment benefits.

Each unit shall have non-discriminatory procedures for layoffs, recall from layoff, termination, promotion, involuntary transfer, disciplinary action and the provision of supplementary education.

Each unit shall make provisions to inform its employees of the procedures involved.

F. Accommodations for Employees

Each unit must establish a policy on childbearing leave.

Each unit shall provide reasonable accommodation of facilities, job structures, work schedules, and equipment for disabled individuals when necessary to ensure equal access to employment.

Each unit, in response to an employee's request, will provide reasonable accommodation for religious practices.

Review of Policies and Plans

A. The affirmative action policies of the Board of Governors, the three public institutions of higher education and the Office of Higher Education shall be reexamined and reaffirmed periodically by the Board of Governors.

B. There shall be periodic review of the State Equal Opportunity Office affirmative action regulations guidelines by the Commissioner to determine if they are sufficient to achieve the purpose of the Board's Affirmative Action Policy. Recommendations for changes when warranted will be made by the Commissioner to the Board of Governors.

C. The affirmative action plans of the three public institutions of higher education and the Office of Higher Education shall be submitted annually for review by the Commissioner.

D. The Office of Higher Education shall annually receive work force statistics reports from each of the affirmative action officers in a standardized format.

III. Enforcement

The Board of Governors through the Commissioner shall have ultimate responsibility for enforcing and monitoring the implementation of these regulations and for ensuring compliance with these regulations.

The three public institutions and the Office of Higher Education shall submit on a date designated by the Commissioner, but not less than annually, reports or other documentation required to ensure compliance with these regulations. The Commissioner can, as deemed appropriate, conduct a field review of each

institution's organization or agency to determine compliance with these regulations.

Appendix B

Robert L. Carothers Memo to Faculty Senate
April 20, 1992

University of Rhode Island
Office of the President

MEMORANDUM

DATE: April 20, 1992

TO: University of Rhode Island Faculty Senate

FROM: ROBERT L. CAROTHERS
PRESIDENT

SUBJECT: Goals for Increasing and Enhancing Cultural
Diversity

Attached is the report submitted to me by the Affirmative Action and Equal Opportunity Committee, recommending institutional goals for increasing and enhancing the cultural and ethnic diversity within the University community and the University experience. The Committee was charged with developing such recommendations in response to the reports of a number of groups which have studied this matter over the past several years, including the report of the Affirmative Recommendations Committee (ARC), the Staff ARC Report, the Cultural Diversity Task Force Report and the report of the Joint Committee on Equity for Women and Minorities in the Tenure and Promotion Process. More immediately, the Committee report is the final phase of the work of the Diversity Conference held at the Alton Jones Campus this past November.

The Committee report is specific in setting goals in four important areas:

- * Goals for Recruitment and Retention of Students
- * Goals for Recruitment and Retention of Faculty and Staff
- * Goals for Building Community
- * Goals for Increasing Diversity in the curriculum

I am prepared to accept these recommendations, to adopt the goals set forth below (which are drawn from the Committee's recommendations), and to establish institutional priorities consistent with achieving those goals on the schedule identified. It would be my intent to take this plan to the Board of Governors for their approval and endorsement and to receive their charge to meet the mandates of the plan. I am

prepared to be held personally accountable to them and to you for the success of the plan.

Subsequently, I would charge the leadership of the University with responsibility for achieving the goals, leaving much of the strategy for implementation to the creativity and imagination of the various divisions and departments of the University. It is my sense that the energy and will to achieve a more diverse and more just community comes from the "grass roots" of the University and that, with the adoption of an official mandate for change, our community can be relied upon to do what's right, including allocation of resources consistent with these goals. We will, of course, monitor the process and its progress on a regular basis and report that progress to the public.

THE DIVERSITY INITIATIVE

I. Goals for the Recruitment and Retention of Students

A. The undergraduate enrollment of minority students at the University of Rhode Island will double in the next five years.

1. Minority enrollment in the first year class of 1993-94 will not be less than 10% or 200 students. Minority enrollment in the first year class of 1994-95 will not be less than 12.5% or 250 students; minority enrollment in the first year class of 1996-97 will not be less than 15% or 300 students.

2. By 1995-96, retention rates for undergraduate minority students at the University will equal or exceed those of non-minority students.

B. The graduate enrollment of minority students at the University of Rhode Island will increase by 50% in the next five years.

1. Minority enrollment in the Master's programs in 1993-94 will be not less than 11% or 312 students. Minority enrollment in Master's programs in 1994-95 will be not less than 12% or 340 students; minority enrollment in 1996-97 will not be less than 14% or 400.

2. Minority enrollment in Doctoral programs in 1993-94 will not be less than 6% or 50 students. Minority enrollment in Doctoral programs in 1994-95 will not be less than 7% or 58 students; minority enrollment in Doctoral programs in 1996-97 will not be less than 8% or 66 students.

3. By 1996-97, retention rates for minority graduate students at the University will equal or exceed those of non-minority students.

4. By 1996-97, graduate enrollment by gender shall be approximately equal for females and males in master's and doctoral programs. By that date, there will be no significant differential in retention by gender or program.

II. Goals for Recruitment and Retention of Faculty and Staff

A. Goals for the composition of the faculty and staff of the University are set consistent with the percentages of male and female Black, Hispanic, Asian and Native American populations respectively in the workforce, adjusted in each instance by availability. Action consistent with this Initiative will seek also to ensure increased numbers of women in areas of the University where women are underrepresented. While all of this is an inexact science, the numerical goals which follow are set in good faith, consistent with the overall objectives of this Initiative.

B. Faculty. In 1993-94, the number of Blacks, Hispanics and Native Americans on the faculty at the University shall not be less than 4% or 28 persons. The total number of minorities on the faculty shall not be less than 11%. In 1994-95, the number of Blacks, Hispanics and Native Americans on the faculty shall not be less than 4.5% or 33 persons. By 1996-97, the number of Blacks, Hispanics and Native Americans on the faculty shall not be less than 6% or 43 persons. The total number of minorities on the faculty shall not be less than 13%.

By 1996-97, the percentages of women and minorities advancing from assistant professor to associate professor, and from associate professor to professor should equal or exceed those of white males. The consequence will be that the gap between the number of women and minorities at the assistant professor level and the number of women and minorities at the associate professor and professor levels will decrease by not less than 50% .

C. Staff. By 1996-97, the percentage of male and female Blacks, Hispanics, Asian-Americans and Native Americans in staff positions will equal the representation of each in the pool from which they are drawn. In aggregate, these minority employees will be not less than 12% of the total staff workforce of the University. Specific goals consistent with this overall goal will be set on an annual basis within each division of the University.

By 1996-97, the percentages of women and minority line supervisors will equal the percentages of women and minority employees in the respective divisions of the University.

III. Goals for Building Community

A. Training. By 1993-94, the University will fully incorporate training with regard to diversity issues and opportunities into its employee development programs. Diversity training will be a leading component of the Academy for Quality, and the University will be recognized nationally as a leader in the integration of quality and diversity.

Diversity training shall be a part of the orientation of every new employees of the University.

B. Student Leadership. By 1954-95, approximately 30% of the student body will be involved each year in leadership training which focuses upon issues of diversity (i.e., race, ethnicity, disability, sexual preference, and more) as a core component of leadership development. Programs designed to enhance awareness and appreciation of diversity shall be a part of new student, residence hall, and fraternity and sorority orientations.

C. Events. During each year of this plan, the University will offer a well-publicized and coordinated series of events designed to increase public awareness and appreciation of human diversity.

D. Justice systems. By 1993-94, the University will have reviewed and revised as appropriate its system of addressing and resolving complaints of harassment and/or discrimination to ensure that the system works actively and efficiently to protect the rights of all students and employees.

E. Development. By the beginning of the 1992-93 academic year, the University will have developed a plan for building external relationships which advances the goals of this Initiative. These shall specifically include new partnerships with business, labor, the professions, religious and philanthropic organizations, and the towns and cities of Rhode Island. The responsibility for implementing this plan for partnerships will be vested in the Office of the Vice President for University Relations, with the expectation that all segments of the University community will play active parts in the effort. The plan will include fund-raising to support the Diversity Initiative. During the five years of the plan, the Development Office shall raise \$1.5 million to support multi-cultural activities at the University.

IV. Goals for Increasing Diversity in the Curriculum

A. Course Development. During the first three years of this Initiative, the University will develop and implement a program designed to expand course offerings and other learning experiences related to diversity. Support for this activity will increase over the term of the Initiative. Responsibility for implementing these goals will be vested in the Provost and the Deans of the Colleges of the University.

B. Visiting Scholars. By the 1993-94 academic year, the visiting and exchange scholars program, which brings to the University minority faculty and other professionals, will be enhanced. The program will be funded at a level sufficient to ensure success, and external support to endow such a program will be sought and secured by 1996-97.

cc: Vice Presidents
College Deans
Student Development Directors
Union Presidents

Appendix C

Statutes, Policies and Regulations

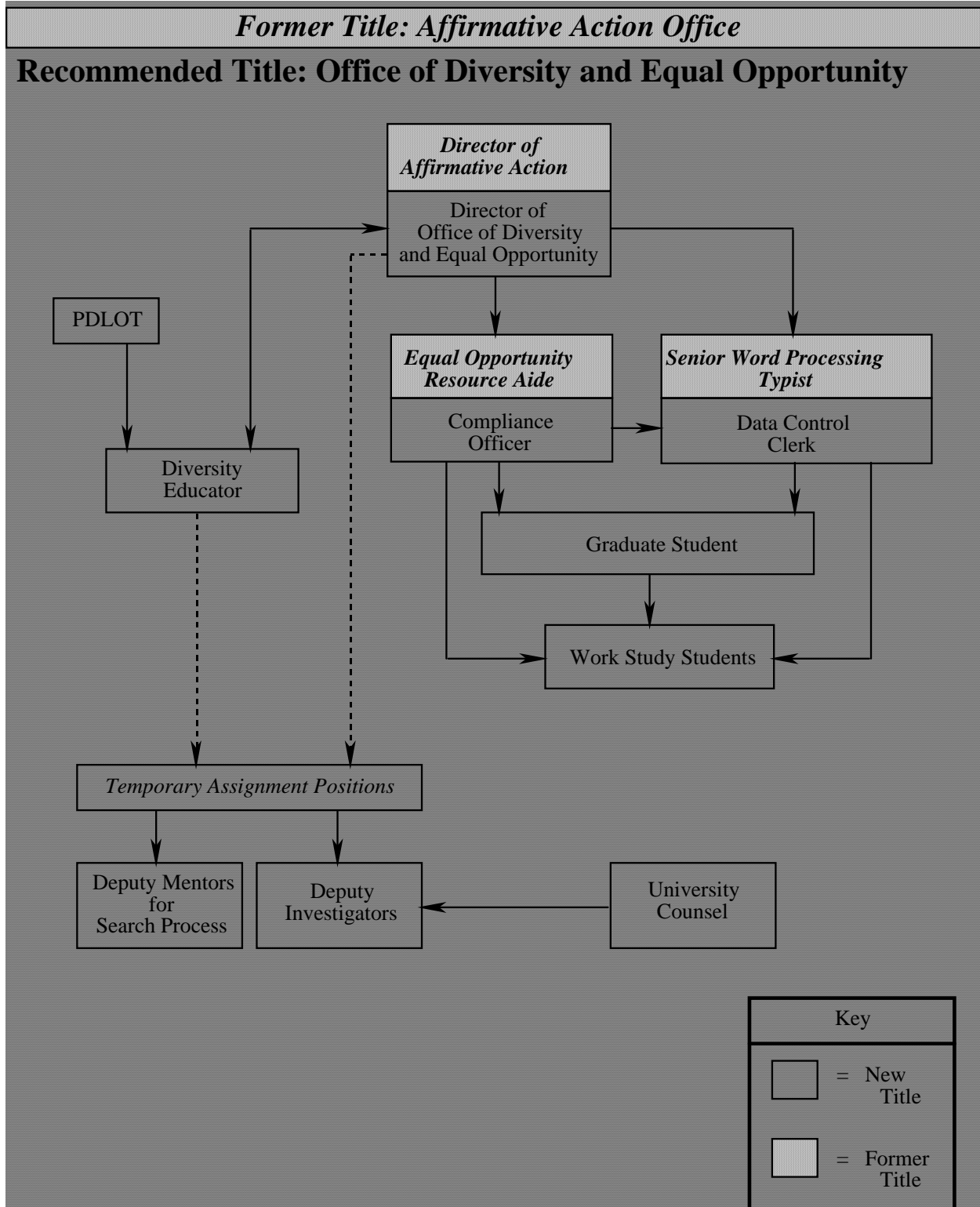
Statutes, Policies and Regulations

The University of Rhode Island prohibits discrimination on the basis of race, sex, religion, age, color, creed, national origin, disability, or sexual orientation, and discrimination against disabled and Vietnam era veterans; in the recruitment, admission, or treatment of students; the recruitment, hiring or treatment of faculty and staff; and in the operation of its activities and programs as specified by state and federal laws, including the Equal Pay Act of 1963; Titles VI and VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1967, as amended; Section 503/504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974; the Americans with Disabilities Act of 1990; the Civil Rights Act of 1991; the Persian Gulf Benefits Act of 1991; Rhode Island General Law 28-5.1, as amended; Executive Order 95-11; and Executive Order 92-2.

Appendix D

Proposed Table of Organization, Affirmative Action Office

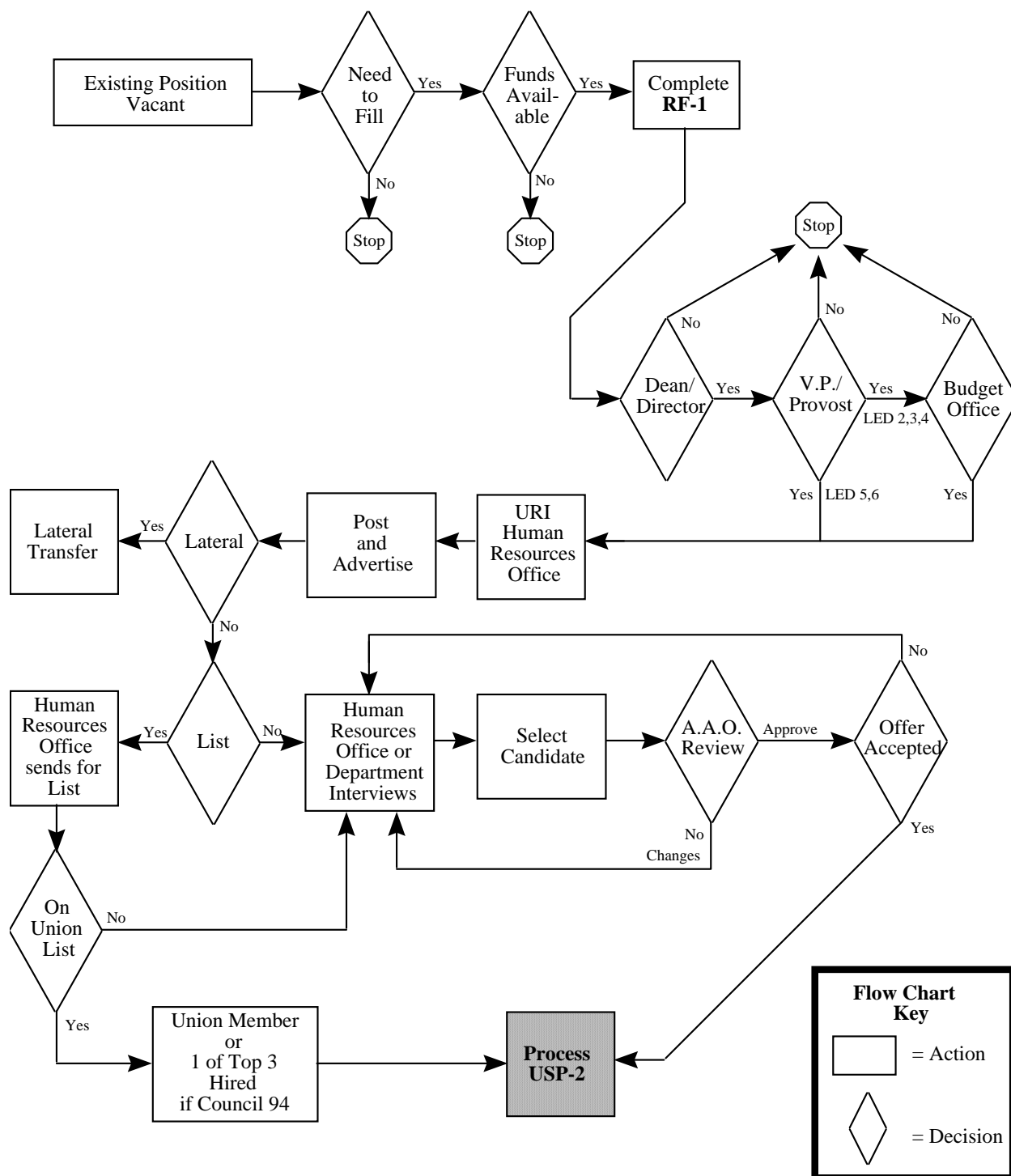
Proposed Table of Organization

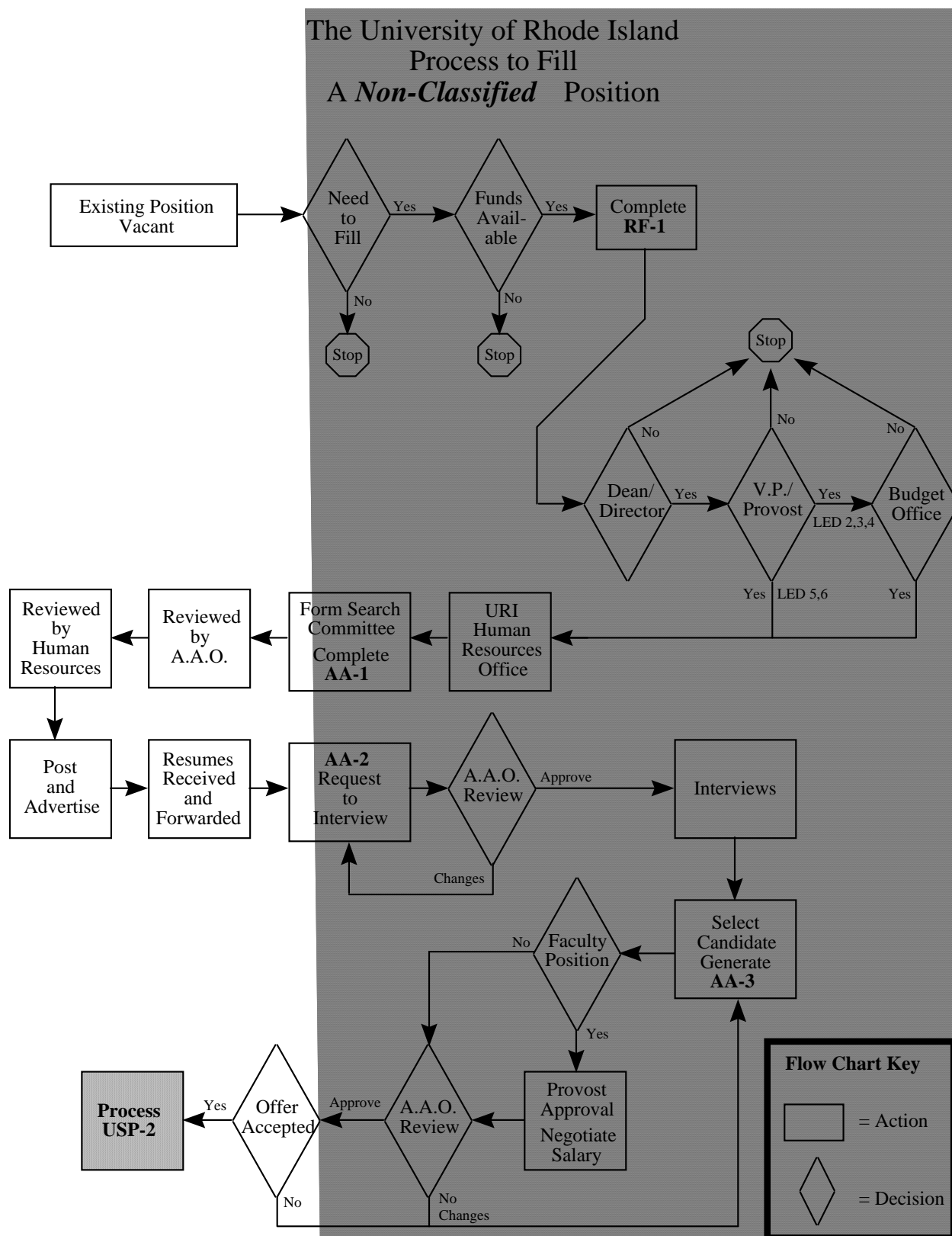


Appendix E

Proposed Classified Hiring Process Flow Chart
Proposed Non-Classified Hiring Process Flow Chart

The University of Rhode Island Process to Fill A *Classified* Position





Appendix F

Statistical Analysis Tables

Workload: 1992 & 1996

Classification	Total		Women		Minority	
	1992	1996	1992	1996	1992	1996
1	120	117	43	45	15	18
2	1404	1377	352	376	148	173
3	1188	1317	630	704	127	161
4	1196	1067	1023	938	69	73
5	315	291	7	12	12	14
6	876	855	353	332	107	130
7	359	333	161	145	29	35

Workload Changes: 1992 & 1996

Classification	CHANGE			PERCENTAGE CHANGE		
	Total	Women	Minority	Total	Women	Minority
1	-3	2	3	-2.5%	4.7%	20.0%
2	27	24	25	1.9%	6.8%	16.9%
3	-129	74	34	-10.9%	11.7%	26.8%
4	129	-85	4	10.8%	-8.3%	5.8%
5	24	5	2	7.6%	71.4%	16.7%
6	21	-21	23	2.4%	-5.9%	21.5%
7	26	-16	6	7.2%	-9.9%	20.7%

UConn Workload Comparisons

UConn						
Classification	Total	Male	White Male	White Female	Female	Minority
1	141	93	82	42	48	17
2	1169	854	736	285	315	148
3	1276	480	402	702	796	172
4	492	4	2	461	488	29
5	79	37	36	36	42	7
6	121	118	111	3	3	7
7	708	424	347	233	284	128

full and part time

UConn			
Classification	Total	Female	Minority
1	100.0%	34.0%	12.1%
2	100.0%	26.9%	12.7%
3	100.0%	62.4%	13.5%
4	100.0%	99.2%	5.9%
5	100.0%	53.2%	8.9%
6	100.0%	2.5%	5.8%
7	100.0%	40.1%	18.1%

Difference (UConn-URI)		
Classification	Female	Minority
1	-1.8%	3.4%
2	-2.0%	0.3%
3	49.9%	7.2%
4	1.6%	0.2%
5	12.1%	3.7%
6	-4.6%	0.2%
7	-3.6%	7.5%

UMass Workload Comparisons

UMass						
Classification	Total	Male	White Male	White Female	Female	Minority
1	117	93			45	18
2	1377	854			376	173
3	1317	480			704	161
4	1067	4			938	73
5	333	37			145	35
6	291	118			12	14
7	855	424			332	130

UMass			
Classification	Total	Female	Minority
1	100.0%	38.5%	15.4%
2	100.0%	27.3%	12.6%
3	100.0%	53.5%	12.2%
4	100.0%	87.9%	6.8%
5	100.0%	43.5%	10.5%
6	100.0%	4.1%	4.8%
7	100.0%	38.8%	15.2%

Difference (UMass-URI)		
Classification	Female	Minority
1	2.6%	6.7%
2	-1.6%	0.2%
3	41.0%	6.0%
4	-9.7%	1.1%
5	2.5%	5.4%
6	-2.9%	-0.8%
7	-4.8%	4.6%

URI Workload Comparisons

URI						
Classification	Total	Male	White Male	White Female	Female	Minority
1	92	59			33	8
2	670	476			194	83
3	288	252			36	18
4	455	11			444	26
5	78	46			32	4
6	71	66			5	4
7	490	276			214	52

URI			
Classification	Total	Female	Minority
1	100.0%	35.9%	8.7%
2	100.0%	29.0%	12.4%
3	100.0%	12.5%	6.3%
4	100.0%	97.6%	5.7%
5	100.0%	41.0%	5.1%
6	100.0%	7.0%	5.6%
7	100.0%	43.7%	10.6%

Experiences

UMASS 95-96

		# of Searches	# Females	# Minorities
Nonfaculty	Full-time	263	109	53
	Part-time	98	55	11
Faculty	Full-time	96	36	22
	Part-time	167	88	9

			Percent Females	Percent Minorities
Nonfaculty	Full-time		41.4%	20.2%
	Part-time		56.1%	11.2%

Faculty	Full-time		37.5%	22.9%
	Part-time		52.7%	5.4%

UCONN 94-95

<i>Totals</i>	Total	Female	White Female	White Male
Nonfaculty	245	129	97	88
Faculty	102	41	36	50
Total	347	170	133	138

<i>Shares</i>	Total	Female	White Female	White Male
Nonfaculty	100.0%	52.7%	39.6%	35.9%
Faculty	100.0%	40.2%	35.3%	49.0%
Total	100.0%	49.0%	38.3%	39.8%

Utilization

URI

Faculty Utilization

College Areas	Females		Minorities		Underutilized	
	Utilization	Availability	Utilization	Availability	Females	Minorities
A&S	29.45	40.82	9.39	10.5	-11.37	-1.11
<i>Fine Arts</i>	36	50.49	4	12.84	-14.49	-8.84
<i>Humanities</i>	37.3	52.4	10.98	9.46	-15.1	1.52
<i>Biological Sciences</i>	30.76	33.93	3.85	13.67	-3.17	-9.82
<i>Physical Sciences</i>	12.12	29.41	13.64	10.86	-17.29	2.78
<i>Social Sciences</i>	31.68	37.22	7.92	13.79	-5.54	-5.87
Business	17.31	41.83	28.85	14.57	-24.52	14.28
Engineering	2.9	16.56	28.99	15.9	-13.66	13.09
HS&S	43.9	64.6	7.6	12	-20.7	-4.4
Nursing	100	75.91	3	8.5	24.09	-5.5
Oceanography	9.7	29	6.4	11.96	-19.3	-5.56
Pharmacy	35.48	58.98	12.9	11.96	-23.5	0.94
Resource Development	11.94		7.46			

Underutilization

UMASS					
Classification	# Categories	# Underutilized Females	# Underutilized Minorities	Percent Underutilized Females	Percent Underutilized Minorities
1	4	0	0	0.0%	0.0%
2					
3	9	6	3	66.7%	33.3%
4	7	0	5	0.0%	71.4%
5	6	1	2	16.7%	33.3%
6	4	4	2	100.0%	50.0%
7	4	1	3	25.0%	75.0%
<i>Total</i>	38	7	15	18.4%	39.5%

URI					
Classification	# Categories	# Underutilized Females	# Underutilized Minorities	Percent Underutilized Females	Percent Underutilized Minorities
1	4	4	4	100.0%	100.0%
2					
3	10	6	5	60.0%	50.0%
4	1	0	1	0.0%	100.0%
5	2	1	2	50.0%	100.0%
6	1	1	1	100.0%	100.0%
7	4	1	3	25.0%	75.0%
<i>Total</i>	22	13	16	59.1%	72.7%

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