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p AA

1/27/84

PARTIAL COMPILATION OF QUESTIONS AND CONCERNS RAISED ABOUT AFFIRMATIVE ACTION DRAFT POLICY - FALL 1983

RECEIVED FEB 1 1984 T.E.C. OFFICE OF EQUAL OPPORTUNITY

section

010 PREAMBLE

"Does or is this section inclusive in the language? Does it speak to equal access to higher educational opportunities? Assumes in the language 'equal access to programs or services' that protected class will be provided equal access to the college." (Stone Thomas notes)

020 PURPOSE

"Increasing sadness, perhaps even bitterness on the part of many faculty and staff of color at Evergreen...Lingering uncertainty about the seriousness of Evergreen's commitment to Affirmative Action and (inter)cultural literacy." (Patrick Hill - 11/28/83)

"To implement the commitment to non-discrimination" might be better stated as "To eliminate all instances of prejudicial discrimination." Selective certification is a form of discrimination according to The American Heritage Dictionary of the English Language: "Discriminate - 1) to make a clear distinction; distinguish; differentiate, and 2) to act on the basis of prejudice." The first definition describes a neutral to positive action. The second definition describes a negative action. Selective certification is a form of the first type of discrimination. The discrimination this policy is intended to eliminate is the second type. (M. Hall)

"Has the policy clearly outlined the intent of the Affirmative Action/Equal Employment Opportunity program of the college? Is it inclusive of all aspects of the college (employment, grievance, student, etc.)?" (Stone Thomas presentation to Board - 10/21/83)

030 RESPONSIBILITY FOR IMPLEMENTATION

"Fix the responsibility for implementation of the policy via evaluations." (DTF Charge#4)

"Poorly conceived and designed lines of responsibility for implementation of policies." (Patrick Hill - 11/28/83 memo)

"Substantial evidence that many faculty were unaware of the proposed new policy and its implications, particularly for training and evaluation." (Patrick Hill - 11/28/83)

"Does the policy clearly identify the accountable authorities and delineate the role and responsibilities they must assume to ensure the success of Affirmative Action/Equal Employment Opportunity efforts?" (Stone Thomas - 10/21/83)

"Has the leadership of the college taken the responsibility of setting a positive 'tone' for Affirmative Action? Has the governing body of the college asserted itself through the planning and evaluation process to prioritize Affirmative Action? Is the leadership of the college taking the responsibility in the budget process of prioritizing Affirmative Action efforts? How does the leadership of this college evaluate their subordinates in terms of Affirmative Action and achieving specific unit objectives? Organizationally, is Affirmative Action in a position of responsibility and authority?" (Stone Thomas - 10/21/83)

Part 1 - "What is meant by 'providing sufficient support of the policy to make it productive?' Mechanisms of implementation lacking. No clear direction. Should this section require an annual establishment of goals and objectives for AA specific to units requested by the President as a part of the budget process?"

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section

Part 2 - "What is the role of the Committee? Is it advisory or enforcement committee? What happens to the recommendations for solution? (See Monitoring and Auditing)."

Part 3 - "Assuming, in an organizational sense, this arrangement remains the case, where is the check and balance if the Director of Employee Relations is the Director of Affirmative Action?

When will training programs be implemented?

What about retention?"

(Stone Thomas notes)

Part 2(b) - "the Director of Employee Relations and the participating member" is confusing. Is this a typo? (M. Hall)

040 POLICY DISSEMINATION

"Sections 5 & 8 not clear...generally section well developed." (Stone Thomas notes)

050 MONITORING AND AUDITING

"Develop acceptable monitoring and auditing procedures." (DTF Charge #5)

"Inadequate training procedures. Failure to reach goals or to show improvement does not seem to have significant consequences." (Patrick Hill - 11/28/83 memo)

"Too heavy a burden placed on students - usually students of color - for reporting and following up on alleged instances of faculty insensitivity or bias. Students who spoke up at the Trustees meeting left the impression that they run too great a risk to complain about faculty." (Patrick Hill - 11/28/83) (See also 400)

"Does the policy include component outlining how, who, what, and when these efforts will be evaluated?" (Stone Thomas presentation to Board - 10/21/83)

"There is some concern about how data is categorized. For example, the distinction between exempt administrator and exempt staff. Counting the two inflates the category. How the classified but no authority does not bring about change."(?) (Stone Thomas notes)

Part 3 - change "persons" to "persons and offices." (M. Hall)

060 HIRING PROCEDURES

"Address the question of recruiting/retraining minority faculty and staff." (DTF Charge #2) (See also 070, 100 & 200)

Part 2 - "What constitutes a significant applicant pool? How is it monitored in the search process?"

Part 3 - "Representative faculty hiring committee...what is it?" (Stone Thomas notes)

Part 2 - "Failure to comply with these requirements may necessitate reopening the search." - Under what conditions?

Part 4 - "...the Affirmative Action Office asks that each position be posted for at least one week or until a minimum of three students are interviewed for the job." Why just "asks?" Why not "requires?" (M. Hall)

070 HIRING AND OTHER POLICIES

"Address the question of recruiting/retraining minority faculty and staff." (DTF Charge #2) (See also 060, 100 & 200)

Part 2 - "What if the supervisor is the perpetrator?"

Part 3 - "What is it? How is it covered in WAC 174-109-090 (Identification of Problem Areas)?"

Part 4 - "Is there a R.I.F. policy established for all sections of the college?" (Stone Thomas notes)

section

HIRING AND OTHER POLICIES - continued

Part 3 - "The College supports the concept of comparable worth (and) will implement it when not legislatively required to do otherwise." Should fiscal ability to implement be considered in this language?

Part 7 - "Starting salaries are based on qualifications and experience or on negotiated factors, not on gender or race." Or handicap? (M. Hall)

080 GOALS AND TIMETABLES

"Set a series of sub-goals related to a time frame which will encourage action and enable us to reach the ultimate goals." (DTF Charge #6)

"Lack of significant progress, unaddressed by the proposed policy, in reaching hiring goals in faculty and professional staff." (Patrick Hill - 11/28/83 memo)

"Have the goals and objectives of the policy been clearly defined both in operational and measurable terms? Are they accompanied by timelines? Does the policy identify the individual accountable for monitoring efforts to achieve these goals and objectives? How, who, and when will they be evaluated?" (Stone Thomas - 10/21/83)

"Say to previous problem of retention however, does not address any specific strategies...

Goals tend to lump people of color in one general category. Effect one group of Third World people could experience significant growth while another group loses grounds. The 'lumping' would not necessarily signify such a change in status. Section does not outline timetable to achieve goals." (Stone Thomas notes)

Strike "Some of the reasons for this failure have been defined (problems in recruitment and retention, the fact that earlier goals were not tied to availability statistics) and some are still under study." WAC is no place for rationale of failure. (M. Hall)

Determine goal percentages based on some formula involving current and historical percentages and demographic studies, not seemingly arbitrary numbers. (M. Hall)

090 IDENTIFICATION OF PROBLEM AREAS

"Once identified, what happens?" (Stone Thomas notes)

Placement of this section indicates attention to problem areas in employment only, but it should address all problem areas, such as faculty insensitivity and bias and sexual harassment. In that case, this section should be moved so it is not surrounded by employment issues. (M. Hall)

Part 3 - 1984, not 1983 (M. Hall)

100 CORRECTIVE EMPLOYMENT

"Address the questions of recruitment/retraining minority faculty and staff." (DTF Charge #2) (See also 060, 070 & 200)

"Inadequate budgets for recruitment and training." (Patrick Hill - 11/28/83) (See 200)

"Generally good. Do the deans and other hiring authorities have copies of the national availability statistics? Should the language read 'in consultation with Affirmative Action Officer' for continuation and check and balance?

Item (e) - what does it mean?" (Stone Thomas notes)

200 TRAINING

"An effective training policy for each and every unit on campus, perhaps taylored to each unit." (DTF Charge #1)

section

TRAINING - continued

"Address the questions of recruiting/retraining minority faculty and staff."  
(DTF Charge #2) (See also 060, 070 & 100)

"Inadequate training procedures. The focus on once-a year events is particularly troublesome to the Board (of Trustees)." (Patrick Hill - 11/28/83 memo)

"Inadequate budgets for recruitment and training." (Patrick Hill - 11/28/83) (See 100)

"Needs to be further developed with consideration given to:

- A. Mechanisms for needs assessment specific to units and people
- B. Involvement of accountable authorities in planning and implementing and evaluating stages
- C. Appropriateness of participation - mandatory or voluntary
- D. Sanctions for participation or lack of." (Stone Thomas notes)

300 PROGRAM AND ACTIVITY POLICIES

"Address the questions of recruiting minority students for four years at Evergreen."  
(DTF Charge #3)

"Our expectation is that the new affirmative action employment policy, except for the intercultural literacy portion and curriculum, will be ready for Board hearings in April...the portion on curriculum should be ready for discussion at the Spring faculty retreat." (DTF Charge - page one)

"Continuing reports - corroborated by persons in responsible positions - of insensitivity on the part of some Evergreen faculty to the needs and interests of students of color. At two open meetings of the Board, students of color spoke of the insensitivity of some un-named Evergreen faculty." (Patrick Hill - 11/28/83)

Part 3 - "The College seeks to eliminate cultural bias and stereotyping in testing, counseling, advising, and evaluation procedures." And academic instruction? (M. Hall)

400 GRIEVANCE PROCEDURES

"Develop a method for people to air their complaints via an independent mechanism of some kind without fear or retaliation." (DTF Charge #7)

"Too heavy a burden placed on students - usually students of color - for reporting and following up on alleged instances of faculty insensitivity or bias. Students who spoke at the Trustees meeting left the impression that they run too great a risk to complain about the faculty." (Patrick Hill - 11/28/83) (See also 050)

"More generally, lack of safeguards for the complaining party, especially when the complaint is against one's superior." (Patrick Hill - 11/28/83)

"No statement to protect the complainant during the investigation or after the remedy.

What if the situation arises where a representative does not want to be taped?"  
(Stone Thomas notes)

"Should the Trustees not agree to a hearing, the decision is final on campus, and shall be implemented as soon as possible." - Should mention be made of recourse through the HEP Board for classified employees? (M. Hall)

500 DEFINITIONS

Would be helpful to have definitions of "Selective Certification" (referred to in WAC 174-109-100 (4)(f)) and "Availability Statistics" (referred to in WAC 174-109-090 (1)) (M. Hall)

Part 1 - "...is regarded as having such an impairment." By whom?

Part 4 - item (c) - Why Spain? item (d) - Are Arabs people of color? (M. Hall)

section

600 LEGAL BASES OF AFFIRMATIVE ACTION PROGRAM

No recorded comments , concerns or questions on this section.

NOTE: The selection and arrangement of these comments are based on my opinions. Others may consider placement of specific concerns and questions to be more appropriate under different sections. This document is intended only to be an aid in understanding the complex issue of Affirmative Action at Evergreen

*MICHAEL HALL*