Q: Why do the statistics for new college entrants and total students of color not add up?

A: The statistics for new college entrants as stated in the material is an “estimated” number. The American Council of Education Publication “Minorities in Higher Education Status Report” is a great statistical resource for providing you with more detailed and accurate statistics in this area and can be obtained by phoning (301) 632-6757.

Q: What are the data sources for these various statistics?

A: The data sources are specifically listed in the slide at the end of the presentation which should have been provided by Academic Impressions. One of these sources is the ACE publication “Minorities in Higher Education Status Report.”

Q: Do these statistics include Asian faculty? Asian Foreign-born?

A: Yes, they do. For more detailed statistics, up please consult Minorities in Higher Education, 2004-2005 Annual Status Report which can be obtained by phoning (301) 632-6757.

Q: On slide #4, how does the final point, 29-37% increase in students of color resolve to the previous figure or 80% new college entrants?

A: The 80% of new college entrants is an estimate as stated on Page 5 for detailed statistics please see the “Minorities in Higher Education 2004-2005 Status Report” by phoning (301) 632-6757.

Q: What is your definition of “severely underrepresented”?

A: Federal Executive Order 11246 and the Federal Uniform Guidelines on Employee selection (federal law) define minority underutilization in terms of the “80 Percent Rule”. In other words, if the protected class group has representation that has an 80% statistical disparity when compared to the majority group, there is statistical underutilization. This is a mathematical
formula regarding the 80% rule that can be explained in greater detail by the U.S. Department of Labor’s Office of Federal Contract Compliance Program. Please refer to these sources for a detailed definition. By the way, the federal government does not use the term “severely underrepresented”, therefore, I do not have a personal definition of this. The federal government’s 80% Rule determines minority underutilization within a given job group.

Q: How can you reject a pool based on color?

A: I did not state that an applicant pool could be rejected “based on color”. What was said is that Federal Executive Order 11246 requires Affirmative Action plans. To meet the goals of affirmative action plans, there must be good faith efforts to recruit, promote and retain qualified women and minorities. Therefore, based on this federal mandate, one could reject an applicant pool, and use better recruitment methods to comply with federal rules to ensure that these good faith efforts were being met. The applicant pool is not being rejected because of color, but because it does not meet federal good faith efforts requirements especially if a statistical availability analysis determines that a job group does in fact have minorities and women within the reasonable area of recruitment. I would be happy to personally discuss this with you. Please phone me at 717-720-4041.

Q: To what extent is diversity training required for faculty search committees?

A: There is no requirement to conduct diversity training for faculty searches but it is a good proactive idea to conduct diversity training to ensure that the committee understands how culture could play an important role during the search process? Please contact me at 717-720-4041 if you desire to discuss this in greater detail.

Q: Could you please elaborate on the impact the presidents and leaders had on faculty recruitment and retention?

A: Because these leaders happen to be persons of color, they have been particularly sensitive to faculty and student recruitment and retention. For example, they have engaged in creative, proactive initiatives such as diversity dialogues and multicultural programming. Through these types of initiatives our presidents of color and all of our presidents including majority presidents, have conveyed the importance of diversity to various constituent groups. Please phone me because an answer to this question would be too long to elaborate on in writing. My phone number is 717-720-4041.

Q: Please talk more about sending back insufficient pools. How do you do that?
A: This is easy, if an applicant pool does not statistically a sufficient number of women and minorities, especially when availability statistics indicate that there are, in fact, statistically women and minorities in the reasonable area of recruitment, the applicant pool is sent back to HR or a recruiter to use better recruitment resources to attract more women and minorities. Our executive leadership supports this.

Q: This may be premature, but will the participants of this conference have access to a copy of this presentation so that we may obtain the data sources referred to herein?

A: Please contact Academic Impressions. This was provided at each main web-conference site.

Q: Recently, there has been a great deal of opposition to Affirmative Action. How do you see the future of AA?

A: I believe that the Supreme Court in the University of Michigan eloquently articulated a wonderful rationale regarding the value of diversity. The future of Affirmative Action will not be threatened but we will see an emerging trend of class based affirmative action. Please phone me if you would like more information about this issue. I could talk about this all day. 717-720-4041 is my phone number.

Q: What is the definition or standards for assessing “Good Faith Efforts”?

A: Unfortunately Federal Executive Order Does Not Provide a definition of assessing good faith efforts but if the employer is audited, an the auditor sees a total lack of contacting minority and female recruitment resources, there is no good faith effort demonstrated. I usually demonstrate good faith efforts by having numerous documented recruitment resources in my files for each and every position where recruitment has been done. Please phone me if you desire further follow-up about this at 717-720-4041.

Q: Please give the specific citation of the recruitment resource book and manual you referenced?


Dr. Turner’s Book, Diversifying the Faculty has many resources for recruiting doctoral candidates. It can be found at (202) 387-3760.
Q: Is it common for public institutions to create lines outside of departmental lines explicitly for affirmative action? For example, the college could create a line that didn’t exactly meet the need of a particular department?

A: My research reveals that universities are beginning to discuss innovative ideas such as creating lines for diversity purposes not so much affirmative action purposes. Many proactive institutions are creating faculty excellence funds to enhance diversity. The term “excellence” is used instead of diversity or affirmative action. To create special affirmative action lines of the type described in your question without careful analysis and even to use the term “affirmative action” may result in reverse discrimination implications. Please contact me at cclowney@passhe.edu and I will send you an example of a model faculty excellence fund.

Q: Your statistics have a gap – How many people of color go on after the BA they earn a Ph.D.?

A: It is estimated according the recent “Minorities in Higher Education Status Report” published by the American Council on Education that around 13.6%. Please contact ACE for the most recent statistics regarding minority Ph.D. candidates at (301) 632-6757.

Q: Does 11246 require universities to affirmative seek applicants who are qualified individuals with disabilities?

A: Executive Order 11256 does not requires employers to have statistical comparative data requiring availability and utilization statistics on individuals with disabilities. The Executive Order does however require employers to have an affirmative action plan for individuals with disabilities and covered veterans which demonstrates how they are recruiting, employing, promoting and accommodating qualified individuals with disabilities and covered veterans. In other words there is an affirmative action plan requirement for individuals with disabilities without a statistical component. Hiring goals under the Executive Order are only established for women and ethic minorities.

The affirmative action plan for individuals with disabilities requires employers to periodically survey their workforce to ensure that individuals with disabilities are being accommodated.

Q: California does not allow universities to identify goals and timetables under its current law – what alternative strategy do you recommend?
A: You should phone me to discuss this in greater detail at 717-720-4041. If California Universities are recipients of federal funds, then they are required to have legally compliant Affirmative Action Plans. It appears to me that a constituent group might want to have the U.S. Department of Labor’s, Office of Federal Compliance Programs (OFCCP) conduct an audit or provide you with the answer to this question.

Q: How do you decide when you have ENOUGH diversity?

A: There can never be enough diversity in the broad since of the word. I am not certain what you mean by “ENOUGH” diversity. Are you referring to the job group utilization goals required in affirmative action plans under Executive Order 11246? Please phone me at 7170720-4041 if you would like to discuss your question in greater detail.

Q: How did you develop your applicant Pool?

A: If you are referring to the applicant pool that generated our Six Presidents of Color, the recruitment firm we hired used numerous recruitment resources including contacting historically black universities, university alumni associations, and word of mouth recruiting, etc.

Q: We diligently looked for PhD Afro-Americans in our field as potential faculty candidates and found none. Cognitive Science?

A: Dr. Carolina Turner’s Book, Diversifying the Faculty, includes excellent Ph. D. recruitment resources for Ph.D. candidates in the science fields. This book can be ordered by phoning 202- 387-3760.

Q: If women are included as “minorities” how can you encourage the recruitment of racial minorities at institutions that prefer not to do so? They Recruit women and that “covers” minority concerns?

A: Under Executive Order 11246 which requires affirmative action plans for recipients of federal funds, there are recruitment and hiring goal requirements for ethnic and racial minorities which are separate and distinct from hiring and recruitment goals for women. This is a federal requirement therefore this can be used as a way to encourage institutions to recruit racial minorities. If women are being solely recruited as “minorities” then federal affirmative action plan requirements may be violated. I would check with your legal departments which could in turn encourage the greater recruitment and hiring of racial and
ethnic minorities to comply with Federal Executive Order affirmative action requirements.

Q: How do you validate the ethnic diversity of an applicant pool if that information is not required but voluntary?

A: This is difficult to do and at times the pool can not be validated if there are in fact unknown applicants in the pool.

Q: Because of the passage of Proposition 209 several years ago in California, we have been advised that we cannot reject or return applicant pools based on a lack of diverse representation?

A: I would be interested in what the U.S. Department of Labor’s Office of Federal Contract Compliance Programs position regarding this practice. How are you to achieve federal affirmative action goals that include pools are not representative of your reasonable area of recruitment? I recommend contacting OFCCP and asking them this question as I do not know exactly how affirmative action is being conducted in California.

Q: Even if there are great efforts in the recruitment of minority faculty, what is the retention rate. The institution environment must be such that minorities feel comfortable enough to stay?

A: I agree with you regarding the institutional environment and retention rate. This issue was discussed throughout the web-conference. You can find retention rates in the most recent publication of Minorities in Higher Education Annual Status Resort published by ACE. Their phone number is (301) 632 – 6757.

Q: What was the ethnic/gender composition of the search committee that hired the PA Presidents?

A: There were six different search committees for six different university presidential searches. Our 14 universities have separate trustee boards and constituents. A representative number of trustees must serve on search committees. The System level Executive Deputy Chancellor ensured that all six search committees had diverse representation.

Q: Is there any definition in case law (other than Michigan) of “critical mass” of faculty who are persons of color?
A: I do not know of any other cases that use the term “critical mass” of faculty. You might want to check with the Legal Counsel’s Office at the American Council on Education or the Association of American Colleges and Universities. I do not have a phone number for these organizations but I am sure that you can locate them on the internet.

Q: The data used in the presentation seems to focus on racial and ethnic minorities. Since the definition of diversity includes Native Americans, persons with disabilities, etc. is there not data available for these other groups?

A: I did not want to focus the seminar solely on data so I used data representative of what is considered to be by most scholars, to be the most underutilized diverse faculty groups. You can get data on other diverse faculty populations from the most recent publication ACE’s “Minorities in Higher Education Annual Status Report” by phoning: (301) 632-6757. I do not believe that there is any data on the number of diverse faculty populations with disabilities.

Q: Did you say that having diversity lines are illegal? Did I misunderstand you?

A: Yes, you misunderstood me. Having diversity lines are not illegal but must be carefully crafted so that reverse discrimination law suits can be avoided. The lines must not be solely for a particular ethnic group but instead must seek to diversify from an academic perspective.

Q: In regards to the hiring process assessment, is there a corresponding assessment for retention?

A: Yes, I would suggest surveying diverse faculty who are already hired as well as conducting a statistical analysis to determine factors that impact retaining diverse faculty.

Q: What are some examples of policies and procedures that negatively impact minorities and women?

A: I have not seen any of these in a long time. However, recently I commented on a proposed policy that encouraged supervisors that they could consider in promoting employees, disciplinary actions that occurred throughout the entire course of an employee’s employment. This was an example of a neutral policy that could have adversely impacted racial minorities. In other words, how is a disciplinary action that happened ten years ago relevant to promoting
someone who has not engaged in any other negative personnel actions? Needless to say, the policy was revised. This was a subjective policy that could have arbitrarily been used in a negative manner against ethnic minorities to deny them promotional opportunities. If you would like to discuss this example, please contact me at 717-720-4041.

Q: HR at our university prevents us from knowing whether an applicant is a member of a protected group. How can we, as members of hiring committees make an effort to invite minority applicants if we are prevented from knowing an applicant’s ethnicity?

A: When possible especially before final candidates are selected, search committee should know the composition of an applicant pool so that the committee can decide whether the pool has an adequate number of diverse candidates and also question the recruitment resources used by HR. The committee itself may want to recommend additional recruitment resources. This is a search committee policy issues which should be discuss with your university leadership.

Q: Could you discuss in more depth the concept of “floating faculty” lines?

A: This is a way creating diverse faculty positions and rewarding departments for hiring diverse faculty. Please phone me at 771-720-4041 for a more detailed discussion. Dr. Juan Munoz, Assistant to the President for Diversity at Texas Technical University is also very familiar with this concept and would be an excellent resource. His phone number is 800-742-2121.

Q: We are recruiting for a senior diverse faculty--- such folks are fairly rare in our field, and are often firmly embedded in their institution. How would you recommend we go about recruiting such individuals?

A: Provide incentives they cannot refuse. Use recruitment firms to do this. I have found the incentive of higher salaries or additional incentives such as research fellowships or additional vacation time can often be wonderful recruitment incentives. This is a great question and thanks for asking it!

Q: How is Executive Order 11246 affected by state laws limiting affirmative action, e.g. Prop 209 CA?

A: Federal law and Executive Orders historically supersede state affirmative action laws. It is my understanding that state laws cannot conflict with federal laws with regarding to employment. They can expand employment
laws but can not restrict them. This is only my opinion based on my experience as a constitutional law scholar. You should contact the U. S. Department of Labor, Federal Contract Compliance Program and asked their Chief Legal Counsel to address this question. I am very surprised that the federal government has not enforced affirmative action in employment in CA for recipients of federal funds.

Q: In what ways might a diversity council encourage departments to hire qualified minorities?

A: They can draft a strategic plan and establish diversity excellence awards for individuals and departments who promote and encourage diverse hiring. There is much information on the internet regarding diversity councils.

Q: Please send a cite for the Reno Case (This case is regarding diverse hiring practices)


Q: Should it be assumed that reference to faculty diversity also include administrative staff diversity? Should the AAP apply to both faculty and staff or should the AAP be different for faculty and diverse administrative staff?

A: A legally defensible Affirmative Action Plan should include all job titles in job groups including administrative staff and executives. Executive and administrative employees are usually included in job group 1-A Managers and Executives. Preparing a university affirmative action plan is very complex. Please phone me if you have any questions in this area at 717-720-4041.

Q: We’ve recruited 3 minority faculty, but in all cases they did not get through the 3 year review. Cultural difference made them not good fits. The concern was they were not properly mentored. How do we mentor minority faculty?

A: I am not an expert in mentoring diverse faculty but Professor Belle Rose Ragins at the University of Wisconsin is an expert in this area. She has written a book on Mentoring and Diversity. Professor Ragins is a friend and professional colleague. You may want to purchase her book. She can be contacted at ragins@uwm.edu.

Q: What is the citation for the Reno Case?

Q: What available publication lists individuals of color who have recently received doctorates?

A: The Minority and Women Doctoral Directory collects the names and contact information of 4,500 employment candidates who either have recently received or will soon receive doctoral or master's degrees. Their web address is [http://www.mwdd.com/index.asp](http://www.mwdd.com/index.asp)

Q: Can universities use “bonus program lines” for staff and administrators as well?

A: I am sure that they can as long as “race” “gender” or any protected class status is not used as sole criteria for hiring. I am not aware of any bonus program lines for staff and administrators.

Q: Do you have guidance on how to recruit faculty for biomedical, medical or disciplines with a high-level of science?

A: I am not aware of any such programs but you may want to contact the American Council on Education at (301) 632-6757 for resources they may recommend in this area. An internet search may also reveal recruitment resources as well as associations and organizations related to this topic.

Q: What was the case citation regarding the white female?


Q: What type of recruitment and compensation packages did PA offer as inducement to minorities?

A: If you are referring to the Presidents of Color, they were offered compensation packages in keeping with market factors and the national average salaries of university presidents at peer universities.
Q: What research is there to show a relationship between a diversified faculty and academic performance?

A: I am not an expert in this area and refer you to Dr. William Harvey who is the Vice President of Diversity at the University of Virginia or Dr. Caroline Sotello Vierness. Their research and contact information can be found on the internet and they are experts in the area of diversity and academic performance. I can also refer you to Dr. Belle Rose Ragins at the University of Wisconsin-Milwaukee who has written a book on Mentoring and Diversity. Dr. Ragins contact information is: ragins@uwm.edu.

Q: How does one deal with minority faculty whose progress toward tenure is slower than required by tenure criteria and they don’t meet tenure criteria by the required time?

A: All new faculty, especially minority faculty should be assigned mentors to ensure that they are progressing toward tenure. It is my understanding from an article in the most recent issue of the magazine “Diverse Issues in Higher Education”, that some universities are extending the time for tenure when faculty have family obligations such as small children. You should contact this magazine regarding this article published in last month’s magazine because I can not locate the article.

Q: An adopted AAP, whether developed in an EEO office or academic unit, can be a paper tiger. How can it be enforced in a way that does not have dramatic backlash?? I have seen AAPs that are thorough and thoughtful, but on a yearly basis progress to its goals are modest particularly AA plans that emanate from administrative units rather than academic departments where administrative units have limited influence.

A: Through many years of experience as an Affirmative Action Officer, I have found that AAP’s are commensurate with the executive and administrative leadership of a university. The communication style of the EO/Diversity Officer assigned to implement AAPs is also vital to preventing AAP backlash. The EEO Officer/Diversity Officer should establish positive relationships with academic deans and administrative department heads. Discussions about meeting AAP goals should occur on an on-going basis. By establishing positive relationships and periodic communications, the backlash can be diminished. You are correct, AAP’s should be thorough and thought and progress on an annual basis in making a good faith effort to achieve goals.
Q: What are some good alternative models for the common practice of requiring search committees to include a member from a protected class? (Not enough diverse committee members to sit on all committees)

A: Dr. Caroline Turner’s book Diversifying the Faculty should offer you some models. The book can be obtained by phoning: 202-387-3760.
DeRione Pollard.

Q: What should be the primary responsibilities and duties of affirmative action EEO Councils at colleges and universities?

A: The mission and vision of these councils should be carefully constructive and codified through policies and various constituent input. They can be whatever these constituents want them to be or do as long as their primary responsibility is to promote and ensure institutional diversity. EEO Councils can review the progress made in the APP, provide funding for training programs, comment on policy, proposed policy, etc.

Q: Search committees at Cal State University Sacramento are predominantly white and applicants selected for interviews tend to reflect the same background as search committees. How do you overcome these biases?

A: Your HR and EO Department should be collecting data on the composition of these search committees and proactively advising your administrative leadership for the potential of a discrimination law suits in this area and also statistically demonstrating how the lack of diverse search committees is resulting in non-diverse candidates for positions.

Q: From the University of Missouri: To what extent is cross-race mentoring responsible for retention of minority faculty in the PA State System or the University of Wisconsin-Milwaukee?

A: We have not conducted in research in the PA State System on cross race mentoring and this is a new concept here. I do not know of specific data that analyzes the extent of cross-race mentoring at the University of Wisconsin-Milwaukee. Perhaps Professor Belle Rose Ragins an expert in diversity at the University of Wisconsin-Milwaukee can provide you with expertise on this issue or refer you to some research resources. Professor Ragins has written a book on mentoring and diversity. She can be contacted at ragins@uwm.edu.

Q: Why doesn’t the PA State System definition of diversity include sexual orientation?
A: This was a policy decision that was in which the committee that drafted the definition had no control. Sexual orientation is not a protected class in PA and under federal discrimination laws. It was believed that from a policy perspective that ideas, thoughts, and beliefs covered sexual orientation without specifically mentioning this. PA is a very conservative state. There are constituents who believe that sexual orientation should be in the policy but unfortunately it is not. From a civility and not necessarily from a legal perspective, all of our 14 PA State System Universities would not tolerate discrimination as a result of sexual orientation.

Q: Where are the stats on the enrollment of persons of color in doctoral programs and where the goal is to get them into academics?

A: The most recent statistics regarding persons of color in doctoral programs is around 13.6%. These statistics can be found in the 2004-2005 “Minorities in Higher Education Annual Status Report” by phoning 301-632-6757.

Q: From the City University of New York – Is there a role for the EEO/Diversity Officer in the tenure process to ensure uniform, fair disclosure to new faculty as to the requirement to achieve tenure?

A: I agree with you. Unfortunately, I have been brought into the tenure process in my role as an EEO Officer after a discrimination complaint has been filed by a minority or female who felt that the process was discriminatory. I agree with you that it would be very proactive to meet with the EEO/Diversity Officer regarding the tenure process for diverse candidates. This is an excellent and creative best practice. Thanks.

Q: Will you send the draft plan to everyone or do we have to make a special request to receive a copy?

A: Academic Impressions will provide all participants with the PA System’s draft diversity strategic plan and System Strategic Plan.

Q: Could you describe what you mean by diverse students, and does that include African and International students?

A: Within the context of diversity, I am referring to all students of color which includes African and International students. The meaning of diverse students could be defined by policy.
Q: Your definition of “diversity” does not include the GLBT population. Can you please elaborate as to why it is not included?

A: Again, this was a policy decision and was not the decision of the diversity strategic plan committee. Sexual Orientation is not a protected class in PA. It was believed by the vast majority of executives set policy that including the phrase “ideas thoughts and beliefs would by inferentially include the GLBT population. Our committee did not necessarily believe this and including the GLBT in this definition was beyond our control. From a civility perspective our 14 PA State System Universities would not tolerate sexual orientation discrimination or harassment.

Q: Lee Ross Ph.D. University of Central FL. Are annual accreditations contingent on satisfactory AAP initiatives? Is accreditation somehow jeopardized in the absence of an AAP initiatives?

A: Some annual accreditations are contingent on satisfactory AAP initiatives. I can not say which ones are, since there are so many. I recommend contacting various higher education accreditation councils and associations. They can be found on the internet.

Q: If we have an institutional commitment to diversity in place, how do we recruit a diverse applicant pool?

A: You should use a variety of diverse recruitment resources. Some of these can be found in Dr. Caroline Turner’s book Diversifying the Faculty. The book can be ordered by phoning: 202-387-3760.

Q: What do you do when minority faculty sabotage the process of hiring diverse faculty?

A: Because these are minority faculty who engage in this type of sabotaging can go unnoticed, especially by majority faculty who at times promote diversity more so in campus environments that diverse faculty. You should be aware that when this is being done and confront these individuals when you have factual evidence of this. Majority individuals should be very careful in confronting diverse faculty regarding sabotaging the process of hiring diverse faculty, since there may be an attempt to articulate that because they are minority faculty they have more expertise in this area than majority faculty. Phone me if you would like to discuss this in greater detail at 717-720-4041.
Q: If the issue in hiring involves comparability and a diverse candidate does not quite reach the level, how much does a search committee bend to hire a minority candidate?

A: You should not hire a diverse candidate simply to satisfy a diversity goal the individual should at least meet the minimum qualifications for the position. However, you might also consider how the diverse candidate might contribute to the department and university from a diversity perspective. This can be a very complicated dilemma for search committees. I would like to discuss this issue with you in greater detail. Please phone me at 717-720-4041 so that I can listen to what I think you are referring to in your question.

Q: How do you hire diverse faculty without necessarily “dismissing” them to marginalized course subjects, unless the curriculum itself reflects diversity and includes such course subjects?

A: Diverse faculty can be found in all disciplines and not just confined to areas related to diversity. Correct me if I am wrong, but your question appears to assume that all diverse faculty are “necessarily dismissed” to marginalized courses. I am certain that if the curriculum reflects diversity, you would increase the number of diverse candidates who teach in areas related to diversity, but this is a difference question from the one you asked that appears to form the conclusion that diverse faculty teach most courses that are marginal. I am not certain if I understand the context of your question. Please contact me if you would like to discuss or clarify your question. I find your question very interesting. My number is 717-720-4041.

Q: What happens when you create a floating diversity line and a broad definition for diversity, however, you do not get enough applicants of the specific types of individuals that are truly underrepresented in your area?

A: It appears to me that you would want to have your human resources department analyze the types of recruitment resources you are using to generate applicant pools. The numerical availability analysis in your affirmative action plan should assist in defining areas of underutilization from a legal perspective. The definition of diversity may or may not be relevant in defining from a legal perspective underutilization. Definitions of diversity included in strategic plans customarily included broad statements. More often than not definitions of diversity include historically underutilized groups or protected classes but are also civility statements that include statements on how individuals should appreciate and value other cultures, ideas and thoughts. It appears that you may be confusing the definition of diversity with those protected class or historically underutilized groups that require federal contractors under Executive Order 11246 to have an affirmative action plan. I would meet with your human resources department or legal department to discuss this issue.
Q: In some disciplines there is a “diversity premium” for minority faculty. Are there accurate statistics available for difference in pay between minority and non-minority faculty in different disciplines/years/rank and where?

A: Several years ago it appears that the nationally recognized magazine “Diverse Issues in Higher Education”, formally known as Black Issues in Higher Education, published the statistics you are referring to. This appears to be the only data source I recall on this issue. The U.S. Department of Education, National Center for Education Statistics should also have these statistics.

Q: Are there external resources (e.g. through foundations) for bringing diverse faculty to campus on a visiting or possibly continuing basis?

A: Dr. Caroline Turner’s book, Diversifying the Faculty includes such resources.
The book can be ordered by phoning: 202-387-3760.

Q: If you have candidate A and B and A is a “star” and B is a black woman but is not a “star” – what would you do?

A: I am unable to respond to your question with more context or facts. Is this a hiring situation or a promotion situation? What are the qualifications and criteria you seek? Do you really need a black woman who is a “star” for this position? What criteria defines “star”? You can phone me at 717-720-4041 to discuss this. Without more facts I am not able to provide you with an accurate response.

Q: Do you know of any programs that colleges have used to work with the community to improve the experience for diverse faculty?

A: No, I do not know of any at this point, but I can certainly ask my colleagues at our 14 PA State System Universities. Please e-mail me at cclowney@passhe.edu and I will pose this question to our 14 Diversity Officers.

Q: With tightening immigration regs, if you shoes to hire a non-resident alien into a faculty position, how do you address the burden of proof that you did not deny a qualified American citizen the employment opportunity?

A: This question is a legal question which calls for a response regarding burdens of proof. This question is also not exactly relevant to the sub-matter of this web-conference. I am not able to respond to general legal questions of this
type and I suggest that you discuss this issue with your respect legal counsel. Thanks for the question.

Q: How do you elicit from diverse faculty an honest sense of climate and culture issues they face. There tends to be a tendency for them to play down the negatives?

A: You should work with an expert to develop a meaningful and honest cultural/climate audit survey. There are many experts in the field who conduct such surveys. I recommend contacting Dr. Sue Rankin who is associated with Penn State University. The name of her company is Rankin and Associates. Sue has prepared several excellent culture/climate audits for PA State System Universities. Sue’s phone number is 814-625-2780.

Q: If the community and campus is supportive of diverse faculty there would be no problem recruiting and retaining. How do we recruit and retain diverse faculty if the community and campus is not yet supportive?

A: You will need to build support by having various community/campus forums on the importance of diversity in the 21st century and then market and sell the benefits of a diverse campus from an economic and educational excellence perspective. I urge you to research this issue and contact other universities to find out how they have handled this issue.

Q: What factors do minority faculty and professional employees look for in an institution and in the surrounding community? What things are most important to them in terms of job and life satisfaction?

A: There is an excellent video which discusses this issue in great detail much better than I can. The name of the video is “New Paradigms for Diversifying Faculty and Staff in Higher Education: Uncovering Cultural Biases in the Search and Hiring Process”. This video is very new and is being distributed by DiversityWorks, Inc. You can locate video on the internet at the DiversityWorks, Inc. web site. Dr. Caroline Turner in her book Faculty of Color in Academe Bittersweet Success also provides interviews with faculty of color who discuss this issue in detail. This book can also be located at www.abacon.com.

Q: How do we get “over the hump” in providing a critical mass diverse community for new faculty? We hire very few faculty every year, and even if all were persons of color, it would take years to reach a significant proportion?

A: This is a very complicated issue for which there is no simple solution.
you keep making good faith efforts to attain your goals of hiring diverse faculty, all I can say is that you will ultimately attain a critical mass. Until that time, I applaud you for even considering this issue in which most of us are facing. At least you are honest in your assessment of this.

Q: For Lin-Huff Corzine, Ph.D. University of Central Florida. What does it take to have a “critical mass” of diverse faculty?

A: Using creative recruitment and retention methods, using diverse faculty as your recruiters at job fairs. Hiring prominent diverse faculty who can attract other diverse faculty. By constantly recognizing that achieving a critical mass of diverse faculty is your ultimate goal, you will ultimately achieve this goal through utilizing a variety of creative recruitment and retention methods.

Q: Do you have any suggestions on how to affect diversity in the community?

A: There is a trend now to hire EEO Officers who have the additional title of campus/community liaison. University Diversity/EEO Officers and community relations personnel should share information and work together to ensure that the community understand community diversity issues. A PA State System Diversity Officers often meets with the Chamber of Commerce in her small town to educate area businesses about diversity issues. Her efforts have made a tremendous difference in providing a warm and welcoming climate for diverse students and faculty. Please contact me at cclowney@passhe.edu and I will provide you with the name and e-mail address of this Diversity Officer. She may be able to assist you with this issue.

Q: What does “is diversity actualized in systems and policies”mean?

A: What I was attempting to convey is the diversity should be institutionalized and systemic. This means that diversity should not “only” be included in mission statements, vision statements and strategic plans. In order to achieve successful diversity outcomes such as hiring and retaining diverse faculty, diversity should be incorporated in the language used in policies and procedures. In fact managers should be held accountable in the area of diversity on performance reviews. Many proactive corporations include the ability to manage diversity in management level performance reviews. Diversity should not just be confined to the diversity office but is the responsibility of every one employed at a university. Diversity should be included as much as possible into policies, procedures, the curriculum, training campus programming and in any broad programmatic area impacting
students and faculty. Diversity should be a way of life in a campus environment.

Q: What should institutions do to assertively impact established views? Those faculty/administrators of color are playing the “race card” when attempts are made to address negative campus climate?

A: You should conduct meaningful, well structured climate surveys and exit interviews. These surveys should also include majority faculty as well. By doing this, you will have statistically quantifiable data and research needed to demonstrate that the campus climate needs to be more welcoming to diverse faculty.

Q: What constitutes a “critical mass” of diverse faculty?

A: I will attempt to provide you with a definition of “critical mass” within the context of federal Executive Order 11246 and federal affirmative action plan minority utilization context. Critical mass means from this context, the point at which minority utilization goals are achieved and met and statistically indicates that there is a clear statistical change in minority utilization within a job group.

I am not a statistician as a mentioned at the beginning of the Web-conference. However, as a consultant, I have prepared over 200 Affirmative Action Plans. Therefore from a statistical affirmative action plan perspective a “critical” mass of diverse faculty would not be the same for all universities. As you know, Executive Order 11246 requires public universities to have affirmative action plans. Using the definition of adverse impact stated in Executive Order 11246, statistical adverse impact occurs when there is an 80% disparity between the protected underutilized group and the majority group. This is known as the 80% Rule. Therefore, relying on this definition, a critical mass” from the perspective of Executive Order 11246, there would be no critical mass of minorities in any job group where there is statistical adverse impact or 80% disparity or differential between the protected class group and majority and minority utilization has in fact been met.

In other words where there is underutilization of the protected class group, there is no critical mass. Therefore, it appears that there would a need to perform an adverse impact statistical analysis on each job group department job group in an affirmative action plan to determine or whether there is a critical mass of ethnic and racial minorities. This is why having an affirmative action plan is so important, it provides the necessary data to determine whether minority utilization goals within a job group or department has been met. A statistician that is not
familiar with the statistical formulas used in within the context of preparing legally defensible federal affirmative action plans might provide you with a different analysis, but is the methodology that I have used to define “critical mass”.

Q: Do we know how many people of color go on the academic job market each year; and more specifically do we know the ratio of people of color in the job market to the number of American institutions who are hiring?

A: I will refer you to three data sources that will answer your questions: These are: The Minority and Women Doctoral Directory (www.mwdd.com/index.asp) which will provide you with the names and contact information for 4,500 candidates for employment who have recently received or will soon receive doctoral or masters degrees. The next source is Dr. Caroline Turner’s book, Faculty of Color in Academe, a Bittersweet Success. (www.abacon.com) This book has lots of statistical charts and graphs that examine job market ratios for people of color in the academy and the institutions who are hiring them. The next data source is “Minorities in Higher Education Annual Status Report 2004-2005” which includes lots of data on minority doctoral candidates regarding degrees conferred by field and twenty year trends. This can be ordered by phoning: 301-632-6757. I hope this helps.

Q: A number of bullet points in the 5 factors in creating an inclusive climate and under “retention best practices” indicate the crucial importance of transforming attitudes of existing faculty. What practical methods are there for doing this?

A: Several practical methods for doing this are mentioned in a wonderful video recently released by DiversityWorks, Inc. You can find this video at their web site with the same name. The workbook for this video has many methods for transforming the attitudes of existing faculty such as professional development on how to create a welcoming and inclusive climate, frequent communications that the university is committed to multiculturalism and diversity and articulating and prioritizing the benefits of diverse faculty.

Q: The notion of “qualified” includes a significant subjective factor. How can you guard against the rejection of an applicant, ostensibly on the basis of “qualifications”, when it is more a matter of unusual on nontraditional experience?

A: As stated on several of my slides, a well designed position description is of vital importance in generating diverse candidates. You can put in the position description that you would like to attract candidates with “non-traditional
experience” or candidates that have “diverse experience”. Much thought and creativity should be utilized when drafting a position description. Old outdated job descriptions should be reviewed to ensure that the language they include is not adversely impacting diverse candidates. This is an excellent question.

Q: Does the use of a matrix during the search process increase the change or opportunity to hire females and/or faculty of color?

A: I am not sure what you mean by a matrix. Please phone me so that I can understand what you mean: 717-720-4041. You can also e-mail me at: cclowney@passhe.edu. Thanks.

Q: Admin leaders are often very good at selecting people of color who are not advocates for equity, but rather on a personal career ladder. What has worked best for determining the potential for “change—agent” and finding out the actual track record of candidates?

A: I am not aware of any research which suggests a statistical trend that indicates administrative leaders have the propensity to select people of color who are not advocates for equity. Therefore, I am unable to accurately agree with or respond to this comment in your question. From a personal perspective, all of the Equity Officers in the PA State System are advocates for equity and are change agents. The communication styles of the PA State System Equity Officers may vary; however, they are all effective despite expected variances in their communication styles which is expected. Some of our State System Equity Officers are very strategic and tend to quietly effectuate change; others are very extroverted and vocal and they too are also effective change agents. I have found that the best way to determine the effectiveness of Diversity or Equity Officers is to ask them interview questions regarding how they acted as change agents in their roles and to provide specific examples of this.

Q: Are your suggesting all qualifications be labeled as “preferred” and not required qualifications?

A: I am not suggesting this at all. I am however suggesting as other experts in this area such as Dr. Caroline Turner recommend, that position description be periodically reviewed. Those qualifications that are absolutely required such as having a terminal degree should remain. Those qualifications that may not necessary constitute the primary components of a job may be labeled as preferred. By labeling some qualifications as preferred you may expand your
applicant pool which might have increase the number of applications received from diverse candidates.

Q: Please explain what is meant by (and give examples of) 1: a PD aligned with a commitment to diversity the faculty. 2: a PD with broad commitment to experience disciplinary background scholarship and 3: a PD that considers department and institutional needs?

A: You can include all the phrases in #1 through #3 into a PD. This would provide you with a great example. In other words, you can state in the PD that the institution is committed to diversifying its faculty, you can also state in the PD that the department would like a broad commitment to experience in the particular disciplinary background and scholarship which you are seeking if that is in fact the case. You can also state in the PD that departmental and institutional needs are being considered. Creativity should be used in drafting PD’s and position announcements. You should work closely with your HR Department or a consultant to draft PD’s that use language that attracts diverse candidates. This was the main point of my mentioning this during the power point presentation.

Q: Screening committees at our college are not told which candidates are diverse as they are not privy to the self-report AAP from. Would it be legal to let the committees know which candidates are diverse early in the screening process?

A: As a consultant in the area of EEO and human resources, it appears that a search committee could know the ethnic composition of the applicant pool (if this information has been voluntarily provided by candidates for affirmative action data purposes) without knowing the names of the candidates so that the search committee can determine whether to seek a more diverse pool. This would also be in keeping with affirmative action requirements to make good faith efforts to recruit and hire minorities. I have been on numerous search committees where the committee was aware of the ethnic composition of the applicant pool without knowing an individual’s name. I would check with your university legal counsel for legal advice on this issue since I am not at liberty to provide you with legal advice.

Q: How can you ensure a search committee is diverse when there are so few faculty of color?

A: You can augment the search by having faculty of color from other departments or even other universities in the area on search committees. You can include trustees or members of the community on the search committee.
You might need to change your search committee policies and procedures to do this.

Q: Why the encouragement of “preferred” to “required” regarding the PD?

A: This question has been answered above in the response. Research in the area of human resources has determined that having some qualifications that are not major job functions can be labeled as “preferred” rather than “required” can have the effect of broadening job qualifications which can generate a greater pool of diverse candidates. You should discuss this issue with your human resources department or attend a conference on proactive human resources recruitment trends.

Q: How can a search committee ensure that an applicant pool is diverse?

A: By reviewing the applicant pool at the onset of the search to ensure that diverse candidates or in the pool. (this can only be done if diverse candidates have voluntarily self identified on an affirmative action form). For federal affirmative action plan purposes this is required. If there is a policy prohibiting the search committee form doing reviewing applicant pools for affirmative action purposes to ensure diversity or expand the pool until diverse candidates are in the pool then the policy needs to be changed or modified or perhaps if you are in California you might want to check with your legal counsel.

Q: You have a candidate A and B and A is a “star” and happens to be a white man; B is a black woman who is also qualified but is not a “star” what would you do?

A: Hiring and promoting individuals is not as simplistic as your example states. There are so many other factors that should be considered when hiring and promoting individuals. I do not know your definition for “star”. As long as an individual meets the minimum qualifications for a job the individual can be “considered” for employment. Suppose candidate A (your star) has a terrible interview which clearly shows that he or she would not relate well to students. Suppose candidate B clearly demonstrates during the interview that she can handle the job or is the better professor, while candidate A (your star) demonstrates in a resume that he has written more scholarly publications. Suppose candidate A (your star) has a track record demonstrating that he does not interact well with colleagues, especially diverse students and colleagues and has a terrible temper. The selection process as simplistic as your question suggests, this is why I cannot easily respond to this question without
further context or facts. This is also why there is a need for diverse search committees who discuss candidates as a committee in order to determine who would be the better candidate or “fit” for a position.

Q: Are faculty diversity goals to set according to student diversity, by representation the local community or by other benchmarks?

A: Faculty diversity goals are required to be established through the availability and utilization goals of an affirmative action plan. This affirmative action plan provides clear and precise statistical guidelines and benchmark. There are however other statistical methodologies for determining diversity. The PA State System and other university system utilizes faculty diversity accountability measures to benchmark and measure diverse faculty. These were designed by our V.P of institutional data.

Q: How important is it to conduct a climate study? Who should conduct it (i.e. internal reps or outside consultants?)

A: Climate studies are important in proactively understanding the challenges and institutional barriers that impact the recruitment and retention of diverse faculty. One our PA System Universities utilized internal consultants from the Psychology Departments and others have utilized outside consultants. I have mentioned in a previous question that Dr. Sue Rankin of Rankin and Associates has provided expert consulting regarding climate surveys. Dr. Rankins phone number is mentioned in the response to a previous question.

Q: Are targets and benchmarks quotas? Are quotas legal?

A: Goals are not quotas neither are benchmarks if they are utilized in the same manner as goals. Federal Executive Order 11246 requires contractors to establish goals for eradicating underutilization of protected class groups. The Federal Executive Order does not use the word quota at all. Using goals is legal. The PA State System’s accountability measures are also goals that have been establish in a manner similar to the goals required in federal affirmative action plans. Making good faith efforts to achieve goals is legal, quotas are not legal.

Q: How do you define reasonable accommodations when stating that candidates with disabilities will be provided with them?

A: Reasonable accommodations are defined using the definition that is given under the Americans With Disabilities Act. You can get this definition under
the ADA by accessing the web site of the Equal Employment Opportunity Commission (EEOC). The EEOC also provides many examples of what is and is not a reasonable accommodation.

Q: Do you have any information pertaining to the availability of diverse faculty?


Q: As we understand it, the Supreme Court has said that universities cannot use “role model”?

A: I do not understand in what context you are referring to “role model”. *Grutter v. Bollinger* referred to as the Michigan Supreme Court case dealt with student diversity and “not” faculty diversity. The power point presentation is about best practices to recruit and hire diverse faculty therefore, I am uncertain as to the context in which you assert the “role model” theory. You can phone me at 717-720-4041 if you would like to discuss your question. There are also other reasons such demographic reasons that would provide a rationale as to why diverse faculty are needed other than the “role model” theory.

Q: So it is reasonable to say that several parallel tracks need to be promoted and put into action simultaneously to address climate?

A: Yes, a variety of methods should be used to address climate issues that impact recruitment and retention of diverse faculty. The references listed on the last power point slide include many of these methods.

Q: We have found that recruiting and hiring persons into faculty positions while they are graduate students are ABD, sets them up for failure. It simply makes the tenure and promotion process more difficult. What do you say?

A: I have seen success stories in the PA System in hiring ABD. You should analyze your data regarding why hiring ABD is not working at your university and compare this with data from universities where hiring ABD is working. I can refer you to Dr. Caroline Turner who has probably conducted some research on this. Dr. Turner’s web site is on the internet, and I have referred to
her book and given information on where to order it several times in responding to other questions.

Q: The Supreme Court has said that the “role model: argument is not valid, that is having a diverse student population does not justify hiring a diverse faculty. What is your take on this?

A: Numerous undergraduate diverse students have informed me during my over 15 years in the academy that I and others have been a role model in motivating them to attend and graduate from college and professional schools. This may have been articulated by the Supreme Court, however significant research has been conducted that appears to contradict this: See (2005) Bowen, Kurzweil, Tobin, Equity and Excellence in American Higher Education.

Q: Please provide some more examples of creative recruiting techniques you have heard of like the U of N Co example?

A: Additional examples of creative recruiting techniques can be found in the references included in the slide at the end of the power point presentation.

Q: How can institutions encourage majority faculty to “evolve” their teaching philosophies to reflect and engage the present and coming diversity?

A: By providing them with constant professional development in regarding the benefits of evolving their teaching philosophies to reflect diversity and that doing so enhances academic excellence, and better prepares students to work and live in an increasingly global, pluralistic, multicultural work force. Exposing majority faculty to scholars who have successfully incorporated diversity into their teaching philosophies would also enhance their professional development in this area. Additionally, rewards and incentives for doing this. These faculty can also be used as resources to professionally develop other faculty in this area. Perhaps the research conducted in this area by Dr. William Harvey, whose book is referenced on last page of the power point can assist you in this area.