

~~Dr. Malek~~
University of Idaho

Affirmative Action Officer
Office of the President
Moscow, Idaho 83843
Phone (208) 885-6365

5 May 1975

MEMORANDUM

TO: Dr. James Malek and English Executive Committee

FROM: Sandi Gallagher

RE: Sign off on Visiting Assistant Professor vacancies

The following are the major reasons I have not signed off on these Visiting Assistant Professor vacancies in English.

- 1) The English department recommends that four vacancies should be filled from an applicant pool which does not reflect national availability statistics of women Ph. D. 's in English at 35-38%, and of minority Ph. D. 's at approximately 6%. (These statistics are based upon 1970-71 data and are therefore not completely accurate. As of this date, I have not received more recent statistics compiled by the M. L. A.). The applicant pool for these positions which contains 2% minorities and only 15% women is therefore discriminatory. As stated in the University's "Clarification of Recruitment Procedures" on page 2, "Affirmative action recruitment is the responsibility of each selection committee. During recruitment periodically check the applicant pool. If the percentage of women and minority applicants is below that indicated by the availability statistics, make further affirmative action recruitment efforts. As the Guidelines¹ on pages 5-7 indicate, the selection committee must develop a nondiscriminatory applicant pool from which hiring decisions are made and failure to do so constitutes a violation of the Executive Order. If the percentage of women and minorities recruited is substantially less than the percentage of qualified women and minorities available and the selection committee has made no additional affirmative action efforts to recruit them, the recruitment period will be extended. "

¹Higher Education Guidelines Executive Order 11246, U. S. Dept. of Health, Education and Welfare, Office of Secretary, Office for Civil Rights, Washington, D. C. 20201.

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- 2) In 1973 the University established goals to increase the percentage of women and minority faculty members in two steps by 1975 and 1978. A memorandum from Vice President Richardson, dated October 8, 1973, stated that, "University of Idaho goals will be established so as to strive for 'parity' (utilization = availability) by academic year 1978-79."

The composition of the English department in the Fall of 1973 was either 26% women (including two part-time instructors) or 23% women (excluding the part-time instructors), and 3% minorities. If the three vacancies under question are filled with Caucasian males, the ratio of the English department in 1975 will dwindle to approximately 14% women--a decrease of 9-12% (depending upon whether or not part-time faculty are included in the statistics), and the minority representation will remain about the same, at 4%.

Since the University is committed to increasing the percentage of women and minority faculty and since English is one discipline in which the availability of professional women is relatively high, a decrease in utilization most certainly necessitates documentation that a concerted good faith effort has been made to recruit and hire women faculty. The Affirmative Action Office has received no such documentation.

- 3) The vacancy announcement reads: "Ph.D. in any conventional literary speciality and in hand at time of application." The selection forms indicate a preference for not only an area of specialization, i.e. British or American literature, but also for a period--apparently 18th or 19th Century. The reason given to support this preference is that the department already has faculty with expertise in other periods and is now seeking to achieve a balance. The University's Affirmative Action Hiring Procedures and the EEOC Guidelines, Vol. 1, page 35, specifically state that any selection criteria which disproportionately screen out women and minorities are prohibited unless, "(1) they can be significantly related to job performance, and (2) no alternative nondiscriminatory standards can be developed to meet requirements shown to be justified by 'business necessity'."

Therefore, the following questions must be answered: (1) Is this balance necessary for one-year appointments? (2) Does it directly relate to the job assignments? For example: Dr. Chua, eliminated at phase I of the selection procedures, has had nine years of university level teaching experience (four as an Assistant Professor at the University of Michigan) in

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Composition and American, British, and World Literature, but is considered a generalist with emphasis in French literature. Is it not possible, through nine years of related teaching experience, to gain expertise comparable to that achieved solely through a Ph.D. program?

- 4) There appears to be inconsistency in the application of selection criteria, as the following examples show:

		<u>Area of Specialization</u>	
Alley	(male)	19th Century Novel	rated--5 strong, 1 strong/ average, 1 average
Underwood	(female)	19th Century Novel	rated--1 strong, 4 average, 1 weak
Geist	(male)	18th Century Novel	rated--4 strong, 3 average
Carter	(female)	18th Century Novel	rated--1 strong, 2 average, 4 weak

		<u>Teaching Experience</u>	
Davis	(Caucasian male)	T.A. experience	rated--1 very strong, 1 strong, 3 average
Chua	(Oriental male)	3 yrs. lecturer, 2 yrs. instructor, 4 yrs. Ass't. Prof.	rated--2 strong, 1 strong/ average, 2 average, 1 weak
Carter	(female)	3 yrs. instructor, 2 yrs. Assoc. Prof.	rated--1 strong, 4 average, 2 weak

- 5) In evaluating the quality of graduate training, it appears that only the prestige of the degree granting institution was considered. Some of the women applicants received doctorates from less prestigious universities but graduated with 4.0 g.p.a.'s, received national scholarships and fellowships, and were elected members of national undergraduate and graduate honor societies. These factors apparently were not considered by the selection committee.

Moreover, women have long been excluded from graduate programs through quota systems. The prestigious institutions have been most guilty of this type of discrimination and have consistently refused enrollment to women

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of high academic ability. Therefore, evaluating only the prestige of the degree granting institution creates a disparate effect upon women applicants.

- 6) Written justifications for ratings on the selection forms and for the rankings on the Report of Selection are insufficient. Objective data utilized in the selection process should be itemized and specifically explained. For example, Professor Chua should be evaluated: "Nine years teaching experience was rated average because..." and then list specific, job related reasons.

Finally, were these four positions to be filled by Caucasian males and the hiring process reviewed later by an outside agency, the following items most probably would be of primary consideration:

- 1) The English department is presently underutilizing women and, to some extent, minorities.
- 2) Four vacancies were filled from a discriminatory applicant pool and no concerted efforts were made to recruit women applicants.
- 3) The selection criteria had a disparate effect upon women and minorities--all were eliminated during the first phase of selection.
- 4) The selection forms indicate that criteria were not applied in a consistent manner.
- 5) Written documentation is insufficient to support the selection of the final candidates.

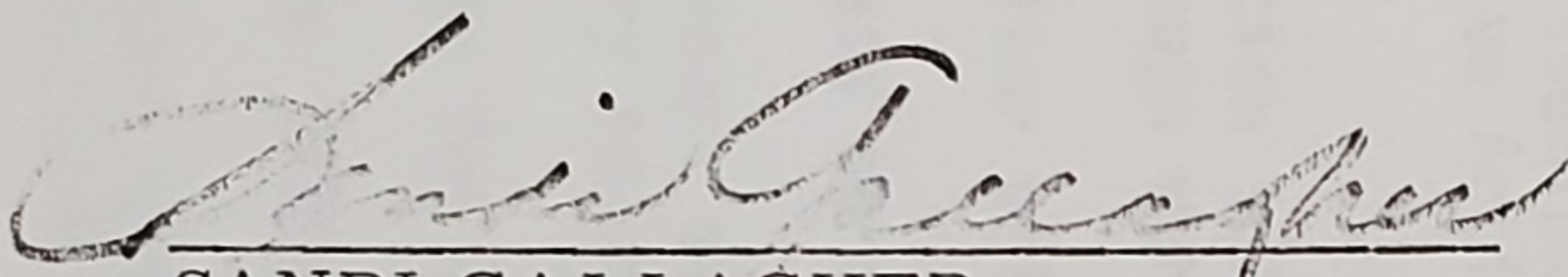
Additional Comments:

A question has been raised concerning my decision to sign-off on the top candidate but not on the entire process. I did so because I was informed that this candidate had another job offer, and that time was of the essence if he were to be hired. Since three positions still remained vacant and could have been filled with women and/or minority applicants, and since the department would probably have lost its top candidate if an offer had not been made immediately, I agreed to sign-off on one of the four vacancies.

Contrary to certain allegations, at no time have I recommended placing discriminatory advertisements. I did suggest that additional efforts be made to recruit women and minority candidates to help correct the discriminatory applicant pool. Such efforts might include, but not be limited to, 1) Contacting

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women and minorities in the discipline to ascertain if they were interested or if they knew of other persons who might be interested; 2) Contacting or recontacting women and minority organizations within the profession; 3) Contacting or recontacting department heads or friends on other campuses requesting that they refer any qualified applicants, stating that the committee was especially interested in receiving applications from qualified women and minorities due to the fact that only a small percentage had applied.



SANDI GALLAGHER
Affirmative Action Officer

cc: President Hartung
Dean Raunio
Ms. Gwen Wheaton

SG:i