

102w

April 8, 1975

MEMORANDUM

TO: Dr. Odell Uzzell
FROM: Lawrence M. Clark
SUBJECT: H.E.W. Grant Application

Dr. Mayo asked me to contact you with respect to the attached announcement from H.E.W. He indicated that you might be interested in developing or contributing to the development of a proposal in the area mentioned. I have some ideas and would like to discuss them with you. Perhaps we could get a cadre of people together for a discussion. Please advise me.

LMC:gj

Attachment

HEW

April 8, 1975

MEMORANDUM

TO: Dr. William Maxwell
FROM: Lawrence M. Clark
SUBJECT: H.E.W. Grant Application

Attached is the H.E.W. announcement which I had hoped we would discuss over lunch. Would you review this and perhaps we can get together for a discussion soon. I have sent a copy of the announcement to Dr. Odell Uzzell for his review. Also, I have written H.E.W. for additional information.

LMC:gj

Attachment

HEW

April 8, 1975

Louis O. Bryson, Chief
Higher Education Branch
Dept. of H. E. W.
50 7th Street N.E., Rm. 134
Atlanta, Georgia 30323

Dear Mr. Bryson:

This letter is a follow-up to a telephone conversation with your secretary on April 7 and a letter from you dated March 31, 1975. Mr. William Calloway and I plan to visit your office on the morning of April 18, 1975. We appreciate your prompt response to our request.

Sincerely yours,

Lawrence M. Clark
Assistant Provost

LMC:sj
cc: Provost Winstead
Mr. William Calloway

aff. Act

June 10, 1974

Dr. James R. Montgomery
Director, Office of Institutional Research
Virginia Polytechnic Institute and State University
Blacksburg Virginia 24061

Dear Jim:

I have given the resume of Randy Foster to Mr. Bill Simpson who is handling coordination of the material. I am sure that his resume will receive careful consideration by the screening committee.

I look forward to seeing you in Atlanta this fall at our meeting.

Sincerely,

Marvin H. Gehle
Coordinator of Institutional
Studies and Planning

MHG:vg

cc: Mr. W. H. Simpson

VIRGINIA POLYTECHNIC INSTITUTE and STATE UNIVERSITY
BLACKSBURG, VIRGINIA 24061

OFFICE OF INSTITUTIONAL RESEARCH
BURRUSS HALL

June 5, 1974

Dr. Marvin H. Gehle
Coord. Institutional Studies
North Carolina State University
Raleigh, N.C. 27607

Dear Marvin:

Randy Foster, resume attached, is interested in the position of Associate Vice President for Planning with the University of North Carolina, General Administration.

ASSOCIATE VICE-PRESIDENT FOR PLANNING. The University of North Carolina, General Administration. The University of North Carolina comprises all of the state's 16 senior institutions of higher education. The Associate Vice-President for Planning will have major responsibility for assisting in long-range planning and for assisting in the design, development, and maintenance of a university-wide management information system. Applicants must have the earned doctorate and should have had extensive experience in higher education administration, particularly in the areas of planning and resource allocation. Position available after July 1, 1974. Interested applicants should send resume to: Vice President for Planning, General Administration, The University of North Carolina, P.O. Box 2638, Chapel Hill, North Carolina 27514. Applications should be received by June 20, 1974. Affirmative Action/Equal Opportunity Employer.

Randy has been in Institutional Research at Youngstown for six years and has also had good administrative experiences in other institutions.

If you do not have another candidate you are proposing for this position, perhaps you would be willing to submit, or have submitted by appropriate office, Foster's name as a candidate.

Cordially,



James R. Montgomery
Director

Encl:

JRM/mm

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

Off. Action
Increase enrollment of
blacks in grad schools
C

RAYMOND H. DAWSON
Vice President—Academic Affairs

M E M O R A N D U M

TO: Graduate Deans

DATE: June 5, 1974

FROM: Raymond Dawson *R Dawson*

Please find enclosed a copy of the pertinent pages from the revised desegregation plan approved by the Board of Governors on May 31 and submitted to HEW on June 3. This material is in response to HEW's request of April 24, which reads in part as follows:

Your revised plan should include immediate steps to insure an increased enrollment of blacks in The University of North Carolina graduate and professional schools, and an increased number of black graduates from these programs. Such steps should provide a source of black faculty within The University of North Carolina and encourage black students generally to pursue terminal graduate and professional degree programs in fields where blacks are currently under-represented.

The enclosed material is for your information. This will be discussed in the University Graduate Council in the near future.

cc: The Chancellors
President Friday
Vice President Sanders

Copy: Mr. Simpson

*off letter
that stated enrollment
C*

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

RAYMOND H. DAWSON
Vice President — Academic Affairs

June 5, 1974

Dr. Lyle V. Jones, Vice Chancellor and
Dean of the Graduate School, UNC-CH
Dr. John W. Kennedy, Vice Chancellor
for Graduate Studies, UNC-G
Dr. Walter Peterson, Dean of the
Graduate School, NCSU

WNT

Gentlemen:

Under separate cover you have received a copy of that section of the revised desegregation plan pertaining to "steps to insure an increased enrollment of blacks in The University of North Carolina graduate schools, and an increased number of black graduates from these programs."

This plan places particularly significant responsibilities upon your institutions as the only three institutions in The University which offer programs at the doctoral level. I am requesting that you meet with Vice President Sanders and me on Tuesday, June 11, at 10:00 a.m., to begin planning appropriate actions that need to be initiated. We will meet in the President's conference room in the General Administration Building.

We look forward to seeing you then.

Sincerely yours,

Raymond H. Dawson
Raymond H. Dawson

cc: President Friday
Chancellor Caldwell
Chancellor Ferguson
Chancellor Taylor
Vice President Sanders

Copy: Mr. Simpson ✓

School of Agriculture + School of Liberal Arts

Economics 1965-66

Asst. Professor

- (L) Erickson, Edward Walter
- (L) Fearn, Robert Morcom
- (A) Wells, Robert Charles

Rank or Date Resigned
 Assoc. Professor
 Assoc. Professor
 Assoc. Professor

Instructor

- (L) Filledge, Barry W.
- (L) Long, Edward Y.
- (A) Olson, Eric Jon
- (A) Reddick, Maurice Elery

8-31-69
 6-30-68
 8-31-67
 2-28-66

Applicants

male

female

<u>B</u>	<u>W</u>	<u>O</u>	<u>B</u>	<u>W</u>	<u>O</u>
% 1.40	92.82	5.78	3.41	90.68	5.91

% total	1.17	77.33	4.81	.57	15.13	.99
---------	------	-------	------	-----	-------	-----

% Male 83.32

female 16.68

% black 1.73

% white 92.47

% other 5.80

Candidates

male

female

<u>B</u>	<u>W</u>	<u>O</u>	<u>B</u>	<u>W</u>	<u>O</u>
11.24	86.52	2.24	20.59	79.41	0.0

8.13	62.60	1.63	5.69	21.95	0.0
------	-------	------	------	-------	-----

% male 72.36

% female 27.64

% B 13.82

% W 84.55

% O 1.63

offers

Male	Female	B	W	O
76.40	23.60	13.04	82.61	4.35

accepted

79.50

Rejected

20.50

Applications - male

Black	White	Other	
18	39	0	
0	32	0	
3	362	0	
0	27	16	
2	41	3	
3	1037	30	
4	677	83	
0	0	0	
0	66	14	
1	4	0	
<u>8</u>	<u>309</u>	<u>15</u>	<u>Total</u>
39	2587	161	2787

Applications - Female

Black	White	Other	
10	28	0	
0	1	1	
0	32	0	
0	0	0	
0	2	0	
1	291	2	
0	58	16	
0	0	0	
5	58	13	
2	12	0	
<u>1</u>	<u>24</u>	<u>1</u>	<u>total</u>
19	506	33	558
<u>58</u>	<u>3093</u>	<u>194</u>	<u>3345</u>

Candidates - male

Black	White	Other	
11	15	0	
0	1	0	
2	13	0	
0	10	0	
0	5	0	
0	29	3	
0	34	0	
0	0	0	
0	5	0	
1	4	0	
<u>6</u>	<u>38</u>	<u>1</u>	<u>total</u>
20	154	4	178

Candidates - Female

Black	White	Other	
6	12	0	
0	1	0	
0	8	0	
0	0	0	
0	0	0	
1	10	0	
0	4	0	
0	0	0	
4	4	0	
2	11	0	
<u>1</u>	<u>4</u>	<u>0</u>	<u>total</u>
14	54	0	68
<u>34</u>	208	<u>4</u>	<u>246</u>

Offers

<u>male</u>	<u>Female</u>	<u>Black</u>	<u>White</u>	<u>Other</u>
10	6	6	10	0
0	1	0	1	0
10	5	1	14	0
8	0	0	8	0
2	0	0	2	0
26	10	2	32	2
17	1	0	18	0
3	0	0	2	1
0	2	2	0	0
3	5	1	7	0
44	8	9	39	4
<u>123</u>	<u>38</u>	<u>21</u>	<u>133</u>	<u>7</u>
	<u>161</u>			<u>161</u>

Accepted

13
1
11
7
2
25
17
3
2
8
<u>39</u>
<u>128</u>

Rejected

3
0
4
1
-
11
1
-
-
-
13
<u>33</u>
<u>161</u>

NORTH CAROLINA STATE UNIVERSITY 1972-1973

EPA

<u>Classifications</u>	<u>Applicants</u>	<u>Candidates</u>	<u>Offers</u>
------------------------	-------------------	-------------------	---------------

RACE-SEX

% black females	0.57	5.69	
% white females	15.13	21.95	
% other females	0.99	0.00	
% black males	1.17	8.13	
% black ^{white} males	77.33	62.60	
% other males	<u>4.81</u>	<u>1.63</u>	
Total	100.00	100.00	

WITHIN FEMALES

% black	3.41	20.59	
% white	90.68	79.41	
% other	<u>5.91</u>	<u>0.00</u>	
Total	100.00	100.00	

WITHIN MALES

% black	1.40	11.24	
% white	92.82	86.52	
% other	<u>5.78</u>	<u>2.24</u>	
Total	100.00	100.00	

SEX

% females	16.68	27.64	23.60
% males	<u>83.32</u>	<u>72.36</u>	<u>76.40</u>
Total	100.00	100.00	100.00

RACE

% black	1.73	13.82	13.04
% white	92.47	84.55	82.61
% other	<u>5.80</u>	<u>1.63</u>	<u>4.35</u>
	100.00	100.00	100.00

Offers

% accepted	79.50
% rejected	20.50

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE CHANCELLOR
Box 5067 Zip 27607
TELEPHONE: 919, 757-2191

26 November 1973

To: President William Friday

Dear Bill:

In anticipation of your upcoming discussions with officials of HEW I presume to make two or three comments derived from my reading of Mr. Holmes' November 10th letter to Governor Holshouser. I am sure there is nothing particularly new to you in these comments, but it won't hurt for me to pass them on to you.

- 1) The HEW letter very much overestimates the extent to which student choice of an institution can be managed. A student's college choice is very much a personal and individual thing.
- 2) The letter also overestimates the extent to which the racial composition of a faculty can be changed. In the years ahead of us vacancies will be fewer and the efforts of each campus to employ women will be competing with the efforts to employ minority race faculty. Nor is it irrelevant to point out that the larger supply of highly qualified white faculty puts an unavoidably additional factor into the equation. At what point, for example, will a highly qualified white male claim discrimination? Any proposal to move faculty around arbitrarily from one campus to the other is likewise fraught with impracticability and holds no realistic promise for anyone.
- 3) The discussion of "duplication" is highly unrealistic. North Carolina could force an increase in black engineering enrollment at NCSU and UNC-C by closing out the A. & T. engineering program, or could increase white engineering enrollment at A. & T. by closing out the NCSU engineering school. Obviously neither of these actions possesses a scintilla of realism or practicability. Federal and private efforts as well as State efforts to improve the quality of such programs as engineering and agriculture at A. & T. have the inevitable effect of improving the attraction of the A. & T. offerings. How many whites will be attracted is problematical and cannot be controlled by anybody.

- 4) Inter-institutional cooperation always has a felicitous ring to it. But great plans are usually notions rather than plans simply because the effort that goes into the arrangements, the inconvenience of the arrangements, the added expense of the arrangements and the sheer human inertia that goes with these difficulties make the arrangements more hypothetical than realistic. A few such arrangements do occasionally come off. This happens when the advantages and the convenience and the practicability are clearly evident in outweighing the difficulties. In other words, when the arrangements can solve a specific problem, okay. But when the problem is invented to satisfy a theoretical set of arrangements, it won't go. If, for example, one Latin teacher can teach on two neighboring campuses and serve a low-demand curriculum need, okay. Unless such a need is present one should and might as well forget about it. Institutions and human beings are not expected to be so altruistic or flexible as to make artificial arrangements which really don't solve any real problem and add up mainly to window dressing for a compliance statement.

- 5) The HEW letter theoretically recognizes differences in institutional roles. In actuality the remedial actions suggested tend to ignore historical as well as extant differentials in institutional roles. To require every institution in the sixteen-campus system to take on a "remedial" role is unrealistic and helps no one. If either UNC-CH or NCSU should become open-door institutions, the effect on other campus enrollments could be disastrous and no one would be as well served. Likewise, the role of the Board of Governors in controlling wisely the expansion of doctoral and advanced professional programs is a must from the standpoint of both fiscal practicality and educational quality. If this objective is steadfastly pursued, there is no way to avoid this significant role differentiation between the existing major campuses and the predominantly black campuses. Any other course by the Board of Governors would border on the absurdity as a public policy.

- 6) Some statements such as this one on page 12 are totally useless: "Your plan should assure that predominantly black schools do not experience difficulty in recruiting white students because of the attitudes of high school counselors or administrators, and that black high school students are not counseled primarily or only toward the predominantly black schools."

In summary, there is such a lack of realism and there is such distortion of judgment in the HEW letter as to suggest that it was written by people who have

President William Friday
p. 3 - 26 November 1973

had no experience in the administration and operation of American higher education; or that the report is written at a headquarters so remote from where higher education takes place as to be unaware of how decisions are made by students, faculty, administrators and citizens. To make these statements does not help to answer the letter. I do feel, though, that the sixteen pages of directives laid upon the Governor of this State, the Board of Governors, the Board of Education, and the responsible officers are so extraordinarily burdensome as well as unrealistic as to justify extraordinary efforts on our part to obtain a clearer assessment of the overall situation at the highest levels of government.

I do trust that your forthcoming discussions will give you some hope that this reassessment is possible. Meantime, Mr. President, you will be assured of our desire here to do anything to help lighten your burdens in our affirmative action effort, for we know you will make every effort possible to achieve some mitigation of the burden of the HEW letter. Somehow I feel that the honesty of our devotion to achieve the aims of our society and its government toward a more just society will be rewarded in the long run. In the short run, we can make progress with a great deal of good will, mutual trust and sincerity to cement our efforts in a time schedule that will produce accelerated changes in the human heart.

Sincerely,



John T. Caldwell

file

NORTH CAROLINA STATE UNIVERSITY at Raleigh

Office of the Provost and Vice Chancellor

May 10, 1974

To: Affirmative Action Representatives

This is to confirm the next meeting of Affirmative Action Representatives to be held on Tuesday, May 14, at 3:00 p.m. in the Harrelson Room of the D. H. Hill Library. If for some reason you cannot be present, please make arrangements to have a representative at the meeting for you.

William H. Simpson

William H. Simpson

*File
Aff Action*

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

SCHOOL OF AGRICULTURE AND LIFE SCIENCES
ACADEMIC AFFAIRS, EXTENSION & RESEARCH

OFFICE OF THE DEAN
Box 5847, Zip 27607

May 8, 1974

MEMORANDUM TO: Administrators and Department Heads, SALS
SUBJECT: Affirmative Action Recruitment Procedures - EPA Personnel

Our North Carolina State University Affirmative Action Recruitment Report form has been modified to request authorization to offer employment from the Office of the Provost prior to final approval. A copy of this form is attached for your information and files. Additional copies are available from the office of Mr. W. H. Simpson.

Please note that the Department Head is to sign, date and submit to the Dean for approval. In order to document efforts to take affirmative action to locate female and minority candidates, the following recruitment procedures must be followed by all units of the University:

1. Use of Equal Employment Opportunity slogan on all descriptions of vacancies.
2. Advertise the vacancies in ways that would reasonably lead to application by minorities and females.
3. Review files of previous applications to determine if qualified minorities or females are in these files.
4. Notify through official communication potential candidates on campus who may wish to be considered for the vacant positions.
5. Explain why the final candidate was chosen by means of an explicit comparison with other individuals considered.
6. Maintain complete records of the search process including correspondence with those candidates who decline, withdraw, or are not offered the position.
7. Keep all applications on file for a period of two years.
8. Submit North Carolina State University Affirmative Action Recruitment Report to request authorization to offer employment.

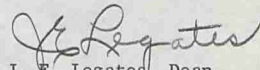
Administrators and Department Heads, SALS

Page 2

May 8, 1974

The North Carolina State University Affirmative Action Recruitment Report is to be completed and submitted for Visiting Appointees, Research Associates, and Research Assistants. In the event that such positions are to be filled on a long-term basis (nine months and over), advertisement should be handled in the same manner as tenure positions, with particular emphasis on the available supply of females and minorities. For those positions which are to be filled on a short-term basis (less than nine months), common sense and good judgment should be used. Advertise on a local basis, on campus, in the Research Triangle area, local newspapers, and utilize applications on hand. The exigency which dictated limited advertisement should be explained on the North Carolina State University Affirmative Action Recruitment Report form.

Administrators and Department Heads in SALS are hereby advised that these procedures will supplement previous Policy and Procedure as stated in Memoranda # 3 and # 4.


J. E. Legates, Dean

cc: SALS Affirmative Action Committee
Mr. W. H. Simpson

File - Off Action

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF BUSINESS AFFAIRS

DIVISION OF PERSONNEL SERVICES
Box 5067 Zip 27607

May 21, 1974

wlr

MEMORANDUM

TO: Mr. William H. Simpson
Assistant to Chancellor & Provost

FROM: William R. Calloway *WRC*
Director of Staff Personnel

SUBJECT: Computer Printout of SPA Personnel

I regret to inform you that the computer printout of SPA personnel (by race and sex) promised you by May 27 will not be available. Data from which this report is normally run has been changed to accommodate end of fiscal year activity involving legislative salary increases. Using this data would generate an inaccurate employment profile for your unit.

WRC/vb

213

Neenah Bond

25% COTTON FIBER

Aff Action

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

DIVISION OF UNIVERSITY STUDIES
Box 5971 Zip 27607

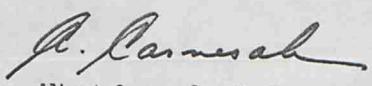
May 20, 1974

TO: Alumni Affairs - B. R. Younts
Athletics - W. R. Casey
Chancellor's Office - W. H. Simpson
Computing Center - L. B. Martin, Jr.
Foundations and Development - R. Pate
Graduate School - W. J. Peterson
Information Services - H. D. Berry
International Programs - J. A. Rigney
Provost's Office - W. H. Simpson
Radiological Safety - L. T. Caruthers
Research Administration - E. G. Droessler
Water Resources Research Institute - D. H. Howells

SUBJECT: Affirmative Action Information

As part of our Affirmative Action program, we are bringing up to date our data on the distribution by race and sex of the employees at North Carolina State University. Information on SPA personnel is being provided for the University as a whole by the University Personnel Office. Information on EPA personnel is to be provided by the individual units.

It would be appreciated if you would complete the attached questionnaire and return it to me by May 31, 1974. Please contact me if you have any questions.



Albert Carnesale, Head
University Studies

Enclosure

returned 5/22/74
6

*File
Off. Arthur
Student Recruitment*

April 30, 1974

Mr. W. A. McLeod, Jr.
Route 2
Red Springs, NC 28377

Mr. A. N. Locklear
Route 3
Maxton, NC 28364

Mr. Jennings Bullard
Route 3
Maxton, NC 28364

Mr. G. T. Johnson
Box 179
Parkton, NC 28371

Mr. Farley Strickland
Route 2, Box 55-B
Taber City, NC 28463

Dear Gentlemen:

With the encouragement of Dean Dolce and through the kind offices of Mr. McLeod, a meeting has been arranged for 20 May, 1974, at the Holiday Inn, North, in Lumberton, N.C., from 10:30 a.m., to approximately 2:30 p.m.

The purpose of the meeting is to obtain for this University, particularly this School of Education, your perceptions on how we might best proceed to identify and encourage talented native Americans to pursue higher education here.

I look forward to meeting you and trust that you can find time in your busy schedule to meet with me. Please be guests of this School at the lunch at the Holiday Inn.

Cordially,

William Maxwell, Jr.
Assistant Dean

WM, Jr./s

cc: Provost Kelly
Assoc. Provost Winstead
Dean Dolce
Dr. William Simpson

aff. ac

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

DIVISION OF UNIVERSITY STUDIES
Box 5971 Zip 27607

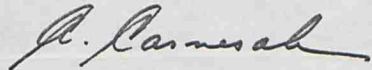
May 20, 1974

TO: Alumni Affairs - B. R. Younts
Athletics - W. R. Casey
Chancellor's Office - W. H. Simpson ✓
Computing Center - L. B. Martin, Jr.
Foundations and Development - R. Pate
Graduate School - W. J. Peterson
Information Services - H. D. Berry
International Programs - J. A. Rigney
Provost's Office - W. H. Simpson
Radiological Safety - L. T. Caruthers
Research Administration - E. G. Droessler
Water Resources Research Institute - D. H. Howells

SUBJECT: Affirmative Action Information

As part of our Affirmative Action program, we are bringing up to date our data on the distribution by race and sex of the employees at North Carolina State University. Information on SPA personnel is being provided for the University as a whole by the University Personnel Office. Information on EPA personnel is to be provided by the individual units.

It would be appreciated if you would complete the attached questionnaire and return it to me by May 31, 1974. Please contact me if you have any questions.



Albert Carnesale, Head
University Studies

Enclosure

returned 5/22/74
6

App. Admin



OFFICE OF THE CHANCELLOR

704/262-2040

Appalachian State University

BOONE, NORTH CAROLINA 28607

16 April 1974

widp

Dr. William H. Simpson
Assistant to the Chancellor and
Equal Employment Opportunity Officer
North Carolina State University
Post Office Box 5067
Raleigh, North Carolina 27607

Dear Dr. Simpson:

I certainly enjoyed receiving your letter of 11 April 1974, and regret that you do not have an extra copy of your Plan to send at this point in time. May I, however, look forward to receiving a copy when you are able to run off enough extras?

I will soon be visiting with Richard Robinson suggesting the fact that the Affirmative Officers should not only get together but we should have some kind of a workshop for a couple of days in a central location to talk about our various problems and opportunities. I will be getting back to you at an early date with more regarding this suggestion. I shall look forward to coming by and seeing you when next my path leads to Raleigh.

My very best wishes to you.

Sincerely,

Richard D. Howe
Assistant to the Chancellor and
University Equal Opportunity Officer

RDH:nw

aff act

June 10, 1974

Mr. Robert D. Branam
Director, Affirmative Action Programs
Georgetown University
Washington, D. C. 20007

Dear Mr. Branam:

My response to your June 5, 1974 request for information on our staffing patterns is as follows:

1. Yes, H.E.W. has requested an Affirmative Action Plan
2. Yes, NCSU has submitted an Affirmative Action Plan to H.E.W.
3. Our plan is currently undergoing review.
4. Spring 1974 enrollment - 13,445
5. June 1973 Full-time Employees

EPA Faculty	1167
EPA Non-Faculty	402
SPA	2123
6. State - supported institution.
7. No - Our AAO is part-time
8. No - 25%
9. 16 individuals directly involved with plan, but all Department Heads and Deans also have input and work with plan.
10. None
11. Provost

We would appreciate receiving a copy on the summarization of this data.

Sincerely,

Marvin H. Gehle
Coordinator of Institutional
Studies and Planning

MHG:vg



GEORGETOWN UNIVERSITY
WASHINGTON, D.C. 20007

OFFICE OF THE DIRECTOR
AFFIRMATIVE ACTION PROGRAMS

June 5, 1974

Dear Colleague:

In order to get a general idea of the staffing patterns of Affirmative Action Offices at other colleges and universities, we would appreciate a response to the following:

1. Has H.E.W. requested an Affirmative Action Plan?
2. Has your institution submitted an Affirmative Action Plan to H.E.W.?
3. Has H.E.W. approved your plan?
4. Number of full-time students.
5. Number of full-time employees.
6. Private organization or state-supported?
7. Do you have a full-time Affirmative Action Officer?
8. Are your responsibilities devoted 100 percent to Affirmative Action? Yes____. No____. If no, what percentage of time do you devote to the function?
9. How many full-time personnel work in Affirmative Action on your campus?
10. How many part-time personnel work in Affirmative Action on your campus?
11. To whom do you report?

Any other information you feel might be helpful would be greatly appreciated.

Sincerely,

Robert D. Branam
Director
Affirmative Action Programs

RDB:MB



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
 REGION IV
 50 7TH STREET N.E., Room 134
 ATLANTA, GEORGIA 30323

June 6, 1974

OFFICE OF THE
 REGIONAL DIRECTOR

530

6

o

Dr. John T. Caldwell, Chancellor
 North Carolina State University
 Box 5067
 Raleigh, North Carolina 27607

well

Re: Sex Discrimination in Intercollegiate
 Athletics

Dear Chancellor Caldwell:

Thank you for your prompt response of May 3, 1974 to our letter of April 18, 1974 regarding a complaint alleging sex discrimination in the conduct of the North Carolina State University's intercollegiate athletic program.

Because the regulations for Title IX have not yet been published and no policy decision has been made on this issue, this complaint of sex discrimination will be held in abeyance until we are advised by our Office of General Counsel to proceed. The data you submitted will be maintained for analysis at that time.

Your cooperation in this matter is greatly appreciated. We will notify you when we are able to proceed with this matter. If we can be of any service to you, please contact us.

Sincerely,

for *Louis O. Bryson*
 Louis O. Bryson, Chief
 Higher Education Branch
 Office for Civil Rights

Copies: Mr Robinson
 Mr Casey
 Mr Simpson ✓
 Dean Talley
 Dr Drews
 Dean Silman

Note:

Dr. Gehle's copy of the
Affirmative Action Plan
was sent to Richard
Robinson on Oct. 4, 1974.

DRAFT

October 3, 1974

TO: Richard Robinson
Assistant to the President

SUBJECT: EEO Affirmative Plan

Dick, at your request, we have forwarded to you under separate cover a copy of our Affirmative Action Plan which we submitted most recently to HEW for review.

John T. Caldwell
Chancellor

cc: Assistant Provost Clark

Note to file
Scale of the Affirmative Plan send to
2

THE UNIVERSITY OF NORTH CAROLINA
General Administration
CHAPEL HILL 27514

September 30, 1974

RICHARD ROBINSON
Assistant to the President

MEMORANDUM

TO: The Chancellors
FROM: Dick Robinson *DR*
RE: EEO Affirmative Action Plans

In order to comply with a request for information, received recently from the State Department of Administration, we need an additional copy of the Affirmative Action Plan which you submitted most recently to HEW for review.

Please send the requested copy of the document to me, and I in turn will make the transmission to the interested state agency. I would appreciate your responding to this request as soon as possible.

cc: Mr. R. D. McMillan

Copy: Mr. Simpson
Dr. Clark

SOUTHERN POETRY REVIEW
DEPARTMENT OF ENGLISH
NORTH CAROLINA STATE UNIVERSITY AT RALEIGH
RALEIGH, N. C. 27607

November 13, 1973

Dear Bill:

Here are some more names to add to your
list of women faculty members, 1973-74:

Elizabeth Theil, Asst. Prof., Biochemistry
Kasha Gula, Visiting Asst. Prof. (\$), Design
Sue Ellen Gary, Visiting Instructor (Life
Sciences, maybe Botany).

One name should be removed from your list: F. M.
Nichols, History--this is a man (Francis).

Sincerely,

Polly

Mary C. Williams

THE UNIVERSITY OF NORTH CAROLINA

General Administration

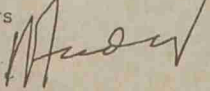
CHAPEL HILL 27514

WILLIAM FRIDAY
President

September 7, 1973

MEMORANDUM

TO: The Chancellors

FROM: William Friday 

RE: Meeting with HEW Officials Concerning University Affirmative Action Programs

Mr. Robinson, Dr. Dawson, Dr. King and Mr. Joyner met with officials from the Atlanta Regional Office of the Department of Health, Education and Welfare in Chapel Hill on Thursday, September 6, to discuss the status of current University campus submissions (Affirmative Action Plans) which treat our equal employment opportunity obligations under Executive Order 11246. The meeting was devoted to a general discussion of issues of common concern to all campuses; no particular campus plans were evaluated or discussed, in the absence of appropriate campus participants at the meeting. It was a constructive experience. It was agreed, however, that additional work is necessary. A second meeting will be scheduled within the month, and representatives from certain campuses may be asked to participate; the primary objective of this second conference will be development of a model program, which can be adapted, with appropriate modifications, to the situation at each of the sixteen campuses. Accordingly, at present there is no deadline established for the submission of supplemental or revised plans, in response to any deficiency findings communicated to the campuses to date by HEW, nor with respect to other campuses which will receive such deficiency letters during the coming weeks. There are, however, certain steps which several campuses must undertake promptly, in anticipation of the establishment of a new deadline at some unspecified point in the future. Mr. Robinson will be in communication with you and your equal employment opportunity officials next week concerning the nature of those steps.

Copy: Provost Kelly
Jim Simpson

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE CHANCELLOR
Box 5067 Zip 27607
TELEPHONE: 919, 737-2191

18 September 1973

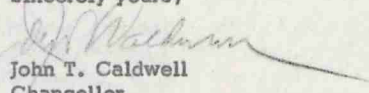
Mr. Louis O. Bryson, Chief
Higher Education Branch
Office of Civil Rights
Region IV, U. S. Dept. of HEW
507th Street NE, Room 404
Atlanta, Georgia 30323

Dear Mr. Bryson:

Your September 13th letter was received yesterday, September 17, in this office. It requests certain information on our personnel and goal commitments.

We will certainly endeavor to provide this information within the time requested, which is 15 days from the date of your letter. Unfortunately mail delays persist and we are disadvantaged by four days at least!

Sincerely yours,


John T. Caldwell
Chancellor

cc: Provost Kelly
Mr. Simpson

HEW 3

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

RICHARD ROBINSON
Assistant to the President

October 8, 1973

w
e

MEMORANDUM

TO: The Chancellors
FROM: Dick Robinson *DR*
RE: Collection of Fall 1974 Civil Rights Enrollment Data

W/H

On September 19, 1973, John Davis, Assistant Vice President for Institutional Research for the University, met with Mr. Howard Kossoy and Mr. Burton Taylor, Office for Civil Rights, Department of Health, Education and Welfare, for the purpose of discussing civil rights data collection activities for the fall of 1974. The big question at this meeting concerned identifying components within the University for which civil rights reports would be filed. As a result of this meeting, the Office for Civil Rights agreed to the following:

That the Office of Institutional Research of The University of North Carolina will provide for the Office for Civil Rights a list of "institutional components" comparable to those listed in the 1972-73 HEGIS Higher Education Director, or in light of possible HEGIS misinformation, for each academic unit of college level (schools or divisions where appropriate) for each of the constituent institutions within The University of North Carolina.



The purpose of this memorandum is to inform you of the above development and alert you to a contact by Dr. Davis in the near future concerning the details of the above.

Your cooperation in identifying satisfactory reporting components for the collection of fall 1974 civil rights data will be greatly appreciated.

cc: Dr. John Davis

Provoost Kelly
Dr. Seble
VC Wright

Date

PROVOST'S OFFICE

TO: Dr. Harry C. Kelly
Dr. N. N. Winstead
Mr. W. H. Simpson
~~Dr. C. L. Jenkins~~
Dr. LeRoy B. Martin

Sandra Emerson
Marlene Grimsley
Susie Hunter
Gloria Johnson
Leslie Shelton
Elsie Stephens
Mary Strickland

After document has been
approved/initialed
please

Return to _____

Return for filing _____

Dr. J -

Would this be in
line for your files?
On down here.
EJ

*cont
flow* UNC

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE CHANCELLOR
Box 5067 Zip 27607
TELEPHONE: 919, 755-2191
737-2191

March 6, 1973

w

Dear Dick:

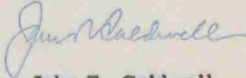
Should UNC object to the proposed language?

Is it too late? (Seems to be.)

Note proposed letter drafted by Provost Kelly
which I failed to send last Friday.

K
wjt
S

Sincerely,



John T. Caldwell

✓ CC: Provost Kelly

Mr. Richard H. Robinson, Jr.
The University of North Carolina
P. O. Box 309
Chapel Hill, North Carolina 27514

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL

2/27/73 Date

TO: Chancellor

ACTION REQUESTED ON ATTACHED:

- Note and Return
- For your information (need not return)
- Please handle
- Please answer; furnish me copy
- Please draft reply for my signature (return attachments)
- Please give me your comments (return attachments)
- Requires your approval

I believe we ought to object strongly
to access to all records and copying
as proposed in the attached copy of CUPA's
Special Report.

I suggest the attached draft in response.

HCK

Attachments

FROM: _____

D R A F T

2/27/73

Mr. Philip J. Davis
Acting Director
Office of Federal Contract Compliance
U. S. Department of Labor
14th St., and Constitution Avenue, N. W.
Washington, D. C. 20210

Dear Mr. Davis:

I wish to register 1) the objection of North Carolina State University to the inclusion of the words "and copying" and 2) the concern over who determines whether records are "relevant" in the revision of 41 CFR 60-1.43 as published in the Federal Register of January 31. Our objections are based on the distinction between access and copying. We believe that rights to privacy, inherent in a record system, are better protected by preventing the blanket approval of copying. We would agree that copying certain information from records is acceptable when we would not agree that copying of these same records is necessary or prudent.

Sincerely,

John T. Caldwell
Chancellor

cc: President William C. Friday
Provost Harry C. Kelly

2/27/73

Dr Jenkins:

Note - Dr. Kelly's
comments & changes
in draft and return
so I can retype for
Chancellor's approval.

Don
C.S. 2-22-73

February 23, 1973

MEMORANDUM TO: Dr. H. C. Kelly

FROM: Clauston Jenkins *CJ*

The underlined section is the new language in the regulation 60-1.43 concerning access to records. For the first time the regulations mention copying records. Since we have undoubtedly lost the battle over access to all records except certain confidential items, I suggest we object to the concept of copying. A draft letter is attached.

*have we??
WT*

CJ/ss

*Dr. Jenkins
Let's object strongly
to access to all records and
copying
WJ*

OFFICE OF PROVOST

HOLLADAY HALL

2/21/73 Date

TO: D. Jenkins

ACTION REQUESTED ON ATTACHED:

- | | |
|--|--|
| <input type="checkbox"/> Note and Return | <input type="checkbox"/> Please draft reply for my signature
(return attachments) |
| <input type="checkbox"/> For your information
(need not return) | <input type="checkbox"/> Please give me your comments
(return attachments) |
| <input type="checkbox"/> Please handle | <input type="checkbox"/> Requires your approval |
| <input type="checkbox"/> Please answer; furnish me copy | |

I would suggest that we
prepare a response and have
it ready to send when D.
Kelly returns -

I believe this is one for
you.

FROM: M W.

*Dr. Jenkins's
prop. response*

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF BUSINESS AFFAIRS

Box 5067 ZIP 27607

February 20, 1973

MEMORANDUM

TO: Dr. Harry C. Kelly, Provost and Vice Chancellor

FROM: W. R. Calloway, Director of Personnel Services *WRC*

SUBJECT: Access to Personnel Records

I thought you might be interested in the attached CUPA Special Report concerning access to personnel records by compliance officers of federal agencies. You may want to respond to the anticipated revision of 41 CFR 60-1.43 (Access to Records and Site of Employment).

My own personal opinion leans toward allowing selected and directly relevant material to be retrieved from personnel records but not to give unrestricted access to such records.

WRC/jw

Attachment

Memorandum
25% COTTON FIBER

February 1973

Volume II, No. 4

TO: CUPA Key Representatives

FROM: Jerry Anderson

SUBJECT: Government Requests Comments on Proposed Rule Change Regarding Access to Records by Compliance Officer

RECEIVED
 U.S. DEPARTMENT OF LABOR
 OFFICE OF PERSONNEL SERVICES

We reproduce below an item from the Federal Register of January 31st entitled "Access to Records and Site of Employment". The essence of the proposed rule making would authorize the government during on-site equal employment compliance reviews to inspect and copy records pertaining to the review. Use of such information would be restricted to enforcing the provisions of Executive Order 11375 and the Civil Rights Act of 1964.

The Government invites the submission of written comments, views and objections. However, the deadline for submission of opinions is on or before March 2, 1973.

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

[41 CFR Part 60-1]

ACCESS TO RECORDS AND SITE OF EMPLOYMENT

Notice of Proposed Rule Making

Notice is hereby given that pursuant to Executive Order 11246 (30 FR 12319), as amended by Executive Order 11375 (32 FR 14303), the Department of Labor proposes to revise 41 CFR 60-1.43. The purpose of the revision is to clarify 41 CFR 60-1.43 to assure that contractors are fully cognizant of their obligations under existing OFCC policy and practice to allow access to their premises for the purpose of on-site compliance reviews. This revision is not intended to enlarge contractors' obligations under the Executive order and its implementing rules and regulations. The revised 41 CFR 60-1.43 reads as follows:

§ 60-1.43 Access to records and site of employment.

Each prime contractor and subcontractor shall permit access during normal business hours to his premises for the purposes of conducting on-site compliance reviews and inspecting and copying such books, records, and accounts as

may be relevant to the matter under investigation and pertinent to compliance with the Order, and the rules and regulations promulgated pursuant thereto, by the agency, or the Director. Information obtained in this manner shall be used only in connection with the administration of the Order, the administration of the Civil Rights Act of 1964, and in furtherance of the purposes of the Order and that Act.

Interested persons are invited to submit written comments, views or objections regarding the proposal to Mr. Philip J. Davis, Acting Director, OFCC, U.S. Dept. of Labor, 14th Street and Constitution Avenue NW, Washington, D.C. 20210, on or before March 2, 1973.

Signed at Washington, D.C., this 24th day of January 1973.

J. D. HODGSON,
 Secretary of Labor.

R. J. GRUNEWALD,
 Assistant Secretary for
 Employment Standards.

PHILIP J. DAVIS,
 Acting Director,
 Office of Federal Contract Compliance.

[FR Doc.73-1237 Filed 1-30-73; 8:45 am]

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

SCHOOL OF ENGINEERING

ENGINEERING RESEARCH SERVICES DIVISION

April 4, 1974

Dr. Robert G. Carson
 Chairman, Affirmative Action Committee
 School of Engineering
 232 Riddick
 North Carolina State University
 Campus

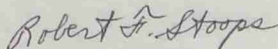
Dear Dean Carson:

Marvin L. Huckabee has worked continuously for the Engineering Research Services Division since he first was employed as a part-time Graduate Research Assistant in June 1964. Since 1971, Mr. Huckabee has worked full time and has been paid primarily with State appropriated funds from a vacant one-half position and from reserve. During this time Mr. Huckabee has performed more as a Research Assistant than as a Graduate Research Assistant, but a full-time position was not available in which he could be placed. Consequently, he has not been paid the salary of a Research Assistant with commensurate education and experience.

As of April 1, 1974, Research Assistant position number 42206 became vacant, and I hereby request your concurrence in appointing Mr. Huckabee to this position. Since this is an internal promotion, I do not believe that it is necessary, or that it would be fair to Mr. Huckabee, to advertise the position in an attempt to fill it with a female or minority group member. In about six months Mr. Huckabee will have completed all of the requirements for the Ph.D. degree, and he plans to obtain employment elsewhere at that time. When he leaves, every effort will be made to fill the position with a female or a minority group member.

If you have any questions, please contact me.

Sincerely yours,

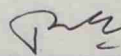


Robert F. Stoops
 Director

OK
with

cc: R. E. Fadum
 H. B. Smith
 Wm. H. Simpson ✓
 H. C. Kelly

I concur in the above appointment.



 R. G. Carson

RFS/ew



Aff Action

April 11, 1974

Mr. Richard D. Howe
Assistant to the Chancellor and
University Equal Opportunity Officer
Office of the Chancellor
Appalachian State University
Boone, North Carolina 28607

Dear Mr. Howe:

Thank you so much for sending us your Affirmative Action Plan for Appalachian State University. Regretfully I only have three copies of our plan at the present time due to the length of the report. However, attached you will find a brief summary presented to our Board of Trustees at a recent meeting which may be of some assistance to you concerning our plan.

It would be nice if affirmative action officers could get together just to discuss problems they have run into as well as various insights they have gained in the affirmative action equal opportunity field.

Thank you again in your thoughtfulness in sending your report and if ever you are in Raleigh, I hope you will come by and see us here at North Carolina State University.

Sincerely,

William H. Simpson
Assistant to the Chancellor and
Equal Employment Opportunity Officer

Attachment



Appalachian State University

BOONE, NORTH CAROLINA 28607

OFFICE OF THE CHANCELLOR

704/262-2040

28 March 1974

Mr. William H. Simpson
Assistant to the Chancellor
North Carolina State University
Raleigh, North Carolina

Dear Mr. Simpson:

Enclosed please find a copy of Appalachian State University's Affirmative Action Plan for Equal Employment Opportunity. The Plan is being sent to you for your information and for any use which you may make of it.

I am also enclosing inside the front cover of the Plan a copy of the University's Equal Opportunity Policy. This Policy was placed in the pay envelope of each University employee so that they may be apprised of our Policy.

We have also held numerous meetings with various groups in the University to publicly disseminate the Plan and to talk about its contents. These meetings have been very helpful for us and we have received many helpful comments and questions about the Plan.

I was not able to enclose a copy of the Appendices to our Plan as they number almost 200 pages. We have, however, for the benefit of interested persons here, placed a copy of both the Plan and the Appendices in our Library at the Reference Desk.

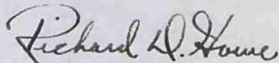
I send you the above-mentioned information and hope that it may be of interest to you. Will you send us a copy of your Plan? In this way I think that all member institutions of the University of North Carolina will be helped in their continuous attempt to improve their policies, procedures, and activities as each of these relates to Equal Opportunity.

Mr. William H. Simpson
28 March 1974
Page 2

May I look forward to receiving your Affirmative Action materials at your convenience?

My very best wishes to you.

Sincerely,



Richard D. Howe
Assistant to the Chancellor and
University Equal Opportunity Officer

erp

Enclosures

EQUAL EMPLOYMENT AFFIRMATIVE ACTION OFFICIALS

Appalachian State University	Dr. Richard D. Howe, Assistant to the Chancellor Boone, North Carolina 28608 704/262-2040
East Carolina University	Dr. David B. Stevens, Brewster Building Greenville, North Carolina 27834 919/758-6131
Elizabeth City State University	Mr. James H. Townes, Assistant to the Chancellor Elizabeth City, North Carolina 27909 919/335-0551
Fayetteville State University	Mr. William Clement, Director of Personnel Fayetteville, North Carolina 28301 915/483-6144
N.C. A & T State University	Dr. Theodore Mahaffey, Assistant to the Chancellor Greensboro, North Carolina 27411 919/273-1771
North Carolina Central University	Mr. William Jones, Vice Chancellor, Finance Durham, North Carolina 27707 919/682-2171
North Carolina School of the Arts	Mr. Frank Ruark, Dir. of Institutional Research Winston-Salem, North Carolina 27107 919/723-0504
North Carolina State University	Mr. William H. Simpson, Assistant to the Chancellor Raleigh, North Carolina 27607 919/755-2011
Pembroke State University	Mr. William Mason, Jr., Business Manager Pembroke, North Carolina 28372 919/521-4214
UNC-Asheville	Mr. W. H. Pott, Vice Chancellor, Finance Asheville, North Carolina 28801 704/254-7415
UNC-Charlotte	Dr. Earl Backman, Assistant to the Chancellor Charlotte, North Carolina 28213 704/596-5970
UNC-Chapel Hill	Mr. Douglass Hunt, Vice Chancellor, Administration Chapel Hill, North Carolina 27514 919/933-1026
UNC-Greensboro	Dr. Stanley Jones, Vice Chancellor, Academic Affairs Greensboro, North Carolina 27412 919/379-5000
UNC-Wilmington	Mr. Charles L. Cahill, Vice Chancellor, Academic Affairs Wilmington, North Carolina 28401 919/791-4330
Western Carolina University	Dr. S. Aaron Hyatt, Dir., Institutional Research Cullowhee, North Carolina 28723 704/293-7326
Winston-Salem State University	Mrs. Mary Smalls, Personnel Officer Winston-Salem, North Carolina 27102 919/725-3563

Aff Action

April 11, 1974

Dr. Roger L. M. Dunbar
School of Business Administration
Southern Methodist University
Dallas, Texas 75275

Dear Dr. Dunbar:

I regret that we do not have any extra copies of our Affirmative Action Plan that was recently submitted to HEW by this University. Our plan included three separate volumes therefore holding us to a very limited number of copies. However, attached we are sending you a brief summary of our Affirmative Action Plan and History which may be of some interest to you.

Sincerely,

William H. Simpson
Equal Employment Opportunity Officer

Attachment



SOUTHERN METHODIST UNIVERSITY
SCHOOL OF BUSINESS ADMINISTRATION
DALLAS, TEXAS 75275
214/692-3000

Mr. Simpson

April 1, 1974

The President
North Carolina State College
Raleigh, North Carolina 27607

Dear Sir:

I am teaching a course titled "Women in Organizations."
I am particularly interested in understanding the steps
being taken to bring about equal employment opportunities
for both men and women. I would be grateful if you would
send me a copy of your EEO Affirmative Action Plan if you
have one.

Thank you for your help.

Sincerely,

Roger D. M. Dunbar
Associate Professor
Organizational Behavior
and Administration

RD:a

Aff Action

Levi

March 7, 1974

MEMORANDUM TO: Dr. Eloise S. Cofer
Assistant Director
Home Economics Extension

WHT

SUBJECT: Affirmative Action Recruitment Report for Dr. Nadine Tope

The Office of the Provost has requested additional information in regard to the affirmative action recruitment in connection with the position for which Dr. Nadine Tope has been recommended. They desire a statement concerning the extent to which applicants were sought, particularly regarding contacts that were made in efforts to obtain applications from blacks. Please type a brief statement describing the above on the reverse side of the affirmative action recruitment report for this position. A revised form is being prepared that will clarify this need in the future.

I also should remind you that we are not in a position to make a formal offer of an EPA position until the Office of the Provost has given authorization. This involves not only the salary, rank and terms of appointment but also the affirmative action recruitment report. The Affirmative Action Reports also are to be transmitted to the Provost through our office, inasmuch as each of the Deans are now being requested to review the reports before they are transmitted.



J. E. Legates, Dean

cc: Associate Dean George Hyatt, Jr.
Mr. William H. Simpson

Aff. Actin

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE DEAN
Box 5036 ZIP 27607

SCHOOL OF LIBERAL ARTS

WLB

February 28, 1974

MEMORANDUM

TO: Bill Simpson
FROM: Robert O. Tilman *RT*

Mr. Aff Act Off might be interested in knowing that despite several competing offers (including Duke) we got Dr. Lucas for English.

Do we get a gold star? Or two for our double score?

cc: Nash Winstead

Aff. Action

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

RICHARD ROBINSON
Assistant to the President

February 18, 1974

Mr. Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights, Region IV
Department of Health, Education and Welfare
50 Seventh Street, N.E., Room 404
Atlanta, Georgia 30323

C

Dear Mr. Bryson:

On behalf of North Carolina State University at Raleigh, I transmit one copy of the proposed written Affirmative Action Plan for that institution specified by Executive Order 11246, as amended. While I have not purported to "approve" this document prior to submission, I do endorse it as a good faith compliance with our current understanding of available guidelines.

O

This plan will be implemented, and thus widely disseminated, immediately. We acknowledge the possibility that your review of its contents may require modifications and amendments at some future date, but we feel that further delay in implementation pending such review should not be undertaken.

P

Would you please address any comments on the plan to Chancellor John T. Caldwell, with a carbon copy to this office.

Y

Thank you for your assistance and that of your staff in the past; we look forward to continuing constructive relationships during the critical period of implementation.

Sincerely,



Richard H. Robinson, Jr.

Enclosure

cc: ✓Chancellor John T. Caldwell

Mr. Simpson ✓

*Aff. Action
(Hew)*

January 16, 1974

To: Dr. Caldwell

In preparing the affirmative action plan, the chief executive's office of the institution is asked to set forth clearly the institution's commitment to the written plan, as well as a more general endorsement of the institution's commitment to the principles of equal employment opportunity and affirmative action.

William H. Simpson

App. Action

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF BUSINESS AFFAIRS

PURCHASING DEPARTMENT
Box 5935 ZIP 27607

September 27, 1973

Mr. R.D. McMillan, Jr.
Purchase and Contract Division
Administration Building
116 West Jones Street
Raleigh, North Carolina 27603

Dear Mr. McMillan:

Dr. John T. Caldwell has received a letter from the Department of Health, Education and Welfare dated September 13, 1973, in which they advise that before final evaluation of the University Affirmative Action Compliance Program dated June 13, 1973, can be completed, the University must provide, among other things, the following:

Substantiation that the Equal Employment Opportunity clause is incorporated in all University purchase orders.

In connection with the above, our records show in December of 1971 that I conferred with you and Mr. Willis Holding for the purpose of obtaining approval to place a statement on our purchase orders which HEW officials had indicated would meet their requirements. The statement is as follows:

The nondiscrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor, are incorporated herein.

During our discussion, I informed you that we would receive a written request from HEW confirming their verbal request that we place the statement on all of our purchase orders. In response to this statement, you indicated that when we did receive the written request that we should take the matter up with you.

We are again requesting authorization to place the above nondiscrimination clause on each of our purchase orders, so that we might be in compliance with the requirements of HEW which will enable us to indicate this to them in response to their letter to Dr. Caldwell.

Yours very truly,

W. L. Fleming
Purchasing Agent

WLF/ps

CC: E.E. Durham, *WHS*
The State of North Carolina is a constituent institution of The University of North Carolina System.

January 9, 1974

To: Affirmative Action Representatives

This is just a reminder that SPA as well as EPA goals should be based on a three-year period. SPA goals must be stated on an annual basis; that is, the total three-year goal for improving the sex and race profile of the affected part of the work force must be broken down into three discreet goal periods.

EPA faculty and EPA non-faculty goals may be stated on the total three-year time period adopted.

William H. Simpson

Aff. Action

January 9, 1974

To: Dr. Winstead

In connection with the Affirmative Action Report that is currently being prepared, I would appreciate information from you on the following quote that HEW has asked us to comment on.

"In hiring decisions, assignment to a particular title or rank may be discriminatory. For example, in many institutions women are more often assigned initially to lower academic ranks than are men."

William H. Simpson

Affirmative Action Representatives Meeting

Tuesday, December 11

3:00 p.m.

Members present: Bogdan, Calloway, Camesale, Carson, Clark, Dolce, King,
Memory, Saylor, Simpson, Stafford (for Talley), Nordan (for Hassler), Gehle

Uzzell
Members absent: Mabry

The meeting began at 3:00 p.m.

Mr. Simpson asked if the representatives present had had a chance to read the material sent to them. Discussion then followed.

Charts regarding faculty complement were distributed to the members. To complete these charts, each School should be broken down by department, including the department head. Also each chart should be compiled as of June 15, 1973. HEW informed the University that these charts must be updated because a report will be required every three years about the University's EPA complement. A yearly report will be required concerning SPA personnel.

Questions were raised as to why the General Administration could not furnish availability date for each of the 16 campuses. One suggestion was perhaps an existence base could be furnished and then each School could supply its own factor of availability.

Mr. Simpson said that each School's affirmative action report would need to be examined to see what areas will need to be expanded, what areas are sufficient as they are, and what parts will need to be redone. He said that each School should examine HEW's guidelines to see what changes may possibly be needed.

Dr. Camesale asked if small departments could state their goals by saying that "one in _____ people hired would be a minority or a woman." Mr. Simpson said, however, that this was not acceptable with HEW. HEW wants the goals to be stated more specifically than this.

Mr. Simpson said that each School should be very careful to supply the exact information that HEW requests. He said the University's Affirmative Action Report would never be officially accepted because it will always have to be updated.

Discussion followed concerning P.18-31 of the first section of the packet of material sent to each representative. Decisions were made as to whether each section should be answered by the individual units or by the central administration.

The classifications of "white," "other minorities," and "black" were explained. All foreign nationals should be classified as "white." Spanish surnamed Americans and American Indians go under the classification of "other minorities."

A deadline of January 14 was set for each representative to return his unit's information to Mr. Simpson's office.

The meeting adjourned at 5:20 p.m.

file copy

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

P. O. Box 5067, RALEIGH, N. C. 27607

OFFICE OF THE PROVOST AND VICE-CHANCELLOR

December 14, 1973

To: Affirmative Action Representatives

You will receive on or about December 21 the following information and materials to assist you in completing the SPA personnel portion of your revised affirmative action plan:

- 1) Worksheets for indication (a) present SPA workforce complement, (b) projected SPA workforce complement, (c) total SPA workforce complement.
- 2) Summary data reflecting race and sex profile of the SPA workforce by appropriate occupational categories.
- 3) Statistical data reflecting the availability of females and minority group members for employment within the various occupational categories and established recruiting area.

From this information you should be able to detect any underutilization of females and minority group members within the SPA workforce and to formulate reasonable goals and timetables to correct any deficiencies noted.

Mr. Dick Robinson, Assistant to President Friday, will send us in early January a copy of the 1970 census with existence information from many occupation classifications. Mr. Robinson said not to depend on this completely because he felt that this only gave the existence as of 1970 and availability to the individual institutions would differ. He suggests that if this information is not available in your various departments that you contact state and national organizations who may have some available figures for them.

Attached are the tables that were not available at the previous meeting.

Neerah Bond

William H. Simpson

William H. Simpson
Equal Employment Opportunities
Officer

You will receive on or about December 21 the following information and materials to assist you in completing the SPA personnel portion of your revised affirmative action plan:

1. Worksheets for indicating a) present SPA Workforce complement, b) projected SPA Workforce complement, c) total SPA Workforce complement.
2. Summary data reflecting race and sex profile of the SPA workforce by appropriate occupational categories.
3. Statistical data reflecting the availability of females and minority group members for employment within the various occupational categories and established recruiting area.

From this information you should be able to detect any underutilization of females and minority group members within the SPA workforce and to formulate reasonable goals and timetables to correct any deficiencies noted.

A de kbans, ar- l. P, l o — us a qe
n el ga a qe v. 1970 snss v x/
nfy f — ~~the area~~ scpt — asfcp!

A rebax sd m ldp — o th kpel is h
jll la th ml ga . x/ 3 v 1970 + aultb)
l. rudo nslp ~~and~~ df \ h sp, la q
th nfy o m aultb m a vey dsl- - la
y klc sa . nyl og rre — va v
on aultb fgus f h \ se atc —
f lbs la m h — su. J d l

December 19, 1973

MEMORANDUM

TO: Provost Kelly
Mr. Simpson

FROM: N. N. Winstead

SUBJECT: Affirmative Action Clearance

Would you review the attached draft note to file to see if it contains the necessary information as we discussed at staff meeting on December 19, 1973. When I get your revisions, I will prepare the note to file.

NNW:vg

Attachment

Draft

December 19, 1973

NOTE TO FILE

FROM: N. N. Winstead

SUBJECT: Affirmative Action Clearances

Normally all persons appointed to positions for a year or longer should have the forms attached to Provost Kelly's memo to School Deans on December 10, 1973, completed and reviewed by Mr. Simpson prior to an offer being made. Mr. Simpson will inform Mrs. Strickland by note indicating that this compliance is okay for prospective employees except for those interviewed. In this case he will inform me. I will then clear the appointment with the School Dean and forward Mr. Simpson's note with the background information on the prospect to Mrs. Strickland. When Mr. Simpson is out, Mrs. Shelton will forward all Affirmative Action Clearances to Dr. Winstead.

The records and forms will be maintained by Mr. Simpson.

In cases of short term and part time employees, we will encourage people to consider and look for qualified minorities and females as seriously as possible. In these cases we will not require the form to be submitted. In cases of question Dr. Winstead will verbally inquire of the School Dean whether attempts at affirmative action were made prior to his signing the PA-1 form. This procedure would apply to persons hired on a temporary basis e.g. to take the place of a person on leave, grants which are funded and will terminate in a year or less and there is insufficient time to make an exhaustive search for personnel and for adjunct appointments.

NNW:vg

cc: Mr. Simpson
Mrs. Strickland

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

WILLIAM FRIDAY
President

November 27, 1973

MEMORANDUM

TO: The Chancellors W

FROM: William Friday *W.F.* MKS

RE: Equal Employment Opportunity Affirmative Action Plans W.F.

We must now undertake the next and, hopefully, final successful phase of our efforts to achieve acceptable affirmative action plans consistent with the equal employment opportunity guidelines administered by the Department of Health, Education, and Welfare under the terms of Executive Order 11246. To date, each campus has submitted a proposed affirmative action plan, as required of federal contractors, to the Atlanta Regional Office for HEW; none of these plans have been approved as yet, and in each instance HEW has set forth in a letter to you, in at least general terms, the nature of the deficiencies in the plan which their analysts have perceived. As a consequence of these experiences to date, representatives of this office met at length with representatives of the HEW Atlanta Regional Office for the purpose of achieving a clearer understanding of the required contents of an acceptable affirmative action plan of the type which HEW expects. You will recall that HEW agreed to defer establishment of any deadline for resubmission of modified campus plans until after this meeting had occurred; following that meeting, we did request of HEW a time schedule for revision and resubmission of campus plans which we felt constituted a reasonable time frame for the extensive amount of work indicated as being necessary; we suggested that a deadline of February 15 appeared reasonable. By letter dated November 16, we were informed that our suggested general time frame is acceptable; it will be necessary for us to agree at a later date on the precise schedule for institutional submissions, on a staggered basis; all institutions, however, should operate on the assumption that their work on the plans must be basically completed by February 1, 1974. Accordingly, I attach for your information and guidance a set of interpretative guidelines and suggestions, prepared by members of my staff following consultation with HEW officials, which purport to set forth with greater clarity and precision the nature of the current obligation to prepare an affirmative action plan; these guidelines are based on a careful analysis of existing federal directives, as amplified and explained in conferences with the HEW officials. Although the

Copies: Dr. Kelly, Mr. Simpson

Memorandum to the Chancellors
Page 2
November 27, 1973

points included do address most substantial questions about content and procedure of which we are aware, it was agreed in consultation with HEW that additional unanticipated questions or problems may arise from time to time in connection with the actual drafting of affirmative action plans at the campus level and that we might feel free to address such supplemental inquiries to the Atlanta Regional Office as the need may arise. Mr. Robinson of my office will coordinate the revision efforts and shall serve as a clearing house for all inquiries about content and procedure. Please address your questions to him.

Because much of the pertinent material is of a highly technical and potentially confusing character, in spite of our best efforts to impart certainty and clarity to this matter, we believe that a meeting of all campus representatives who have been assigned primary responsibility by you for the development of campus affirmative action programs should be held at the outset, in an effort to reduce confusion and insure satisfactory results of this increasingly protracted effort. Accordingly, I am requesting that you direct your previously appointed affirmative action officials to meet with members of my staff on Wednesday, December 5 at 10:00 a.m. at this office. That meeting will be devoted to a further explanation of the enclosed materials and an effort to address questions about those materials which your representatives may have; careful study of these materials in advance is essential. The focus of this large effort is at the campus level. Only the campus is equipped to conduct the necessary research, analyze problem areas, posit realistic remedial goals and embody this total effort in a written program. The General Administration staff can assist in certain nonoperational aspects of that effort, but the burden rests ultimately with the campus. Accordingly, there can be no substitute for campus officials taking the necessary time to thoroughly familiarize themselves with all of the regulations, guidelines and interpretive materials provided to you, both by HEW and by this office.

This has been and will continue to be a difficult and time-consuming enterprise. The announced general objectives of insuring equality of employment opportunity and instituting appropriate affirmative measures to address problem areas are demonstrably worthy and compelling. Translation of those general principles into concrete and specific action programs can prove to be difficult and can produce disagreement about necessary and effective procedures and techniques. We believe that the basis for an effective working relationship with HEW has been laid in recent weeks and that we can, with greater confidence, now address more effectively our common concerns. I appreciate your patience and hard work to date and urge a renewal of determination, to the end that we might promptly achieve the first major objective of securing HEW approval of our campus affirmative action plans.

Attachment

file copy

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

P. O. Box 5067, RALEIGH, N. C. 27607

OFFICE OF THE PROVOST AND VICE-CHANCELLOR

November 30, 1973

To: Affirmative Action Representatives

Attached is the information sent to us from Dick Robinson, Assistant to President Friday, concerning our Affirmative Action program including a cover letter from President Friday. I would appreciate your becoming familiar with the material and then looking over your own unit's Affirmative Action Report again to see if any additional information will need to be included as an update.

Mr. Robinson has called a meeting in his office on Wednesday, December 5, which I will attend. Our campus committee will meet on Tuesday, December 11, at 3:00 p.m., Holladay Hall conference room, to discuss the results of the meeting in Chapel Hill and any questions you may have about the attached material.

William H. Simpson
William H. Simpson
Equal Employment Opportunity
Officer

Attachments

file copy

MINUTES

Affirmative Action Representatives Meeting
November 27, 1973

Members Present: Simpson, Bogdan, Calloway, Carson, Clark, Dolce, Hassler, King, Mabry, Memory, Saylor, Stafford (for Talley), Uzzell

Members Absent: Carnesale

Guests: Chancellor Caldwell, Provost Kelly

The meeting began promptly at 3:30 p.m. A list of the representatives from each unit was distributed at the meeting.

Provost Kelly addressed the group about the Committee's responsibilities. He said conditions should be created in which minorities and women were represented on this campus and really felt that they were part of the University family.

Mr. Simpson reported to the Committee on the University's present progress in obtaining all the additional information HEW requested in mid-September for our Affirmative Action Plan. The information requested dealt primarily with EPA and SPA goals and timetables. This information has been obtained and is presently being compiled to be sent to HEW as soon as possible.

Mr. Simpson also told the Committee that in the next few days we would be receiving some additional material from Dick Robinson, Assistant to President Friday. Some possible revamping of our Affirmative Action Plan may have to be done. This additional request from HEW has a February 15 deadline, but our material must be in the General Administration Office by February 1.

Dr. Kelly then asked the Committee what the Administration could do to help each School follow their plan. One suggestion was that perhaps more pressure should be applied to the Schools to follow their plan and hire more minorities and women in EPA positions. More help from the Personnel Office could be used in the hiring of SPA personnel. Dean Dolce suggested that perhaps each unit could periodically receive some feed-back on its goals, timetables, and where the unit stands at that time.

Discussion was held on ways of finding new minority Ph.D.'s to recruit for new positions when openings occur. Some suggestions were the following: (1) more advertising in magazines and newspapers not usually used by the units for this purpose; (2) some information on minorities and females in various graduate programs across the country; and (3) tapping into new information channels to find out about minority and female candidates.

Mr. Simpson told the Committee that full documentation must be made for each position filled. A white male would not be approved by the administration unless full documentation showed that a thorough search had been made for qualified minority and female candidates. Several units had not received the Affirmative Action Recruitment Report Form that should be used for documentation of this information. The Committee was told that each unit would receive several copies of this form for their use.

Each Committee member was asked to send a copy of his schedule to Mr. Simpson as soon as possible. The meeting adjourned at 5:00 p.m.

*Aff. Action
Report*

file copy

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

P. O. Box 5067, RALEIGH, N. C. 27607

OFFICE OF THE PROVOST AND VICE-CHANCELLOR

November 15, 1973

To: Mr. Bryce R. Younts
Mr. Willis R. Casey
Dr. William L. Turner
Dean Earl G. Droessler
Mr. Rudolph Pate
Dean Walter J. Peterson

Mr. Hardy D. Berry
Mr. L. Thomas Caruthers, Jr.
Dr. B. J. Copeland
Mr. David H. Howells
Dr. LeRoy B. Martin, Jr.
~~Dr. Albert Camesale~~

To complete our SPA (Subject to Personnel Act) Affirmative Action Report for HEW, we will need to have some additional information concerning your department as to your plans to attempt to hire women and minorities in the future. Please fill in the attached form and return to this office by Wednesday, November 21.

If you have any questions, please call me or Mrs. Leslie Shelton (ext. 2200).

William H. Simpson
Equal Employment Opportunity
Officer

Date: _____

PROVOST & VICE-CHANCELLOR'S
OFFICE

TO: Dr. Harry C. Kelly
Dr. N. N. Winstead
Mr. W. H. Simpson
~~Dr. Marvin H. Gehle~~
~~Dr. LeRoy B. Martin~~

SM

Sandra Emerson
Veronica Gooch
Gloria Johnson
Gaynell Maynard
Leslie Shelton
Elsie Stephens
Mary Strickland

After document has been
approved/initialed, please

Return to _____

Return for filing__.

Inf only

Aff. Action

*Copy to Mrs Simpson
already
w/*

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

WILLIAM FRIDAY
President

September 7, 1973

MEMORANDUM

TO: The Chancellors

FROM: William Friday *Friday*

RE: Meeting with HEW Officials Concerning University Affirmative Action Programs

W

147

Mr. Robinson, Dr. Dawson, Dr. King and Mr. Joyner met with officials from the Atlanta Regional Office of the Department of Health, Education and Welfare in Chapel Hill on Thursday, September 6, to discuss the status of current University campus submissions (Affirmative Action Plans) which treat our equal employment opportunity obligations under Executive Order 11246. The meeting was devoted to a general discussion of issues of common concern to all campuses; no particular campus plans were evaluated or discussed, in the absence of appropriate campus participants at the meeting. It was a constructive experience. It was agreed, however, that additional work is necessary. A second meeting will be scheduled within the month, and representatives from certain campuses may be asked to participate; the primary objective of this second conference will be development of a model program, which can be adapted, with appropriate modifications, to the situation at each of the sixteen campuses. Accordingly, at present there is no deadline established for the submission of supplemental or revised plans, in response to any deficiency findings communicated to the campuses to date by HEW, nor with respect to other campuses which will receive such deficiency letters during the coming weeks. There are, however, certain steps which several campuses must undertake promptly, in anticipation of the establishment of a new deadline at some unspecified point in the future. Mr. Robinson will be in communication with you and your equal employment opportunity officials next week concerning the nature of those steps.

Copy: Provost Kelly ✓

November 14, 1973

To: Dr. LeRoy B. Martin, Jr.
Dr. Albert Carnesale
Mr. Willis Casey
Dean Earl G. Droessler
Mr. Hardy D. Berry
Mr. David H. Howells
Mr. L. Thomas Caruthers, Jr.

To complete our Affirmative Action Report for HEW, we will need to have some additional information concerning your department as to your plans to attempt to hire women and minorities in the future. Please fill in the attached form and return to this office by Tuesday, November 20.

You will need to specify the titles of positions where "other" is listed on your print-out. If you have any questions please call me or Mrs. Leslie Shelton (ext. 2200).

William H. Simpson
Equal Employment Opportunity
Officer

Affirmative Action

October 9, 1973

MEMORANDUM


TO: Mr. W. R. Calloway, Director
Staff Personnel Services

SUBJECT: Affirmative Action Goals for SPA Positions
in "The Special Units"

The affirmative action plan for "the special units" (Part III, Section N, of the NCSU Affirmative Action Plan) expresses the affirmative action goal for SPA positions in the following manner:

"With regard to SPA positions, our goal over the next five year period is that at least one out of each five new SPA employees will be a representative of a minority race."

I hope that this information meets your needs. If not, please contact me. (Note that, in accordance with your request, I am enclosing one copy of the computer print-out which you sent me on October 5.)


Albert Carnesale, Head
Division of University Studies

cc: Mr. William H. Simpson

*Off. Action
Report*

October 12, 1973

To: Dean David W. Chaney
Dr. R. A. Mabry
Dr. Jasper D. Memory
Dr. LeRoy C. Saylor
Dr. Robert G. Carson, Jr.

Thank you for returning the information to us on EPA Personnel that was requested by HEW concerning our Affirmative Action Report. We will still need an additional breakdown on your goals and timetables according to the attached sheet.

Please designate this breakdown under the proper listing as shown.

William H. Simpson
Equal Employment Opportunity
Officer

Date: _____

PROVOST & VICE-CHANCELLOR'S
OFFICE

TO: ✓ ~~Dr. Harry C. Kelly~~ ^{mt}
~~Dr. N. N. Winstead~~
Mr. W. H. Simpson
~~Dr. Marvin H. Gehle~~ ^{mk}
Dr. LeRoy B. Martin

Sandra Emerson
Veronica Gooch
Gloria Johnson
Gaynell Maynard
Leslie Shelton
Elsie Stephens
Mary Strickland

After document has been
approved/initialed, please

Return to _____

Return for filing.

copy only

*Affirmative
Plan*

file copy

NORTH CAROLINA STATE UNIVERSITY at Raleigh
Office of the Provost and Vice Chancellor

W
M

October 2, 1973

To:	Dean J. E. Legates	Dean David W. Chaney
	Dean Claude E. McKinney	Vice Chancellor John D. Wright
	Dean Carl J. Dolce	Dean Banks C. Talley, Jr.
	Dean Ralph E. Fadum	Vice Chancellor William L. Turner
	Dean Eric L. Ellwood	Dr. I. T. Littleton
	Dean Robert O. Tilman	Dr. Albert Carnesale
	Dean A. C. Menius, Jr.	

Subject: Additional Information for NCSU Affirmative Action Compliance Program

HEW has requested additional information for the Affirmative Action Plan submitted by the University last June before final evaluation of our proposed plan can be completed. We would appreciate your assistance in providing us with the following information:

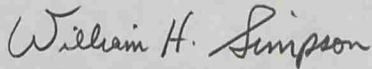
- 1) A statistical compilation of all EPA personnel within your School or unit by rank or EPA professional position, race, and sex, with goal designation and timetable opposite each rank or EPA professional position. Attached for your convenience is a computer print-out summary of your School or unit. Please fill out your summary sheet including the goals and timetables opposite each position and return to this office by Tuesday, October 9. Please note you must designate position title rather than use the word "other."

- 2) Very shortly you will also be receiving a computer print-out with a statistical breakdown of all current SPA employees within your School or unit by Equal Employment Opportunity (EEO-1) occupational job categories, race, and sex. You are asked to fill in specific goals and timetables opposite each category. These goals and timetables should correspond with your original ones submitted in our June, 1973 Affirmative Action Report. A copy of the print-out should be returned to Mr. William Calloway, Personnel Director, Primrose Hall, Campus, within one week after you receive it.

- 3) Test - If you give tests to applicants, then we will need evidence of validation of all tests that are used to the extent required by the Office of Federal

Contract Compliance (OFCC) Testing Order (41 CFR 60-3).

If you have any questions, please call me (Ext. 2200). Thank you for your cooperation.

A handwritten signature in cursive script that reads "William H. Simpson".

William H. Simpson
Equal Employment Opportunities
Officer

CC: Chancellor John T. Caldwell
Provost Harry C. Kelly
School and Unit EEO Representatives

U.S. DEPARTMENT OF LABOR
OFFICE OF FEDERAL CONTRACT COMPLIANCE
WASHINGTON, D.C. 20210

CHAPTER 60 -- Office of Federal Contract Compliance,
Equal Employment Opportunity, Department of Labor

(Reprint from Federal Register, Vol. 36, No. 192- Saturday, October 2, 1971)

PART 60-3 Employee Testing & Other Selection Procedures

**Title 41—PUBLIC CONTRACTS
AND PROPERTY MANAGEMENT**

Chapter 60—Office of Federal Contract Compliance, Equal Employment Opportunity, Department of Labor

**PART 60-3—EMPLOYEE TESTING
AND OTHER SELECTION PROCEDURES**

On April 21, 1971, notice of proposed rule making was published in the FEDERAL

REGISTER (36 F.R. 7532) with regard to amending Chapter 60 of Title 41 of the Code of Federal Regulations by adding a new Part 60-3, dealing with employee testing and other selection procedures. Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendments.

Having considered all relevant material submitted, I have decided to, and do hereby amend Chapter 60 of Title 41 of the Code of Federal Regulations by adding a new Part 60-3, reading as follows:

- Sec.
60-3.1 Purpose and scope.
60-3.2 Test defined.
60-3.3 Violations of the Executive order.
60-3.4 Evidence of validity; meaning of technically feasible.
60-3.5 Minimum standards for validation.
60-3.6 Presentation of evidence of validity.
60-3.7 Use of other validity studies.
60-3.8 Assumption of validity.
60-3.9 Continued use of tests.
60-3.10 Employment agencies and state employment services.
60-3.11 Disparate treatment.
60-3.12 Retesting.
60-3.13 Other selection techniques.
60-3.14 Affirmative action.
60-3.15 Recordkeeping.
60-3.16 Sanctions.
60-3.17 Exemptions.
60-3.18 Effect on other rules and regulations.

AUTHORITY: The provisions of this Part 60-3 are issued under secs 201, 205, 206(a), 301, 303(a), 303(b), and 403(b) of Executive Order 11246, as amended, 30 F.R. 12319; 32 F.R. 14303; 34 F.R. 12286; § 60-1.2 of Part 60-1 of this chapter.

§ 60-3.1 Purpose and scope.

(a) This order is based on the belief that properly validated and standardized employee selection procedures can significantly contribute to the implementation of nondiscriminatory personnel policies, as required by Executive Order 11246, as amended. It is also recognized that professionally developed tests, when used in conjunction with other tools of personnel assessment and complemented by sound programs of job design, may significantly aid in the development and maintenance of an efficient work force and, indeed, aid in the utilization and conservation of human resource generally.

(b) (1) An examination of charges of discrimination filed with the Office of Federal Contract Compliance and an evaluation of the results of its compliance activities has revealed a decided increase in total test usage and a marked increase in testing practices which have discriminatory effects. In many cases, contractors have come to rely almost exclusively on tests as the basis for making the decision to hire, to promote, to transfer, to train, or to retain with the result that candidates are selected or rejected on the basis of test scores. Where tests are so used, minority candidates frequently experience disproportionately high rates of rejection by failing to attain score levels that have been established as minimum standards for qualification.

(2) It has also become clear that in many instances contractors are using tests as the basis for employment decisions without evidence that they are valid predictors of employee job performance. Where evidence in support of presumed relationships between test performance and job behavior is lacking, the possibility of discrimination in the application of test results must be recognized. A test lacking demonstrated validity, i.e., having no known significant relationship to job behavior, and yielding lower scores for classes protected by Executive Order 11246, as amended, may result in the rejection of many who have necessary qualifications for successful work performance.

(c) Section 202 of Executive Order 11246, as amended, requires each Government contractor and subcontractor to take affirmative action to insure that he will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. This order is designed to serve as a set of standards for contractors and subcontractors subject to Executive Order 11246, as amended, in determining whether their use of tests conforms with the requirements of the Executive Order.¹

§ 60-3.2 Test defined.

For the purpose of this order, the term "test" is defined as any paper-and-pencil or performance measure used as a basis for any employment decision. This order applies, for example, to ability tests which are designed to measure eligibility for hire, transfer, promotion, training, or retention. This definition includes, but is not restricted to, measures of general intelligence, mental ability and learning ability; specific intellectual abilities; mechanical, clerical and other aptitudes; dexterity and coordination; knowledge and proficiency; occupational and other interests; and attitudes, personality or temperament. The term "test" also covers all other formal, scored, quantified or standardized techniques of assessing job suitability including, for example, personal history and background requirements which are specifically used as a basis for qualifying or disqualifying applicants or employees, specific educational or work history requirements, scored interviews, biographical information blanks, interviewers' rating scales and scored application forms. The term "test" shall not include other selection techniques discussed in § 60-3.13.

§ 60-3.3 Violation of Executive order.

A contractor regularly using a test which has adversely affected the opportunities of minority persons or women for hire, transfer, promotion, training, or retention violates Executive Order 11246, as amended, unless he can demonstrate that he has validated the test pursuant to the requirements of this part.

¹Except for the necessary differences in language arising from the different legal authority of the two agencies and for reasons of clarity, this order and the Guidelines on Employee Selection Procedures, issued earlier by the Equal Employment Opportunity Commission (36 F.R. 7233, Aug. 1, 1970) are intended to impose the same basic requirements on persons and contractors covered by each of them.

NORTH CAROLINA STATE UNIVERSITY

Raleigh, N. C.

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL

9/26/73 Date

TO: Dr. Kelly

ACTION REQUESTED ON ATTACHED:

Note and Return

For your information
(need not return)

Please handle

Please answer; furnish me copy

Please draft reply for my signature
(return attachments)

Please give me your comments
(return attachments)

Requires your approval

Attached is proposed draft to be sent
to School Deans and Unit Heads (Student Affairs,
Business Affairs, etc.) requesting additional infor-
mation on our Affirmative Action Compliance
Program for HEW.

Does this meet with your approval?

WTS

FROM: WTS

D R A F T

MEMORANDUM TO: School Deans
J. W. Wright
Banks Talley
I. T. Littleton
William L. Turner
Al Carnesale

SUBJECT: Additional Information for NCSU Affirmative
Action Compliance Program

HEW has requested additional information for the Affirmative Action Plan submitted by the University last June before final evaluation of our proposed plan can be completed. We would appreciate your assistance in providing us with the following information:

1) A statistical compilation⁽¹⁾ of all EPA personnel within your school or unit by rank or EPA professional position⁽²⁾, race and sex, with goal designation and timetable opposite each rank or EPA professional position. These goals and timetables should correspond with your original ones submitted in our June 1973 Affirmative Action Report. Attached you will find a sample form that may be of assistance to you. We would appreciate your returning this information to me by October 4, 1973.

2) Within the next few weeks you will be receiving a computer print out with a statistical breakdown of all current SPA employees within your school or unit by Equal Employment Opportunity (EEO-1) occupational job categories, race and sex. You are asked to fill in specific goals and timetables opposite each category. These goals and timetables should correspond with your original ones submitted in our June 1973 Affirmative Action Report. A copy of the print out should be returned to Mr. William Calloway, Personnel Director, Primrose Hall, Campus,

within one week after you receive it.

(3) Test --If you give tests to applicants then we will need evidence of validation of all tests that are used to the extent required by the Office of Federal Contract Compliance (OFCC) Testing Order. (41 CFR 60-3)

If you have any questions, please call me (Ext.2200).

Thank you for your cooperation.

William H. Simpson
Equal Employment Opportunities Officer

cc: Chancellor John T. Caldwell
Provost Harry C. Kelly
School and Unit EEO Representatives

D R A F T

MEMO TO:

School Deans
J. W. Wright
Banks Talley
I. T. Littleton
William L. Turner
Al Camesale

Additional Information for NCSU Affirmative Action Compliance Program

HEW has requested additional information for the Affirmative Action Plan submitted by the University last June before final evaluation of our proposed plan can be completed. We would appreciate your assistance in providing us with the following information:

(1) A statistical compilation of all EPA personnel within your school or unit by rank or EPA professional position; race and sex, with goal designation and timetable opposite each rank or EPA professional position. * Attached you will find a sample form that may be of assistance to you. We would appreciate your returning this information to me by October 4, 1973.

(2) Within the next few weeks you will be receiving a computer print out with a statistical breakdown of all current SPA employees within your school or unit by Equal Employment Opportunity (EEO-1) occupational job categories, race and sex. You are asked to fill in specific goals and timetables opposite each category. * A copy of the print out should be returned to ~~me~~ *Mr. William Calloway, Personnel Director, Personnel Hall, Campus* within one week after you receive it.

(3) Test - If you give test to applicants then we will need evidence of validation of all tests that are used to the extent required by the Office of Federal Contract Compliance (OFCC) Testing Order.

(41 CFR 60-3)

If you have any questions, please call me (Ext. 2200).

Thank you for your cooperation.

W. H. Simpson
Equal Employment Opportunities Officer

cc: School and Unit EEO Representative

D R A F T

MEMO TO:

School Deans
J. W. Wright
Banks Talley
I. T. Littleton
William L. Turner
Al Carnesale

Additional Information for NCSU Affirmative Action Compliance Program

HEW has requested additional information for the Affirmative Action Plan submitted by the University last June before final evaluation of our proposed plan can be completed. We would appreciate your assistance in providing us with the following information:

(1) A statistical compilation of all EPA personnel within your school or unit by rank or EPA professional position; race and sex, with goal designation and timetable opposite each rank or EPA professional position. Attached you will find a sample form that may be of assistance to you. We would appreciate your returning this information to me by October 4, 1973.

(2) Within the next few weeks you will be receiving a computer print out with a statistical breakdown of all current SPA employees within your school or unit by Equal Employment Opportunity (EEO-1) occupational job categories, race and sex. You are asked to fill in specific goals and timetables opposite each category. A copy of the print out should be returned to me within one week after you receive it.

(3) Test - If you give test to applicants then we will need evidence of validation of all tests that are used to the extent required by the Office of Federal Contract Compliance (OFCC) Testing Order.

(41 CFR 60-3)

If you have any questions, please call me (Ext. 2200).

Thank you for your cooperation.

W. H. Simpson
Equal Employment Opportunities Officer

cc: School and Unit EEO Representative

*Affirmative
Action*

May 17, 1973

MEMORANDUM

TO: Dr. Hassler
FROM: Clauston Jenkins

Attached is a copy of the SALS affirmative action plan draft on which I have made some changes and suggestions. Would you incorporate these in the version you are preparing? Please get your new version to me by June 1.

CLJ:vg

Attachment

Affirmative Action

May 24, 1973

MEMORANDUM

TO: Dean Tilman
FROM: Clauston Jenkins
RE: Affirmative Action Recruitment Report

Enclosed are 25 NCSU Affirmative Action Recruitment Reports.
I will send you more at a later date.

CLJ:vg

Enclosure (Affirmative Action Recruitment Reports)

NCSU AFFIRMATIVE ACTION RECRUITMENT REPORT
 (Fill out for each EPA position filled)

Department of: _____

EPA position filled: _____
 (rank and area of specialization if appropriate)

Fulltime _____; Part time _____; Date employment effective _____

Number of groups, institutions, etc. notified about vacancy: _____
 (list on back specific efforts to locate females and minorities)

Number of applications received:

	Male	Female	
			Black
			White
			Other

Number of candidates invited to campus:

	Male	Female	
			Black
			White
			Other

Offers made to (list in order):

	Name	Sex	Race	Present Employer	Accepted	Rejected
1.	_____	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____	_____

Do you have files documenting your efforts to take affirmative action to locate female and minority candidates for this position?
 Yes No

Can you provide an explanation for the offers made by explicitly comparing the qualifications of those offered the position with those not offered the position?
 Yes No

Signed _____ Date _____
 Department Head

*negatives
file*

May 17, 1973

MEMORANDUM

TO: Leo Buckmaster
FROM: Clauston Jenkins

Someone in your shop may want to read this document
Program Measures. It is an ambitious program of measure-
ment, but it might be useful to us in parts. Keep this for
reference.

CLJ:vg

Enclosure

*Affirmative
Action*

May 17, 1973

MEMORANDUM

TO: Dean Chaney
FROM: Clauston Jenkins

Attached is a copy of your affirmative action plan which I have edited after a discussion and review of it with the General Administration. Most of the changes are minor with the exception of those made to insure that our language does not suggest we are establishing a quota and assigning positions according to race or sex. In some cases I have raised a question that needs to be answered.

Please review my changes, make any additional ones you would like and return the corrected copy to me. We will take care of the typing. I would like this back
May 25.

CLJ:vg

File Copy

NOTE:

Complete sets of this interim draft were distributed as follows:

General Administration - 2 copies

Dr. Kelly - 1 copy

Mr. Calloway - 1 copy

THE PENNSYLVANIA STATE UNIVERSITY

AFFIRMATIVE ACTION OFFICE
130 WILLARD BUILDING
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
863-0471

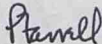
February 28, 1973

Mr. Clauston Jenkins
Coordinator of Institutional
Studies and Planning
North Carolina State University
at Raleigh
P.O. Box 5067
Raleigh, North Carolina 27607

Dear Mr. Jenkins:

Thank you for your prompt response to our request for information. We look forward to receiving a copy of your plan when it is available, and have placed your name and address on our mailing list in hopes that we might share our plan with you when it becomes available.

Kind regards,



Patricia Farrell
Affirmative Action Officer

PF/sb

February 20, 1973

MEMORANDUM TO: Dr. H. C. Kelly

FROM: Clauston Jenkins *g*

It might be helpful to the Schools and other units developing Affirmative Action plans if we gave them a uniform time frame in which to set their goals. I would suggest three years with the option of expanding to five years if they wish. If you agree, I'll send out a brief memo to this effect. *W*

Dr. Jenkins,
Have they (the schools) asked
for a time frame. maybe we should set
after reading reports
✓

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

RICHARD H. ROBINSON, JR.
Assistant to the President

June 23, 1971

HEW
(checked)
✓

m

Mr. Hugh A. Brimm
Acting Deputy Regional Civil Rights Director
Department of Health, Education and Welfare
50 Seventh Street, N. E.
Atlanta, Georgia 30323

Dear Mr. Brimm:

On June 22, 1971, officials at North Carolina State University were informed by Mr. Herbert Pratt, Contract Officer for AID, that the University was not on the approved list of equal opportunity employers and, accordingly, that a contract proposal then in process between North Carolina State University and AID could not be approved. This morning, as a result of a second telephone call to Mr. Pratt, we were informed that a further check with HEW revealed that the proscription was an error.

I assume that this misunderstanding was a result of the failure of the Washington office of HEW to apprise contracting agencies that the two complaint cases being investigated at North Carolina State University are being held "in abeyance," as stated in your letter to us of June 11, 1971.

My immediate concern is that contracting agencies, other than AID, may be in possession of the same misinformation which produced the difficulties referred to above. Will you please make appropriate inquiry for the purpose of insuring that this problem does not recur.

Thank you for your assistance.

Sincerely,



Richard H. Robinson, Jr.

cc: President Friday
✓ Chancellor Caldwell
✓ Provost

mx

wif

J

RBW

C
O
P
Y

THE UNIVERSITY OF NORTH CAROLINA

General Administration

CHAPEL HILL 27514

RICHARD H. ROBINSON, JR.
Assistant to the President

June 23, 1971

Mr. Hugh A. Brimm
Acting Deputy Regional Civil Rights Director
Department of Health, Education and Welfare
50 Seventh Street, N. E.
Atlanta, Georgia 30323

Dear Mr. Brimm:

On June 22, 1971, officials at North Carolina State University were informed by Mr. Herbert Pratt, Contract Officer for AID, that the University was not on the approved list of equal opportunity employers and, accordingly, that a contract proposal then in process between North Carolina State University and AID could not be approved. This morning, as a result of a second telephone call to Mr. Pratt, we were informed that a further check with HEW revealed that the prescription was an error.

I assume that this misunderstanding was a result of the failure of the Washington office of HEW to apprise contracting agencies that the two complaint cases being investigated at North Carolina State University are being held "in abeyance," as stated in your letter to us of June 11, 1971.

My immediate concern is that contracting agencies, other than AID, may be in possession of the same misinformation which produced the difficulties referred to above. Will you please make appropriate inquiry for the purpose of insuring that this problem does not recur.

Thank you for your assistance.

Sincerely,



Richard H. Robinson, Jr.

cc: President Friday
Chancellor Caldwell

Provost

HEW
Correspondence

April 5, 1972

Mr. Joseph Robinson
Office of Contract Compliance
Department of Health, Education and Welfare
Region IV
50 Seventh Street, N.E.
Atlanta, Georgia 30323

Dear Mr. Robinson:

During your most recent visit to our campus on March 22-23, you requested certain information which I am pleased to supply. First, normally salary increases for EPA employers take effect on July 1 of a year but the University does sometimes award limited increases in the middle of the year. In 1971-72, 78 per cent of mid-year increase funds went to females. A total of 41 females received increases from these funds and the average increase was \$500. Second, the attached list shows all faculty members from the Department of Physics who were ranked in the top 25% on the student evaluation of teaching from 1965 to 1970. I trust this information proves satisfactory.

Sincerely,

Clauston L. Jenkins
Coordinator of Institutional
Studies and Planning

CLJ:lc

cc: Chancellor Caldwell
Provost Kelly
Dean Menius
Dr. Seagondollar

C
O
P
Y

12 December 1972

Mr. J. Stanley Pottinger
Director, Office of Civil Rights
Department of Health, Education,
and Welfare
Office of the Secretary
Washington, D. C. 20201

Dear Mr. Pottinger:

Please send 50 copies of the guidelines concerned with "Nondiscrimination Under Federal Contracts" ..compliance with Executive Order 11246, as outlined in your letter to College and University Presidents of October 1, 1972.

Please mail these copies to:

Dr. Clauston L. Jenkins
Coordinator of Institutional Studies
and Planning
Provost's Office - 201 Holladay Hall
North Carolina State University
Raleigh, North Carolina 27607

Sincerely yours,

(Mrs.) Elsie B. Stephens
Secretary, Provost's Office

*Dr. J. - This is probably
for your files - At least
we know now we ordered
50 and we'd love them ten - EV*

May 3, 1974

DRAFT

HEW

Mr. Louis O. Bryson
Chief, Higher Education Branch
Office for Civil Rights
Department of Health, Education, and Welfare
Region IV
50 7th Street N.E.
Atlanta, Georgia 30323

Dear Mr. Bryson:

This letter is in response to your April 18, 1974 letter requesting information on this University's intercollegiate athletic programs for men and women. You also requested information on our intramural programs.

Our intercollegiate athletic program and the intramural program are completely separate from each other as far as funding and administration. The Department of Athletics is responsible for the intercollegiate sports program and reports as an independent unit to the Chancellor. The intramural program is administered under our School of Liberal Arts by a Department of Physical Education. Your questions, therefore, will be answered separately for intercollegiate athletics and for intramurals.

We are not aware that Federal guidelines have been established for compliance in the field of intercollegiate athletics and sports and we also note you have not included to us the charge or specifics of the complaint which has been rendered. We are supplying you, however, the factual information requested as follows.

A. Intercollegiate athletics.

1. The level and sources of funding for each team.

Level of funding.

Football	\$338,380.00
Basketball	151,121.00
Baseball	27,550.00
Track and Cross Country	25,800.00

Swimming	\$ 22,900.00
Wrestling	7,600.00
Tennis	6,950.00
Soccer	7,700.00
Fencing	5,000.00
Lacrosse	4,200.00
Golf	3,500.00
Rifle	2,200.00

Sources of funding.

Varsity teams are funded approximately eighty percent from revenue derived from football and basketball receipts, and twenty percent from student fees.

- 2 and 3. Numbers of staff assigned to coach or otherwise assist each team and budgeted compensation.

<u>Sport</u>	<u>Number of Staff</u>	<u>Compensation</u>
Football	12	\$167,631.00
Basketball	4	49,716.00
Baseball	2	8,551.00
Track and Cross Country	2	12,750.00
Swimming	3	14,150.00
Wrestling	2	2,700.00
Tennis	1	1,700.00
Soccer	2	2,300.00
Fencing	1	1,000.00
Lacrosse	1	1,000.00
Golf	1	500.00
Rifle	1	0

4. The procedure by which teams are formed.

All intercollegiate athletic teams are open to members of student body who are eligible under Atlantic Coast Conference and National Collegiate Athletics Association rules.

5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

All scholarship recipients at present are male. The numbers below

show grants-in-aid given per sport. All scholarships are privately contributed to North Carolina State University Student Aid Corporation, Inc., which goes entirely to athletes and is the sole source of such financial aid.

Football	117
Track	13
Swimming	24
Golf	7
Soccer	6
Baseball	14
Basketball	19
Wrestling	7
Lacrosse	1
Tennis	2
Fencing	1
Miscellaneous	10

B. Intramural sports.

1. The level and sources of funding for each intramural team.

The intramural athletic program is not administratively connected with intercollegiate athletics in any way on this campus. The intramural program is housed completely in the Department of Physical Education, which is one of eight departments in the School of Liberal Arts. Coaches employed in the intercollegiate program do not serve as faculty in Physical Education. Sometimes regular faculty members in Physical Education are asked to serve as coaches in one of the minor sports such as tennis, soccer, lacrosse, fencing, and wrestling. These responsibilities are assumed in addition to the instructor's normal teaching load, and for this he or she is paid a stipend from intercollegiate athletic funds over and above his or her regular salary.

2. Numbers of staff assigned to coach or otherwise assist each intramural team.

The intramural program is funded entirely by student fees. The total amount available varies from year to year since it is based on \$3.00 per student per academic year.

3. Compensation of intramural staff.

Intramural teams and sports clubs are formed voluntarily and usually on the initiative of the students themselves. Faculty advising is done on a voluntary basis and without compensation. These advisors may be drawn from almost anywhere in the University community (several years ago a sociologist advised a basketball club).

4. The procedure by which intramural teams are formed.

The intramural budget from student fees supports a stipend to the director of the intramural program (the director responds to requests for teams, sets schedules, secures equipment, engages officials, etc.) and for other expenses directly related to the program. Funds are not allocated specifically to teams or by quota to particular sports.

5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

This question is not applicable to intramural sports on this campus.

If additional information is needed, please let me know.

Sincerely,

John T. Caldwell



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION IV
50 7TH STREET N.E. , Room 404
ATLANTA, GEORGIA 30323

OFFICE OF THE
REGIONAL DIRECTOR

April 18, 1974

Dr. John T. Caldwell
Chancellor
North Carolina State University
Raleigh, North Carolina

Dear Dr. Caldwell:

This Office has received a complaint alleging discrimination based on sex in the University's intercollegiate athletic programs for men and women. In connection with the above matter will you please submit to this Office the following information:

1. The level and sources of funding for each team, varsity and intramural.
2. Numbers of staff assigned to coach or otherwise assist each team.
3. Compensation of such staff
4. The procedure by which teams are formed.
5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

Please submit your response within fifteen days from the date of this letter.

Thank you for your cooperation.

Sincerely,

Louis O. Bryson
Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights

*Copies: Richard Robinson
Willis Casey
W. H. Simpson ✓
Dean Talley
Dr. Drews
Dean Tilman*



NORTH CAROLINA STATE UNIVERSITY

RALEIGH,
NORTH CAROLINA

DEPARTMENT OF ATHLETICS

April 30, 1974

OFFICE OF THE DIRECTOR
Box 5187 Zip 27607
TELEPHONE 755-2101

Dr. John T. Caldwell, Chancellor
North Carolina State University
A Holladay Hall
Campus

Dear Dr. Caldwell:

The following report and reply to HEW letter of April 18, 1974 includes intercollegiate athletics program only at North Carolina State University.

1. The level and sources of funding for each team, varsity and intramural.

Varsity teams are funded approximately eighty percent from revenue derived from football and basketball receipts, and twenty percent from student fees.

2. Numbers of staff assigned to coach or otherwise assist each team.

Soccer (2)*	\$ 2,300.00
Cross Country (2)	12,750.00 **
Football (12)	179,976.00
Basketball (4)	58,191.00
Swimming (3)	14,150.00
Wrestling (2)	2,700.00
Rifle (1)	0
Fencing (1)	1,000.00
Indoor Track (2)	**
Baseball (2)	8,551.00
Lacrosse (1)	1,000.00
Tennis (1)	1,700.00
Golf (1)	500.00
Outdoor Track (2)	**

** Also, includes Indoor Track and Outdoor Track.

* List includes number of coaches, but salaries listed include secretaries.

3. Compensation of such staff.

Compensation listed by numbers of staff in question two above.

April 30, 1974

4. The procedure by which teams are formed.

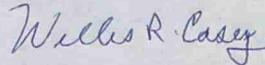
All teams are open to members of student body who are eligible under Atlantic Coast Conference, and National Collegiate Athletics Association rules.

5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

All scholarship recipients are male, and the numbers below reflect aid given per sport.

Football	117
Track	13
Swimming	24
Golf	7
Soccer	6
Baseball	14
Basketball	19
Wrestling	7
Lacrosse	1
Tennis	2
Fencing	1
Miscellaneous	10

Sincerely,



Willis R. Casey
Director of Athletics

WRC:ht

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE DEAN
Box 5036 ZIP 27607

SCHOOL OF LIBERAL ARTS

May 1, 1974

MEMORANDUM

TO: Chancellor John T. Caldwell

FROM: Dean Robert O. Tilman

The HEW letter to you dated April 18, 1974 regarding alleged discrimination against females in athletic programs at North Carolina State University mentions intramural athletics. As you know this program is administered in the School of Liberal Arts. Several observations may be helpful to you.

1. The intramural athletic program is not administratively connected with inter-collegiate athletics in any way on this campus. The intramural program is housed completely in the Department of Physical Education, which is one of eight departments in this School. Coaches employed in the inter-collegiate program do not serve as faculty in Physical Education with but one exception. The exception occurs in several of the minor sports, and here regular faculty members in P.E. are sometimes asked to serve as coaches. These responsibilities are assumed in addition to the instructor's normal teaching load, and for this he or she is paid a stipend from inter-collegiate athletic funds over and above his or her regular salary.
2. The intramural program is funded entirely by student fees. The total amount available varies from year to year since it is based on \$3 per student per academic year.
3. Teams and sports clubs are formed voluntarily and usually on the initiative of the students themselves. Faculty advising is done strictly on a voluntary basis and without compensation. These advisors may be drawn from almost anywhere in the University community (several years ago a sociologist advised a basketball club).
4. Funds are used to pay a stipend to the director of the intramural program (the director responds to requests for teams, sets schedules, secures equipment, engages officials, etc.) and for other expenses directly related to the program. Funds are not allocated specifically to teams or by quota to particular sports.
5. Since participation in intramural sports is entirely voluntary the number of participants of each sex varies from year to year. For any given year one could count the number of male and female participants, but this after all represents the number who wanted to participate.

cc: Mr. William Simpson

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE CHANCELLOR
Box 5067 Zip 27607
TELEPHONE: 919, 737-2191

May 3, 1974

Mr. Louis O. Bryson
Chief, Higher Education Branch
Office for Civil Rights, Region IV
Department of Health, Education, and Welfare
50 7th Street N.E.
Atlanta, Georgia 30323

WST

Dear Mr. Bryson:

This letter is in response to your April 18, 1974 letter requesting information on this University's intercollegiate athletic programs for men and women. You also requested information on our intramural programs.

Our intercollegiate athletic program and the intramural program are completely separate from each other as far as funding and administration. The Department of Athletics is responsible for the intercollegiate sports program and reports as an independent unit to the Chancellor. The intramural program is administered under our School of Liberal Arts by a Department of Physical Education. Your questions, therefore, will be answered separately for intercollegiate athletics and for intramurals.

We are not aware that Federal guidelines have been established for compliance in the field of intercollegiate athletics and sports and we also note you have not included to us the charge or specifics of the complaint which has been rendered. We are supplying you, however, the factual information requested as follows.

A. Intercollegiate athletics.

- 1. The level and sources of funding for each team.

Level of funding.

Football	\$338,380.00
Basketball	151,121.00
Baseball	27,550.00
Track and Cross Country	25,800.00
Swimming	22,900.00

Soccer	\$ 7,700.00
Wrestling	7,600.00
Tennis	6,950.00
Fencing	5,000.00
Lacrosse	4,200.00
Golf	3,500.00
Rifle	2,200.00

Sources of funding.

Varsity teams are funded approximately eighty percent from revenue derived from football and basketball receipts, and twenty percent from student fees.

- 2 and 3. Numbers of staff assigned to coach or otherwise assist each team and budgeted compensation.

<u>Sport</u>	<u>Number of Staff</u>	<u>Compensation</u>
Football	12	\$167,631.00
Basketball	4	49,716.00
Swimming	3	14,150.00
Track and Cross Country	2	12,750.00
Baseball	2	8,551.00
Wrestling	2	2,700.00
Soccer	2	2,300.00
Tennis	1	1,700.00
Fencing	1	1,000.00
Lacrosse	1	1,000.00
Golf	1	500.00
Rifle	1	0

4. The procedure by which teams are formed.

All intercollegiate athletic teams are open to members of student body who are eligible under Atlantic Coast Conference and National Collegiate Athletics Association rules.

5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

All scholarship recipients at present are male. The numbers below show grants-in-aid given per sport. All scholarships are privately contributed to North Carolina State University Student Aid Corporation,

Inc., which goes entirely to athletes and is the sole source of such financial aid.

Football	117
Track	13
Swimming	24
Golf	7
Soccer	6
Baseball	14
Basketball	19
Wrestling	7
Lacrosse	1
Tennis	2
Fencing	1
Miscellaneous	10

B. Intramural sports.

1. The level and sources of funding for each intramural team.

The intramural athletic program is not administratively connected with intercollegiate athletics in any way on this campus. The intramural program is housed completely in the Department of Physical Education, which is one of eight departments in the School of Liberal Arts. Coaches employed in the intercollegiate program do not serve as faculty in Physical Education. Sometimes regular faculty members in Physical Education are asked to serve as coaches in one of the minor sports such as tennis, soccer, lacrosse, fencing, and wrestling. These responsibilities are assumed in addition to the instructor's normal teaching load, however, and for this service he or she is paid a stipend from intercollegiate athletic funds over and above his or her regular salary.

2. Numbers of staff assigned to coach or otherwise assist each intramural team.

The intramural program is funded entirely by student fees. The total amount available varies from year to year since it is based on \$3.00 per student per academic year.

3. Compensation of intramural staff.

Faculty advising is done on a voluntary basis and without compensation. These advisors may be drawn from almost anywhere in the University community (several years ago a professor of sociology advised a basketball club). The intramural budget from student fees supports a stipend to the director of the intramural program (the director responds to requests for teams, sets schedules, secures equipment, engages officials, etc.) and for other expenses directly related to the program. Funds are not allocated specifically to teams or by quota to particular sports.

May 3, 1974

4. The procedure by which intramural teams are formed.

Intramural teams and sports clubs are formed voluntarily and usually on the initiative of the students themselves.

5. The name of each varsity sport with the number of athletes and scholarships for each sport by sex.

This question is not applicable to intramural sports on this campus.

If additional information is needed, please let me know.

Sincerely,


John T. Caldwell
Chancellor

CC: ~~Mr. Richard Robinson~~
~~Mr. Willis Casey~~
✓ Mr. William Simpson
Dean Banks Talley
Dr. Frederick Drews
Dean Robert Tilman

NOTE TO FILE: 2 May 1972

RE: INFORMATION FROM FILES TO BE SEEN BY HEW

In the future our agreement with HEW to let them look at information from personnel files is interpreted by us to mean the following items and only these items:

PA1 forms

FRIA forms

FR2B forms

ED119 forms

Clauston Jenkins

HEW

August 13, 1973

MEMORANDUM

TO: N. N. Winstead

FROM: Clauston Jenkins

So far as I know we have received no word about our plan and thus are not in a position to speak to the question of regulations needing clarification. When we do receive HEW's comments, we will probably be able to state which regulations need clarification.

We do, of course, have special concern about HEW's interest in a formula for developing a quantitative measure of an individual's worth. This is not a regulation as such so I am not sure whether it is an appropriate topic.

I suggest we forward nothing at this time.

CLJ:vg

*aff. Action
(HEW)*

January 16, 1974

Dr. John Sanders
Vice President for Planning
General Administration
The University of North Carolina
Post Office Box 2688
Chapel Hill, North Carolina 27514

Dear John:

Attached you will find a Raleigh city map and a North Carolina State University campus map for our HEW visitors on January 22. We have marked the route into Raleigh coming in from I-40, turning right at the second stoplight onto Faircloth Street, going to Hillsborough Street where they will have to turn either left or right onto Hillsborough Street. They will eventually see the campus on their right. Tell them to look for the Memorial Tower on Hillsborough Street at the far end of the campus. Then follow the campus map to the information booth and inquire as to the reserved parking spaces for them.. Please ask them to come to the Chancellor's office, A Holladay Hall.

If they have any trouble, my phone number is 737-2200.
We look forward to having them with us.

Sincerely,

William H. Simpson
Assistant to the Chancellor
and the Provost

Attachments



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION IV
50 7TH STREET N.E., Room 404
ATLANTA, GEORGIA 30323

March 14, 1974

OFFICE OF THE
REGIONAL DIRECTOR

Hew
aff action
File-

John T. Caldwell
Chancellor
North Carolina State University
at Raleigh
Raleigh, North Carolina

Dear Chancellor Caldwell:

This is to acknowledge receipt on February 21, 1974 of your Affirmative Action Plan dated February 18, 1974. Your Plan will be evaluated within the meaning of Executive Order 11246, as amended, and implementing rules, regulations and orders.

You will be notified when our evaluation is completed.

Sincerely yours,

Louis O. Bryson
Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights

Copy: Mr Simpson ✓
Mr Richard Robinson



From Trust to (Ass: 5)
M C RB O

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION IV
50 7TH STREET N.E., Room 404
ATLANTA, GEORGIA 30323

September 13, 1973

OFFICE OF THE
REGIONAL DIRECTOR

Dr. John T. Caldwell
Chancellor
North Carolina State University
at Raleigh
Raleigh, North Carolina 27607

Dear Dr. Caldwell:

A preliminary evaluation of the proposed Affirmative Action Compliance Program of the North Carolina State University at Raleigh (NCSUR), dated June 15, 1973, has been completed by our office pursuant to the provision of Executive Order 11246, as amended by Executive Order 11375.

For the most part, your proposed plan was responsive to our requests for corrective actions relating to the Executive Order. However, before final evaluation of your proposed plan can be completed we must request that you provide us with the information mentioned below:

1. A composite, statistical breakdown of all current, Subject to Personnel Action (SPA), employees by Equal Employment Opportunity (EEO-1) occupational job categories, race and sex, with specific goals and timetables opposite each category.
2. The percentage of minority and female applicants, Exempt from Personnel Action (EPA), and Subject to Personnel Action (SPA), for the past year (1972-73).
3. A statistical compilation of all EPA personnel by rank, race and sex, with goal designation opposite each rank.
4. Evidence of validation of all tests that are used to the extent required by the Office of Federal Contract Compliance (OFCC) Testing Order. (41 CFR 60-3)

Mrs. Strickland

*Copies: Provost Kelly
Mr. Simpson*

Dr. John T. Caldwell

Page Two

5. A listing (of all promotions and transfers) by job classification, race and sex, for the past year (1972-73). Please include University policy regarding the above.

6. A summary of new hires by job classification, race and sex, for the past year (1972-73).

7. Substantiation that the Equal Employment Opportunity clause is incorporated in all University purchase orders.

We would appreciate receiving the requested information within fifteen (15) days of the date of this letter. Following receipt of this information, it will be evaluated as a part of your proposed plan.

Your cooperation and responsiveness is greatly appreciated. If we can assist you, please do not hesitate to contact this office.

Sincerely yours,

Louis O. Bryson

Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights

SPA (7)
SPA (?)

M - C B O

Pay
Buss
Asst

Fennell C B O

P -

file HEW
~~_____~~

June 21, 1973

Mr. Emerson Wall
Attorney General's Office
Box 629
Raleigh, North Carolina 27607

Dear Mr. Wall:

Your request for a NCSU Faculty Handbook has been referred to me by the Business Office. A copy is enclosed.

On matters related to Joesting vs Doice and Miller, I have been asked to serve as liaison between our campus and your office. If I can provide further assistance, please call me at 737-3125.

Sincerely,

Clauston Jenkins
Coordinator of Institutional
Studies and Planning

CLJ:vg

Enclosure

(5) Promotions by Job Classification, Race and Sex
(1972-73)

Job Classification	RACE			
	Caucasian	Black	Other	Spanish
<u>Professor</u>				
Male	25	0	0	0
Female	0	0	0	0
<u>Associate Professor</u>				
Male	26	0	1 oriental	0
Female	2	0	0	0
<u>Asst. Professor</u>				
Male	18	0	0	0
Female	4	0	0	0
<u>Professor and Associate Dept. Head</u>				
Male	2	0	0	0
<u>Female</u>	0	0	0	0

Professor and Asst. Dept. Head

Male

Female

Caucasian

Black

Other

Spanish

1

0

0

0

0

0

0

0

Research Associate of Administration

Male

Female

1

0

0

0

0

0

0

0

Associate Director of Ogr. Ext.

Male

Female

1

0

0

0

0

0

0

0

Asst. Director of Admissions +
Career Planning and Placement

Male

Female

0

0

0

0

0

1

0

0

(6)

Summary of New Hires by Job Classification, Race and Sex
(1972-73)

Job Classification	RACE		
	Caucasian	Black	Other
<u>Dean and Professor</u>			
Male	1	0	0
Female	0	0	0
<u>Division Head</u>			
Male	1	0	0
Female	0	0	0
<u>Department Head</u>			
Male	1	0	1
Female	0	0	0
Named Professorships	3	0	0
Male	3	0	0
Female	0	0	0

Job Classification	RACE		
	Caucasian	Black	Other
<u>Associate Professor</u>			
Male	3	0	0
Female	0	0	0
<u>Assistant Professor</u>			
Male	16	0	1
Female	0	0	0
<u>Instructors</u>			
Male	16	0	3
Female	6	2	0
<u>Research Associate</u>			
Male	6	0	1
Female	0	0	0

Job Classification	RACE		
	Caucasian	Black	Other
<u>Research Asst.</u>			
Male	8	0	0
Female	0	0	1
<u>Librarian</u>			
Male	0	0	0
Female	2	0	0
<u>Musician-in-Residence</u>			
Male	1	0	0
Female	0	0	0
<u>Counselor of Counseling</u>			
Male	1	0	0
Female	0	0	0

Job Classification	RACE		
	Caucasian	Black	Other
<u>Exhibit Manager for "This Atomic World"</u>			
Male	1	0	0
Female	0	0	0
<u>4-H Extension Specialist</u>			
Male	1	0	0
Female	1	0	0
<u>4-H Youth Specialist</u>			
Male	0	1	0
Female	0	0	0
<u>Asst. Program Director, University Stu. Center</u>			
Male	0	1	0
Female	0	0	0

Area Coordinator, Student
Development + Residence Life

Male

0

1

0

Female

0

0

0

Plastics Engineering Ext.
Specialist

Male

1

0

0

Female

0

0

0

Asst. Sports Info Director

Male

1

0

0

Female

0

0

0

Reactor + Applications Eng.

Male

1

0

0

Female

0

0

0

Caucasian

Black

Other

Caucasian

Black

Other

Theatre Asst. - Technician

Thompson Theatre

Male

1

0

0

Female

0

0

0

Ext. Agronomy Specialist

Male

0

1

0

Female

0

0

0

Area Ext. Home Management Specialist

Male

0

0

0

Female

1

0

0

Costume Designer

Male

0

0

0

Female

1

0

0

	Caucasian	Black	Other
<u>Extension Specialist</u>			
Male	1	0	0
Female	0	0	0
<u>Extension Area Entomologist</u>			
Male	1	0	0
Female	0	0	0
<u>Asst. Home Economics Ext. Agent</u>			
Male	0	0	0
Female	0	1	0
<u>Recruiter</u>			
male	1	0	0
Female	0	0	0
<u>Area H-H Youth Agent</u>			
Male	0	0	0
Female	0	1	0

Director of Stud. Health Service

Male

1

0

0

Female

0

0

0

Asst. Director of Student Health Service

Male

1

0

0

Female

0

0

0

Ext. Community Dev. Agent

Male

1

0

0

Female

0

0

0

Editor, Alumni Affairs

Male

1

0

0

Female

0

0

0

Asst. Dir, Univ. Stu. Center

Male

1

0

0

Female

0

0

0

Caucasian

Black

other

	Caucasian	Black	Other
<u>Health, Physicist</u>			
Male	1	0	0
Female	0	0	0
<u>Ext. Swine Testing Specialist</u>			
Male	1	0	0
Female	0	0	0
<u>Asst. Football Coach</u>			
Male	1	0	0
Female	0	0	0
<u>Ext. 4-H Youth Agent</u>			
Male	0	0	0
Female	0	1	0
<u>Asst. Director, Retired Senior Volunteer Program</u>			
Male	0	0	0
Female	1	0	0



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION IV
50 7TH STREET N.E. , Room 404
ATLANTA, GEORGIA 30323

September 13, 1973

OFFICE OF THE
REGIONAL DIRECTOR

Dr. John T. Caldwell
Chancellor
North Carolina State University
at Raleigh
Raleigh, North Carolina 27607

Dear Dr. Caldwell:

A preliminary evaluation of the proposed Affirmative Action Compliance Program of the North Carolina State University at Raleigh (NCSUR), dated June 15, 1973, has been completed by our office pursuant to the provision of Executive Order 11246, as amended by Executive Order 11375.

For the most part, your proposed plan was responsive to our requests for corrective actions relating to the Executive Order. However, before final evaluation of your proposed plan can be completed we must request that you provide us with the information mentioned below:

1. A composite, statistical breakdown of all current, Subject to Personnel Action (SPA), employees by Equal Employment Opportunity (EEO-1) occupational job categories, race and sex, with specific goals and timetables opposite each category. *Bird Calloway*
2. The percentage of minority and female applicants, Exempt from Personnel Action (EPA), and Subject to Personnel Action (SPA), for the past year (1972-73). *EPA - Witt
SPA - Calloway*
3. A statistical compilation of all EPA personnel by rank, race and sex, with goal designation & timetables opposite each rank. *Witt*
4. Evidence of validation of all tests that are used to the extent required by the Office of Federal Contract Compliance (OFCC) Testing Order. (41 CFR 60-3) *No test*

*Copies: Provost Kelly
Mr. Simpson*

*Copies: Mrs. Strickland
Mr. Calloway
Dick Robinson*

Dr. John T. Caldwell
Page Two

- Callow*
w/ly
5. A listing of all promotions and transfers by job classification, race and sex, for the past year (1972-73). Please include University policy regarding the above.
- Callow*
w/ly
6. A summary of new hires by job classification, race and sex, for the past year (1972-73).
- Callow*
w/ly
7. Substantiation that the Equal Employment Opportunity clause is incorporated in all University purchase orders.

Faculty Member
Memo sent out April '73
also sent Handbook.

We would appreciate receiving the requested information within fifteen (15) days of the date of this letter. Following receipt of this information, it will be evaluated as a part of your proposed plan.

Your cooperation and responsiveness is greatly appreciated. If we can assist you, please do not hesitate to contact this office.

Sincerely yours,

Louis O. Bryson
Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

P. O. Box 5445, RALEIGH, N. C. 27607

ADMINISTRATIVE COMPUTING SERVICES

September 26, 1973

M E M O R A N D U M

TO: William R. Calloway
FROM: H. Leo Buckmaster *HLB*
SUBJECT: Completion Date for Computing Services
REFERENCE: SPA Classification Listing by EE0-1 Categories
Your Memorandum of September 25, 1973

After discussions with Mrs. Byrd as to the scope of this request, I have assigned additional personnel to assist her in its completion.

She has advised me that the estimated completion date is noon Wednesday, October 3, 1973.

Your consideration of our workload in light of the schedule imposed by HEW is appreciated.

HLB:hh

cc: Barbara Byrd
George Worsley



the
HEW

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

P. O. Box 5067, RALEIGH, N. C. 27607

OFFICE OF THE PROVOST AND VICE-CHANCELLOR

November 8, 1972

MEMORANDUM

TO: Dean J. E. Legates
Dean H. L. Kamphoefner
Dean C. J. Dolce
Dean R. E. Padum
Dean E. L. Ellwood
Dean R. O. Tilman

Dean A. C. Menius
Dean D. W. Chaney
Dean B. C. Talley
Dean E. W. Jones
Mr. J. D. Wright

FROM: Harry C. Kelly, Provost ORIGINAL SIGNED BY
HARRY C. KELLY

You have all seen a copy of HEW's letter of September 27, 1972, in which they present the findings of their compliance review. Since that time the U. S. Department of Labor has published in the Federal Register a proposed revision of their regulations which would mean that public institutions would no longer be exempt from filing an affirmative action plan. Thus, within the next 3 or 4 months at the latest we are going to be required to have a written plan for NCSU.

Although many details have not been clarified, we should begin work on our plan. It seems most appropriate that each School or similar unit develop its own plan and that we then combine these to form a University plan. Pages 44 following of the HEW letter provide some insight into what a plan should include. In addition, a copy of HEW guidelines for affirmative action planning is enclosed, "Memorandum to---Presidents" (October 1, 1972). The letter and guidelines should give you some idea of what a School plan should include. A UNC Committee is developing some pertinent information pertaining to availability of minorities and females, an outline of a model plan, and a response to point 4, pages 46-7, of the HEW letter. We will share this information with you as it becomes available. Also attached is a copy of a printout of departmental salaries with a summary by race and sex for both EPA and SPA.

As a beginning, I suggest you take the following steps:

- 1) appoint an Affirmative Action planning committee
- 2) emphasize that the School plan must cover both EPA SPA personnel

- 3) analyze the data and determine what other studies you need to initiate
- 4) review personnel procedures and determine what changes are necessary
- 5) initiate discussion of goals

Two points merit special attention in relation to goals. First, although HEW asks for goals by department, it may be appropriate for some smaller Schools to deal with goals on a school-wide basis. If you think such an approach is appropriate, we will support your decision. Second, in several of the disciplines offered on this campus there are very few female or minority Ph.D.s in existence. In such instances the most appropriate goal might be expressed in terms of adding female and minority graduate students.

Chancellor Caldwell has designated me as our Equal Employment Officer. Questions about policy or interpretation should be addressed to me. For information or data about SPA personnel contact Mr. Calloway. For information or data about EPA personnel contact Clauston Jenkins. The Graduate School has a committee which has been working on the recruitment of minority students. Its membership and charge is included in an attachment. You may wish to use the committee's knowledge and experience in dealing with recruitment of students.

HCK/CJ/sbe

cc: Chancellor John T. Caldwell
Dean W. J. Peterson
Dean E. G. Droessler
Dean J. A. Rigney
Mr. Rudolph Pate
Dr. I. T. Littleton
Dr. L. B. Martin
✓ Mr. Hardy Berry
Mr. Willis Casey
Chairman, Faculty Senate
Chairman, Good Neighbor Council
Dr. David R. Kniefel
Dr. Dale M. Hoover

Enclosures



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

October 1, 1972

MEMORANDUM TO COLLEGE AND UNIVERSITY PRESIDENTS

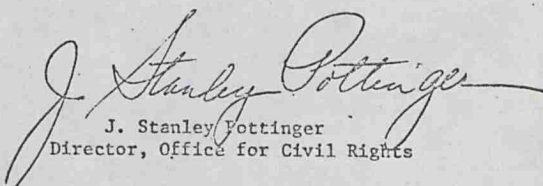
As the new academic year begins, I wish to bring to your attention the requirement that all universities and colleges with Federal contracts comply with Executive Order 11246, "Nondiscrimination Under Federal Contracts." We expect that all affected colleges and universities will henceforth be in compliance with the Order and its implementing regulations as stated in the following guidelines.

While these guidelines address themselves to compliance with the Executive Order, for your information we have also attached as appendices other civil rights laws affecting institutions of higher education and over which this Office has enforcement responsibility.

We hope that you will become familiar with these guidelines and laws and direct your staff and faculty to make every effort to abide by them.

The Department of Health, Education, and Welfare stands ready to assist in every way possible so that all institutions of higher education will be able to meet the requirements of the Executive Order and other Federal requirements regarding nondiscriminatory treatment.

Additional copies of these guidelines are available from the Regional Office for Civil Rights in your area or from the Public Information Office, Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C. 20201.


J. Stanley Pottinger
Director, Office for Civil Rights

Attachments

I. LEGAL PROVISIONS

The Office for Civil Rights (OCR) in the Department of Health, Education, and Welfare (HEW) is responsible for the enforcement in institutions of higher education of Executive Order 11246, as amended by Executive Order 11375 (Tab A), which imposes equal employment opportunity requirements upon Federal contractors, and upon construction contractors on projects receiving Federal assistance from HEW.

Executive Order 11246, as amended

In signing a Government contract or subcontract in excess of \$10,000 the contractor agrees that it "will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin," and that it "will take affirmative action to ensure that applicants are employed and that employees are treated during employment" without regard to these factors. In the event of the contractor's noncompliance with the nondiscrimination clauses of the contract, or with the rules and regulations of the Secretary of Labor, the contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts.

Part II of the Executive Order sets forth other contractor obligations, enforcement procedures, and administrative responsibilities. Part III of the Executive Order describes the equal opportunity obligations of applicants for Federal assistance involving construction.

The equal employment opportunity obligations of Federal contractors apply to all employment by a contractor, and not solely to employment associated with the receipt or use of Federal funds. The specific obligations of nondiscrimination and affirmative action associated with the Executive Order apply and are enforceable by the Office for Civil Rights only in the case of contracts, not grants.*

Regulations of the Department of Labor

The requirements of the Executive Order are implemented by the regulations of the Department of Labor (41 Code of Federal Regulations Chapter 60). Part 60-1, "Obligations of Contractors and Subcontractors" (Tab B) sets forth matters of general applicability, including the scope of coverage of the Executive Order, the obligations of employers subject to that coverage, administrative requirements applicable to Federal agencies, steps in investigation and enforcement of compliance with the Order, and guidance for filing complaints of discrimination. Sanctions and OCR investigative procedures are discussed at Tab I.

*Where a grantee of funds for construction participates in construction under the grant, its employment is subject to the requirements of the equal opportunity clause during the term of participation. When such grantee or applicant for Federal funds is an agency or instrumentality of a state or local government, only such agency or instrumentality is subject to the clause.

Revised Order No. 4 and Non-public Institutions

Revised Order No. 4 (Part 60-2) (Tab C), which implements and supplements Section 60-1.40 of Part 60-1, requires each private institution contractor with 50 or more employees and a contract in excess of \$50,000 to develop and maintain a written affirmative action program within 120 days of receipt of such a contract. Section 60-1.40 and Revised Order No. 4 set forth the required contents of such a program, including directions for analyses of the contractor's work force and employment practices, steps to be taken to improve recruitment, hiring, and promotion of minority persons and women, and other specific procedures to assure equal employment opportunity.

Revised Order No. 4 and Public Institutions

While all contractors, both public and private, are required to implement an affirmative action program, at present the basic requirement of Revised Order No. 4 that a contractor maintain a written affirmative action plan is not applicable to public institutions (those under state or local control) (see 41 CFR 60-1.5(a)(4)). Public institutions are nevertheless required to take action to ensure nondiscrimination and to comply with the Executive Order and regulations other than Order No. 4. In our judgment, a public institution can best carry out these obligations by conducting the kinds of analyses required of non-public institutions, and organizing in written form its plans to overcome problems of past discrimination.

In addition, the regulations which set forth the procedures for conducting compliance reviews of all contractors, including public institutions, require written commitments as to "the precise actions to be taken and dates for completion" to overcome any deficiencies which a compliance review identifies (41 CFR 60-1.20). These "precise actions" and "dates for completion," which must be provided in writing by a public institution following an HEW compliance review, will ordinarily be similar in content to the written affirmative action commitments required as a matter of regulation of non-public institutions (41 CFR 60-2.11).

On October 4, 1972, the Department of Labor will announce in the Federal Register its intention to amend the regulations to remove the present exemption of public educational institutions from the requirement of maintaining a written affirmative action plan. When effective, all educational institutions, both public and private, will have the same affirmative action obligations under the Executive Order.

Nondiscrimination and Affirmative Action in the Executive Order

Executive Order 11246 embodies two concepts: nondiscrimination and affirmative action.

Nondiscrimination requires the elimination of all existing discriminatory conditions, whether purposeful or inadvertent. A university

contractor must carefully and systematically examine all of its employment policies to be sure that they do not, if implemented as stated, operate to the detriment of any persons on grounds of race, color, religion, sex or national origin. The contractor must also ensure that the practices of those responsible in matters of employment, including all supervisors, are nondiscriminatory.

Affirmative action requires the contractor to do more than ensure employment neutrality with regard to race, color, religion, sex, and national origin. As the phrase implies, affirmative action requires the employer to make additional efforts to recruit, employ and promote qualified members of groups formerly excluded, even if that exclusion cannot be traced to particular discriminatory actions on the part of the employer. The premise of the affirmative action concept of the Executive Order is that unless positive action is undertaken to overcome the effects of systemic institutional forms of exclusion and discrimination, a benign neutrality in employment practices will tend to perpetuate the status quo ante indefinitely.

Who is Protected by the Executive Order

The nondiscrimination requirements of the Executive Order apply to all persons, whether or not the individual is a member of a conventionally defined "minority group." In other words, no person may be denied employment or related benefits on grounds of his or her race, color, religion, sex, or national origin.

The affirmative action requirements of determining underutilization, setting goals and timetables and taking related action as detailed in Revised Order No. 4 were designed to further employment opportunity for women and minorities. Minorities are defined by the Department of Labor as Negroes, Spanish-surnamed, American Indians, and Orientals.

Goals and Timetables

As a part of the affirmative action obligation, Revised Order No. 4 requires a contractor to determine whether women and minorities are "underutilized" in its employee work force and, if that is the case, to develop as a part of its affirmative action program specific goals and timetables designed to overcome that underutilization. (See Tab J) Underutilization is defined in the regulations as "having fewer women or minorities in a particular job than would reasonably be expected by their availability."

Goals are projected levels of achievement resulting from an analysis by the contractor of its deficiencies, and of what it can reasonably do to remedy them, given the availability of qualified minorities and women and the expected turnover in its work force. Establishing goals should be coupled with the adoption of genuine and effective techniques and procedures to locate qualified members of groups which have previously been denied opportunities for employment or advancement and to eliminate obstacles within the structure and operation of the institution (e.g. discriminatory hiring or promotion standards) which

have prevented members of certain groups from securing employment or advancement.

The achievement of goals is not the sole measurement of a contractor's compliance, but represents a primary threshold for determining a contractor's level of performance and whether an issue of compliance exists. If the contractor falls short of its goals at the end of the period it has set, that failure in itself does not require a conclusion of noncompliance. It does, however, require a determination by the contractor as to why the failure occurred. If the goals were not met because the number of employment openings was inaccurately estimated, or because of changed employment market conditions or the unavailability of women and minorities with the specific qualifications needed, but the record discloses that the contractor followed its affirmative action program, it has complied with the letter and spirit of the Executive Order. If, on the other hand, it appears that the cause for failure was an inattention to the nondiscrimination and affirmative action policies and procedures set by the contractor, then the contractor may be found out of compliance. It should be emphasized that while goals are required, quotas are neither required nor permitted by the Executive Order. When used correctly, goals are an indicator of probable compliance and achievement, not a rigid or exclusive measure of performance.

Nothing in the Executive Order requires that a university contractor eliminate or dilute standards which are necessary to the successful performance of the institution's educational and research functions. The affirmative action concept does not require that a university employ or promote any persons who are unqualified. The concept does require, however, that any standards or criteria which have had the effect of excluding women and minorities be eliminated, unless the contractor can demonstrate that such criteria are conditions of successful performance in the particular position involved.

II. PERSONNEL POLICIES AND PRACTICES

An employer must establish in reasonable detail and make available upon request the standards and procedures which govern all employment practices in the operation of each organizational unit, including any tests in use and the criteria by which qualifications for appointment, retention, or promotion are judged. It should be determined whether such standards and criteria are valid predictors of job performance, including whether they are relevant to the duties of the particular position in question. This requirement should not ignore or obviate the range of permissible discretion which has characterized employment judgments, particularly in the academic area. Where such discretion appears to have operated to deny equality of opportunity, however, it must be subjected to rigorous examination and its discriminatory effects eliminated. There are real and proper limits on the extent to which criteria for academic employment can be explicitly articulated; however, the absence of any articulation of such criteria provides opportunities for arbitrary and discriminatory employment decisions.

Recruitment

Recruitment is the process by which an institution or department within an institution develops an applicant pool from which hiring decisions are made. Recruitment may be an active process, in which the institution seeks to communicate its employment needs to candidates through advertisement, word-of-mouth notification to graduate schools or other training programs, disciplinary conventions or job registers. Recruitment may also be the passive function of including in the applicant pool those persons who on their own initiative or by unsolicited recommendation apply to the institution for a position.

In both academic and nonacademic areas, universities must recruit women and minority persons as actively as they have recruited white males. Some universities, for example, have tended to recruit heavily at institutions graduating exclusively or predominantly non-minority males, and have failed to advertise in media which would reach the minority and female communities, or have relied upon personal contacts and friendships which have had the effect of excluding from consideration women and minority group persons.

In the academic area, the informality of word-of-mouth recruiting and its reliance on factors outside the knowledge or control of the university makes this method particularly susceptible to abuse. In addition, since women and minorities are often not in word-of-mouth channels of recruitment, their candidacies may not be advanced with the same frequency or strength of endorsement as they merit, and as their white male colleagues receive.

The university contractor must examine the recruitment activities and policies of each unit responsible for recruiting. Where such an examination reveals a significantly lower representation of women or minorities in the university's applicant pool than would reasonably be expected from their availability in the work force, the contractor must modify or supplement its recruiting policies by vigorous and systematic efforts to locate and encourage the candidacy of qualified women and minorities. Where policies have the effect of excluding qualified women or minorities, and where their effects cannot be mitigated by the implementation of additional policies, such policies must be eliminated.

An expanded search network should include not only the traditional avenues through which promising candidates have been located (e.g., in the case of academic appointments, direct letters to graduate departments, or in the case of nonacademic appointments, advertising in community newspapers). In addition, to the extent that it is necessary to overcome underutilization, the university should search in areas and channels previously unexplored.

Certain organizations such as those mentioned in Revised Order No. 4 may be prepared to refer women and minority applicants. For faculty and administrative appointments, disciplinary and professional associations, including committees and caucus groups, should be contacted and their facilities for employee location and referral used.

Particularly in the case of academic personnel, potentially fruitful channels of recruitment include the following:

- a. advertisements in appropriate professional journals and job registries;
- b. unsolicited applications or inquiries;
- c. women teaching at predominantly women's colleges, minorities teaching at predominantly minority colleges;
- d. minorities or women professionally engaged in nonacademic positions, such as industry, government, law firms, hospitals;
- e. professional women and minorities working at independent research institutions and libraries;
- f. professional minorities and women who have received significant grants or professional recognition;
- g. women and minorities already at the institution and elsewhere working in research or other capacities not on the academic ladder;
- h. minority and women doctoral recipients, from the contractor's own institution and from other institutions, who are not presently using their professional training;
- i. women and minorities presently candidates for graduate degrees at the institution and elsewhere who show promise of outstanding achievement (some institutions have developed programs of support for completion of doctoral programs with a related possibility of future appointment);
- j. minorities and women listed in relevant professional files, registries and data banks, including those which have made a particularly conscientious effort to locate women and minority persons.

It should be noted that a contractor is required to make explicit its commitment to equal employment opportunity in all recruiting announcements or advertisements. It may do this by indicating that it is an "equal opportunity employer." It is a violation of the Executive Order, however, for a prospective employer to state that only members of a particular minority group or sex will be considered.

Where search committees are used to locate candidates for appointment, they can best carry out the above measures when they are composed of persons willing and able to explore new avenues of recruitment. Effective search committees should, if possible, include among their members women and minority persons.

Policies which exclude recruitment at predominantly minority colleges and universities restrict the pool of qualified minority faculty from which prospective appointees may be chosen. Even if the intent of such policies may be to prevent the so-called "raiding" of minority

faculty by predominantly white institutions, such policies violate the nondiscrimination provision of the Executive Order since their effect is to deny opportunity for employment on grounds relating to race. Such policies have operated to the serious disadvantage of students and teachers at minority institutions by denying them notice of research and teaching opportunities, assistantships, endowed professorships and many other programs which might enhance their potential for advancement, whether they choose to stay at a predominantly minority institution or move to a non-minority institution.

Minorities and women are frequently recruited only for positions thought to be for minorities and women, such as equal employment programs, ethnic studies, or women's studies. While these positions may have a particular suitability for minority persons and women, institutions must not restrict consideration of women and minorities to such areas, but should actively recruit them for any position for which they may be qualified.

Hiring

Once a nondiscriminatory applicant pool has been established through recruitment, the process of selection from that pool must also carefully follow procedures designed to ensure nondiscrimination. In all cases, standards and criteria for employment should be made reasonably explicit, and should be accessible to all employees and applicants. Such standards may not overtly draw a distinction based on race, sex, color, religion, or national origin, nor may they be applied inconsistently to deny equality of opportunity on these bases.

In hiring decisions, assignment to a particular title or rank may be discriminatory. For example, in many institutions women are more often assigned initially to lower academic ranks than are men. A study by one disciplinary association showed that women tend to be offered a first appointment at the rank of Instructor rather than the rank of Assistant Professor three times more often than men with identical qualifications. Where there is no valid basis for such differential treatment, such a practice is in violation of the Executive Order.

Recruiting and hiring decisions which are governed by unverified assumptions about a particular individual's willingness or ability to relocate because of his or her race or sex are in violation of the Executive Order. For example, university personnel responsible for employment decisions should not assume that a woman will be unwilling to accept an offer because of her marital status, or that a minority person will be unwilling to live in a predominantly white community.

Institutional policies regarding the employment of an institution's own graduates must not be applied in any manner which would deny opportunities to women and minorities. A university must give equal consideration to its graduate students regardless of their race or sex for future faculty positions, if the institution employs its own graduates.

In the area of academic appointments, a nondiscriminatory selection process does not mean that an institution should indulge in "reverse discrimination" or "preferential treatment" which leads to the selection of unqualified persons over qualified ones. Indeed, to take such action on grounds of race, ethnicity, sex or religion constitutes discrimination in violation of the Executive Order.

It should also be pointed out that nothing in the Executive Order requires or permits a contractor to fire, demote or displace persons on grounds of race, color, sex, religion, or national origin in order to fulfill the affirmative action concept of the Executive Order. Again, to do so would violate the Executive Order. Affirmative action goals are to be sought through recruitment and hiring for vacancies created by normal growth and attrition in existing positions.

Unfortunately, a number of university officials have chosen to explain dismissals, transfers, alterations of job descriptions, changes in promotion potential or fringe benefits, and refusals to hire not on the basis of merit or some objective sought by the university administration aside from the Executive Order, but on grounds that such actions and other "preferential treatment regardless of merit" are now required by Federal law. Such statements constitute either a misunderstanding of the law or a willful distortion of it. In either case, where they actually reflect decisions not to employ or promote on grounds of race, color, sex, religion or national origin, they constitute a violation of the Executive Order and other Federal laws.

Anti-nepotism Policies

Policies or practices which prohibit or limit the simultaneous employment of two members of the same family and which have an adverse impact upon one sex or the other are in violation of the Executive Order. For example, because men have traditionally been favored in employment over women, anti-nepotism regulations in most cases operate to deny employment opportunity to a wife rather than to a husband.

If an institution's regulations against the simultaneous employment of husband and wife are discriminatory on their face (e.g., applicable to "faculty wives"), or if they have in practice served in most instances to deny a wife rather than a husband employment or promotion opportunity, salary increases, or other employment benefits, they should be altered or abolished in order to mitigate their discriminatory impact.

Stated or implied presumptions against the consideration of more than one member of the same family for employment by the same institution or within the same academic department also tends to limit the opportunities available to women more than to men.

If an individual has been denied opportunity for employment, advancement or benefits on the basis of an anti-nepotism rule or practice, that action is discriminatory and is prohibited under the Executive Order. Institutional regulations which set reasonable

restrictions on an individual's capacity to function as judge or advocate in specific situations involving a member of his or her immediate family are permissible where they do not have the effect of denying equal employment opportunity to one sex over the other.*

Placement, Job Classification, and Assignment

A contractor must examine carefully its job category assignments and treatment of individuals within a single job classification. Experience shows that individuals of one sex or race frequently tend to be "clustered" in certain job classifications, or in certain departments or divisions within an institution. Most often those classifications or departments in which women or minorities are found tend to be lower paid, and have less opportunity for advancement than those to which non-minority males are assigned.

Where there are no valid or substantial differences in duties or qualifications between different job classifications, and where persons in the classifications are segregated by race, color, religion, sex, or national origin, those separate classifications must be eliminated or merged. For example, where male administrative aides and female administrative assistants are performing the same duties and bear the same responsibilities, but are accorded different salaries and advancement opportunities, and where the separate classifications upon examination yield no valid distinctions, the separate classifications must be eliminated or merged.

In academic employment, minorities and women have sometimes been classified as "research associates," "lecturers" or similar categories of employment which do not carry with them the benefits and protections of regular academic appointment, and from which promotion is rare, while men with the same qualifications are appointed to regular faculty positions. Such sex- or minority-segregated classification is discriminatory and must be eliminated. In addition, appropriate remedies must be afforded those persons previously assigned to such classifications.

Training

To eliminate discrimination and assure equal opportunity in promotion, an employer should initiate necessary remedial, job training and work study programs aimed at upgrading specific skills. This is generally applicable in the case of nonacademic employees, but may also be relevant in the case of academic employees as, for example, in providing opportunities to participate in research projects, or to

*For an indication of what should constitute "reasonable restriction," see the policy statement of the American Association of University Professors on "Faculty Appointment and Family Relationship," which suggests that "faculty members should neither initiate or participate in institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave of absence, etc.) to members of their immediate families."

gain new professional skills through leave policies or special programs offered by the institution.

In institutions where in-service training programs are one of the ladders to administrative positions, minorities and women must be admitted into these programs on an equal basis with non-minority men. Furthermore, opportunities for training may not be limited to positions which are occupied by non-minorities and males.

The employment of students by an institution is subject to the same considerations of nondiscrimination and affirmative action as is all other employment in an institution.

Promotion

A contractor's policies and practices on promotion should be made reasonably explicit, and administered to ensure that women and minorities are not at a disadvantage. A contractor is also obligated to make special efforts to ensure that women and minorities in its work force are given equal opportunity for promotion. Specifically, 41 CFR 60-2.24 states that this result may be achieved through remedial, work study and job training programs; through career counseling programs; through the posting and announcement of promotion opportunities; and by the validation of all criteria for promotion.

Termination

Where action to terminate has a disproportionate effect upon women or minorities and the employer is unable to demonstrate reasons for the decision to terminate unrelated to race, religion, color, national origin or sex, such actions are discriminatory. Seniority is an acceptable standard for termination, with one exception: where an incumbent has been found to have been the victim of discrimination and as a result has less actual seniority than he or she would have had but for such discrimination, either seniority cannot be used as the primary basis for termination, or the incumbent must be presumed to have the seniority which he or she would have had in the absence of discrimination.

Conditions of Work

A university employer must ensure nondiscrimination in all terms and conditions of employment, including work assignments, educational and training opportunities, research opportunities, use of facilities, and opportunities to serve on committees or decision-making bodies.

Intentional policy or practice which subjects persons of a particular sex or minority status to heavier teaching loads, less desirable class assignments, and fewer opportunities to serve on key decision-making bodies or to apply for research grants or leaves of absence for professional purposes, is in violation of the Executive Order.

Similarly, institutional facilities such as dining halls or faculty clubs have sometimes restricted their services to men only. Where such services are a part of the ordinary benefits of employment for certain classifications of employees, no members of such classifications can be denied them on the basis of race, color, national origin, sex, or religion.

Rights and Benefits-Salary

The Executive Order requires that universities adhere carefully to the concept of equal pay for equal work.

In many situations persons who hold the same or equivalent positions, with the same or equivalent qualifications, are not paid similar salaries, and disparities are identifiable along lines of race, color, national origin, sex, or religion.

An institution should set forth with reasonable particularity criteria for determining salary for each job classification and within each job classification. These criteria should be made available to all present and potential employees.

The question is often raised as to whether a person who applies for a position within a given job classification may be given a higher or lower rate of pay at entry based upon his or her pay in another position, or upon market factors defined outside the context of the institution's determination of rates of pay. Where reference to external market factors results in a disparate effect upon women or minority group persons, a reference to those rates of pay is prohibited. For example, if a minority or female applicant applies for a position as an Assistant Professor, and the salary range of those entering that position is from \$10,000 to \$12,000, the fact that the applicant's former position paid only \$8,000 cannot be used to deny him or her the minimum pay for the new position, when non-minority men in a comparable situation are given an entry salary at or above the minimum stipulated area. In this example, the applicant's level of pay must be determined on the basis of capability and record of performance, not former salary.

Back Pay

Back pay awards are authorized and widely used as a remedy under Title VII of the Civil Rights Act of 1964, the Equal Pay Act, and the National Labor Relations Act. Universities, like other employers, are subject to the provisions of these statutes.

This means that evidence of discrimination that would require back pay as a remedy will be referred to the appropriate Federal enforcement agency if the Office for Civil Rights is not able to negotiate a voluntary settlement with a university. At the direction of the Department of Labor, the Office for Civil Rights will continue to pursue back pay settlements only in cases involving employees who, while protected by the Executive Order, were not protected by the three statutes mentioned above at the time violation occurred.

Contractors continue to have the prospective obligation to include in an affirmative action program whatever payments are necessary to remove existing differentials in pay (based on race or sex) identified in the analyses required under the Executive Order.

Leave Policies

A university contractor must not discriminate against employees in its leave policies, including paid and unpaid leave for educational or professional purposes, sick leave, annual leave, temporary disability, and leave for purposes of personal necessity.

Employment Policies Relating to Pregnancy and Childbirth

41 CFR 60-20 (Sex Discrimination Guidelines) (Tab D) provides that "women shall not be penalized in their conditions of employment because they require time away from work on account of childbearing." Pregnancy and childbearing must be considered as a justification of a leave of absence for a female employee regardless of marital status, for a reasonable length of time, and for reinstatement following childbirth without loss of seniority or accrued benefits.

A. Eligibility: If an employer has a policy on eligibility for leave, a female employee may not be required to serve longer than the minimum length of service required for other types of leave in order to qualify for maternity leave. If the employer has no leave policy, childbearing must nevertheless be considered as a justification for a leave of absence for a female employee for a reasonable length of time.

B. Mandatory period of leave: Any policy requiring a mandatory leave of absence violates the Executive Order unless it is based on individual medical or job characteristics. In such cases the employer must clearly demonstrate an overriding need based on medical safety or "business necessity," i.e., that the successful performance of the position or job in question requires the leave. For example, service in a radiation laboratory may constitute a demonstrable hazard to the expectant mother or her child. A mandatory period of leave should not, however, be stipulated by the university; the length of leave, whether mandatory or voluntary, should be based on a bona fide medical need related to pregnancy or childbirth.

C. Eligibility for and conditions of return: Following the end of leave warranted by childbirth, a female employee must be offered reinstatement to her original position or one of like status and pay without loss of seniority or accrued benefits.

D. Other conditions of leave: Department of Labor guidelines provide that the conditions related to pregnancy leave, i.e., salary, accrual of seniority and other benefits, reinstatement rights, etc., must be in accordance with the employer's general leave policy.

On April 5, 1972, the Equal Employment Opportunity Commission, under Title VII of the Civil Rights Act of 1964, issued revised guidelines on sex discrimination, 37 Fed. Reg. 6835, which differ substantially from the

present Department of Labor guidelines under the Executive Order. The Labor Department has not adopted the rules of the EEOC as its own, although universities are subject to them. However, serious consideration is now being given to revising the Labor Department guidelines to equate disabilities caused by pregnancy and childbirth with all other temporary disabilities for which an employer might provide leave time, insurance pay, and other benefits.

E. Child care leave: If employees are generally granted leave for personal reasons, such as for a year or more, leave for purposes relating to child care should be considered grounds for such leave, and should be available to men and women on an equal basis. A faculty member should not be required to have such leave time counted toward the completion of a term as a probationary faculty member, unless personal leave for other reasons is so considered. Nor should such leave time be subtracted from a stated term of appointment, or serve as a basis for nonrenewal of contract.

Fringe Benefits

Fringe benefits are defined to include medical, hospital, accident, life insurance and retirement benefits; profit-sharing and bonus plans; leave, and other terms and conditions of employment.

The university should carefully examine its fringe benefit programs for possible discriminatory effects. For example, it is unlawful for an employer to establish a retirement or pension plan which establishes different optional or mandatory retirement ages for men and for women.

Where an employer conditions benefits available to employees and their spouses and families on whether the employee is the "head of the household" or "principal wage-earner" in the family unit, such benefits cannot be made available only to male employees and their families. The employer also must not presume that a married man is the "head of the household" or "principal wage earner"; this is a matter which must be determined by the employee and his or her family.

It is also unlawful for an employer to make benefits available to the wives and families of male employees where the same benefits are not available to the husbands and families of female employees.

With regard to retirement benefits and insurance, pensions, and other welfare programs, Department of Labor Sex Discrimination Guidelines provide that benefits must be equal for both sexes, or that the employer's contribution must be equal for both sexes. This means that a different rate of retirement benefits for men and women does not violate the Executive Order if the employer's contributions for both sexes are equal. It is not a violation of the Executive Order if the employer,

in seeking to equalize benefits for men and women employees, contributes more for one sex than the other.*

Child Care

41 CFR 60-2.24 states that an employer should, as part of his affirmative action program, encourage child care programs appropriately designed to improve the employment opportunities of minorities and women. An increasing number of institutions have established child care programs for their male and female employees and students, and we commend such efforts to all institutions. As part of an affirmative action program, such programs may improve the employment opportunities of all employees, not only women and minorities, and contribute significantly to an institution's affirmative action profile.

Grievance Procedures

As of March 1972 and pursuant to the provisions of the Equal Employment Opportunity Act of 1972, the Equal Employment Opportunity Commission has jurisdiction over individual complaints of discrimination by academic as well as non-academic employees of educational institutions.

Pursuant to formal agreement between OCR and EEOC, and to avoid duplication of effort, individual complaints of discrimination will be investigated and remedied by EEOC. Class complaints, groups of individual complaints or other information which indicates possible institutional patterns of discrimination (as opposed to isolated cases) will remain subject to investigation by OCR. In such cases, retrospective relief for individuals within such classes or groups will remain within the jurisdiction of EEOC.

Where an employer has established sound standards of due process for the hearing of employee grievances, and has undertaken a prompt and good faith effort to identify and provide relief for grievances, a duplicative assumption of jurisdiction by the Federal Government has not always proven necessary. We therefore urge the development of sound grievance procedures for all employees, academic and nonacademic alike, in order to ensure the fair treatment of individual cases where discrimination is alleged, and to maintain the integrity of the employer's internal employment system.

Institutional grievance procedures which provide for prompt and equitable hearing of employee grievances relating to employment discrimination should be written and available to all present and prospective employees.

*Benefits which are different for men and women have been declared in violation of Title VII of the Civil Rights Act of 1964 in recent guidelines published by the Equal Employment Opportunity Commission. These guidelines also state that it is no defense against a charge of sex discrimination that the cost of such benefit is greater for one sex than for the other.

III. DEVELOPMENT OF AFFIRMATIVE ACTION PROGRAMS

Effective affirmative action programs shall contain, but not necessarily be limited to, the following ingredients:

1. Development or reaffirmation of the contractor's equal employment opportunity policy: Each institution should have a clear written statement over the signature of the chief administrative officer which sets forth the institution's legal obligation and policy for the guidance of all supervisory personnel, both academic and nonacademic, for all employees and for the community served by the institution. The policy statement should reflect the institution's affirmative commitment to equal employment opportunity, as well as its commitment to eliminate discrimination in employment on the basis of race, color, sex, religion and national origin.

2. Dissemination of the policy: Internal communication of the institution's policy in writing to all supervisory personnel is essential to their understanding, cooperation and compliance. All persons responsible for personnel decisions must know what the law requires, what the institution's policy is, and how to interpret the policy and implement the program within the area of their responsibility. Formal and informal external dissemination of the policy is necessary to inform and secure the cooperation of organizations within the community, including civil rights groups, professional associations, women's groups, and various sources of referral within the recruitment area of the institution.

The employer should communicate to all present and prospective employees the existence of the affirmative action program, and make available such elements of the program as will enable them to know of and avail themselves of its benefits.

3. Responsibility for implementation: An administrative procedure must be set up to organize and monitor the affirmative action program. 41 CFR 60-2.22 provides that an executive of the contractor should be appointed as director of EEO programs, and that he or she should be given "the necessary top management support and staffing to execute the assignment." (See the remainder of section 2.22 for details of the responsibilities of the Equal Employment Opportunity Officer.) This should be a person knowledgeable of and sensitive to the problems of women and minority groups. Depending upon the size of the institution, this may be his or her sole responsibility, and necessary authority and staff should be accorded the position to ensure the proper implementation of the program.

In several institutions the EEO officer has been assisted by one or more task forces composed in substantial part of women and minority persons. This has usually facilitated the task of the EEO officer and enhanced the prospects of success for the affirmative action program in the institution.

4. Identification of problem areas by organizational units and job classifications: In this section the contractor should address itself to the issues discussed in sections I and II above. The questions involved in data gathering and analysis are treated in appendix J.

Once an inventory is completed, the data should be coded and controlled in strict confidence so that access is limited to those persons involved in administering and reviewing the Equal Employment Opportunity Program. Some state and local laws may prohibit the collection and retention of data relating to the race, sex, color, religion, or national origin of employees and applicants for employment. Under the principle of Federal supremacy, requirements for such inventories and recordkeeping under the Executive Order supersede any conflicting state or local law, and the existence of such laws is not an acceptable excuse for failure to collect or supply such information as required under the Executive Order.

5. Internal audit and reporting systems: An institution must include in its administrative operation a system of audit and reporting to assist in the implementation and monitoring of the affirmative action program, and in periodic evaluations of its effectiveness. In some cases a reporting system has taken the form of a monitoring of all personnel actions, so that department heads and other supervisors must make periodic reports on affirmative action efforts to a central office. In most cases all new appointments must be accompanied by documentation of an energetic and systematic search for women and minorities.

Reporting and monitoring systems will differ from institution to institution according to the nature of the goals and programs established, but all should be sufficiently organized to provide a ready indication of whether or not the program is succeeding, and particularly whether or not good faith efforts have been made to ensure fair treatment of women and minority group persons before and during employment. Reporting systems should include a method of evaluating applicant flow; referral and hiring rate; and an application retention system to allow the development of an inventory of available skills.

At least once annually the institution must prepare a formal report to OCR on the results of its affirmative action compliance program. The evaluation necessary to prepare such a report will serve as a basis for updating the program, taking into consideration changes in the institution's work force (e.g., expansion, contraction, turnover), changes in the availability of minorities and women through improved educational opportunities, and changes in the comparative availability of women as opposed to men as a result of changing interest levels in different types of work.

6. Publication of affirmative action programs: In accordance with 41 CFR 60-2.21(11), which states that the contractor should "communicate to his employees the existence of the contractor's affirmative action program and make available such elements of his program as will enable such employees to know of and avail themselves of its

benefits," the Office for Civil Rights urges institutions to make public their affirmative action plans. University contractors should also be aware that affirmative action plans accepted by the Office for Civil Rights are subject to disclosure to the public under the Freedom of Information Act, 5 U.S.C. 552. Subject to certain exemptions, disclosure ordinarily will include broad utilization analyses, proposed remedial steps, goals and timetables, policies on recruitment, hiring, promotion, termination, grievance procedures and other affirmative measures to be taken. Other types of documents which must be released by the Government upon a request for disclosure include the contractor's validation studies of tests and other preemployment selection methods.

Exempt from disclosure are those portions of the plan which contain confidential information about employees, the disclosure of which may constitute an invasion of privacy, information in the nature of trade secrets, and confidential commercial or financial information within the meaning of 5 U.S.C. 552(b) (4). Compliance agencies also are not authorized to disclose the Standard Form 100 (EEO-1) or similar reporting forms or information about individuals.

7. Developing a plan: The Office for Civil Rights recognizes that in an institution of higher education, and particularly in the academic staff, responsibility for matters concerning personnel decisions is diffused among many persons at a number of different levels. The success of a university's affirmative action program may be dependent in large part upon the willingness and ability of the faculty to assist in its development and implementation. Therefore, the Office for Civil Rights urges that university administrators involve members of their faculty, as well as other supervisory personnel in their work force, in the process of developing an information base, determining potential employee availability, the establishment of goals and timetables, monitoring and evaluating the effectiveness of the plan, and in all other appropriate elements of a plan. A number of institutions have successfully established faculty or joint faculty-staff commissions or task forces to assist in the preparation and administration of its affirmative action obligations. We therefore recommend to university contractors that particular attention be given the need to bring into the deliberative and decision-making process those within the academic community who have a responsibility in personnel matters.

The Office for Civil Rights stands ready to the fullest extent possible to assist university contractors in meeting their equal employment opportunity obligations.

NORTH CAROLINA STATE UNIVERSITY

Raleigh, N. C.

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL

2/19/73 Date

TO: Dr Kelly

ACTION REQUESTED ON ATTACHED:

- Note and Return
- For your information (need not return)
- Please handle
- Please answer; furnish me copy
- Please draft reply for my signature (return attachments)
- Please give me your comments (return attachments)
- Requires your approval

WIKF

No such article is available on

Blocks that has not been

distributed already. I gave

Helen the last 7 names to

MS
M
2/20/73

receive the Chavalla's letter

FROM: C.J.

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL

2/16/73 _____ Date

TO: Dr. Jenkins

ACTION REQUESTED ON ATTACHED:

 Note and Return For your information
(need not return) Please handle Please answer; furnish me copy Please draft reply for my signature
(return attachments) Please give me your comments
(return attachments) Requires your approval

Will you see if there is a
comparable article to send along
to school comm.

1/21

Dr. Jenkins:

Helen, I believe, is preparing a cover
note from the Chancellor to go to Affirmative Action
groups with the Cross article. Do you want
to check with her if you have something in
response to Dr. Kelley's note.

FROM: HJ

NORTH CAROLINA STATE UNIVERSITY

Raleigh, N. C.

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL.

2/16/73

Date

TO: Chancellor

ACTION REQUESTED ON ATTACHED:

- | | |
|--|--|
| <input type="checkbox"/> Note and Return | <input type="checkbox"/> Please draft reply for my signature
(return attachments) |
| <input type="checkbox"/> For your information
(need not return) | <input type="checkbox"/> Please give me your comments
(return attachments) |
| <input type="checkbox"/> Please handle | <input type="checkbox"/> Requires your approval |
| <input type="checkbox"/> Please answer; furnish me copy | |

RE: Your note concerning the article in The Research Reporter by K. Patricia Cross, "Women Want Equality in Higher Education."

I'd say send to "affirmative action"

groups in each school and division.

However, I wish we had a similar article about Blacks to send along. This group needs attention too.

Of course. Have you got one? The Cross article has a special quality about it.

FROM: 

NORTH CAROLINA STATE UNIVERSITY
AT RALEIGH

CHANCELLOR'S OFFICE

2/15

TO: Provost Kelly

I got 100 of these
from Patricia Cross. It
has an objective quality
that caused me to ask
for copies to distribute.
Shall we send to:

- Adm Council ?
- Dept + Div Heads ?
- Committees ?
- Who else ?

ACTION REQUESTED ON ATTACHED

____ NOTE AND RETURN

____ NEED NOT RETURN

____ PLEASE HANDLE

____ PLEASE ADVISE ME/FURNISH DATA

____ PLEASE ANSWER AND FURNISH ME COPY

____ PLEASE DRAFT REPLY FOR MY SIGNATURE

____ REQUIRES YOUR APPROVAL

____ PLEASE CALL ME ON THIS



The Research Reporter

The Center for Research and
Development in Higher Education

UNIVERSITY OF CALIFORNIA, BERKELEY

Volume VII, Number 4, 1972

THE GLOBAL QUEST FOR EDUCATIONAL OPPORTUNITY

LELAND L. MEDSKER

For more than a decade, the United States has been deeply involved in what is commonly referred to as "mass higher education." The story is familiar: a radical increase in the percentage of college-age youths, particularly from lower aptitude and socioeconomic levels, who aspire to education beyond high school; a nationwide concern about "equal opportunity," "access," and "egalitarianism"; and continuing discussion, argument, and debate about the implications for practice of accommodating the "new students" to higher education.

Today there is both a widespread mood and move to extend postsecondary education to even larger populations of students, particularly adults, through various nontraditional forms of education. A recent and necessarily brief survey of postsecondary education in a number of countries visited made it clear that both the achievements and misgivings of the United States are part of a worldwide phenomenon. It is important that we become aware of the problems faced by other countries as they use the means compatible with their resources and cultures to achieve the same ends we seek. At the very least, it is important that we have no illusion that by widening the doorway to higher education, we are being more responsive to social and personal educational needs than other countries.

CENTRAL EUROPE

It is enlightening to look at central Europe in any review of the varying manifestations of movements toward increasing educational opportunity. Until quite recently, the European postsecondary system has been regarded as exceedingly rigid, yet the following statements, taken from papers prepared for a Paris conference sponsored by the Organization for Economic Development and Cooperation in December 1970, were representative of the changing educational philosophy on the continent.

Germany: Democratization means that everyone should have the chance to get the best possible education, taking account of his individual

capacities and needs, and that no institution should give privileges to any particular group of society.

Sweden: The report of the KU Commission (the Commission on Admissions to Higher Education) suggests that the general right to postsecondary study be granted to all those who have completed upper secondary studies in any of the 22 lines of study.

Belgium: These [reports] all emphasize the need to renew the structures of higher education . . . ensuring access to such studies for all strata of the population . . .

These remarks typified those presented in papers by countries as different as Finland and Portugal; the common emphasis was on new sets of goals and philosophies concerning higher education. Moreover, developments in the several countries support their intentions and claims.

SHORT-CYCLE PROGRAMS

One crucial form that has evolved in numerous countries and in a variety of ways is "short-cycle" education. Typically, this consists of shorter programs, designed to meet the needs of increasingly diverse student populations, and given either in existing institutions or in institutions established to offer such programs.

What does a woman want?
—Freud



WOMEN WANT EQUALITY
IN HIGHER EDUCATION

K. Patricia Cross

see p. 5



France

The principal efforts to establish short-cycle education in France has been through its University Institutes of Technology (IUTs). The chief purpose of these institutes is to train technicians, particularly through two-year terminal courses. The status of the IUTs as part of a larger university system, however, makes it possible for students who start in them to continue their studies in a "second cycle."

Ironically, admission to the terminal programs in the IUTs is presently more selective than it is to the academic programs of the universities. This situation results from the fact that French universities cannot limit access to any applicant who has completed high school, whereas students must compete for the much fewer places in the IUTs. Nevertheless, their existence is evidence of a break in the mold of traditional French education, and as such is an example of a new way to serve educational needs.

Norway

Several Regional Colleges (originally called District Colleges) have been established (three in 1969, three in 1970, and some 15 more are planned) in response to a 1967 Royal Commission proposal that the non-university sector be strengthened to accommodate a projected increase of postsecondary students from 30,000 to 100,000 in the next 20 years.

As in France, the capacity of these specialized short-cycle institutions is still inadequate to the demand. Still, postsecondary opportunity has been expanded by the decentralization of the locations of colleges, the relaxation of admissions requirements, and the development of entirely new types of programs which combine interdisciplinary studies with practical work and offer opportunities for part-time and recurrent education.

Yugoslavia

In some respects, the most dramatic development of extending opportunity through short-cycle education is the separate two-year institutions found in Yugoslavia, which were established in outlying regions in the early 1960s. The *Visa Skola* is quite similar to the community college in the United States, although primary emphasis is placed on the terminal aspects of the program and comparatively few students transfer to universities.

Sweden

Although Swedish planners are still struggling to effect new types of postsecondary programs with an emphasis on vocational education, the development of short-cycle education marks a significant liberative departure from Sweden's traditional pattern. The ultimate goal is to effect a viable combination of vocational training and theoretical studies. To date, a short-term experimental plan is underway which combines the equivalent of one year of vocational work in an upper secondary school with one year of academic courses at the local university.

In Other Countries . . .

The instances described above are only illustrative, not exhaustive, of efforts of European countries to open new avenues of higher education through short-cycle approaches. *Germany*, for example, has established two types of technical colleges—one with courses in designated fields that last for six months to two years; the other designed to prepare high-level technicians and students planning to transfer to certain universities. *Portugal* is planning Polytechnic Institutes with flexible admissions standards to prepare highly skilled personnel in two-year or three-year programs. And both the *Netherlands* and *Spain* are working on ways to include short-cycle institutions as an integral part of their systems of higher education.



THE BRITISH COMMONWEALTH

Excellent examples of democratization of postsecondary education are also found in all the British Commonwealth countries. The scope and energy of Great Britain's movement toward mass higher education are exceeded only in the United States.

Great Britain

Here the most impressive evidence of the thrust to democratize higher education is the widely publicized Open University. Chartered in 1969 and begun in 1971 to advance and disseminate "learning and knowledge by teaching and research by a diversity of means," the university offers courses designed to meet university standards for a B.A. Teaching is through materials distributed for home study; television and radio broadcasts transmitted by the BBC; written assignments returned to staff for evaluation; a national network of some 250 regional centers which facilitate enrollment, teaching, and counseling; and a requirement that a summer be spent in residence at a British University.

The Open University can be viewed as the contemporary culmination of Great Britain's longtime emphasis on "further education" and the country's evolution toward supplementing its elite university system with other institutions. Late in the 1800s, forty-five vocational and technical colleges were established, primarily as evening institutions. As these increased, many added courses in business and the arts, and some introduced Britain's famous "sandwich course" program, in which professional training in industry constitutes an integral part of college education. Ten of these colleges eventually evolved into technological universities, and a number of National Colleges were established to meet the relatively limited but critical need for manpower in certain technologies. In 1966, some of the regional colleges were transformed into Polytechnic Institutes, as "teaching institutions" closely linked with commerce and industry, to stand at the apex of the non-university system in vocational training.

Over the last few years, numerous institutes, schools, and colleges have evolved in this vast and politically and culturally diverse country, which vary greatly in number and nature from province to province.

In Western Canada, particularly in *British Columbia*, the prototype of the American two-year community college has taken hold, and more than a dozen of these and similar institutions offer both terminal technical and university transfer programs.

In *Ontario*, where a number of technical colleges had existed, a system of two-year Colleges of Applied Arts and Technology (CAATs) was established in 1965, devoted exclusively to preparing students for employment. Today there are 26 CAATs and six limited purpose institutes, many with extremely high enrollments. In 1972, a report of the Commission on Postsecondary Education in Ontario, expressing its philosophy and aims, stated, "We... stress the encouragement of lifelong education, part-time school attendance, and new ways of delivering education services..."

In *Quebec*, all high school graduates who go on to higher education first attend the "Colleges D'Enseignement General Et Professional" (CEGEPs). At CEGEPs, they may take two years of general academic courses, which qualifies them to enter a university, or three years of vocational education.

Australia

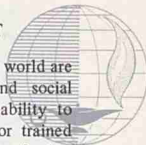
The Colleges of Advance Education (CAEs), which grew out of a 1964 recommendation that technical institutions be expanded to supplement the universities, constitute Australia's most significant step forward in expanding educational opportunity. By 1969, some 43,000 students were enrolled in CAEs, and several institutions have since joined the system.

Australian higher education has long been characterized by its emphasis on external study to reach those, particularly teachers, who are restricted by work situations or geography from attending a college on a regular basis. It has also shown its continuing awareness of the need to train middle and lower level technicians. When it became clear that the CAEs, for example, were upgrading themselves, and increasingly concentrating on higher level courses for technologists, new technical colleges were established to fill the void and strengthen the various programs for older youth and adults.

New Zealand

A single university has been given the responsibility for the country's external degree program. Of 6,000 students enrolled in universities in 1971, some 2,000 were external students working toward regular degrees or diplomas.

New Zealand's 12 technical schools, authorized by a 1964 Education Act, provide programs for training technicians and professional workers on what in effect is a part-time basis, since a qualification for certification is three years of suitable work experience. Courses may be taken toward three-year or five-year certificates.



Because the countries of this section of the world are at such different stages of economic and social development, they also differ widely in their ability to support postsecondary education, their needs for trained manpower, and the degree of social demand for further education. Nevertheless, the worldwide phenomenon of increasing educational aspirations has led an ever larger percentage of those who are qualified, to continue some kind of schooling beyond high school.

Japan

Although there is little evidence that Japan's extremely rigid and selective university admissions procedures will soon change, there is evidence of response to an internal demand for new postsecondary outlets.

In 1970 and again in 1972, the Central Council for Education issued guidelines for reforming higher education, emphasizing the needs for diversification, for providing easy transfers from one institution or curriculum to another, and for making both further education and re-education more possible for more people.

By fall 1971, more than 60 five-year technical colleges were spread throughout the country, and Japan's junior colleges (largely private) now number nearly 500 and enroll more than 260,000 students, 80 percent of whom are women.

Japan's highly publicized, new University of the Air, planned to be "open" to anyone with a secondary education and to give a second chance to anyone without one, is still more on the drawing board than actually on the air (evidently partly at least because of certain political problems). The goal is to provide instruction chiefly through broadcasting, supplemented by "institutional schooling" in "at least one learning center" in each state.

Singapore

Postsecondary education in Singapore is distinguished by its highly developed system of technical training. Singapore Polytechnic, Singapore Technical Institute, and Ngee Ann Technical College differ from one another in the degree to which they emphasize theory and techniques; as a group, they provide an unusual opportunity for young people to choose different types of occupational training.

There is also provision for out-of-school youth to obtain vocational training in schools outside the system or through adult education programs—many of which are the work-study, sandwich variety.

Thailand

As a developing country, Thailand has a limited foundation on which to build higher education, since schooling is compulsory only through the fourth grade. However, ten postsecondary technical institutes play an important role; in 1971, they enrolled more than 11,000 students. Admission to the institutes is by examination, and currently about 25 percent of those who apply are accepted.

Response to the pressure to provide access to university education for students ineligible for the existing universities resulted in 1971 in the "Open University," officially named Ramkhamhaeng University. The institution is still so controversial and its contribution to the country's needs still so uncertain, that its future at this point is not assured. Nevertheless, its conception and existence are testimony that the drive toward increased opportunity for learning and training has manifested itself here too.

LATIN AMERICA: CHILE

Higher education in Latin American countries is comprised primarily of traditional universities, both private and national, which are only moderately open, and there has been no marked move toward democratization. In recent years, Peru, Colombia, and Venezuela have considered establishing technical and junior colleges and other new types of postsecondary institutions, and there is considerable discussion throughout Latin America about educational reform and the extension of education to more of the population. But actual moves, when they come, will be made according to the political temper of the various countries.

An interesting instance of a country where such a move has been made is Chile, where the University of Chile has established a series of Regional Colleges to accommodate more of the increasing number of secondary school graduates. This development also achieved the necessary decentralization of the university, which had operated only in two major Chilean cities, to the considerable disadvantage of candidates for postsecondary education in the outlying provinces and distant cities. The first college was established in 1960, and seven additional ones came into existence during that decade. By 1970, the combined enrollment in the eight colleges was more than 10,000 students, or nearly 30 percent of the total enrollment of the University of Chile.

THE COMMON ISSUES

All countries, regardless of how far along the continuum of extending educational opportunity they have come, evidently face much the same issues and problems: determination of policy, accommodation of larger and increasingly diverse student bodies, planning and coordination, evaluation and assessment, and financial support. This includes the United States, despite its experience as a pioneer in the move toward mass higher education.

In some respects, the pressures to expand postsecondary education are coming at a time when the problems of extending opportunity are becoming increasingly difficult. For one thing, at the same time that more people are demanding greater educational opportunity, some policymakers are developing grave doubts about the traditional values of college. Also, in the last decade both legislative bodies and many people in most countries have reacted negatively toward student activism in higher institutions. This shift has raised doubts about

some of the sacred notions about higher education for more people, and these combined negative factors have not only increased the intensity of the financial crisis, but have made it difficult for many countries to formulate policies with respect to further education. The demands seem likely to continue, but whether they will continue to gain a quickly sympathetic hearing is problematic.

Now that other countries are engaged in the same process of transition in higher education, and also are seeking ways to accommodate more students, the United States can learn from others. We should profit, for example, from knowing more about the British system of part-time education, and observe (perhaps with some comfort) the pattern of upward institutional mobility which has operated in other countries, as it has so often in our own country, to leave behind an educational vacuum to be filled. In this day of emphasis on career education, we can observe good examples of technical education in Singapore, Canada, and many of the European countries, and we can continue to take some lessons from the Open Universities and the external study programs in countries such as Britain, Australia, New Zealand, and Japan. We will find practices to emulate, question, or avoid in most of these; in all of them we will identify the problems to be solved as we ourselves embark on forms of study that to us are nontraditional.

Other countries may learn something from us. By examining our system, they will learn something about the difficulties in maintaining diversity, and possibly profit from examples of our means of planning and coordinating higher education. They may find relevance in our current efforts to make the formal system less rigid through innovations that improve access and accent the individual in the learning process, and some countries may be particularly interested in our attempt to adjust graduate and professional education more specifically to the manpower needs of the nation. There is undoubtedly much that could be helpful to other countries in our approach to the complex problem of admissions criteria and our moves toward flexibility in this regard. Although countries differ from ours socially and economically may be unable to adopt our model for the community college system, they may nevertheless become convinced of the merit of mid-level institutions, and crystallize their own needs in the process of judging whether or not our specific practices are appropriate for them.

The issues discussed here reflect the growing pains associated with the transition from elitism to egalitarianism in postsecondary education. Despite the serious problems and fundamental issues involved in accommodating the worldwide persistent quest for educational opportunity beyond the secondary school, it seems unlikely that the pressures for such opportunity will abate, or that society will be relieved of the task of responding to them.

*Leland Medsker was director of the Center for Research and Development in Higher Education for five years before resigning in July 1972 to give more time to research and teaching. He is a research educator at the center and Professor of Education at the University of California, Berkeley. Material in this article is included in a monograph now in press, being published by the center.

What does a woman want?*

—SIGMUND FREUD

WOMEN WANT EQUALITY IN HIGHER EDUCATION

K. PATRICIA CROSS

Today, about half a century after Freud's famous question, many otherwise enlightened men are still asking, "What do women want?" Is it really so hard to understand that women want an end to discrimination?

Most educational leaders are aware of inequality of opportunity for women in higher education, but many find it hard to get excited about it. The Newman Task Force (1971) concluded that, "Our study found that discrimination against women, in contrast to that against minorities, is still overt and socially acceptable within the academic community [p. 80]."

To discriminate is to deny freedom of choice; it is to make decisions affecting the lives of individuals without their consent and frequently without their knowledge. Women are becoming sensitive to such restrictions, and are asking for the right to pursue higher education on the basis of their interest and achievement instead of their sex. They do not now have that freedom of choice. Some are denied it by institutional practices that are consciously or unconsciously discriminatory. Some are denied it by social pressures that define acceptable behaviors for women. Some are denied it by their own social conditioning and attitudes regarding women's roles. Denial of the full development of individual potential is, or should be, of concern to educators everywhere.

UNDERGRADUATE WOMEN

Research is quite clear that women are still underrepresented in the college-going population, with the national ratio of entering freshmen men to women now standing at 54 men to 46 women (Office of Research, ACE, 1971). The bastions of male predominance at the undergraduate level are the private universities and the public community colleges. It is paradoxical that the greatest imbalances should exist in the most selective and the least selective institutions.

Open door colleges can hardly be accused of practicing discrimination in their admissions policies. The sexual imbalance there is a byproduct of the fact that community colleges serve large numbers of students from the lower socioeconomic levels, and it is in this conservative segment of society that women's roles are most clearly stereotyped. Mothers who have attended college express no difference in their desire for college educations for sons and daughters—98 percent want college for their sons and 97 percent for their daughters. Mothers with a grade school education, however, are considerably more likely to want college for their sons than for their daughters (Froomkin, 1970).

Thus, it is not surprising that the largest reservoir of academically well-qualified young people who are not now

attending college consists of bright lower-class women. Whereas 25 percent of the high-ability (top quarter) males from the lowest socioeconomic quarter fail to enter college, 40 percent of their equally able sisters fail to continue their education (Cross, 1971). Included in the low socioeconomic group are black women, but as a group they seem to be responding more rapidly to the new opportunities for further education than white women of equal ability.

At the other end of the continuum—in the male-dominated universities—the situation regarding the pool of potential students is quite different. Universities draw their students largely from high school graduates who rank in the upper-half academically and socioeconomically. From this group, women enter college at the same rate as men. So why do we find a 60/40 male-female ratio in some universities? One need not charge out-and-out discrimination in admissions (although blatant examples of sex discrimination can be documented rather easily). Many practices of universities—housing requirements, space allocations to departments, etc.—serve to place a ceiling on the number of women students accepted. And that ceiling is more likely held in place by unconscious sex stereotyping than by anything related to academic competence.

I suspect most faculty *know* that intellectual capacity is not a sex-linked characteristic, but many still *feel* that it is somehow more satisfying to engage the "male mind" than the "female mind" in disciplinary enquiry. Interestingly enough, many professors who espouse this point of view are also staunch supporters of the validity of grades as a measure of intellectual competence. Yet, from grade school through college, women receive markedly better grades than men. How these faculty members explain that, by their own judgement and standards, women are better *students* than men is something of a mystery.

But grades are coming increasingly under fire as a measure of academic prowess, and critics often point to the lack of intellectual excitement in the conscientious, conforming grade-getter, which is the frequent stereotype of high school and college women. Chauvinists of both sexes feel that men are better able to deal with big ideas and abstractions, and that women handle day-to-day problems in a more practical manner. But research measuring the personality trait called "intellectuality" fails to support the stereotype. Evidence indicates that women are slightly more interested in aesthetics and in working

*In a conversation with psychoanalyst Marie Bonaparte, Freud said once: "The great question that has never been answered and which I have not yet been able to answer, despite my thirty years of research into the feminine soul, is 'What does a woman want?' [Ernest Jones, 1955, Vol. 2, p. 421]."

with ideas and abstractions, whereas men are more interested in theory and the use of the scientific method (Cross, 1971). While cultural expectations may push males and females toward somewhat different emphases in academic choices and behavior, a review of the research available on academic interest, abilities, and personality characteristics indicates no important differences between men and women in their potential for academic accomplishment.

GRADUATE WOMEN

Lewis (1968) succinctly presented the most frequently heard arguments for sex discrimination against graduate women.

Many graduate and professional programs for which members of both sexes commonly apply tend to discriminate against women, and many authorities believe they have good reason. Women are poorer bets than men to finish such a program, and those who do are less likely to use their education productively. A university feels some obligation not only to educate individuals, but also to be of benefit to society; thus, if an admissions committee must choose between a capable man and a capable woman for a place in its program, the choice can logically be made in favor of the man [p. 212].

The argument has a certain appeal, but there are research reasons as well as moral reasons for not accepting these three major arguments at face value.

In the first place, women cannot afford the luxury of indignation over the rejection of women who are as capable as the men who are accepted, until the problem of the rejection of women with superior academic qualifications is solved. An increasingly popular method of dealing with the question of discrimination against women is to base acceptances on the proportion of women who apply. Thus, at Berkeley, 31 percent of the applicants are women and 29 percent of the acceptances are granted to women (Report on the Status of Academic Women, 1970). That doesn't look too bad until one considers that women who

get as far as making an application for graduate study at Berkeley are highly self-selected. Under the equal rejection rate system, a department may be—and usually is—accepting men with poorer credentials than those of some of the rejected women.

On the whole, women would be better off if they were judged solely by their credentials than they are under quota systems. Since most departments assign the greatest weight to the undergraduate record (Lannholm, 1968), the superior grades of women would place them in a strong competitive position.

The second argument for differential acceptance rates to graduate school concerns the likelihood of the candidate's completing the degree. The argument is that so many things can happen to interfere with a woman's commitment to graduate study—marriage, pregnancy, moving from the area when her husband moves, and so on—that a man is a better bet for a long-range contribution to society.

Actually, there is very little information available on completion rates for men and women. On the surface at least, research (Astin, 1969; Ferriss, 1971) indicates that when all fields of study are combined, women are somewhat more likely to drop out of graduate school and also slower in completing their degrees. But since fields that attract women, such as humanities and education, have significantly lower and slower completion rates than the sciences, for example, it's hard to tell whether it is the subject or the women that are responsible for the statistics.

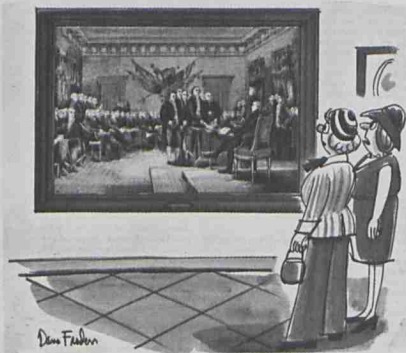
The third aspect of the argument for differential acceptance rates of men and women is that even when women do get their degrees, they are less productive than men. But the charge that women who receive doctor's degrees do not use their advanced training is no longer true, if indeed it ever was.

Research from several sources reveals truly startling numbers of working women PhDs. Astin (1979), for example, found that ten years after receiving their degrees, over 90 percent of these women were working—most of them full time. So women are doing something with their training.

Measures of productivity, whether for men or women, are so dismal that I have some quirks of conscience about lending respectability to them by citing mere counts of numbers of articles and books published. The evidence here, however, is that publication seems to depend more on the field of study than upon the sex of the scholar (Creager, 1971). Scientists are highly productive in terms of articles published; those with degrees in education are not. This fact leads rather naturally to the finding that men publish more than women. There is also evidence, however, that men are more interested in research and publication, whereas women express more interest in teaching. It is a moot question whether writing books and articles is more "productive" than teaching students.

ADULT WOMEN

Finally, the segment of the population with the greatest potential for enormous expansion into higher education consists of mature women. The typical woman



"Founding Fathers! How come no Founding Mothers?"

Drawing by Dana Fradon; © 1972, The New Yorker Magazine, Inc.

today has sent her youngest child off to school by the time she is 35, and she faces some 30 years of productive work life, with reduced home responsibilities.

But higher education is not yet ready for the learner who does not fit the stereotype of the young, single, unemployed student who is ready to devote full time to the pursuit of a degree. Mature women constitute a significant segment of a new kind of student population. Although one survey (Oltman, 1970) found that 95 percent of the colleges claimed to offer opportunities for older women to complete degrees, a follow-up (Mattfeld, 1971) determined that only half of these institutions made *any* concessions in rate of work, class hours, or customary academic practices to meet the needs of mature women.

Many graduate departments, for example, do not accept candidates over the age of 35, and others "discourage" older applicants. The prejudice in this instance is against age rather than sex, but women are more educationally disadvantaged by such attitudes because of their life patterns. Discouraging part-time study is another practice that is not directed against women, but it operates to their disadvantage.

The mobility of women, or more accurately the timing of the move, is another problem we have yet to face in providing education to an increasingly mobile population. The notion that it is "normal" for a student—even a young student—to graduate from college four years after entrance to that same college is a quaint relic of an earlier era. We have yet to deal realistically with the "portability" of credits. And this problem is exaggerated for women who generally move, not at their convenience, but when husbands have completed a given segment of their education.

Related to the old-fashioned notion that education is reserved for the young who can spend full time at it are a host of practices and requirements that are grounded more in tradition than in logic. Why should scholarships and loans be so commonly restricted to the use of full-time students? Do residency requirements and regulations that call for continuous enrollment serve a sufficiently valuable purpose that we are justified in shutting out students whose life circumstances prohibit meeting them? Why must an individual's academic load be determined by the institution rather than by the learner?

One of the great unsolved problems of education is the transfer of our excessive concern with procedures to more realistic concerns about purposes. We have a way of defining education in terms of the pathways traversed rather than the ends reached. Most of the problems of women students—and of many men as well—could be solved if we permitted students to reach defined goals via pathways that suit their life style.

In the final analysis, the barriers to individual development through education will come down when we decide as a society that educational opportunity should depend not on class stereotypes based on the color or shape of one's skin,* but upon individual needs, desires, and potential for contribution.

Mature women constitute a significant segment of a new kind of student population

RECOMMENDATIONS

That recruitment efforts by selective and non-selective colleges among women of lower socioeconomic status be increased.

That financial aid be realistically combined with recruitment efforts and impartially administered. On-campus employment at undergraduate and graduate levels should be studied in terms of the relative number of jobs available for men and women and for equity in pay scales. Housing and dining requirements should be examined for practices that result in discrimination.

That admissions and enrollment statistics for undergraduates and graduate students be examined year-by-year to disclose intentional and unintentional discriminatory practices.

That fact-finding committees with strict deadlines be appointed to assess local problems and needs. The committees should be charged with looking into the feasibility of meeting national recognized needs such as child care centers, part-time study options, and adequate educational and career counseling for women of all ages. But they should also give special attention to the full spectrum of local problems.

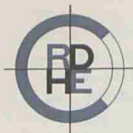
That resources of the institution be allocated to reflect the value commitment to equality of opportunity.

That the appointment of women to positions in which their counsel will form a natural and continuous input to decisionmaking be accelerated. Such appointments will be an important improvement over the current practice of seeking advice only when it becomes necessary or convenient. In addition, exposure to talented female scholars is a vital educational experience for young men as well as for young women.

The question of providing equal educational opportunity without regard to race, sex, age, or any other class identification is not one that is likely to go away if ignored. The options are really two—whether to lead with a bang or follow with a whimper.

This is an abbreviated version of a paper presented for the American Council on Education. The full length article will appear in a book entitled, *Women in Higher Education*, to be published by the ACE in Spring 1973.

*Sandler's (1972) phrase.



THE CENTER FOR RESEARCH AND
DEVELOPMENT IN HIGHER EDUCATION
2150 SHATTUCK AVENUE
UNIVERSITY OF CALIFORNIA
BERKELEY, CALIFORNIA 94704

Nonprofit Org.
U. S. Postage
PAID
Berkeley, Calif.
Permit No. 1

REFERENCES

- Astin, H. *The woman doctorate in America*. New York: Russell Sage Foundation, 1969.
- Creager, J.A. *The American graduate student: A normative description*. Washington, D.C.: Office of Research, American Council on Education, 1971.
- Cross, K.P. *Beyond the open door: New students to higher education*. San Francisco: Jossey-Bass, 1971.
- Ferriss, A. *Indicators of trends in the status of American women*. New York: Russell Sage Foundation, 1971.
- Froomkin, J. *Aspirations, enrollments, and resources*. U.S. Office of Education. Washington, D.C.: Government Printing Office, 1970.
- Jones, E. *The life and work of Sigmund Freud*. Vol. 2. *Years of maturity, 1901-1919*. New York: Basic Books, 1955.
- Lannholm, G.V. *The use of GRE scores and other factors in graduate school admissions*. Princeton: Educational Testing Service, 1968.
- Lewis, E.C. *Developing woman's potential*. Ames: Iowa State University Press, 1968.
- Mattfeld, J.A. *A decade of continuing education: Dead end or open door?* Bronxville, New York: Sarah Lawrence College, 1971. Mimeographed.
- Newman, F. Task Force, Chm. *Report on Higher Education*. U.S. Office of Education. Washington, D.C.: Government Printing Office, 1971.
- Oltman, R. *Campus 1970: Where do women stand?* Washington, D.C.: American Association of University Women, Dec. 1970.
- Report of the subcommittee on the status of academic women on the Berkeley Campus*. Berkeley: University of California, May 1970.
- Sandler, B. *Equity for women in higher education*. In Vermilye, D. (Ed.), *The expanded campus*. San Francisco: Jossey-Bass, 1972.

PUBLICATIONS

Students and Colleges: Interaction
and Change \$4.00

Clark, B.R., Heist, P., McConnell, T.R., Trow, M.,
and Yonge, G.

Investigates evidence of differential change in students in eight selected institutions—three of them small, residential, "elite"; three church-related and varying widely in academic selectivity; and two of them large and public. Examines how students in the different institutions changed in relation to their characteristics and attributes at entrance with respect to: educational and vocational values; religious, political, and civic attitudes; and especially changes in intellectual disposition.

Inventory of Current Research on Postsecondary
Education 1972 \$3.00

Hefferlin, J.B., Bloom, M.J., Gaff, J.G., and
Longacre, B.J.

A description of 1,100 research projects currently underway in the United States and Canada dealing with postsecondary education. It is designed to be used by scholars and students of postsecondary education and institutional administrators and researchers.

The Research Reporter

Published quarterly by the Center for Research and
Development in Higher Education,
2150 Shattuck Avenue, University of California,
Berkeley, California 94704

Lyman A. Glenny, Director

K. Patricia Cross, Editor Harriet Renaud, Associate Editor
Norman T. Rae, Managing Editor

The purpose of *The Research Reporter* is to keep those who are concerned with the practice of higher education informed about the Center's ongoing studies, the completion of research projects, and recent Center publications.

The Research Reporter will be sent without charge to those who ask to be placed on the mailing list.

File

April 4, 1973

TO: Dr. Cameron West
FROM: Clauston Jenkins

Attached is the response for MCSU to your request for information related to the HEW request for a desegregation plan.

We have made additions and deletions as necessary and we have furnished information on the magnitude of the program when it was available. If you have any questions, please contact me.

Attachment

CC: Chancellor Caldwell
Provost Kelly

EAST CAROLINA UNIVERSITY

GREENVILLE, N. C. 27834

OFFICE OF THE PROVOST

January 30, 1973

Dr. Clauston L. Jenkins, Jr.
Co-Ordinator of Institutional
Studies and Planning
N. C. State University
Raleigh, North Carolina 27607

Dear Clauston:

Thank you for your great assistance on January 29. I am aware how busy you are and I greatly appreciate your giving up an entire morning to discussion of the Equal Opportunities Program at North Carolina State and the possible ways your experience can be incorporated at East Carolina University. Be assured that I shall keep your offer of assistance in mind. No doubt I shall be calling on you on several occasions in the future.

Sincerely yours,



Charles P. Cullop
Equal Opportunities Employment Officer

CPC/10

Equal Opportunities Employer

EAST CAROLINA UNIVERSITY

GREENVILLE, N. C. 27834

OFFICE OF THE PROVOST

January 30, 1973

W

Dr. Harry Kelly, Provost
N. C. State University
Raleigh, N. C. 27607

Dear Dr. Kelly:

I appreciated the opportunity to discuss with you on January 29 the N. C. State Affirmative Action Program. I found our exchange of information and ideas to be both instructive and enjoyable.

WHT

Thank you also for the nice lunch and additional useful and pleasant conversation provided by your guests from Green Bay, Nash and Clauston.

During the afternoon I talked with Bill Calloway and several of his associates at the Personnel Office and found their information and advice to be helpful.

W

All in all, I believe my trip to Raleigh will be quite profitable in attacking the equal opportunity problem at East Carolina University.

1

Sincerely,

Charles P. Cullop

Charles P. Cullop
Equal Opportunities Employment Officer

CPC/lo

Equal Opportunities Employer

Dr. Jenkins
11-28-72

November 27, 1972

Chancellor John T. Caldwell
Holladay Hall
Campus

Dear Chancellor Caldwell:

I have presented to the Good Neighbor Council an oral summary of the Department of Health, Education and Welfare report concerning its compliance review of North Carolina State University. Additionally I have received, from Provost Kelly, his charge to the academic deans relative to an affirmative action plan. It is the wish of the Good Neighbor Council that I convey to you both our willingness and our desire to help in any way possible in the formulation of an affirmative action plan.

HCT

The October 1971 report from the Council entitled Racism in Employment at NCSU - Patterns and Prospects points especially to "targets of opportunity" and the need for upward mobility for black employees. These recommendations would appear appropriate for an affirmative action plan. Additionally, the Council has often discussed and I know would endorse the Provost's suggested goal of adding minority graduate students in those disciplines in which few minority Ph.D.s are available.

I am well aware of the personal commitments of both you and Provost Kelly to the attainment of equality on our campus and I sincerely hope you will receive the cooperation of the university community in these efforts.

Sincerely,

Charles F. Murphy, Chairman
University Good Neighbor Council

CFM:ldc

cc: Provost Kelly

*Affirmative Action
Plan*

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

THE GRADUATE SCHOOL

Box 5335 Zip 27607

October 24, 1972

W

Memorandum to: Provost Harry Kelly

From: *Walter J. Peterson*
Walter J. Peterson
Dean

Subject: Your memo of October 19, 1972--
Report from HEW on contract
compliance at NCSU

Having read the report with considerable interest it has occurred to me that if in due course we will be expected to file an Affirmative Action Plan, you may wish to call on the services of a Committee appointed last year at Chancellor Caldwell's request. (My letter of November 16, 1971 attached.)

HJK

This Committee worked most diligently all last year and I suspect has as much feel for and understanding of minority problems of our campus as any grouping of individuals one might name. I know at first hand the depth of their concern and their willingness to work conscientiously for our University in any good cause.

WJS

S

WJP:jt

(Enclosure)

cc: Dr. Clauston L. Jenkins



Norfolk Bond

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

The Graduate School

November 16, 1971

Memorandum to: Dr. David R. Kniefel, Co-Chairman
Dr. Dale M. Hoover, Co-Chairman
Dr. N. J. Rose
Dr. Robert Work
Dr. Robert G. Carson
Dr. Ralph Greenlaw
Dr. Joe O. Lammi
Professor R. R. Wilkinson
(Administrative Board Liaison)
Dr. Carl Zorowski
(Administrative Board Liaison)
(To be named) (Representative of
Graduate Student Association)

From:


Walter J. Peterson
Dean

This is to ask you to serve on a Committee of the Administrative Board of the Graduate School to

- (1) Look into ways to expand opportunities for black graduate students at NCSU and
- (2) Consider development of appropriate proposals seeking support for black students and black student programs from agencies such as the Ford Foundation and others.

I might observe that appointments to this Committee were made after consultation with School deans and members of the Administrative Board of the Graduate School.

Dr. Earl Droessler and I would like to attend the first meeting of the Committee to explain and round out other charges to the Committee.

WJP:jt

cc: Dr. Earl Droessler
Mr. A. I. Long

November 21, 1972

MEMORANDUM

TO: N. N. Winstead
FROM: Harry C. Kelly, Provost

The first page of the computer printout of "Data for Affirmative Action Planning" is of the academic employees of the Library. The Library reports directly to us. If I interpret this first page correctly, there is not a single Black in the Library among the academic employees, Is this true? If so, what Affirmative Action are we taking?

HCK:gj

WV

g

HEW

- 1) preventive action with other specific areas - i, put memos a file now as to reasons. For both high + low
- 2) follow up on recruitment efforts getting more specific data when can it reasons preferred one over the other - on file.
- 3) General review will most likely involve Blacks?
- 4) Can we prepare affirmative action plan?
 - A) try schools
 - B) set specific goals
 - C) remedial action
 - D) explanation of all discrepancies

Equal Opportunity

October 5, 1972

MEMORANDUM

TO: Dean Walter J. Peterson
FROM: Harry C. Kelly, Provost
SUBJECT: Minority Affairs at NCSU

W
WJK
J

The Chancellor and I are in agreement that we do not want a separate "minority affairs" or "equal opportunity" committee at this time. Right now we prefer to let the Good Neighbor Council serve the function as it has done in the past. Most of the specific problems you cite should probably be dealt with by the administrators involved. I have asked Dr. Clauston Jenkins, who spends a great deal of his time on related activities, to fill you in on some of the details of our actions so far. He'll call you next week.

HCK:CJ:gj

cc: Dr. Clauston Jenkins

October 4, 1972

MEMORANDUM

TO: Dr. Kelly

FROM: Clauston Jenkins *CJ*

After rereading Dean Peterson's memo to you, I think it would be more direct to respond as follows:

The Chancellor and I are in agreement that we do not want a separate "minority affairs" or "equal opportunity" committee at this time. Right now we prefer to let the Good Neighbor Council serve that function as it has done in the past. Most of the specific problems you cite should probably be dealt with by the administrators involved.

I have asked Dr. Clauston Jenkins, who spends a great deal of his time on related activities, to fill you in on some of the details ^{of our actions so far.} He'll call you next week.

OK
2

CJ:lc

Attachment

NORTH CAROLINA STATE UNIVERSITY | AT RALEIGH

THE GRADUATE SCHOOL

Box 5335 Zip 27607

September 28, 1972

Memorandum to: Vice-Chancellor Kelly

From:

Walter J. Peterson.
Walter J. Peterson

Subject: Minority Affairs at NCSU

Recalling some of the discussions at the Twentieth Annual meeting of the Southern Association of Land-Grant Colleges and Universities which we just attended in New Orleans, a number of the subjects discussed may merit consideration at some forthcoming Monday afternoon staff meeting. Specifically:

The talk by Dr. R. W. Fleming speaking to the University of Michigan's recent experiences with HEW regarding

- (a) Privacy of records
- (b) Nepotism
- (c) Back pay
- (d) Cost of compiling records.
- (e) Termination of employees.
- (f) Advertising of position openings.

I have, for example, been wondering whether we ought not have a University Commission appointed from your office on Minority Affairs to deal both with the problems of minorities (equal opportunity) on our campus as well "equal opportunities" for women.

Please advise. I'd be happy to initiate discussions if you think well of the idea.

WJP:jt

October 5, 1972

MEMORANDUM

TO: Dean Walter J. Peterson
FROM: Harry C. Kelly, Provost
SUBJECT: Minority Affairs at NCSU

ORIGINAL SIGNED BY
HARRY C. KELLY

The Chancellor and I are in agreement that we do not want a separate "minority affairs" or "equal opportunity" committee at this time. Right now we prefer to let the Good Neighbor Council serve the function as it has done in the past. Most of the specific problems you cite should probably be dealt with by the administrators involved. I have asked Dr. Clauston Jenkins, who spends a great deal of his time on related activities, to fill you in on some of the details of our actions so far. He'll call you next week.

HCK:CJ:gj

cc: ✓ Dr. Clauston Jenkins

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

Box 5335 Zip 27607

THE GRADUATE SCHOOL

September 28, 1972

Memorandum to: Vice-Chancellor Kelly

From:

Walter J. Peterson.
Walter J. Peterson

Subject: Minority Affairs at NCSU

Recalling some of the discussions at the Twentieth Annual meeting of the Southern Association of Land-Grant Colleges and Universities which we just attended in New Orleans, a number of the subjects discussed may merit consideration at some forthcoming Monday afternoon staff meeting. Specifically:

The talk by Dr. R. W. Fleming speaking to the University of Michigan's recent experiences with HEW regarding

- (a) Privacy of records
- (b) Nepotism
- (c) Back pay
- (d) Cost of compiling records.
- (e) Termination of employees.
- (f) Advertising of position openings.

I have, for example, been wondering whether we ought not have a University Commission appointed from your office on Minority Affairs to deal both with the problems of minorities (equal opportunity) on our campus as well "equal opportunities" for women.

Please advise. I'd be happy to initiate discussions if you think well of the idea.

WJP:jt

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

Box 5335 Zip 27607

THE GRADUATE SCHOOL

October 24, 1972

Memorandum to: Provost Harry Kelly

From: *Walter J. Peterson*
Walter J. Peterson
Dean

Subject: Your memo of October 19, 1972--
Report from HEW on contract
compliance at NCSU

Having read the report with considerable interest it has occurred to me that if in due course we will be expected to file an Affirmative Action Plan, you may wish to call on the services of a Committee appointed last year at Chancellor Caldwell's request. (My letter of November 16, 1971 attached.)

This Committee worked most diligently all last year and I suspect has as much feel for and understanding of minority problems of our campus as any grouping of individuals one might name. I know at first hand the depth of their concern and their willingness to work conscientiously for our University in any good cause.

WJP:jt

(Enclosure)

cc: Dr. Clauston L. Jenkins

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

The Graduate School

November 16, 1971

Memorandum to: Dr. David R. Kniefel, Co-Chairman
Dr. Dale M. Hoover, Co-Chairman
Dr. N. J. Rose
Dr. Robert Work
Dr. Robert G. Carson
Dr. Ralph Greenlaw
Dr. Joe O. Lammi
Professor R. R. Wilkinson
(Administrative Board Liaison)
Dr. Carl Zorowski
(Administrative Board Liaison)
(To be named) (Representative of
Graduate Student Association)

From:

Walter J. Peterson
Walter J. Peterson
Dean

This is to ask you to serve on a Committee of the Administrative Board of the Graduate School to

- (1) Look into ways to expand opportunities for black graduate students at NCSU and
- (2) Consider development of appropriate proposals seeking support for black students and black student programs from agencies such as the Ford Foundation and others.

I might observe that appointments to this Committee were made after consultation with School deans and members of the Administrative Board of the Graduate School.

Dr. Earl Droessler and I would like to attend the first meeting of the Committee to explain and round out other charges to the Committee.

WJP:jt

cc: Dr. Earl Droessler
Mr. A. J. Long

New file

Affirmative Action
Plan

*Affirmative Action
Plan*

To: Nash Winstead
From: Clauston Jenkins

It is just a matter of time before we have to develop an affirmative action plan. I think we had assumed (and I had too) that I would whip one up, have it reviewed by the Good Neighbor Council, and send it in. Because of the timing of the Self Study and Government Commission, I won't have the time this Fall to do an adequate job. Upon reflection my original conception was flawed in its lack of involvement of faculty and staff. Thus I would suggest that we establish an ad hoc committee for affirmative action planning charged with the responsibility of writing a plan to be reviewed by the Good Neighbor Council, the Senate and the Administration. I would suggest the following membership:

Jasper Memory, Chairman
Phyllis Bradbury
Cy King
Odell Uzzell
Bill Calloway
1 SPA female
1 SPA black

I would be glad to work with the committee in any way I could.

The Committee should begin work in the fall in order to develop background knowledge. It should report directly to the Chancellor.

7/10/72

DRAFT

A Plan for Positive Action to Insure Equal Employment Opportunity
At North Carolina State University

SUMMARY

C
O
P
Y

The equal employment opportunity plan for North Carolina State is designed to attack the substance of the problem at our university--lack of minority faculty and lack of minority and female graduate students. The plan attempts to use existing administrative structure because it is our judgment that an additional structure would diffuse responsibility. We believe that we have a sound mechanism for insuring equal employment opportunity through the officers of the university and existing committees such as the Good Neighbor Council. Our goal has been to deal with the substance of the problem rather than the form of previously improved plans. We have kept foremost in our mind our responsibilities as an educational institution devoted to excellence and have tried to develop a plan that will be successful in an university and one that concentrates on key human factors rather than on man-made governmental processes. While we are concerned about our deficiencies in some areas, we have not promised immediate correction because we recognize that such change would be practically impossible within the current manpower and fiscal resources available. We have promised no roses, but like Candide we have begun to cultivate our garden.

D R A F T

A Plan for Positive Action to Insure Equal Employment Opportunity
at North Carolina State University

Faculty and Professional Employees
ASSUMPTIONS AND CONDITIONS

Two assumptions underlie N. C. State's plan of positive action to insure equal employment opportunity. First, the basis of employment and promotion of faculty and other professional personnel is and shall be good faith assessment of personal merit. Second, it is our intention to develop and maintain a plan of action that will insure that discrimination does not occur against or for any minority or female. In short we aim at the precise conditions of equal opportunity. Both of these assumptions are contained in a statement of university policy by President Friday which was distributed to all NCSU personnel.

Two significant limiting conditions should also be noted before proceeding. First, the 1971 General Assembly of N. C. enacted a budget and laws that severely and unexpectedly limit the flexibility of this campus. An increase in student-faculty ratio, an 89% non-resident tuition increase over a two year period, and the elimination on non-resident tuition waiver for graduate assistants mean that the faculty size may actually decrease from 1971 to 1973. The possible effect of this situation may be that we do not even replace ^{all} faculty who resign or retire. In addition we may not be able to promote faculty ^{to positions of tenure} as rapidly as in the past. Time will reveal the actual impact of these changes, but the university wishes to make its potential problems clear. We are cautious in this plan because we do not wish to promise what we cannot in fact do.

Second, a special fall session of the 1971 General Assembly will consider the reorganization of higher education in N. C. It is possible that a new system of higher education will emerge. Within a new system ^{undoubtedly} so many internal policies will be changed ^{delete} (that it would be folly to speculate at this time). For this reason it does not seem prudent to propose such changes as new position categories or new organization structures.

ANALYSIS

C
O
P
Y

We shall proceed to an analysis of our current employment practices and patterns and use the analysis as the basis for a plan of action. Analysis of our current faculty and professional personnel shows that we need considerably more minority members of the faculty and a slightly larger segment of females. Although we acknowledge that we must make efforts to correct these conditions, we believe that four factors help explain ~~if not erase~~ the present situation. These factors are our programs, our past history as an all male institution, our prestige as an university, and the preferences of potential faculty for certain geographic areas.

The major programs of N. C. State are described by our 8 Schools: Agriculture and Life Sciences, Design, Education, Engineering, Forest Resources, Liberal Arts, Physical and Mathematical Sciences, and Textiles. Our program in education is limited to the following fields: adult education, agricultural education, guidance and personnel services, mathematics and science education, and industrial technical education. In addition we prepare secondary school teachers in various academic fields, but we do not offer elementary education or educational administration. Except for the life sciences and the liberal arts, our majors are professional, technological, or scientific. Many of our programs

Scientific

attract few women and it also appears that blacks are not especially interested in agriculture, engineering, or the physical sciences. A check of institutional data for mathematics BS degrees awarded in 1968-69 (OE-54013-69 Part 13) reveals that such fields as ^eengineering, design, forestry, textiles, chemistry, and physics had relatively few baccalaureate graduates from predominantly black institutions. Since few students receive bachelor's degrees in these fields, the number of potential minority graduate students is limited and thus it follows that the number of potential faculty, i.e. recipients of doctorates, would be significantly less. Our experience in recruitment efforts has confirmed this problem. Our department head observed, "I know of only ^{one} two or three black foresters in the entire country." Another department head noted, "I have yet to meet a graduate black geologist, meteorologist, or physical oceanographer; thus, I am not hopeful that there would be any large number of black applicants."

This situation described above constitutes one of our basic difficulties in hiring additional minority faculty--such individuals are scarce in many of the programs we offer. For this reason we have concluded that our energies can be most profitably directed towards the recruitment of additional black graduate students.

The situation for females parallels that for minorities except that we have more accurate data. Assuming that the doctorate is the basic qualification for faculty membership in most instances, we can determine the percentage of females receiving doctorates in 1968-69, the last year for which complete data is available. These women would represent the pool of potential new faculty, but one should recognize that the size of the pool is increasing each year and that in the past the availability of female PhD's was not as good as it is today. The table below lists the percentage of female doctorate recipients for the programs offered by N. C. State.

<u>Discipline</u>	<u>Percentage Women PhD's 1968-69</u>
Agronomy, Field Crops	.00632 .6% ?
Animal Science	.03333 .3% etc.

decimals used not correct for 1970 is this .6%

C
O
P
Y

Periods
are covered 4

<u>Discipline</u>	<u>Percentage Women PhD's 1968-69</u>
Wildlife Management	.0
Food Science	.03797
Horticulture	.01587
Poultry Science	.12000
Soil Science	.0
Botany	.13253
Zoology	.16129
Biochemistry	.17834
Entomology	.04444
Genetics	.13725
Plant Pathology	.04301
Microbiology	.22054
Physiology	.13963
Agriculture Economics	.00534
Agriculture-Total	
Architecture (M.A. degree)	.06390
Design-Total	
Recreation	.0
Agricultural Education	.0
Industrial Arts (2 Fields)	.01265
Adult Education	.14062
Counseling & Guidance	.17705
Psychology	.22952
Education-Total	
Agricultural Engineering	.02222
Chemical Engineering	.00733
Civil Engineering	.0
Electrical Engineering	.00464
Engineering Mechanics	.0

Y
d
o
c

<u>Discipline</u>	<u>Percentage Women PhD's 1968-69</u>
Industrial Engineering	.0
Mechanical Engineering	.0
Metallurgical Engineering	.00518
Nuclear Engineering	.0
Engineering-Total	
English & Speech	.28000
Foreign Languages-total	.34000
Philosophy & Religion	.09000
Economics	.06782
History	.13317
Political Science	.10492
Physical Education	.21000
Sociology & Anthropology	.20983
Liberal Arts-Total	
Math	.06171
Statistics	.06382
Chemistry	.07598
Computer Science	.04545
Physics	.02469
Geology	.06250
FAMS-Total	

C
O
P
Y

This evidence suggests the number of women faculty at N. C. State could be expected to be significantly less than the number at a different type of university. For this reason we do not conclude that we have a need for a large addition of females to our faculty. We do, however, recognize some need for additional women faculty in particular fields.

The past history of N. C. State is a factor which accounts for the small number of women in the upper ranks of the faculty. More specifically, ^{not quite correct as far as female status} until the middle 50's N. C. State was exclusively a male institution. Only ^{could come no having to no fill} since the ^{late} middle 60's has the female enrollment been above 10% as the data below illustrate:

<u>YEAR</u>	<u>TOTAL ENROLLMENT</u>	<u>WOMEN</u>	<u>PERCENTAGE WOMEN</u>
1957-58	5766	109	2%
1960-61	6510	186	3%
1963-64	7451	308	4%
1966-67	11203	1009	9%
1970-71	13340	2417	18%

Since the number of women in the student body has been growing rapidly only during the past 5 years; it is only natural to expect the faculty to begin to reflect an awareness of the possibilities for a need of additional women teachers. As a result more women are in lower ranks because they have not been here long enough to earn tenure. We do not plan to match our percentage of female students with our percentage of female faculty. We probably could not achieve such an aim because of our program emphases. However we do recognize the need to insure the rights of women to advance into the tenured ranks of faculty. It is our judgment that considerably more women will be given tenure during the next 5 years. By that time many will have been here long enough to be considered for promotion, provided,

COPY

of course, that our budgetary situation allows us the flexibility of promoting anyone.

The third factor which influences our success in adding minority and female faculty and professional staff is the prestige of N. C. State. Although in many fields there is a surplus of potential faculty, the surplus does not extend to minorities such as blacks. No matter what the field, the black with a PhD is in high demand and can often demand higher salary. In such a competitive situation prestige of the institution plays an important role as Caplow and McGee have documented in The Academic Marketplace. Thus, for example, MIT, Cal Tech, or even Georgia Tech have an advantage over us when competing for engineers. With a limited number of candidates, the lower prestige campuses often get no one, no matter what salary is offered. It is unlikely that the prestige of North Carolina State will increase dramatically over the next few years. For this reason we believe the solution lies in expanding the supply of faculty by increasing minority enrollment in graduate programs.

The prestige factor also influences the employment of women in a somewhat similar way. There are more women doctorates available but the best ^{most} ~~best~~ *prestigious* institutions employ the best qualified ones. In the prevailing conditions of abundance of white male candidates lower prestige universities are thus often faced with a choice of several well qualified men and one fairly well qualified woman. All institutions, naturally want the best faculty possible and on the basis of good faith assessment of personal merit would be likely to select one of the men. Although the selection appears to be discriminatory, it is not in fact. On the other hand, selection of the female would be discrimination in favor of sex, something which no one has yet shown to be a legitimate aim of public policy.

Prestige may also operate against us in another way in the future. As

C
O
P
Y

As we attract more minority and female faculty we may find that once they begin to establish themselves in their field, they can be lured away by more prestigious institutions. Thus, institutions like N. C. State may end up with a constant turnover and few minorities and females who remain long enough to earn tenure. Until the supply of potential faculty increases, this kind of rapid change may be a problem.

The fourth factor to be considered is the preference of individuals for certain geographic areas. As a southern institution N. C. State may not be appealing to minorities because of conditions outside the campus. As has been noted numerous times recently, the university cannot or has not solved society's problems. This university supports improvement of relations and the end of discrimination but the task is not complete. The choice of the place to begin both a career and generally an adult life is largely personal. We cannot measure the effect of our southern location and we cannot change our location either. We merely suggest that our location is a factor in our ability to attract minority faculty and professional personnel.

A PLAN

To insure equal employment opportunity for faculty and professional employees N. C. State University proposes a two part plan of affirmative action. The first part concerns the creation of the new position and the responsibilities of that position. The second part is a list of other actions that will be taken to insure equal employment opportunity.

Beginning with the first semester of academic year 1971-72 NCSU proposes to create the position, Assistant to the Provost for Equal Employment Opportunity. For the first year the position will be half time and the individual will either be a black or a female. The responsibilities of this Assistant to the Provost will be as follows:

- 1) Review university policies and provide guidance on formulation of new policies related to discrimination and equal opportunity;
- 2) Identify prospective minority graduate students and faculty members and work with department heads in identifying new sources for recruitment;
- 3) Chair a committee of faculty from NCSU and neighboring black institutions that will be charged with identifying areas for improved cooperation and sharing of resources among the institutions;
- 4) Serve on the Good Neighbor Council;
- 5) Develop a system of reports that will insure periodic review of progress and patterns in providing equal opportunity at N. C. State.

It is our judgment that an effective individual in this position can do more to insure equal opportunity among faculty and professional employees than a more detailed, elaborate plan. Our reasons for this conclusion are as follows: First, the Provost interviews all prospective faculty who visit the campus and reviews every academic appointment before it is approved. Thus, trends or imbalances or missed opportunities can be spotted immediately. Second, the Provost has the responsibility for allocation of positions and of salary increase funds, thus he is in a good position to correct inequities. Third, the Provost reviews salary increases and promotions, thus potential problems can be resolved before they materialize. Fourth, assignment to the staff of the Provost is clear indication to the university community that we are concerned about providing equal opportunity. Fifth, with the limited responsibilities mentioned above

C
O
P
Y

the Assistant to the Provost for Equal Employment Opportunity will be able to make impact at the most significant points according to our own analysis of our needs-- more minority faculty and additional minority and female graduate students in our programs. Sixth, through service with the Provost the Assistant to the Provost will be able to have a top level input into the revision of current policy and formulation of new policy affecting equal employment opportunity.

C
O
P
Y

The second part of our plan concerns specific actions in addition to those listed above. First, and most important of all, if budgetary conditions permit, the Provost has agreed to identify at least five new faculty positions next year to be filled only with minorities. Such positions will be assigned to the departments that hire minority faculty. These minority positions will be added to whatever positions might normally be allocated to departments. The Provost also will continue his efforts to insure that equal employment opportunities will be provided in the hiring of all faculty and professional personnel so that the special five positions would represent a special effort. If the procedure proves successful the first year, it will be repeated as financial conditions permit.

Second, the Provost plans, under providing budgetary conditions permit, to designate from five to ten graduate ^{teacher} assistantships each year for minorities and females. This allocation would be supportive of and in addition to the efforts of the Assistant to the Provost for Equal Employment Opportunity to identify potential minority graduate students.

Third, at each General Faculty Meeting the Chancellor will review our situation, describe our progress and make appropriate suggestions concerning insuring equal employment opportunity.

Fourth, the Provost will include a statement about N. C. State University's equal employment opportunity policy in the next edition of the Faculty Handbook which is scheduled for the fall of 1971.

Tell
Bill

his work
w/ revision
now -

Fifth, School Deans will be asked to insure that all departments discuss their equal employment situation each semester. The Assistant to the Provost for Equal Employment Opportunity may provide documentation and background for such discussions.

Sixth, Department Heads will be responsible for determining that the university's employment policy is stated in letters concerning prospective faculty and in all notices of vacancies.

Seventh, statements about the university's equal employment policy will be included in future editions of catalogues. The Director of Information Services will be responsible for this provision of the plan.

Eighth, the Provost will work with the Faculty Senate to insure that faculty and professional personnel are aware of the faculty grievance procedure and to insure that grievances are handled justly and with dispatch.

Ninth, the role of the Good Neighbor Council will be clarified so that its role in reviewing equal employment opportunities on this campus will be understood by the university community.

C
O
P
Y

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF BUSINESS AFFAIRS

DIVISION OF PERSONNEL SERVICES
Box 5067 Zip 27607

Primrose Hall
July 22, 1971

MEMORANDUM

To: Dr. Clauston Jenkins
From: Bill Calloway *WRC*
Subject: Affirmative Action Plan

The attached sheets indicate responses to questions raised by Dick Robinson concerning ingredients to be placed in University Affirmative Action Plan. I have discussed the content with Mr. Wright; he has okayed it for inclusion in your report. I also left with him a copy in case he has further questions.

I apologize for not having more time to spend on the project, but the workload in the office has been heavy. Please keep me informed of the progress of the committee; I shall be happy to aid you further in any way that I can.

WRC:evw

NORTH CAROLINA STATE UNIVERSITY

Raleigh, N. C.

OFFICE OF PROVOST

HOLLADAY HALL

D. Kelly
Chancellor

6/17/71 Date

TO: _____

ACTION REQUESTED ON ATTACHED:

Note and Return

For your information
(need not return)

Please handle

Please answer; furnish me copy

Please draft reply for my signature
(return attachments)

Please give me your comments
(return attachments)

Requires your approval

Re: Attached draft concerning Development
of our own version of an Affirmative
Action Plan for HEW,

To keep you informed.

Excellent program of action!

HCK *[Signature]*

FROM: _____

Development of our own version of an Affirmative Action Plan for HEW

Regardless of the outcome of our appeal of the two specific complaints against us, we know that we can expect another visit from HEW. This visit will be the general site visit, and it is most likely that it will be focused on Blacks. **Such** focus is appropriate, for we do need more blacks in our academic community. We also recognize that the purpose of such a visit is to find deficiencies so that HEW can require us to file an "affirmative remedy" plan. From the experience other campuses have had, we can get a fairly accurate estimate of what HEW would like in an "affirmative remedy" plan. Some of the items would be acceptable to us, but many would not. Why don't we beat HEW to this ^epunch and prepare our own version of an "affirmative remedy?" With this kind of approach we can develop a course of action that is compatible with our needs and character as an institution.

As a first step in this direction we might emphasize several goals:

- 1) Increasing our cooperation with nearby black institutions
- 2) Active recruitment of black graduate students
- 3) Active recruitment of black faculty

Both as the most effective means of achieving these goals and as evidence of our "affirmative" planning we should consider hiring a Black faculty member in our office on a half-time, joint appointment basis with a neighboring campus. This individual should be in good position to work on all three goals above and placement in the Provost's office would provide good access to our faculty and quick comprehension of the possibilities among our programs. One possibility for this position is Thelma Roundtree who is already an adjunct faculty member.

As an additional step in our own version of an "affirmative remedy" we ~~would~~ ^{will} consider designating a certain number of new positions as being

specifically for blacks and let the departments ^{that} which find the faculty have the positions. Similarly we can designate several new positions as being for the employment of black teaching assistants in an effort to improve the number of black graduate students. These actions cannot be taken until we have worked out the details on the NSF continuation.

To begin our affirmative planning we need to do the following:

- 1) Establish half time position in Provost's office
- 2) Find an individual for the position
- 3) Locate an office on 2nd floor Holladay

With these steps we may be able to keep the initiative and reduce the scope of HEW's general demands.

With the Chancellor's blessings, I have begun conversations about standing ch. Rowtree with Dean Jones of St. Augs

*Regross,
recruitment,
etc.*

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE CHANCELLOR
Box 5067 ZIP 27607

May 6, 1968

Dr. Robert M. Fearn
Department of Economics

rw

I value very much your most thoughtful April 22 memorandum to me with enclosures. At long last I have read them thoroughly. I regard your comments on our institutional employment recruitment practices as very much deserving my concern and some appropriate remedial activity. It is not easy, of course, to get at all this, remedies for which are in some degree at least limited by personnel regulations. But there is room for us to improve and perhaps demonstrate the need for and value of new concepts, procedures and regulations.

mt

wit

As to the University role in reaching into the community, your ideas again are stimulating. Finding the time and the handle to get at it is always the big requisite.

I hope to be calling on you for more ideas and help. Thanks again for your expressions.

JTC
John T. Caldwell
Chancellor

CC: Provost Harry C. Kelly ✓
Dean William L. Turner
Mr. John D. Wright

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

SCHOOL OF AGRICULTURE AND LIFE SCIENCES

DEPARTMENT OF ECONOMICS
Box 5368 Zip 27607

April 22, 1968

Chancellor John T. Caldwell
A Holladay
Campus

Dear Chancellor Caldwell:

In line with your suggestion, I have been trying to pull together my thoughts on the role of the University in altering the traditional employment patterns which weigh so heavily upon the Negro community in Raleigh. As you know, several faculty members and graduate students in the Economics Department have been conducting research related to this general problem area. I believe this research provides considerable guidance for us.

My remarks are directed to two specific areas of possible University involvement. The first concerns our internal employment and training programs; the second, a possible role for the University in reducing hard core unemployment.

First, let's consider the economics of Negro employment in the profit maximizing sector of our community under changing levels of aggregate income and employment. Where there are (say) two easily identifiable groups with different mean levels of skill, where the economy is at less than full employment, and where wage levels are downward rigid; profit maximizing employers will use the obvious identifying characteristics (say - color or diplomas) as cheap screening devices. By the use of these almost costless devices, they can assure themselves of obtaining higher quality workers on the average (at the fixed wage). When labor markets become tight, the same employers will find it profitable to hire from the group previously rejected as "unqualified."

This is the essence of the argument presented in Don Osburn's report on Negro Employment in the Textile Industries of North and South Carolina. An excerpt from the paper is enclosed. Unfortunately, the argument was somewhat truncated in the governmental editorial process. Too much of the labor market tightness was ascribed to the influx of new industry and not enough was attributed to the buoyant influence of aggregate monetary and fiscal actions--the tax cut, lower interest rates, et al. As background to our discussion then, we can count on the tight labor market as a strong and silent ally in providing increased employment opportunities in private industry for many nonwhite workers--under full employment conditions.

Chancellor John T. Caldwell
Page Two
April 22, 1968

The same conclusion, however, does not hold for the nonprofit institutions which constitute a sizeable proportion of employment in the Raleigh area. Because of the lack of profit incentives and the fixity of wage rates even under full employment conditions, these institutions will not respond or will respond only slightly to the tight labor market conditions--in spite of the fact that it is economically feasible to do so.

Economic theory indicates that under full employment it is generally profitable to employ labor from the group being discriminated against. Thus, it now pays to buy black. If markets are segmented by color, an employer can obtain either higher quality for the same price or the same quality at a lower price (presuming that wage scales are somewhat flexible). Nonprofit institutions do not have the same economic spur to induce them to change their traditional employment practices. The adjustment of these institutions to the tighter labor market conditions is more apt to take the form of a relative downward quality adjustment among the new recruits which the institution will continue to obtain via traditional channels. I believe this analysis fits our institution as well as many others in town.

However much the recruitment of blacks may be in the interests of the profit maximizing and the nonprofit institutions, recruitment of blacks involves a set of special problems; problems which exist largely because of the failure to employ blacks across the board in the past. First, it is clear that we cannot rely upon the usual market channels for such recruitment. In this regard, I am enclosing a copy of Bill Pace's Masters thesis, Racial Differences in Job Search Patterns. As Bill--one of our better graduates last year and a Negro--pointed out, most job search in Raleigh is conducted via a highly personalized network; primarily through friends and relatives. Because of the segmented community in which we live, "...the flow of occupational information through friends and relatives serves to maintain the status quo with respect to the occupational distribution by race." The implications and limitations of Pace's findings are more fully developed in my January 1968 report to the Department of Labor, a portion of which is also enclosed.

It follows from this analysis that placement of qualified Negroes in University positions has important external benefits in providing for blacks a new source of "trusted" or "verified" information about nontraditional job opportunities.

We have, however, even greater difficulties than information flows in altering employment patterns. The probability of sizeable future gains--not just employment--is crucial to motivating persons to train for and to excel in their chosen occupations. The absence of such possibilities in the past is graphically reflected in the actions of even the younger generation of Negroes. Thus, in order to deal with the

"problem," we must establish not only a new recruitment net, but also a credible advancement program to tap the best talent in the Negro community and to provide incentives for others still engaged in schooling. I suggest that we could with little effort work out recruitment and informal training programs in many aspects of University employment-- in our clerical activities, in the various communication and control units, in the physical plant and maintenance units, and in the computer-computational units of the University; providing not only "jobs" but also the possibility of advancement in line with improvements in ability and performance. In order to do this, we need a set of wage levels through which individuals may progress as they achieve greater proficiency. Achievement of greater proficiency should be measured by centrally administered tests to provide assurance of equal treatment for individuals and to select the most qualified persons for available openings. The wage levels could and should include a trainee, trial, or apprentice level with automatic entry into the next highest wage level upon demonstration of the requisite skills. It should also include a rating system to identify those persons qualified to move up the wage scale. In this manner, incentives can be built into the system; providing credibility to any recruitment program we establish, opening up entry level jobs, and assuring that promotion will be based on ability.

At the moment, I'm afraid that black Raleighites know only too well that NCSU is old South in its employment practices; that is, that NCSU recruits its new employees informally largely from the white community and largely without formal qualifying examinations. Because of these practices, they understand that there is no room for them at State except in traditional custodial jobs.

In order to identify our present position and to establish a credible program (which should also help to lower relative costs), I recommend the following:

1. A report on racial employment patterns in the University by School, Department, and other subdivisions along the lines of the EEOC's EE-01 report.
2. A restructuring of our recruitment and evaluation-wage system so that more formal evaluation procedures can be used together with (a) wage levels tied to objective performance criteria, (b) a regular file of nonacademic applicants by skill level without racial identification administered by the Personnel Office, and (c) a clear policy requiring the use of these lists by all sections of the University.
3. The institution by our Personnel Office of a number of regular recruitment channels to traditionally white and traditionally black schools in the area, with particular attention being given to explaining our procedures to counselors at traditionally black schools. A few advertisements in the Carolinean specifying NCSU as an equal opportunity employer would also help.

4. Continuation of our present policy of time-off for one course a semester for all nonacademic employees; widening this perhaps to two college level courses for trainees. One of these might be in college level English; the other in an area associated with their specialty.

As an added indication of our willingness to lead in making responsible changes, I suggest that we assure ourselves that our "extention" programs are open in fact to persons of all colors--including our truck drivers program.

Let me turn now to a University related program for the hard core unemployed; those persons who are often left out of the improved employment opportunities in private enterprise and who have immense problems. Normal employment at the University is limited for these persons and the costs of retraining appear to be very large. However, a study by one of our Negro graduate students, Richard Robbins, may point the way toward some gains in this area. Robbins, concerned with evaluating Phases I and II of the North Carolina Fund Mobility Project, found that well over 50% of the Fund relocatees returned to their hometowns after a relatively short time. Upon their return, these persons were usually employed in jobs which were roughly equivalent to those that the Fund had found for them in Winston-Salem or Greensboro. This is very surprising in view of the fact that eligibility for the program required that a person be either unemployed or earning less than \$1,200 per year. Robbins was prompted to ask "Why weren't these hard core unemployed able to locate work at home before their enlistment by the Fund and their travels to the new locations?" Although some of the explanation apparently rests with the establishment of new plants in the sending areas, the major part of the answer seems to be that enrollment in the Fund program itself (plus some small amount of on-the-job training) provided for local, hometown employers considerable assurance that these persons were "responsible" and "qualified." This finding contrasts sharply with our usual assumption that "Everybody knows everything about everybody in a small town" for it implies that employers in our segmented society have only limited information about potential employees living nearby if those potential employees are of a different color.

A program for the hard core unemployed run by the University could provide similar information for our private employers. At present, such persons are usually considered unemployable by virtue of their work history, prison records, their extensive unemployment experience, and the like. In order to maximize the effectiveness of any such program, it should be voluntary, minimal wages should be paid, and the purposes of the program should be explained to the volunteers. Accurate work records should be kept and made available to potential employers upon request. In this manner, the University together with cooperating agencies--perhaps the Fund--might improve the employment prospects for these persons.

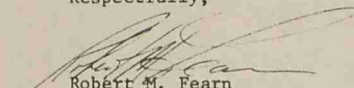
Chancellor John T. Caldwell
Page Five
April 22, 1968

I can think of several pilot projects for such a program. For example, the University-owned Yates Mill is badly in need of refurbishing. A team of hard core unemployed could refurbish the mill and could plan and create a delightful recreation area for NCSU faculty, students, and staff at that site. Leadership and consistent direction might be provided by a few recently demobilized black Viet vets. The same group, less those who were hired away by private industry and plus new volunteers, could go on to preserve other landmarks and/or to make substantial improvements in the Southside's parks and playgrounds. After a short time, I see no reason why this could not emerge into a continuing University-community effort drawing its labor from what has been called the peripheral labor force. In order to clarify some of the attendant problems, I'm enclosing a copy of my recent comments at the Winter IRRA meetings.

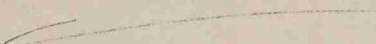
Finally, in working out such a program, we may need to obtain special exemptions from the usual 100 percent tax rate on the earnings of welfare recipients. Under present arrangements, welfare payments are reduced dollar-for-dollar for each dollar earned. The negative incentives and the trapping effect of the system has been analyzed very thoroughly by Dr. C. Green and Dr. L. Hausman. Recruitment for the program might be quite difficult without such exemptions because the recruits might also be on welfare and because they would experience no compensation for their time under present welfare rules.

I hope these recommendations will be helpful. I appreciate the opportunity to address myself to the problems--however incomplete the answers may be at this time. Of one thing, I feel certain. A sincere attempt to provide real opportunities for our black citizens--without patronizing them--will elicit a strong and vigorous response on their part. This response, however, may lag a bit in view of their many unsatisfactory experiences in the past. Hence the reason for "leveling" with them from the outset and trying to enlist their support in planning as well as conducting the projects to be undertaken. Finally, I believe that the programs I have outlined above are in the interests of the University, both narrowly conceived and as an ameliorating and unifying force in the community.

Respectfully,



Robert M. Fearn
Assistant Professor of Economics



RMF:pmw

D R A F T

To: Helen Mann 4/17/68
Negro Colleges
m
w

April 17, 1968

Professor C. Russell Reynolds
Department of Modern Languages
303 Harrleson Hall
Campus

Dear Professor Reynolds:

Thank you for your good note of April 10, 1968,
regarding liaison with Negro colleges.

We do have cooperative arrangements and contracts
with both Shaw University and St. Augustine's College.
The primary results of these arrangements are: (1) Having
a significant number of their students (primarily in the
sciences and technologies) taking courses on our campus,
and (2) to give administrative assistance to St. Augustine's
College with financial support from a grant from the Office
of Education.

The big problem you raise remains: What contribution
can an individual make? Naturally, the two Negro colleges
want their students to take their liberal arts courses on
their home campuses. However, they often ask us for sug-
gestions for faculty help. Some of our faculty have assisted
with course work on their campuses (e.g., Professor G. A.
Gullette).

You may offer your assistance to Dean Joseph Jones of
St. Augustine's or Dr. James E. Cheek of Shaw University.

Sincerely,

John T. Caldwell
Chancellor

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

SCHOOL OF LIBERAL ARTS

DEPARTMENT OF MODERN LANGUAGES
Box 5156 Zip 27607

10 April 1968

Dear Doctor Caldwell:

A short but grateful note for the program yesterday and your remarks about doing something "tomorrow and beyond" about this fearful situation in our country today. I am certain that the people who want to do something are in the majority, but just do not know what to do. I place myself in this category.

I am sure there are many of our faculty members who are also in this category and who are anxious to participate in a liaison between our University and the Negro community. Perhaps a start could be made with a liaison between the University and the faculty and students at our Negro colleges here.

If such a program is initiated from our campus I would like very much to participate.

Respectfully,



C. Russell Reynolds
Assistant professor

February 7, 1973

TO: Dr. Kelly

FROM: Clauston Jenkins

Affirmative Action at Administrative Council Deans to ask for Reports:

Legates
McKinney
Dolce
Fadum
Ellwood
Tilman
Menius
Chaney
Talley
Wright
Turner

Possible questions to ask:

- 1) What adjustments are being made in your recruiting and record keeping efforts?
- 2) What is the biggest difficulty you have in your Affirmative Action Planning?
- 3) How do you plan to attract more minority and female graduate students?
- 4) How do you plan to improve the situation in relation to minority and female SPAs who are clustered in low paying classifications?
- 5) What can we do to help you in your planning?

CJ/mg

February 2, 1973

TO: Dr. Kelly

FROM: Clauston Jenkins

As our affirmative action officer, you will be interested in the progress we have made in the SPA ranks. Comparing the printout for November, 1971, with that of January 1973, one can make the analysis on the attached table. It shows that we have made substantial progress in improving the number of black females employed (+21%) but that we made no progress in increasing the number of black males. In terms of salary we did improve black males' salaries above the average percentage increase, but we still have a long way to go.

On the attached printout, I have entered in blue ink the number of employees in certain classifications as of November, 1971, in order to give an idea of the change in these sensitive areas.

CJ/mg

Attachment

Y

<u>CATEGORY</u>	<u>November 1971</u>		<u>January 1973</u>		<u>PERCENT CHANGE</u>
	No.	% of total	No.	% of total	
Total SPA employment	1,928	--	2,036	--	+5%
Total number of:					
White Males	570	29%	636	31%	+11%
White Females	800	44%	875	42%	1%
Black Males	333	17%	333	16%	--
Black Females	151	7%	183	8%	+21%
Average SPA salary	\$6,646	--	\$7,129	--	+7%
Average salary:					
White Males	\$8,568	128%	\$9,153	128%	+6%
White Females	6,350	95%	6,732	94%	+6%
Black Males	4,954	74%	5,367	75%	+8%
Black Females	4,800	72%	5,174	72%	+7%

January 31, 1973

MEMORANDUM

TO: Dr. Charles Murphy

FROM: Clauston Jenkins

SUBJECT: Members of School Affirmative Action Planning Committees

As you are aware from your vast experience on the Government Commission you know that our Schools approach things in a variety of ways. In some cases committees have been appointed, in others they have not. The list below is as complete as I am able to furnish. When I know of no committee, I cite the Dean.

ALS: F. J. Hassler, Chairman
L. A. Whitford, Secretary
R. W. Gay, Jr.
H. V. Marshall
W. M. Roberts
Norma Rutherford
Hedwig Triantaphyllou
A. M. Witherspoon

PAMS: Dr. J. D. Memory, Chairman
Dr. W. E. Robbins
Dr. W. J. Harrington
Dr. S. G. Levine
Dr. A. W. Jenkins

TEXTILES: Dean Chaney

DESIGN: Dean McKinney

EDUCATION: Dean Dolce

ENGINEERING: Dr. Carson, Chairman
Department Heads

FOREST RESOURCES: Dr. Saylor, Chairman

LIBERAL ARTS: Dr. Uzzell, Chairman
Alosie Chalmers
David Guth
David Hyman
Leslie Mincey
Sybil Ricks
Mary Wheeler
Donald VanDeVeer

CJ/mg

affirmative Action

January 5, 1973

TO: Dr. Al Carnesale

FROM: Clauston Jenkins

C
O
P
Y

I have delayed writing you about the contents of an Affirmative Action plan in hopes that I might have received more information to pass along, but my hopes were in vain. I have outlined below what I perceive to be the minimum basic aspects of an appropriate plan, based on the awareness of the unusual and artificial nature of your "unit."

First, there should be a general description of the present employment profile of minorities and females with acknowledgement of both strengths and weaknesses and any unique explanation for the weaknesses.

Second, the plan needs a detailed description of the recruitment process that will be used in the future including a system for keeping records of applicants and the reasons why minorities and females are not offered positions why they do not accept offers. In this regard it will not be sufficient to note that an individual was not well qualified. Instead we have to go a step further and explain the reasons for the conclusion about qualification. Extra recruitment efforts should also be precisely spelled out. Some imaginative approaches can be developed in this area if people put their minds to the task.

Third, there needs to be a statement of goals for the "unit" both for EPA and SPA. In your case you will have to address the problem of lack of minority or female administrators. I would think a 5 year time frame is about all that is needed or realistic.

Finally, the plan should include some mechanism or process for periodic evaluation of progress in your affirmative action activities.

As additional help you might refer to the last pages (pp 44-49) of the HEW letter to President Friday of September 27, 1972.

Please let me know if I can be of further assistance.

CJ/mg

May 11, 1973

MEMORANDUM

TO: Dean Banks Talley

FROM: Clauston Jenkins

Since we have no data about SPA employees I assume that you will have each of your units complete the personnel inventory forms sent over by UNC in relation to long range planning in the Student Affairs area (Padilla memo of May 8). I have no objections to the forms, but I'm glad we don't have to fill them out. If I can be of help please let me know.

CLJ:vg

April 4, 1973

TO: Dr. Cameron West
FROM: Clauston Jenkins

Attached is the response for NCSU to your request for information related to the HEW request for a desegregation plan.

We have made additions and deletions as necessary and we have furnished information on the magnitude of the program when it was available. If you have any questions, please contact me.

Attachment

CC: Chancellor Caldwell
Provost Kelly

March 29, 1973

TO: Dr. Kelly
FROM: Clauston Jenkins

I added information about retirements and changed goals to include administrative positions in general as you suggested.

CJ/mg

March 29, 1973

TO: Dr. Kelly
FROM: Clauston Jenkins

I added information about retirements and changed goals to include administrative positions in general as you suggested.

CJ/mg

March 23, 1973

MEMO TO: Dr. Albert Carneale
Dean D. W. Chaney
Dean C. J. Delea
Dean E. L. Ellwood
Dean R. H. Padua
Dean J. E. Lesste
Dr. I. T. Littleton
Dean C. E. McKinney
Dean A. C. Maniac
Dean E. C. Salley
Dean E. G. Tilman
Vice Chancellor S. J. Turner
Vice Chancellor J. D. Wright

FROM: Claxton Jenkins

The attached material was compiled by the General Administration of ERG for our use in providing Equal Employment Opportunity. You may be familiar with some of the citations, and others are not germane to your interests, but it is the most complete list that I have seen and some of the sources would appear to be worth investigating as part of your broadened recruitment efforts.

cc: Provost H. C. Kelly

Attachment

CJ/ss

March 22, 1973

MEMORANDUM

TO: Dean C. J. Dolce
FROM: Clauston Jenkins

I am returning a copy of the School of Education Affirmative Action plan as I mentioned to you today on the telephone. I have written a few comments on this copy. You need not worry about minor changes. In essence I feel this plan needs improvement in two areas:

- 1) There needs to be more discussion of availability of female and black faculty in relation to Education and the specific fields emphasized at NCSU. This discussion would reveal the rationale behind the goals.
- 2) The plan needs a section describing how it will be implemented and what procedures will be used to review and assess progress.

CJ/ss

Attachment

February 7, 1973

TO: Dr. Jasper Memory

FROM: Clauston Jenkins

Overall I think the PAMS Affirmative Action plan covers the points that are essential. I like your concept of "excluded groups." My suggestions are offered to flesh out the plan in areas in which I anticipate HEW will be particularly interested.

1. You should provide more details about plans for recruitment of new faculty including such aspects as the composition of the search committee, the places or sources that will be canvassed, your willingness to consider unsolicited applications and what you mean by "detailed records."
2. You should provide more detail about the salary situation of females and minorities at present, so that your point of departure is clear.
3. You should be clear that in losing 7 positions, the School did hire new faculty in 1971-72.
4. You should explain more fully how you will monitor progress in meeting your goals.
5. You should note that you have corrected all technical deficiencies mentioned in HEW's letter of September 27 if any apply.
6. You should point out that the small number of SPA employees in PAMS makes it impractical for the School to provide training programs to help them advance.
7. You should be more explicit about plans to recruit excluded groups as students. The appointment of a committee is not adequate. This should be a key point in our plan, but we need specifics if we are to convince HEW that we are serious.
8. It would be useful to add a table showing the present composition by race and sex and the composition if you reach your goals. Percentages could be included also although we may decide to remove them.

Thanks for letting me see this.

CJ/mg

Date _____

PROVOST'S OFFICE

TO: Dr. N. N. Winstead
Mr. W. H. Simpson
Dr. Marvin H. Gehle
Dr. Lawrence M. Clark
Dr. Murray S. Downs
Dr. Leroy B. Martin

Bonnie Denkins
Veronica Gooch
Gloria Johnson
Leslie Shelton
Elsie Stephens
Mary Strickland

Gloria
After document has been
approved/initialled, please

Return to _____

Return for filing

Off. Action files

*File: HEW
Off. Action*

June 24, 1974

WJ

MEMORANDUM

TO: *✓* Mr. Simpson
Dr. Clark

FROM: N. N. Winstead *NNW*

SUBJECT: H.E.W. Affirmative Action

Clauston Jenkins called on 6/20/74. He had just come back from a visit with HEW yesterday. He indicated that he had picked up one idea which we might want to keep in our back pockets to pull out in discussions with HEW. That is we might want to be able to put our hands on a few examples of how the University had changed people or caused them to be more positive in their affirmative action approaches. Eg. (1) Refusing to let a white male be appointed because of an inadequate search for females or Blacks; (2) not letting a female or Black be hired at a poor salary when white males were being hired at a higher salary, etc.

Keep this in the back of your minds as we have experiences so that we can have a few examples when needed. Also keep me informed of this type of thing.

NNW/sbe



Aff Action
Ms Simpson

NEW YORK UNIVERSITY MEDICAL CENTER
PERSONNEL DEPARTMENT
550 FIRST AVENUE, NEW YORK, N.Y. 10016
AREA 212 679-3200
CABLE ADDRESS: NYUMEDIC

June 25, 1974


Dr. Clauston Jenkins
Provost's Office - 201 Holladay Hall
North Carolina State University
Raleigh, North Carolina 27607

Dear Mr. Jenkins:

Please, send us a copy or summary of your affirmative action plan.

Thank you for your assistance to the New York University Medical Center Affirmative Action Program.

Yours truly,

Cecilia A. Rock 
Cecilia A. Rock
Director, Affirmative Action

CAR:jp

copy sent 7-11-74
lw

Date

10/4/74

PROVOST'S OFFICE

TO: Dr. N. N. Winstead
Mr. W. H. Simpson
Dr. Marvin H. Gehle
Dr. Lawrence M. Clark
Dr. Murray S. Downs
Dr. Leroy B. Martin

~~Veronica Gooch~~
Sylvia Jamison
Gloria Johnson
Julia Long
Ada Sanders
Elsie Mae Stephens
Mary Strickland

for files upstairs

After document has been
approved/initialed, please

Return to _____

Return for filing.

October 3, 1974

MEMORANDUM

TO: Nash N. Winstead
Chairman of Committee on Committees

FROM: Lawrence M. Clark, Assistant Provost

SUBJECT: Affirmative Action Representatives

We are requesting that two "at large" members of the effected classes be appointed to the Affirmative Action Representative Group. As you know our Affirmative Action Program is composed of thirteen units with an Affirmative Action representative from each. The addition of these two persons could aid us in our communication and/or reaching our Affirmative Action Goals.

We are in the process of making plans for an Affirmative Action Representative meeting to be held in November.

LMC:sj

October 3, 1974

MEMORANDUM

TO: Dr. James Wilson
Chairman of Faculty Senate

SUBJECT: Affirmative Action Representatives

Our Affirmative Action Plan is a three-year plan with specific goals set forth to be achieved by June 30, 1976. Since our recruitment for the academic year 1975-1976 will take place during this academic year, this is a critical year in our Affirmative Action Program. As you know our Program is composed of thirteen units with an Affirmative Action representative from each unit. We feel that it would be appropriate to have a faculty senator on the Affirmative Action Representative Committee.

We are in the process of making plans for an Affirmative Action Representative meeting to be held in November.

If this invitation is accepted would you kindly forward the name of the senator who is so named.

For the betterment of
N. C. S. U....

Lawrence M. Clark
Assistant Provost

LMC:sj
cc: Provost Winstead