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Memo: Task Force Recommendations 13 and 15

Commission for Blacks

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THE UNIVERSITY OF TENNESSEE
KNOXVILLE

March 12, 1990

M-E-M-O-R-A-N-D-U-M

TO: Dhyana Ziegler, Chair
Commission on Blacks

FROM: Eunice Shatz *ES*

SUBJECT: Task Force Recommendations 13 and 15



College of
Social Work

Office of
the Dean

RECOMMENDATION 13

The Task Force recommends that the chancellor move to universalize the valuable policy introduced by the provost of the university whereby performance with respect to affirmative action and equal opportunity objectives becomes one measure of the evaluation of deans and directors. The Task Force recommends that this policy be made applicable to all employees who have supervisory or administrative responsibility for other employees or for students.

FINDINGS

Special Assistant to the Chancellor Dr. Joseph Trahern has said that the university is in agreement with the recommendation and the chancellor's office assumed that it was being implemented. However, there appears to be considerable confusion in regard to implementation. Utilizing adherence to affirmative action goals and objectives in performance evaluations is uneven across the campus. While it is considered in the hiring process of deans and directors, it does not appear to be addressed uniformly in evaluations.

The issue has been addressed at a deans' meeting and will be placed on the agenda for a future meeting. There was general agreement that it is important to provide a campus climate that promotes affirmative action and equal opportunity and that the issue should be addressed beyond performance evaluation in relation to the number of black faculty/staff hires.

The Personnel Department reports that the staff exempt appraisal form for the annual review process has been revised. The new form calls for an evaluation of supervisors and/or administrators affirmative action efforts. The personnel procedures related to individual progress now read: "progress toward desegregation goals will be a factor in the review of supervisors and administrators. Any forms or written evaluation used in the performance forms or written evaluation used in the performance review shall include a

specific assessment of this factor." The new form was printed in January, 1990, and will be used as of that date.

RECOMMENDATIONS

The following recommendations were derived from discussions with individuals and the deans meeting of March 8, 1990.

1. Completion of a performance evaluation form is a necessary but insufficient means to assess affirmative action and equal opportunity activity. Data should be gathered on steps taken to ensure a climate that supports racial and cultural diversity and ensures retention.
2. Discussions about progress and successful measures in ensuring such a climate and achieving affirmative action and equal opportunity goals of retention as well as recruitment should be ongoing topics in chancellor's staff, deans, department chairs, and other supervisory personnel meetings.
3. In their long range planning, department heads and staff supervisors should develop ideas and programs that indicate the nature of their commitment to affirmative action and equal opportunity.
4. Special attention should be paid to feedback from black faculty and staff in evaluating programs and supervisory/administrative staff.

RECOMMENDATION 15

It is recommended that the university widely publicize procedures for filing complaints of racial discrimination in the Office of Affirmative Action.

FINDINGS

Procedures for filing complaints of racial discrimination in the Office of Affirmative Action were distributed in 1988-89 and 89-90. The plan was publicized in article form in the *Context* and has also been incorporated in training sessions conducted by the Office of Affirmative Action. In addition, a FIPSE grant has been secured to develop the project "Toward Opportunity and Retention" creating a series of videos to be used in conjunction with training sessions for both academic and non-academic personnel. Presentations of this project at national meetings have been very well received. Its authors, Dhyana Ziegler and Camelle Hazeur, were featured in an issue of the *Chronicle of Higher Education*.

Steps for the development of annual plans including more training and publicity are going forward as time and resources permit.

Activity in the Office of Affirmative Action indicates that complaints filed on the basis of race have varied from a total of four in 1987 to twelve in 1988 and one in 1989. The reduction in complaints may reflect a greater sensitivity to the issue of discrimination by race. Another possible reason for the decrease in complaints, however, may be attributed to the high turnover rates of faculty and staff. The majority of those terminating in the six month period July-December 1989 indicated employment elsewhere as their reason for leaving. This holds true in all EEO categories of employment.

RECOMMENDATIONS

1. Procedures for filing complaints of racial discrimination in the Office of Affirmative Action should continue to be widely publicized.
2. Discrimination takes place in a variety of forms which are often subtle and difficult to organize into formal complaints. Therefore, while formal procedures are extremely important to combat racial abuse, it is essential to devise ways to prevent discrimination from taking place. A variety of informal and formal mechanisms should create opportunities to enable ourselves not only to understand but also to enjoy racial as well as all forms of diversity as part of the rich tradition and purpose of institutions of higher education.

MEMORANDUM

TO: Members of the Black/Staff Subcommittee

FROM: Mike Fitzgerald *Mike*

DATE: April 6, 1990

SUBJECT: Subcommittee Findings Pertaining to Task Force Recommendation 14

RECOMMENDATION 14

We propose that a budgetary pool should be set up for recruiting Blacks to the faculty and staff.

FINDINGS

In 1988 Chancellor Reese observed that the primary source of recruitment for black faculty and staff would be "regularly-budgeted vacant positions" occurring as the result of retirements, resignations, or reassignments, and refused to commit the administration to the creation of "extra" faculty slots "outside the normal budgetary process." Thus, no separate line item for black faculty and staff recruitment was established in the campus budget as per recommendation 14 of the Task Force. The Chancellor, however, did promise that, "within their established budgets," the Provost and Vice Chancellors Fisher Scheurer would "retain" funds for hiring "eminently well-qualified black faculty and staff."

Subsequently, it appears that the Provost and Chancellor provided funds on an ad hoc basis to facilitate the recruitment of black faculty. Vice Chancellor Hopkins, for example, notified deans by memorandum during the 1988-89 academic year that the provost's office would financially assist in the recruitment of black faculty--even if the campus unit did not have a vacant position; this became the basis last year for a "program" that came to be known under the unfortunate sobriquet "Hire-A-Black." Although there is no evidence that this announcement was intended to be surreptitious, the Provost's "program" was not officially announced or explained to the campus community at-large, engendering a degree of rumor, innuendo, confusion, misperception, misunderstanding and resentment. This academic year, the Chancellor's Office is reviewing on a case-by-case basis the requests of departments for extra funds to recruit black faculty in areas in which there is demonstrable departmental need, or for which regular national searches are being undertaken. All such recruitment must conform to the University Affirmative Action Plan and guidelines. No separate budgetary line has been established for black faculty recruitment; the funds will have to be obtained by shifting resources within the existing campus, college, and departmental budgets.

RECOMMENDATIONS

It is recommended that the Chancellor, in the near term, continue to support college and department recruitment of black faculty with extra funds on a case-by-case basis. Steps should be taken, however, to incorporate into future university budgets a new line-item called the "Faculty Recruitment Contingency Fund" to support those situations in which additional salary is required to successfully attract potential faculty whose recruitment directly affects affirmative action, desegregation, and national reputation goals. The state legislature should be asked for additional appropriations for this specific purpose.


Aside from the issue of a separate contingency fund, it is recommended that any and all policies regarding the funding of black recruitment be clearly communicated to the campus community at-

large. A proposed draft of the policy should be distributed widely and "public" comments solicited. After the public comment period, a formal announcement of the policy should be made and department heads should be directed to discuss the policy at faculty meetings.

It is recommended that each College establish a minority faculty recruiter to support departments in the identification of qualified minority candidates for visiting and tenure-track faculty positions. This recruiter should serve as a resource person for faculty search committees as they define, organize, and conduct searches for individual positions.

MEMORANDUM

TO: Eunice Shatz
Helen Mays
Michael Jackson
Handy Williamson

FROM: Mike Fitzgerald 

DATE: February 9, 1990

SUBJECT: Subcommittee Findings Pertaining to Task Force
Recommendations (20, 21, & 22)

RECOMMENDATION NUMBER 20

A. The Recommendation:

A formal program should be implemented to raise the awareness of all faculty and staff with respect to both the legal responsibility and moral obligation we share in the matter of harmonious race relations and non-biased treatment of all students and co-workers.

B. The Chancellor's May 1988 Response:

Training programs in race relations are discussed above, in numbers 2, 8, 9, and 10.

C. Fitzgerald's Preliminary Determination:

1. In 1988 the Chancellor promised that the Central Program Council, the Office of Minority Student Affairs, and the International House, working with the Office of Affirmative Action, will be charged with developing programs throughout the year to reflect the spirit of recommendation 2 (relating to the creation of structured, broad-based programs aimed at sensitizing all students to the despicability of racism.

We contacted the Central Program Council (CPC) on 9 February and asked what Academic Year 1989-90 programs were being offered that

related to cultural and racial diversity. The staff-person who answered the call forwarded us to the Office of Minority Student Affairs-- suggesting that the CPC does not have, or does not think that it has, or has not trained its staff to know or think that it has, a responsibility in this area!

The Office of Minority Student Affairs (OMSA) reported a variety of events and speakers that focus on African-American heritage and culture, but there is no indication that this program is developed or implemented in coordination with the other units mentioned by the Chancellor. We have yet to determine whether the OMSA itself offers, or contributes to, training programs for students regarding racial sensitivity and appreciation of racial diversity and understanding. Members of the Commission itself are likely to know this and should be asked at the next meeting.

The International House (IH) during the 1989-90 AY is sponsoring an impressive array of programs centered on the appreciation of cultural diversity. Further, the IH sponsors staff development training for student staff in the Dean of Student's office, training for secretaries for working with people who are of a different culture, and supported cross-cultural training for Resident Assistants in university housing.

Based on a conversation with the secretary of the Office of Affirmative Action (OAA), it does not appear that the OAA formally participates in the development and execution of programs mentioned by the Chancellor.

My preliminary conclusion is that the university has not entirely implemented the letter or spirit of Task Force Recommendation 2. Most especially, the kind of structured, integrated, program for sensitizing students recommended by the Task Force does not appear to have materialized. Further, the adequacy of current staffing and budgetary resources for the affected offices needs to be determined. Finally, some assessment of the quality of existing programs needs to be undertaken. PROGRESS HAS BEEN MADE; WE ARE UNSURE AS TO HOW MUCH AND TO WHAT RESULT.

2. The Chancellor in response to Recommendation 8 promised that the Personnel Department would work with the Director of Affirmative Action, the Commission for Blacks, and the Black Faculty and Staff Association to develop a training program for employees to increase awareness of racial concerns and provide sensitivity to racial issues. Since evaluation of this recommendation was assigned to Helen Mays, I

did not gather information regarding its present status. *As a member of the Commission for Blacks during the period since the Chancellor's response in May 1988, however, I would observe that: I am aware of no effort to involve the Commission in the development, implementation, or assessment of such a training program. To the best of my knowledge, no description, outline, or details of such a program has ever been presented to the Commission. Thus, I personally consider at least this part of the Chancellor's promise unfilled.*

3. The Chancellor in response to Recommendation 9 promised that the summer 1988 student orientation program would include a component for students which reflects the Task Force's concerns. It was promised that the Vice Chancellor for Student Affairs and Provost would address "these issues" in the discussions they host for the parents of incoming students.

Based on a conversation with Mr. Clay Brown, Director of Student Orientation, it appears that the letter and spirit of the Chancellor's pledge has been kept since 1988. Mr. Brown reports that a racial awareness component has been added to the Student Orientation Assistant (SOA) training program; that a cultural diversity component has been added to the summer orientation program; and that parents are advised of UT's commitment to cultural diversity and racial equality during Dean of Students Jerry Askew's presentation. It should be noted that the cultural diversity component for students is conducted with the help of the Office of Minority Affairs and the Center for International Education.

A preliminary review suggests that significant progress has been made toward the implementation of Task Force recommendation 9. Further assessment of the nature and quality of the existing program should be undertaken in the future

4. The Chancellor indicated that Recommendation 10 would best be addressed by the faculty and the Faculty Senate. The Faculty Senate agreed to do so. The Chancellor further promised that new faculty would be provided with information regarding Task Force concerns about faculty attitudes toward minority students. Because Handy Williamson was asked to investigate this recommendation I did not gather information relating to it. *As a member of the Senate Professional Committee that was charged with looking at this issue, however, I do have the following observation to offer: The committee in AY 1988-89 reviewed this Task Force Recommendation and concluded that the university*

administration should sponsor regular, possibly annual, workshops and/or seminars for faculty on race relations to be conducted by trained professionals. This recommendation, and others, were included in a Committee Report that was approved by the Senate in October 1989. I do not know the status of the recommendations since.

5. Based on a conversation with Dr. Joseph Trahern, Executive Assistant to the Chancellor, it was determined that no formal university program of the type envisioned by the Task Force has been instituted or discussed in detail. It is scheduled for discussion at the next academic deans meeting.

Overall, then, based on the information gathered by Fitzgerald, with the exception of the summer orientation program, it does not appear that the University has made significant progress in implementing either the letter or the spirit of Task Force Recommendation 20. The full Commission should carefully look at this Recommendation and seriously consider a very strong indication of its concern for the lack of progress. The Commission should also consider a statement of commendation to the Office of Student Orientation for its efforts regarding the implementation of Recommendation 2. The relative progress made by the Office of Student Orientation suggests what can happen when responsibility for action is fixed.

Given the breadth of their Recommendation 20 responsibilities (as linked by Recommendation 2), the closest attention needs to be paid to the present level of staffing and resources being allocated to the Office of Minority Affairs and the International House. The contribution of the International House in particular seems striking relative to its staff and budget; the Commission should consider issuing commendations to both of these organizations.

RECOMMENDATION 21

A. The Recommendation:

The Task Force urges the administration to give special care and attention to all University awards, both honorary and achievement-based, in order to assure that they reflect the presence and participation of blacks.

B. The Chancellor's May 1988 Response:

The administration has been sensitive to this issue, with many successes. The recommendation, however, is accepted, and the administrative staff is urged to continue that sensitivity and improve on its current record.

Some time later the Chancellor further responded: "As demonstrated at the annual Honors Banquet last spring, the University continues to be sensitive to this issue.

C. Fitzgerald's Preliminary Determination:

This recommendation and the Chancellor's responses are troubling; I am not certain exactly what is being recommended or promised here. Are we talking about process or result? Or both? Are we concerned only with the University-level awards presented at the annual chancellor's banquet? If so, this excludes numerous awards presented by Colleges, Schools, and Departments around campus. Using the chancellor's banquet awards as the starting point, here, according to Assistant Vice Chancellor Bert Sams, is what "University Awards" exist, how they are awarded, and numbers of awards since 1981:

Mace Bearer (9): A faculty award, one per year, in which the chancellor selects the awardee based on the recommendation of the Provost's staff.

Distinguished Service Professors (12): A faculty award with a fixed number of total awardees; i.e., appointments are made only when a vacancy occurs through resignation, retirement, or death. Awardees selected by the Chancellor based on the recommendation of the Provost's staff.

Chancellor's Research and Creative Achievement Awards (44): A faculty award in where nominations are solicited from the university community by the Research Council. A Research Council screening committee makes recommendations to the Chancellor who selects the awardees.

National Alumni Association Outstanding Teacher Awards (37): A teaching faculty award where nominations are solicited from the university community and alumni by a screening committee appointed by the Alumni Office. The Screening Committee makes recommendations to the Chancellor who selects awardees.

Chancellor's Citations for Extraordinary Service to the University (23): A faculty award in which a committee solicits nominations from the

university community and makes recommendations to the Chancellor who selects awardees. In 1988 the Task Force on Race Relations received this award.

Chancellor's Citations for Extraordinary Community Service (17): A faculty award in which nominations are solicited from the university community by a committee that makes recommendations to the Chancellor who selects awardees.

Chancellor's Citations for Extraordinary Service to the University (39): A staff award in which nominations are solicited from the university community by a committee that makes recommendations to the Chancellor who selects awardees.

Chancellor's Citations for Extraordinary Service to the Community (4): A staff award in which nominations are solicited from the university community by a committee that makes recommendations to the Chancellor who selects awardees.

Thus, between 1981 and 1989 a total of 194 "University" Awards have been made. None of these appears to be "honorary" in that all are supposed to reflect distinguished service or achievement based on an assessment of nominations and committee deliberation.

It is recommended that, before any further investigation of this recommendation takes place, the full meaning of Recommendation 21 be considered by the full commission. If this recommendation means that blacks should be represented as awardees based on their relative presence in faculty/staff categories, then we can proceed to request in writing a breakdown since 1981 of awardees by race. If the Recommendation means that the process should be such that blacks are assured full and fair consideration for their contribution to university life, then deeper scrutiny of the selection process is warranted. In a very preliminary way, I am troubled by the procedure for the Mace Bearer and Distinguished Service Professors. These awards are based on the nomination of what used to be the Provost's staff. This is a small group and the potential for its inadvertently missing the contribution of minority faculty seems quite high in comparison to other awards, where nominations are typically solicited from the university community at-large.

Finally, I recommend that the Commission correct Chancellor Reese's original, narrow, definition of University Awards, to encompass the full range of faculty and staff awards issued at UT--those issued by departments, schools, and colleges as well as those issued by the Chancellor. My personal opinion is that our focus should be

on the process by which all awards are made, rather than falling into a numbers game that probably leads to the "quota-trap."

RECOMMENDATION 22

A. The Recommendation:

The Task Force proposes that a University Civil Rights Commission be established which has as its objective consideration of matters of race, gender, or handicapped [sic].

B. The Chancellor's May 1988 Response:

This recommendation has not met with significant enthusiasm by currently-established groups, nor by the administrative staff. The general feeling (and my own) is that several groups -- the Commission for Women, the commission for Blacks, and the Adaptive Living Committee -- already have general "oversight" responsibilities for matters dealing with equity; and the creation of yet another committee seems redundant and insensitive to demands on the time of the individuals who would likely be involved.

C. Fitzgerald's Preliminary Determination:

Based on brief telephone interviews with members of the Commission for Women (10 of the 34 members were interviewed) and the Adaptive Living Committee (6 of the 13 members were interviewed) it appears that:

1. The creation of a University Civil Rights Commission is a good idea "in principle," if it would not duplicate the efforts and purposes of already existing organizations. The most common concern is over whether a general commission might fail to sufficiently attend to the special needs and situations of specific groups (blacks, women, or the handicapped).
2. People are uncertain as to exactly what such an organization would do. There is a sense that an "umbrella" organization could consolidate the concerns of, and focus attention on, women and the handicapped in a way present groups cannot. At the same time, there is concern for just how independent and powerful such an organization would need to be in order to accomplish anything. People do not see the creation of a Civil Rights Commission as alleviating the need for separate organizations devoted to the concerns of women and the handicapped.

3. The Commission, according to those interviewed, could usefully:

--Serve as a board for resolving discrimination complaints

--Provide a clearinghouse for information and programs dealing with discrimination

--Coordinate the activities & concerns of the Commissions for Blacks and Women and the Adaptive Living Committee

--Help recruit minority and handicapped students

--Conduct workshops to deal with multi-cultural issues

--Promote research and data gathering on discrimination at UT, as well as in his area and region

--Conduct an assessment of the present status and needs of UT women, minorities, and handicapped

Recommendation 22 is not a sufficient basis upon which to elicit detailed opinions about a Civil Rights Commission. Until a proposal for the Civil Rights Commission detailing its organization, duties, powers, and relationship to other organizations is forthcoming, people simply are not sure what to think of the idea.

Recommendation 22 needs to be considered in relationship to exactly how the Commission for Blacks ultimately decides to resolve the question of assigning administrative responsibility for race relations at UT. Exactly what are we going to recommend to the Chancellor? A Civil Rights Commission could be the administrative and enforcement organ for the pursuit of equality, equal opportunity, and the appreciation of cultural diversity at UT. Or, for example, this might well be done by a Vice Chancellor for Minority Affairs, as per Recommendation 7.

CONCLUSION

My strong sense from a preliminary examination of university efforts to implement this subset of Task Force Recommendations is that progress, while significant, has been limited. The Task Force in 1988, and the Commission for Blacks since then, expected that the Chancellor and his subordinates at UT would create an integrated program for the improvement of race relations. Instead, *the Task Forces' recommendations were taken individually with no larger sense of the whole or how they created an imperative for a cohesive and determined programmatic assault on racial discrimination in our community. This piecemeal approach must end. Once the*

preliminary assessment of the present status of the Task Force report's recommendations is finished, the Commission for Blacks should itself offer the Chancellor at least the outline of a comprehensive program, fixing responsibility for its implementation.

I would also recommend that the Commission institute a program in which it awards well-documented and publicized Commendations to individuals, groups, and organizations for distinguished contributions to the cause of improved race relations and multi-cultural diversity. It would be indeed tragic, if the Commission's only task became the accentuation of the negative regarding this community. We also have a positive contribution to make by giving well-publicized credit to those among us who stand tall as citizens and institutions of virtue, as we define it, with respect to human relations at UT.

This is to gratefully acknowledge my debt to Danny Woods, Hunter Bacot, and Walter Williams for their invaluable assistance in compiling this report.