

Reference Number: S99-124

Senate Approval Date: Friday, January 01, 1999

ACADEMIC AFFIRMATIVE ACTION

POLICY STATEMENT

Academic Senate Policy #S99-124

(formerly #F84-124 and incorporating

revisions from #S86-142)

At its meeting of May 11, 1999 the Academic Senate approved the following revised Academic Affirmative Action Policy Statement.

This supersedes Academic Senate Policy #F84-124.

Introduction

An Affirmative Action Policy for San Francisco State

University was first issued in September 1971, in conformity with federal legislation.

Revisions were made in 1975 and further revisions were made in 1983 to conform to the revised CSU policy statement of 1980.

Federal law (Title VII of the Civil Rights Act of 1964 and Executive Orders 11246 and 11375) regarding employment for minority group members and women requires that we initiate an effective Affirmative Action Program. San Francisco State University has long had a commitment to non-discrimination, referred to as Equal Opportunity Employment, which depended on good-faith efforts for enforcement. It is now the policy of California State University adopted by the Board of Trustees to go beyond the "non-discrimination" of Equal Opportunity and to encourage positive efforts towards opportunities for employment and advancement of women, members of minority groups, the disabled, disabled veterans, and veterans of the Vietnam era. In accordance with this policy and federal guidelines, we have set realistic Affirmative Action Program goals and have developed plans which enable us to make substantial progress toward those goals; we maintain detailed statistics by which to demonstrate such progress and complete a Federal Compliance Report as required.

The concept of Affirmative Action Programs includes knowledge of where we are now; goals for where we should be; and immediate, imaginative and sustained efforts to devise recruitment, training and career advancement programs that will result in wider representation of the above mentioned groups. It also requires frequent evaluation and analysis to ensure that implementation of the plans continues.

General Policies

The Trustees of the CSU adopted this Policy Statement

on Nondiscrimination and Affirmative Action in 1980.

All personnel shall be hired in full compliance with

Title VII of the Civil Rights Act of 1964, on the basis of Executive Orders

11246 and 11375 and according to the California State University Policy Statement

of Nondiscrimination and Affirmative Action in Employment and the 1983-86 Agreement

of the California Faculty Association and the California State University. The

policy of CSU states in part:

Nondiscrimination

It is the policy of the CSU to provide equal employment

opportunities to all applicants and employees regardless of race, color, religion,

national origin, sex, sexual preference, marital status, pregnancy, age, disability,

disabled veterans or Vietnam era veterans' status. Employment, retention and

advancement of employees shall be based on merit and be responsive to the needs

of the CSU for quality and excellence.

Affirmative Action

It is the policy of the CSU to promote employment

opportunities for the following groups thereafter referred to as affirmative

action groups: women, members of minority groups, the disabled, disabled veterans

and veterans of the Vietnam era. In accordance with Executive Order 11246, minority

group members are defined as Afro-Americans, Hispanic Americans, Native Americans,

and Asian-Americans. Executive Order 11375 added Women by amendment.

In addition, policies specific to SFSU are:

In selecting among

candidates equally qualified for a particular position in disciplines

- A. where there is an under-utilization of ethnic minorities and women, the affirmative action candidate must be selected.

There shall be

- B. no blanket prohibition against employment of close relatives.

Compliance with

the program will be measured by good-faith actions and by the rate of progress towards our immediate and long-range affirmative action goals.

- C. Failure by schools, divisions and departments to make satisfactory progress will result in review and action by the Vice President for Academic Affairs including restriction of faculty positions and other budgetary allocation.

The University

supports the hiring of candidates who are qualified for either the doctoral

- D. degree or its equivalency with the provision that the requisite of either the doctoral or equivalency be met prior to the candidate receiving tenure as stated in the Faculty Manual.

Each department

will comply with the University's Affirmative Action Program, to overcome

- E. the "under-utilization" of faculty (having fewer ethnic minorities and women than would be expected as determined by the Affirmative Action Director).

Statement of General Responsibilities

The President

- 1. retains overall responsibility for affirmative action at San Francisco State University.

The President

is assisted by two Affirmative Action Committees, one for non-academic

- 2. employees and one for academic employees. If necessary, the President can convene both committees as the joint Affirmative Action Committee or in joint sessions.

The President

will use his/her best efforts to assure that resources are available to administer the affirmative action program in a positive and effective

- 3. manner. The President will designate an individual as Affirmative Action Director who shall have responsibility for coordinating the affirmative action program.

The Affirmative

Action Director works with an Academic Affirmative Action Committee (AAAC)

4. and the Non-Academic Affirmative Action Committee (NAAAC) in conducting reviews and making recommendations to the President. Among the Director's functions are to:

Assist all colleges,

- A. departments and non-academic units in developing Affirmative Action Programs;

Assist the departments

- B. and units in their active searches for candidates from affirmative action groups;

Work closely with

- C. that person designated by the Vice President for Academic Affairs to coordinate affirmative action activities in academic affairs;

In conjunction

- D. with the AAAC, make recommendations to the Vice President for Academic Affairs regarding affirmative action compliance in hiring, retention, tenure and promotion decisions;

Assist departments

- E. by the collection of ethnic minority and female availability data to be used in establishing guidelines for utilization;

Collect, review,

and maintain basic information, policies, and procedures concerning ethnic

- F. background, sex, disability, job classification, salary level, et cetera, for all employees; and provide meaningful analysis and dissemination of such data;

Provide for counseling

- G. of employees and applicants who believe they have been discriminated against because of race, color, religion, sex, disability, or national origin to resolve informally the matters raised by them.

These

Affirmative Action guidelines will be under periodic review by the Affirmative

5. Action Committees and the Affirmative Action Director. Suggested policy changes will be sent to the President for referral and consideration by the appropriate individuals or organizations.

Responsibilities of the Academic Affirmative Action Committee

The SFSU goal is to achieve within each department and administrative unit as a whole, a diverse, multiracial faculty of both sexes capable of providing for excellence in the education of its students and for the enrichment of the University community. It is the responsibility of the Academic Affirmative Action Committee (AAAC) in conjunction with the Affirmative Action Director, to monitor departmental efforts to comply with affirmative action regulations.

In order

1. to comply with the Revised Executive Order #4, affirmative action goals and programs must be established.

The AAAC, in conjunction

with the Affirmative Action Director, reviews the written report of affirmative action program goals set by each department and administrative unit. Review

- A. is based on an analysis of current utilization in relation to availability as determined by the Affirmative Action Coordinator, of minorities and women. This analysis is made for all academic ranks and for tenure/tenure-track or lecturer appointments.

The AAAC, in conjunction

- B. with the Affirmative Action Director, reviews the progress toward achievement of affirmative action goals set the preceding year by each academic department.

The AAAC

2. ensures that a non-discriminatory hiring, retention, tenure and promotion policy is followed.

The AAAC will review

- A. hiring, retention, and tenure decisions to ensure that they do not result in inadvertent discrimination

The AAAC will review

- B. promotion decisions

The AAAC

may receive complaints of individuals who believe that they have been discriminated against on the basis of the Policy Statement on Nondiscrimination and Affirmative Action in hiring, retention, tenure and promotion decisions.

This information will be forwarded to the Affirmative Action Director for action. Such information in no way replaces or substitutes for

- 3. the regularly established University grievance procedures, which must be used in order to exhaust administrative remedies. Where the provisions of this policy are in conflict with the Collective Bargaining Agreements reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1 of the Government Code, the Collective Bargaining Agreements shall take precedence.

The AAAC

- 4. makes two reports annually.

In the fall of

each year, the Committee presents an analysis to the President, the Academic

- A. Senate, and the faculty of the progress toward achievement of affirmative action goals on this campus for the preceding year, the preceding five years, and the preceding ten years.

In the spring of

- B. each year, the Committee presents to the President and the Academic Senate a report on its activities for the preceding year.

Responsibilities of Department Chairs

It is the responsibility of each department chair

to:

Assure that the

1. selection criteria for faculty positions realistically reflect the knowledge, skills, abilities and experience necessary to perform the job, and that the criteria do not artificially screen out affirmative action groups.

Identify barriers

2. to equal opportunity and eliminate illegal discrimination in hiring, promotion and tenure and to make a good faith effort to alleviate under-utilization of protected groups described earlier.

Provide opportunities

3. for affirmative action groups to serve on committees, and to participate on an equal basis with all other faculty in all the department's academic affairs.

Monitor the working

4. conditions of all faculty to assure equity in space allocation, class scheduling, and other assignments.

Assure that H RTP

- committee members, department staff, and coaching track advisory committee
5. members, involved in personnel actions comply with this policy statement, and also with the Policy and Procedures for Recruiting and Hiring Tenure-Track Faculty, and Policies and Procedures for the Employment of Lecturers.

Provide leadership

6. in the implementation of affirmative action policies.

Responsibilities of Deans

It is the responsibility of each dean to:

1. Allocate available resources in an equitable manner to departments in support of this policy.

Assure compliance

2. by each department with provisions of all affirmative action policies and procedures including timely submission of the required documentation of compliance to appropriate sources.

Provide leadership

in the implementation of affirmative action, and consider the success

3. in implementing affirmative action policies and procedures in the evaluation

of Department Chairs.

Procedures for and Implementation of Academic Affirmative

Action Policies

The Academic Affirmative Action Committee shall work

with the Affirmative Action Director and shall be advisory to the President.

The Committee shall consist of eleven members: four faculty elected at-large, three members appointed by the President, two members chosen by AAAC, and two members appointed by the Senate Executive Committee. The terms, which will be staggered, will be for two years.

In order

1. to prepare its report, the AAAC evaluates the program goals established and the progress toward achievement of these goals:

The AAAC reviews

written reports of utilization and goals for training, hiring and promotion

- A. and advises as appropriate. The AAAC should analyze and report enrollment, employment, and other relevant data and make recommendations for further action.

At the beginning

of the fall semester, the Affirmative Action Director will prepare summaries

- B. of tenure/tenure-track and lecturer hires, termination, tenure and promotion decisions.

In order

2. to assure that the hiring process adheres to affirmative action principles:

The Affirmative

Action Director either approves the search plan for tenure track candidates

- A. or suggests modifications needed to assure non-discrimination. No formal search for tenure track candidates can begin until the recruitment plan is approved.

At the beginning

- B. of the fall semester, the AAAC will review a statistical summary of all lecturer appointments. This review shall be included in their report.

In order

- 3. to assure that the promotion process adheres to affirmative action principles; the University Promotions Committee provides the AAAC a complete statistical report including breakdown by sex, ethnicity and disability of its recommendations.

The Dean

for Faculty Affairs and Professional Development routinely advises the

- 4. Affirmative Action Director of any terminations or non-re-appointment of women, minority, or disabled faculty members in a tenured/tenure-track position.

Any complainant--or

his/her representative--who believes s/he has been discriminated against on the basis of a violation of the policy of Nondiscrimination and Affirmative Action, as stated in the CSU Policy Statement, may file a written complaint with the AAAC which will be forwarded to the Affirmative Action Director.

This right shall be specified in the *Faculty Manual*. The Affirmative

- 5. Action Director evaluates complaints and makes recommendations to the appropriate administrator within specified time limits.

Where the provisions of this policy are in

conflict with the Collective Bargaining Agreements reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1 of the Government Code, the Collective Bargaining Agreements shall take precedence.

****APPROVED BY PRESIDENT CORRIGAN**

ON MAY 18, 1999**
