

## Part 4: The Bates College Affirmative Action Policy

### I. The Office of Affirmative Action and Institutional Diversity

The Office of Affirmative Action and Institutional Diversity (AA&ID) exists primarily to implement the College's plans for increasing the racial/ethnic and gender diversity on campus. The office also assists in the development of personnel policy in effort to assure equality of opportunity. The office may from time to time become involved in campus issues that affect the atmosphere for women and racial/ethnic minorities. The office also serves to facilitate communication between Bates and the various off-campus organizations that promote such diversity.

In carrying out the responsibilities stated above, the director of affirmative action and institutional diversity (AA&ID director) will have access, when needed, to information or documents designated as confidential by the president and/or Trustees of the College or by law. This information or these documents include the College's administrative and financial records, the College's employee salary and fringe benefit information, employee personnel files, files of the committees on personnel and on personnel for physical education, and student files or transcripts in the offices of the dean of admissions, the dean of students, the registrar, student financial services, and the Office of Career Services.

The AA&ID director's access to confidential material will be in accordance with the following procedures:

1) The request for information will be made in writing to the College officer responsible for the maintenance and security of the confidential material. The request will be for specific material and for a specific purpose directly related to the implementation and oversight of affirmative action policies of the College as stated in this policy. If access involves a request to review evaluations of specific individuals, written permission must be secured from those individuals by the AA&ID director and must accompany the request.

If access involves a review of areas of concern or categories of personnel, the purpose and date of the review by the AA&ID director will be noted in the files.

2) Access to confidential material is under the supervision of the relevant College officer. It is the joint responsibility of the AA&ID director and the officer to assure the continuing confidentiality of the material. Material will be reviewed in the office where it normally is kept, with no duplication of files or other confidential information permitted.

### II. The Affirmative Action Advisory Committee

The Affirmative Action Advisory Committee (AAAC) exists to provide advice to the AA&ID director. Specifically, the AAAC identifies obstacles and barriers to equity of opportunity and rewards at Bates and makes recommendations to the AA&ID director on methods to remove these barriers and obstacles. Additionally, the AAAC seeks to educate the campus in regard to the principles of affirmative action and equal opportunity. The AAAC also evaluates and makes regular reports on the implementation of affirmative action policy. The Affirmative Action Advisory Committee is not empowered by the College or its officers to deal with specific complaints or grievances from individuals or from groups of individuals.

Members of the AAAC are appointed by the president for three-year terms. Each area of the College covered by the Affirmative Action Policy will have opportunity to nominate representatives to the AAAC. Areas of the College covered by the Affirmative Action Policy include: the library, admissions, dining services, administrative support staff, the administration, faculty, and the physical plant. While students are not usually covered by the Affirmative Action Policy, students may nominate two representatives for the AAAC. Additionally, two at-large representatives will be nominated by current members of the AAAC. From this list of nominations, the current AAAC will make recommendations to the president, who has final responsibility for the appointment of members to the AAAC. The AAAC will in making its recommendations to the president consider the racial/ethnic and gender diversity of the campus.

### III. Community Input

A. Any member of the Bates community may bring an affirmative action concern to the attention of the AAAC by submitting a written statement to the AA&ID director.

B. Any member of the AAAC may bring an area of affirmative action concern to the attention of the full committee.

## IV. Policies

Wherever reference is herein made to policies, practices, manuals, rules, regulations, or the like, the reference will be deemed to denote such elements as may at the relevant time be in effect, and no such references will be deemed to preclude changes, replacements, etc., in such elements in effect as of the date of this document.

## V. General Affirmative Action Principles Governing the Operating Procedures at Bates College

### A. EMPLOYEES (DEPARTMENTAL STAFFING)

#### 1) Goals

The general affirmative action goal in recruitment and appointment of the College's faculty and staff will be to hire women and minority candidates in substantially the proportion they are available in the relevant applicant pools.

#### 2) Procedures

a) The present situation will be analyzed in each department of the College by the AA&ID director.

b) In areas where the substantially appropriate proportions are not found to exist, an effort will be made to attract and give preference to those underrepresented candidates who are substantially equally qualified.

#### 3) General Search Procedures

a) A job description will be developed for each open or new position.

b) Each open or new position will be publicly announced in a manner appropriate to contact the relevant applicant pool.

c) Each open or new position will be posted at points (to be listed when determined) in the College designated for such purpose, and generally known to employees, and in appropriate College publications.

d) Each advertisement will state: "Bates College values a diverse college community and seeks to assure equal opportunity through a continuing and effective affirmative action program."

e) Each search will begin on (specified date) and remain open until filled. If the pool of candidates is considered to be unacceptable by the search committee for affirmative action reasons or other reasons, the search may be readvertised with the inclusion of a limited period of time for response.

f) Each department and/or recruitment committee chair will keep full records of searches made for candidates, inquiries, and applications received, correspondence exchanged, credentials examined, interviews held, and actions taken, as evidence of a good faith effort to recruit women and minority persons.

g) For each search, an Affirmative Action Search Report form will be completed and given to the AA&ID director within two weeks after the search is complete. It should minimally include a description of the efforts to find and consider women and minority candidates for the position, and, if such applicant was not selected, a statement of the reasons.

h) Appointments will be made according to the following policy:

1) The most qualified person, as judged by the required qualifications and the stated criteria for selection, shall receive the appointment.

2) If the search committee considers more than one person as substantially equally qualified, the College's commitment to affirmative action should be a determining factor.

#### 4) Termination

a) Except in the case of termination for cause, an employee should be given warning that he or she is failing to perform the responsibilities of the position to which he or she is appointed, and given a genuine opportunity to improve.

b) Each decision to terminate or not to reappoint should be communicated to the AA&ID director and may be subject to discussion to confirm that affirmative action principles have not been violated.

c) The AA&ID director will keep data on the race and sex of terminated employees and should conduct an exit interview with employees leaving the College because of termination or nonreappointment in order to determine if any grievance or corrective procedure should be recommended by the AA&ID director. A *particular* grievance can not be brought against the will of the aggrieved party, although the AA&ID director may consider more general corrective procedures.

#### 5) Salary and Benefits

a) Under the supervision of the president or his/her designate, the AA&ID director will analyze each department for possible discriminatory practices, including then-current criteria for salary differentials, with consideration of starting, average, and current salaries, rate of progress, salary increment based on age, position, years of service, and market position.

b) The relative market position of qualified women and minorities may be considered as relevant to compensation as are other factors affecting supply and demand.

c) Analysis should include evaluation of benefits, and any employment regulations which might have an adverse effect on salary or benefit equity. If any areas of discrepancy are identified which result in discrimination, the A&ID director or the AAAC will consider and recommend appropriate actions.

#### 6) Evaluation and Professional Development

a) The College recognizes that an integral part of its commitment to eliminate discrimination and assure equal opportunity in employment must be the initiation and continuation of opportunities that will enhance the professional growth of its employees.

b) Each division of the Bates work force will have specific policies pertaining to promotion, transfer, evaluation, educational fringe benefits, and termination, which are generally known and publicized to all members of that constituency.

#### 7) Dissemination of Information

a) All members of the Bates community are encouraged to channel through the AA&ID director or AAAC any information or research relevant to affirmative action goals and procedures.

b) All employees involved in recruitment and hiring procedures, in particular, will be advised of the existence of the above informational material and its location.

c) A separate file of general material on this subject, including the College's equal opportunity/affirmative action policy and the grievance procedures, will be located at the library.

## VI. Specific Areas of Concern Involving Employees

### A. FACULTY

#### 1) Composition and Recruitment

##### a) Goals

In order to achieve the goal of hiring women and minority persons in each academic department in the proportion that women and minorities are available in national applicant pools, the College will:

- 1) Periodically seek statistics on the availability of women and minorities in each discipline, and analyze each department in respect to these figures.
- 2) Establish departmental goals which reflect the percentage of women and minority persons who have received the Ph.D. or equivalent credential in the relevant field during the past three years.

##### b) Procedures

- 1) Detailed recruitment procedures will be reviewed and revised on an ongoing basis.
- 2) Each tenure-track position will be nationally advertised in appropriate professional journals and among women's and minority professional groups.
- 3) Each department chair and/or recruitment committee chair will keep full records of the searches made for candidates, and complete an Affirmative Action Search Report form for use by the dean of the faculty and the AA&ID director.

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- 4) Each offer of appointment will be documented in writing.
- 2) Reappointment, Tenure, and Promotion
  - a) Decisions on reappointment, tenure, and promotion will be made in accordance with rules and procedures set forth in the *Rules and Procedures Governing Faculty Appointment, Reappointment, Tenure, and Promotion*, found in the *Faculty Handbook*.
  - b) These rules and procedures should be reviewed annually by the AA&DI director with any concerns reported to the president and to the dean of the faculty.
  - c) Evidence that women or minority group members stay at one academic rank longer than majority group members will be cause for a thorough analysis by the AA&DI director.
- 3) Termination
  - a) A decision not to reappoint a faculty member should be communicated to the AA&DI director and may be discussed among the dean of the faculty, the departmental chair, and the AA&ID director to confirm that affirmative action principles have not been violated.
  - b) The AA&DI director should conduct an exit interview with any faculty member leaving the College.
- 4) Salary and Benefits
  - a) The AA&DI director should analyze the College and each academic department for possible discriminatory practices.
  - b) Accepted procedures for analysis such as those outlined in Elizabeth L. Scott's *Higher Education Salary Evaluation Kit* (Washington, DC: AAUP) should be used.
- 5) Professional development policies are described in detail in the current *Faculty Handbook* and the *Employee Handbook*, subject to periodic revision. These policies should reflect ongoing recommendations of the AA&DI director and the AAAC.

## B. LIBRARY

- 1) Search and Appointments for Paraprofessional and Professional Positions (Excluding the Librarian)
  - a) General Preliminary Procedure
    - 1) Appointments to the staff of the library shall be made on the basis of an equal opportunity and affirmative action search. A search shall be conducted for any new position not previously staffed and for any vacant position.
    - 2) This procedure does not limit the library's ability to reorganize its positions and reassign its staff to meet the current and future needs of the College. Nothing in these procedures rules out the possibility of internal advancement when appropriate.
    - 3) The librarian will consult with members of the library staff as appropriate. The librarian will announce the opening to the library staff and post it on the staff bulletin board before it is generally announced.
    - 4) In case of an acting appointment or a temporary position, the librarian and the head of the unit in which the opening exists, in consultation with the Library Personnel Committee, will determine appropriate search procedures in accordance with affirmative action goals, the circumstances of the position, and College policy.
  - b) Search Committee: Composition
    - 1) Paraprofessional Position

In the case of a new or ongoing paraprofessional position, the unit in which the vacancy exists will serve as the search committee. The unit head will serve as the chair of the search committee. The unit head in consultation with the librarian may include additional members as needed.
    - 2) Professional Position

In the case of a new or ongoing professional position, a five-member committee will conduct the search.

      - a) The librarian and the staff member who supervises the vacant position will serve *ex officio*.

b) The librarian will appoint the remaining committee members within two weeks of the announcement of the opening. The committee will be selected to include persons who bring to the search knowledge of the position, perspectives on the work, or the College's intent to promote diversity.

- 1) Any staff member applying for the position cannot serve on the search committee.
- 2) At least one professional and one paraprofessional will be named to the committee.
- 3) The committee may include members from outside the library staff.

c) The staff member who supervises the vacant position is chair of the search committee.

c) General Search Procedure

Before considering any application, the search committee will meet to discuss the job description and qualifications for applicants. The search committee will be responsible for carrying out the search according to acceptable guidelines for equal opportunity access and for affirmative action. Should a vacancy occur on the search committee, the librarian will appoint a replacement.

- 1) A paraprofessional opening will be posted in the College and advertised in suitable local publications and other sources.
- 2) A professional opening will be posted in the College and advertised in suitable professional journals and national publications.
- 3) The search committee will be responsible for selecting final candidates to be interviewed and will conduct the interviews.

d) Recommendations

1) Paraprofessional Position

For a paraprofessional opening, after all interviews with the librarian, the search committee, and other staff members have been completed, the chair will give the committee's recommendation to the librarian.

2) Professional Position

For a professional opening, the search committee will gather reactions and comments in writing from individuals or groups involved in the search, and the chair will give the committee's recommendation to the librarian.

3) The librarian will then give a recommendation to the dean of the faculty. Prior to making his recommendations, the librarian will seek assurance from the director of affirmative action that the search and selection process conformed to the College's affirmative action program.

4) The final decision to appoint a candidate rests with the president or the president's designate.

5) If none of the final candidates is hired, the librarian will meet with the search committee to determine further action.

2) Evaluation

At regular intervals, staff members, working with their supervisors, will prepare written assessments of their work in relation to goals and plans of the library and College. This will include revision of current job descriptions, as described in the *Library Personnel Handbook* and as approved, from time to time, by the dean of the faculty.

3) Termination

a) All professional/administrative staff appointments serve at the pleasure of the president, who therefore has the right to terminate the appointment personally or through his/her designate.

b) The President should normally consult with the AA&ID director to assure that affirmative action guidelines have been observed in dealing with the employees.

c) The AA&ID director should conduct an exit interview with any administrative staff member leaving the College.

4) Staff professional development opportunities are described in detail in the current *Library Personnel Policies and Procedures Manual* and in the *Employee Handbook*, subject to periodic revision.

C. ADMINISTRATIVE STAFF

1) Staff Recruitment

a) An equal opportunity/affirmative action search will be conducted for any new position not previously staffed and for any existing position which becomes vacant. It is to be understood that nothing in these procedures rules out the possibility of internal advancement when appropriate.

b) Acting Appointments

1) The president may make an acting appointment if the time and circumstances warrant it.

2) When an acting appointment is made (for reasons other than leaves of absence), the search will be initiated within six months.

3) The acting appointee may be a candidate for the position.

4) No acting appointee who is a candidate for permanent appointment will be a member of the search committee charged with selecting a candidate to fill his/her acting position.

c) Search Procedure

1) The president, in consultation with the appropriate administrative or faculty personnel and the AA&ID director, will appoint a committee of not fewer than three persons.

2) The search committee will be responsible for carrying out the search according to acceptable guidelines for equal opportunity access and affirmative action.

3) The opening will be advertised through the human resources office in suitable professional journals and national publications, as well as locally.

4) The committee will be responsible for selecting final candidates to be interviewed, and may ask other members of the College community to participate in the interviews.

5) The committee will make final recommendations to the president.

6) All appointments to the professional/administrative staff are made by the president or his/her designate and serve at the pleasure of the president. Prior to making the appointment, the president should normally consult with the AA&ID director to ensure that the search and selection process conformed to the College's affirmative action program.

2) Promotion and Evaluation

a) The College should encourage nonteaching staff to broaden their skills so that they may qualify for positions of greater responsibility, and to seek satisfying work opportunities on the basis of promotions and lateral transfers.

b) Supervisors should discuss job performance with each employee at least annually.

3) Termination

a) All professional/administrative staff appointments serve at the pleasure of the president, who therefore has the right to terminate the appointment personally or through his/her designate.

b) The president should normally consult with the AA&ID director to assure that affirmative action guidelines have been observed in dealings with the employees.

c) The AA&ID director should conduct an exit interview with any administrative staff member leaving the College.

4) Professional development opportunities are described in detail in the current *Employee Handbook*, subject to periodic revision.

## D. ADMINISTRATIVE SUPPORT STAFF, PHYSICAL PLANT, AND DINING SERVICES DEPARTMENT

- 1) Composition and Recruitment
  - a) The department supervisor and the director of human resources will be responsible for making and documenting efforts to meet the College's affirmative action goals.
  - b) Job Descriptions
    - 1) Written job descriptions will contain specific criteria and skills for each employment category.
    - 2) Written job descriptions will include the qualities and capacities which are pertinent to the position.
  - c) Recruitment Procedures
    - 1) A search will be coordinated by the human resources office and the department supervisor.
    - 2) The department head forms a search committee consisting of at least three employees and gives their name to the human resources office. The human resources office provides interview guides for members of the search committee.
    - 3) Current employees should be given consideration for promotion or transfer by posting the job advertisement on College bulletin boards generally known to be for this purpose, at the same time as the position is advertised publicly, and by publishing notification in the employee newsletter.
    - 4) The College may contact employment agencies and other sources to attract applicants, as well as placing advertisements in the media.
    - 5) The human resources office will maintain a file of all completed applications and their disposition according to the advice of the AA&DI director.
    - 6) The departmental search committee will make recommendations to the department supervisor.
    - 7) The department supervisor will make the final selection.
- 2) Evaluation
  - a) To regularize employee/supervisor interchange, the College will develop a formal system of evaluation.
  - b) In addition to ongoing informal evaluation, the first formal review should take place after one month of employment, the second within a six-month orientation period, and thereafter annually at a stated time prior to salary recommendation.
  - c) The evaluation form should provide for written individual observations under suggested categories, and notes on corrections or comments made during the interview.
  - d) The form should be signed by both participants and retained in the employee's personnel folder.
- 3) Termination
  - a) If a supervisor is considering termination for reasons other than for cause, the employee should be interviewed and warned in writing at least once before the termination interview.
  - b) Both parties to the interview should read and sign the warning statement and a copy should be sent to the human resources office to be retained in accordance with current legal requirements.
  - c) No one will be terminated, other than for cause, without prior notification to the director of human resources.
  - d) If there is any question of possible discrimination, the AA&ID director will conduct a consultation and exit interview.
- 4) Professional Development
  - a) The College encourages professional development of its staff with its educational benefit package, which is described in detail in the current *Employee Handbook*, subject to periodic revision.
  - b) Supervisors have the responsibility to inform their employees about the human resources office's assistance in providing information about continuing and adult education courses, as well as the responsibility to inform the human resources office about appropriate courses that come to their attention and that might benefit their employees.

## VII. Specific Areas of Concern Involving Students

The College's relations with its students are not normally governed by the College's Affirmative Action Policy, which is part of the College's policy for all faculty and other employees. It would thus apply to students when they are employees of the College. The principles behind affirmative action, however, apply to many of the College's ongoing relationships with its students, and the various departments and faculty committees dealing with students should be fully aware of underlying policies of the College which deal with students or which have an impact on the quality of student life at Bates. Some of the specific areas of concern involving students are:

- 1) The general affirmative action goal in recruitment and acceptance of Bates students will be to secure, retain, and educate qualified women and minority students in the proportion they are available in the relevant applicant pools. The current composition of the student body should continue to be analyzed with special attention to race and sex as they pertain to matriculation, achievement, and departmental distribution. Where proportions appear to be out of balance, an effort should be made to determine the reasons for these imbalances and, if possible, to take corrective action.
- 2) The College recognizes that a critical enhancement to the present and future recruitment, retention, and development of excellent students is the presence of women and minority persons as role models in positions of high achievement in the College community.
- 3) The College recognizes that student diversity benefits all members of the College community, and believes that positive steps should be taken to recruit minorities, in particular, and to develop support systems crucial to the success of minority and women students at Bates.
- 4) The College will continue to make every effort to ensure that women, men, and minorities continue to be represented on the admissions staff.
- 5) The College will continue to explore and implement means of actively recruiting minority candidates for admissions.
- 6) The admissions office will continue to give consideration to relevant criteria other than standardized measurements of ability in assessing the potential of applicants, particularly in the case of minority students.
- 7) The College will encourage the various other components of the College community, including faculty and alumni, to participate in minority student recruitment.
- 8) The presence of minority members of the faculty is recognized as essential to the success of admissions office efforts in minority recruitment.
- 9) Financial Aid
  - a) All financial aid at Bates College is awarded on the basis of financial need.
  - b) The College will continue to try to develop new sources of scholarship funding.
  - c) Minority students should be encouraged to apply for admission, regardless of financial circumstances.
- 10) Academic Support
  - a) The existing program between the Office of the Dean of Students and the admissions office, which identifies students who may need special academic support, should be continued and refined.
  - b) Support may include the following methods, as well as others yet to be developed:
    - 1) assistance in improving study skills and habits
    - 2) tutorial assistance by upper-class students
    - 3) extra attention by faculty members
    - 4) when possible, special care in assigning faculty advisors who are sensitive to the concerns of affirmative action.
- 11) Career Development
  - a) The College will continue its policy to prohibit discrimination on the basis of race and/or gender in the recruitment and employment of its students by the following methods, as well as others yet to be developed:
    - 1) The Office of Career Services (OCS) will apprise all recruiters of this policy who seek to employ through its auspices.

2) The OCS will encourage organizations to send women and minority recruitment officers.

b) The OCS will continue to monitor and inform students of special minority and women's recruitment opportunities in employment and in graduate schools.

c) The OCS should sponsor programs which alert the student body and the business community to the issues of affirmative action.

12) Student Activities

a) The College will adhere to its tradition of openness by continuing to require that its social and extracurricular organizations be open to all students without regard to race/ethnicity, color, creed, sex, religion, or national origin, sexual orientation, disability, marital/parental status.

b) Before being allowed to use the name of Bates, use College facilities, or qualify for institutional financial support, a student organization must commit itself to the above goals by a statement in its constitution.

c) No student organization which evinces and persists in discriminatory practices will be funded or recognized by the College.