

Provost's Report on Affirmative Action, April 4, 1985

A. Introduction

On the anniversary of the Report of the Faculty of Arts and Sciences Advisory Committee on the Education of Women, chaired by Professor Donald Crothers, it is particularly appropriate for the Provost's Office to report on the policy, plans, and progress the University has made with respect to affirmative action during the past year. As the Crothers Committee made clear, it is essential that the faculty be regularly informed of the administration's efforts to increase the representation on the faculty of women and members of minority groups, because only with the full commitment and cooperation of the faculty can the goals of affirmative action be achieved. Given the interest expressed by the faculty in the findings and recommendations of the Crothers Committee, our report this year will focus on the progress we have made, and will endeavor to make, in the appointment of women to the faculties of Yale College and the Graduate School of Arts and Sciences.

At the outset we would like to affirm the administration's endorsement of the Crothers' Committee's goal of doubling the number of women on the Faculty of Arts and Sciences by 1990. This goal, which means increasing the number of tenured women to at least 30 in the six years following the report, appears feasible as one looks at the number of anticipated retirements during that period and the proportion of women currently at Yale in untenured positions, but reaching the goal may not be easy. Historically, one-third of the tenured appointments in this faculty have been made from outside Yale, typically from among the tenured ranks, where representation of women is significantly lower than among untenured faculty. From 1978 to 1984, for example, only two of the ten women appointed to tenured positions were from outside this faculty. However, the number of women in tenured ranks nationally is increasing, and in the last two years approximately half of our tenure offers to women have been made to scholars from outside Yale.

B. Role of Faculty Committees in Appointments

At Yale, the faculty and individual departments carry the primary responsibility for allocating positions among fields, conducting searches, and making appointments. The administration recognizes an obligation to protect that principle and to ensure its integrity. Specific procedures, including those designed to ensure equal access and advance the goals of affirmative action, regulate the appointments process, but these can be no substitute for the dedication and energy that members of the faculty, working both as individuals and in committees, demonstrate in carrying out these responsibilities.

The four Divisional Advisory Committees meet with departmental Chairmen, review each department's academic needs and plans for positions, and make recommendations to the Provost regarding specific faculty appointments. One responsibility of the Divisional Committees is to ensure that each department make its best effort to further the goals of affirmative action while meeting its disciplinary needs and maintaining the high quality of its faculty.

The Faculty of Arts and Sciences Executive Committee (consisting of the President, the Provost, and the Deans of Yale College and the Graduate School) and the Academic Review Committee (that same Committee augmented by the four Divisional Directors) are responsible for planning the size and contour of the faculty across departments and over time. The Academic Review Committee was originally created in the fall of 1979 to plan the reductions required by the Corporation in order to bring the size of the Faculty of Arts and Sciences to a level sustainable by the University's endowment and projected income. The original Academic Plan of this committee projected reductions and replacements through 1984-85, and since 1980 the committee has met every two years to extend the plan further into the future. The Executive Committee meets every other week during the year to implement the plan by authorizing specific positions recommended by the Divisional Advisory Committees.

The reductions mandated by the Corporation were necessary and there must continue to be a prudent restraint on the total size of the faculty. Yet in laying out plans for the orderly replenishment of the faculty, a clear tension became evident. By identifying resources on which departments can count to meet the research and teaching needs of their disciplines,

the Academic Review Committee necessarily reduced the flexibility of the Executive Committee to respond in the short run to a rapidly emerging field or to an opportunity to appoint a particularly distinguished scholar or a scholar who would further the goals of affirmative action if he or she does not fit one of the positions anticipated in the plan. In order to reduce this tension, the Academic Review Committee has worked to reserve a few positions that might be available to respond to special needs or opportunities as they arise. For example, in the most recent round of discussions, the committee is planning to hold in reserve four such positions in the humanities, and a somewhat smaller number in other areas.

C. General Use of Faculty Resources

Resources held in reserve for special needs and particular cases are useful, to be sure, but the great majority of anticipated tenured openings must surely be retained by departments for their planned use in the fields they believe central to their disciplines. Planning and effective use of these resources by departments requires advanced notice. The allocation process cannot be one that constantly removes most positions, returning them only for specific cases. It is therefore essential for departments to use their anticipated openings in ways that further the goals of affirmative action while they meet the traditional and emerging needs of their disciplines.

Of course it will not always be the case that the opportunity to appoint a distinguished woman or member of a minority group occurs at a time when an opening is created by a retirement or a departure. Often an untenured faculty member matures through natural development at a time when no tenured positions are open. Sometimes such a scholar emerges in the process of a search for a related position. Occasionally a department or an interdisciplinary program discovers the clear need for a scholar in a field to which resources have never been allocated. In cases such as these it is essential that there remain both budgetary and field flexibility of the kind affirmed by the Yale Corporation in 1972. The number of such cases is not insignificant. In fact, about half of the tenured offers made to women in the recent past have required some flexibility and therefore depended upon a temporary or permanent reallocation of resources.

Strategies that the Executive Committee has recently employed in cases of this kind include the following:

1. Requesting a department to alter the sequence, timing, or field of an anticipated replacement. Typically, resources for a position furthering the goals of affirmative action are provided by arranging a "mortgage" against a retirement anticipated several years in the future. Resources may also be provided by converting two untenured openings into one tenured one, or by making a shift, at least on a temporary basis, from one field to another.

2. Permitting a department temporary overlap in a subfield or a temporary increase in the actual number of budgeted faculty positions. This is a useful strategy when a woman or member of a minority group emerges as one of two very strong candidates for an advertised position but whose appointment would not complement the department's other strengths as clearly as the other candidate.

3. Identifying resources from elsewhere in the division for a long-range or even permanent increment in the number of positions allocated to a department. This is of course extremely difficult to do without exceeding the carefully planned size of the total faculty.

At least in the short run, and with the advice of the Divisional Advisory Committees, the Provost's Office will continue to employ such strategies wherever appropriate in order to fulfill the University's commitment to the goals of affirmative action.

D. Responsibilities of the Provost's Office

The procedure for allocating resources and appointing faculty is a collaborative one in which the Provost's Office works closely with the Chairmen and with specific search committees. Approving each step of the appointments process is essential to the goal of equal access to positions, but monitoring alone can have only a limited effect on the goal of affirmative action. All of the Associate and Deputy Provosts are effectively Affirmative Action Officers. Each is charged with monitoring and approving the searches undertaken in his or her respective departments and schools. Only a regular member of the Provost's staff, familiar with the

entire process and in regular touch with the department on all budgetary and staff issues, can be sufficiently familiar with that department to participate meaningfully in the appointments process. We have therefore chosen not to separate affirmative action from the ongoing responsibilities of the staff of the Provost's Office with respect to departments.

However, in July the Provost designated Charles Long as the Associate Provost with specific University responsibility for affirmative action. Inside the office he is charged with coordinating and advising other members of the staff on affirmative action issues. Much of this takes place during weekly meetings, but he frequently meets with his colleagues and with particular Chairmen of departments or Deans of schools on specific issues. Mr. Long also takes charge of revisions in the Faculty Handbook and in the Provost's memorandum on faculty searches and appointments, publication of the annual Affirmative Action Supplement to the Yale Weekly Bulletin and Calendar, and preparation of an annual report on affirmative action to the Corporation. He is also the primary link between the Provost's Office and the University Affirmative Action Office and in that connection participates in the monitoring of appointments that is required by the federal government. In these roles Mr. Long is assisted by the Offices of Affirmative Action and Institutional Research. These offices are well-staffed, and they maintain accurate statistics, produce specific and annual reports, and monitor the University's performance in fulfilling both its legal obligations and its stated policies.

E. Recent Changes in the Composition of the Faculty

The percentage of women on the combined faculties of Yale College and the Graduate School of Arts and Sciences rose slightly during the past year, from 14.9% to 15.8%. The percentage of tenured women, the category of primary concern to the Crothers Committee, has also increased, from 4.5% to 5.2%. There were no departures of tenured women last year and two tenured women joined the faculty, both in the Biological Sciences. This brings to 17 the number of tenured women in the Faculty of Arts and Sciences. Although in absolute numbers these gains seem small, when compared to the slow progress in this category noted by the Crothers Committee between 1978 and 1983, they are encouraging. The 1984-85

appointments process has not been completed, but one new woman has accepted a tenured appointment this year (in the humanities), and there are currently three offers outstanding to other women scholars (one each in humanities, social science, and physical science). Despite these increases the composition of this faculty remains essentially as it was at the time of the Crothers Report: the total faculty compares reasonably well with other universities and reflects the national statistics suggesting the availability of women in higher education, but the percentage of tenured women still lags. The primary concern of the Provost's Office thus continues to be to find ways to increase the opportunities to appoint distinguished women to the tenured faculty.

The role of the Provost's Office in the area of appointments is grounded in the principle of equal access, with special attention to affirmative action with respect to women and members of minority groups. During the current academic year the entire staff of the Provost's Office, frequently in conjunction with the Deans of Yale College and the Graduate School, discussed the University's affirmative action policies and procedures. We considered the Crothers Report and each of its recommendations in detail. The Report provided helpful suggestions for improving procedures already in place and for creating new ones. Some of these were incorporated in the 1984-85 appointments process, and others will be instituted next year.

As a way to make clear the various ways in which members of the Provost's Office carry out the University's affirmative action policies it may be helpful to outline the routine interactions between the Associate and Deputy Provosts and the faculty who participate in the appointment and review process: first during regular annual meetings with Chairmen, and second during a typical search for a tenured faculty member.

F. Annual Meetings with New Chairmen

The Provost's Office has experimented with ways to orient new FAS Chairmen and will institute meetings with this group on a regular basis beginning in 1985-86. Meeting individually or in small groups with these Chairmen, the Provost, the Associate or Deputy Provost with responsibility for the department, and Associate Provost Long will discuss thoroughly the various search, appointment, and annual faculty review procedures,

explaining the current Academic Review Plan for each department and suggesting strategies for using available resources to meet the department's disciplinary needs while increasing the opportunities to appoint women and members of minority groups.

In these meetings there will be no "targeted" departments, in the sense used by the Crothers Committee to characterize departments where there are fewer women than national availability pools would suggest. It is our belief that all departments should make special efforts to identify and recruit talented women and members of minority groups. We do not wish to imply that certain departments are overlooking available women, and we cannot afford to relax in fields where women are represented in greater numbers. Departures of women can occur anywhere, and although we will work particularly hard to locate women in fields where their representation is low, it is equally important that we continue to appoint women in fields where we have had success in the past.

G. October Budget Meetings

The annual October meetings of each department Chairman with the appropriate Associate and Deputy Provost deal with the department's full range of appointment and budgetary matters. Beginning this year, the agenda has been formally expanded to include affirmative action issues, both general policies and concerns specific to each department. Discussions at these meetings cover the entire shape of the department: trends in programs and enrollment, short and long-term faculty needs, the use of graduate student teachers, and the level of staff support and expense budgets. Anticipated leaves and the need for one-year replacements form an important part of this faculty overview and provide an opportunity to consider the invitation to Yale of visitors, including women and members of minority groups, either as teachers of essential courses or as potential candidates for future positions. These meetings also provide a timely opportunity to discuss each member of the untenured faculty, particularly those whose current appointments will end in the next two years. We stress the importance of annual faculty reviews, especially in the penultimate year of a term appointment, and explain the procedures a department might use if an untenured faculty member seems to be a potential candidate for a tenured position at Yale.

H. Monitoring Required Faculty Reviews

Each Chairman is expected to inform the Provost's Office of the outcome of the reviews required for all faculty members nearing the end of a term appointment. Reviews that result in a decision not to reappoint or promote create an opportunity for the Provost's Office to monitor the department's expectations and to learn from these reviews. Those that result in reappointment are brought to the appropriate faculty appointments committee. Reviews that are favorable, but which cannot proceed to promotion without identifying resources for a tenured position and obtaining authorization for a search, stimulate a conversation about the process necessary to accomplish this, particularly if the potential candidate for a tenured position is a woman or a member of a minority group.

I. Salary reviews

Salary reviews for all faculty take place during the spring and provide an opportunity for the Chairmen, the Provost's Office and the Deans of the College and Graduate School to ensure equity within and across departments and to avoid the intrusion of gender bias or other inappropriate factors into the salary structure.

J. Procedures Governing a Search for a Tenured Position

1. Authorization

The program and the resources of each department are periodically discussed by the Academic Review Committee in establishing the plan for the entire faculty. When the time is appropriate to search for a scholar to fill an authorized position, the Associate or Deputy Provost discusses with the Chairman a tentative description of the position. This is reviewed by the FAS Budget Committee, a weekly meeting of the staff of the Provost's Office and the Deans of the College and Graduate School. From there the description normally goes to the appropriate Divisional Advisory Committee for review before final authorization from the FAS Executive Committee. This process is much more complex if the proposed search differs significantly from the Academic Review Committee plan. The affirmative action implications of the position are discussed in detail at each stage of this process.

2. Search Committee and Advertisements

Each of the details of the search must be formally approved by the Provost's Office, and all have specific affirmative action and equal opportunity requirements such as language, application dates, and places for advertisement. In addition, beginning next year, we plan to meet with the Chairman of each search committee as it is established to ensure that information about appointment procedures and affirmative action policies are conveyed directly to that person, who is, of course, key to the appointments process.

3. Letter Soliciting Nominations

The text of this letter and the list of scholars, including women, who will be asked to make nominations for the advertised position are reviewed by the appropriate Associate or Deputy Provost. It is worth noting that this letter asks respondents to suggest candidates whose strengths include scholarship, teaching, and university citizenship, and in keeping both with affirmative action goals and the recommendations of the "Ad Hoc Committee on Faculty Appointments" chaired by Professor Tobin, it stresses in particular Yale's readiness to consider "all evidence of the potential for significant original research of persons at early stages of their careers." It also asks explicitly for nominations of women and members of minority groups.

4. Letter Soliciting Comparative Evaluation of Specific Scholars

After an examination of nominations and applications and a review of these by the appropriate Associate or Deputy Provost, the search committee composes a list of 4 to 8 of the most promising potential candidates for the position and asks specific outside experts for comparative evaluations of them. It is expected that these lists and the experts whose evaluations are solicited will include women and members of minority groups, unless the search committee concludes that there are no such qualified experts or candidates. In any case, the letter makes explicit once more Yale's willingness to consider the potential of scholars at early stages of their careers. Again, each respondent is asked to bring to the search committee's attention other scholars who are women or members of minority groups.

5. Approval of Search Questionnaire

After receiving responses to the evaluation letter, the search committee and the department rank the candidates, indicate which they are prepared to appoint, and submit all the materials described above, along with a completed five-page Search Questionnaire describing the candidates and the steps taken in the search, to the Provost's Office. The appropriate Associate or Deputy Provost and the Director of Affirmative Action must review and approve the entire search before the materials can be forwarded to a Senior Appointments Committee, the Board of Permanent Officers, and the Corporation.

K. Other Activities of the Provost's Office Bearing on Affirmative Action

Section C above, dealing with searches and appointments, outlines some of the strategies employed when emerging field needs or the unanticipated availability of a strong potential candidate for a tenured position do not coincide with resources identified in the Academic Review Plan. In other cases, as for example when departments are not able to identify women in a particular field or in a particular search, the Provost's Office, in cooperation with the Deans of Yale College and the Graduate School and with the Divisional Advisory Committees, work to increase the likelihood of making appointments in fields where women will be among the strong candidates. In the recent past, we have employed all of the following strategies:

1. Requesting a department to conduct a broad survey of the discipline in order to identify subfields in which can be identified strong potential candidates who are women or members of a minority group. There are currently at least four departments which have conducted or are conducting such surveys, and the results will have a direct bearing on the sequence and timing of future searches in those departments.

2. Requesting the Divisional Committees to discuss with a department the outlook for affirmative action and to remind them of the importance of conducting searches in fields and in ways that will increase the opportunities for strong women or members of minority groups to become candidates. All four of the Divisional Committees have recently had such discussions with one or more departments.

3. Postponing a search until untenured women members of a department or scholars at earlier stages of their careers from outside Yale might become strong candidates for an authorized position. This has been the chosen strategy of at least two departments recently, when searches have failed to produce any appropriate candidates for an opening.

4. Providing temporary or incremental resources at either the tenured or untenured level. For example, in connection with a search, a department recently discovered a strong woman candidate whose strengths did not fit the particular field advertised as well as did those of a man whom the department ranked as its top candidate. The department made the final judgment, offering the position to the preferred candidate, but the Provost's Office encouraged the department to anticipate a retirement some distance in the future in order to provide resources for both the male and female candidates. The department accepted this suggestion and has decided to invite the second candidate as a visitor for further consideration.

5. Assisting in the placement of a spouse. Increasingly, difficulties in recruitment result from the willingness of a scholar to whom a tenured offer has been made to accept only if employment at Yale or reasonably nearby can be found for his or her spouse. Our commitment to equal opportunity and to filling positions with the best qualified candidate conflicts with giving special preference to spouses. Further, the absence of a large city or major university in the immediate area has prevented several appointments that would have furthered the cause of affirmative action. The Secretary's Office, with its knowledge of the towns surrounding the University, has been helpful, and Associate Provosts, Chairmen, and interested faculty members have worked hard on these problems. Still, we are not always successful, and with an increase in the number of two-profession families, this problem is likely to increase. However, by making resources available to a department, often on a matching basis, when an individual's qualifications are particularly appropriate, we have had some success in making appointments to spouses that bring welcome additional help to departments. This is an area on which the Provost's Office will continue to work.