

UNIVERSITY COMMITTEE ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION Minutes for September 20, 2001

PRESENT: G. Adams, L. Burcham, C. Burger, E. Cage, S. Cockrill, C. Cox, B. Dixon, R. Giddings, V. Giddings, E. Gilboy, M. Gillespie, R. Goff, S. Gooden, R. Grayson, L. Halleck, M. Holmes, P. Hyer, J. Massie, L. Moore, B. Pendergrass, E. Plummer, E. Reed, V. Reilly, K. Saker, E. Scott, D. Travis, B. Watford, G. Welbaum, M. Whitlock.

Call to Order: Chair Plummer called the meeting to order at 8:39 a.m.

Welcome and Introductions: Along with new and returning members, Dr. Mel Gillespie was introduced as the new director of the EOAA Office.

Purpose of Meeting: Dixon, Vice President for Multicultural Affairs, opened the meeting by explaining the purpose of having the EOAA Committee and the Advisory Council on Multicultural Affairs meet jointly. It is to discuss the establishment of a new commission (please refer to the materials that were distributed prior to the meeting). Reilly expanded on the subject by saying that the two advisory bodies realized that they have increasingly had an overlapping agenda and set of concerns, and it would make sense to combine our collaborative efforts in the form of a commission. This would strengthen our means of addressing policy issues on a university-wide basis.

University Governance System: Moore explained the proposal in the context of the governance system (handout was distributed). The University Constitution defines the University Council and its membership and officers. It also establishes commissions and advisory councils, and determines their organization. What we are proposing is a change to the Constitution. Presently there are nine commissions, each of which has a chair who serves on and reports to the University Council, so our proposed commission would have membership on that body. It is the commissions that formulate and approve policies for consideration by the University Council and president, who then take them on to the Board of Visitors.

Rationale for New Commission: Hyer spoke of the difference between the two advisory committees as they currently exist and what we propose to be as a commission, and said it is our authority and responsibility around the issue of policy that would increase. It also provides an avenue for a more systematic exposure of the issues we care about to the university as a whole. If the proposal passes, the minutes of the proposed commission will be forwarded to University Council, allowing us increased attention. Other commissions have not addressed diversity issues with the importance that is due them; our proposed commission would elevate the level of conversation, which our current system has not entirely accomplished. A new commission would also reflect the university's commitment to diversity as outlined in the Strategic Plan for 2001-2006. The commission would not have the authority to deal with individual cases. However, we will continue to work with independent task forces with specific concerns. Our two bodies would be dissolved and restructured into the commission. The specifics of that model and the question of whether a commission should be established at all are to be discussed at this present meeting. The time frame is to present the idea of the commission to the university community this fall for commentary.

Dixon said we must consider a name for the commission. Its working title, Commission on Institutional Equity and Diversity, is an ad hoc one. We must be careful that the name we choose doesn't convey any unintentional messages. The word "equity" may pose a problem in that it has a legal connotation and could imply that the commission will be involved with the complaints of individuals; rather, it would concentrate on issues that are more critical.

Review of Proposal: Dixon spoke of the University Council Resolution. Its wording was chosen to couple the notion of diversity with institutional excellence and overcome the association that diversity means settling for lesser quality. Other wording is meant to emphasize that our efforts must not be marginalized, but should be institutionalized. He next talked about the proposed charge, which speaks of collaboration with other bodies on campus and inclusiveness of the issues we all have been addressing.

We have two options relative to the configuration of the commission. They are similar in that they aim for broad-based inclusion of all constituent groups on campus. They also share an application process that will bring forth members who can demonstrate their commitment to equity and diversity, and are able to network

with their constituents. The difference is how to fill the at-large positions. In one option, the at-large slots are designated for particular constituent groups. In the other, the slots are not designated.

General Discussion: Gillespie lead the discussion which consisted of two parts, the first being whether to maintain the two committees or establish a commission. He advocated that a commission would give us leverage, be a valuable tool for effecting change, and would add needed organizational development. A motion was made on whether to propose a commission to the governance system, and it was passed unanimously.

The second discussion concerned which application process to choose for selecting at-large members. Some members preferred the first option because it assures that named constituencies are guaranteed representation. Groups that have been historically discriminated against at Virginia Tech do need designated slots. An alternative suggestion was for those constituencies to nominate a representative rather than go through the application process of an individual. A counterargument was that the strength of nominating groups waxes and wanes, and that by writing nominating groups into the constitution could permit one group to become privileged over another. Among the arguments in favor of the second option: it maximizes flexibility; it offers the chance to broaden representation; some groups are so small they aren't an organized constituency and couldn't compete with the larger groups; it allows the recognition of emerging identity groups; and the application process would result in a membership that is truly committed. Conversely, the second option could invite censorship in who is going to be represented and allow members to choose only those constituents they want to hear from.

Gooden suggested a third option, in which all seats are at-large seats.° This eliminates the privileged position of the other designated seats such as the Office of Multicultural Affairs, the designated college seats, etc. found in proposal two.° This proposal requires administrative seats to exercise the same "faith" in at-large seats that historically discriminated groups are asked to exercise in proposal two. Pendergrass said that while she approves of the idea of a commission, we might strive for a separate configuration wherein not only constituent groups are represented, but also one incorporating fringe elements so that all voices are recognized. Watford agreed, saying she wants assurance that with either option, or with a third option, that resource members and interested individuals can also provide input. Some members also expressed discomfort with the idea of the application process and the necessity of demonstrating commitment and appropriateness for appointment.

Agenda for Next Meeting: At the October 11 meeting the application process, which is a source of contention, will be further discussed, as will be reaching a consensus so we can carry the concept of a commission to the University Council in a focused way. We also have to consider the three options for configuration of the committee: designate at-large spots; do not designate at-large spots; or do not designate any slots. The issues of inclusiveness and how we can influence institutional change on this campus are of foremost importance.

Adjournment: The meeting was adjourned at 10:09 a.m.

Respectfully submitted,

Karen L. Poe
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231-7518

Handout: The Governance System

**Next meeting is Thursday, October 11, 2001, 8:00a.m. — 10:00 a.m.
Executive Conference Room, Donaldson Brown Hotel and Conference Center**

UNIVERSITY COMMITTEE ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION
Minutes for October 11, 2001

PRESENT: G. Adams, L. Burcham, C. Burger, E. Cage, C. Cox, B. Dixon, R. Giddings, V. Giddings, E. Gilboy, R. Goff, S. Gooden, R. Grayson, M. Holmes, J. Kidd, B. Lepczyk, J. Massie, L. Moore, E. Plummer, E. Reed, V. Reilly, K. Saker, T. Sutphin, D. Travis, G. Welbaum, M. Whitlock.

Call to Order: Chair Plummer called the meeting to order at 8:05 a.m.

Caucus Meetings for ACDMA and EOAA Committee: The two groups met separately for the first hour. Gooden (2000-2001 chair) gave the EOAA Committee an overview of last year's activities. She discussed the meeting she and Reilly had with President Steger in April. This occurred after the committee sent him a memo summarizing its key accomplishments over the year. The memo also contained recommendations to him from the committee: to hire a consultant to provide final content and to assist in implementing the Institutional Awareness Training Workshop; to expand the Arts and Sciences Search Process model to other colleges; to make university web pages more accessible to individuals with disabilities; to consider the childcare needs of the university community and develop childcare benefits to assist in meeting this need; and to explore merging the EOAA committee and the Advisory Council on Diversity and Multicultural Affairs. In response, Steger said the adaptation of the Arts and Sciences model was moving forward and should be operational by the end of academic year 2001-2002. Also, he plans to focus on the recruitment of minority and women faculty and students, and is pleased with the increased enrollment of African-American students in particular. He expects similar results in terms of retention. Steger said he is sympathetic to the childcare problem, but he is concerned with liability issues; furthermore, he would want Virginia Tech to establish a non-competition clause with private sector in childcare so we would not put them out of business. Among other things, he expressed interest in conducting another campus climate survey so that we can benchmark our progress. He specified that he wants the deans to provide a review of their college's diversity efforts and to evaluate their effectiveness.

The committee next had a discussion on childcare. There is now a new university-wide childcare group called the Virginia Tech Childcare Task Force headed by Mary Ellen Verdu whose purpose is to make recommendations and produce a well-developed proposal for administration. We may have a representative as a guest speaker and examine ways to support their efforts. Gooden said it's a complex issue, noting, for example, that if childcare becomes a Personnel benefit it must be made available to all Virginia Tech employees, including those in Northern Virginia and at Extension offices throughout the state. This could be problematic. She said the need is not just for a childcare center open only from 6 a.m. to 6 p.m., Monday through Friday; it should be available evenings and weekends and offer sick-childcare. It is also necessary to improve the quality of existing centers. Plummer agreed with Gooden's assertion that a thoroughly thought-out, comprehensive proposal should be developed, and added that it should be advanced piece by piece. Burger said this has been a problem for years and called for a more aggressive, attention-getting approach. It's seen as a women's issue rather than a human resources issue. Grayson suggested we talk to the 22 out of the top 30 institutions that offer childcare and see how they overcame the problem of liability.

Next, the committee discussed the merger of the EOAA Committee and the Advisory Council on Diversity and Multicultural Affairs. The proposed membership was a matter of contention. Burger expressed concern that the groups mentioned as "community members" in the Resolution are not parallel organizations and don't have the same constituencies. Plummer, who is a member of the Merger Subcommittee, agreed, saying this was an issue they struggled with in eliminating the application process. There is a problem in identifying structured groups on campus. Moore said this is why the Resolution states the commission will reassess its membership composition in four years. Gooden said she is uncomfortable with the rush to get the commission established; she would prefer more deliberation in working out these issues. Secondly, she wants to retain the by-laws language of the EOAA Committee wherein the representatives are clearly listed and the Black Caucus selects one representative. She strongly feels that a Black Caucus seat should be the specified representative of the African-American population because it is integrally involved in issues of diversity and multiculturalism. Gooden thinks the "written procedures" in the last paragraph on page 2 should be more clearly defined before proceeding. Concerning the eight faculty or staff community representatives to be nominated by the deans and selected by the president (p. 3), she thinks this competition could result in divisiveness between the two groups. Grayson also disliked this process because the president, when faced with choosing between two nominees, could conceivably decide to go with the one less dedicated to the commission's cause. Also, he thinks the college diversity committees should make recommendations about

the eight college representatives; the committees would then be tied to the commission and gain empowerment. Giddings wants the commission to be similar to other commissions in that their constituents, membership, and structure are clearly identified. Rather than having the commission reassess itself in four years, we should take the time now to construct a document that is futuristic about the changes coming to Virginia Tech. In response, Moore said it's inevitable that commissions will change their composition and function over time. This document is intended to be sensitive to the future development of the university; therefore, the four-year assessment. Like most commissions and committees, the president selects between two nominees to serve on them. The reason for asking the colleges for a faculty or staff nominee is to ensure that staff is adequately represented. He doesn't think this will cause a schism between faculty and staff, because the president makes the final decision. Gooden said the proposed membership seems like a two-tiered system with the first ten bulleted items (p. 3) as designated seats, whereas the eleventh item regarding eight faculty or staff community representatives is too nebulous. Welbaum responded that the reason the paragraph seems unformulated is because some minority groups are unstructured or there are many groups with separate interests; this makes designation difficult. The language is meant to be left open to interpretation so the minority groups can develop their own mechanism for representation.

The ACDMA joined the EOAA Committee meeting. Alicia Cohen spoke for the ACDMA. They felt a need for clarification in the language regarding membership so that it more closely resembles other university commissions. One suggestion was to have the eight college representatives be nominated by the college diversity committees and then let the deans make the selection, bypassing the president. Concerning the last two bulleted items on page 2, they are repetitive, and while we want flexibility, we also want structure at the onset. The second "whereas" on page 1 should be more positive so it doesn't offend existing commissions. They recommend "WHEREAS, there is no existing governance structure that focuses exclusively on such issues" In the third "whereas" they would replace "underrepresented" with "historically disenfranchised" likewise with the recurring "multiculturalism" and "diversity" in the Resolution. ACDMA echoed the EOAA Committee's comments that the community membership language (eleventh item, p. 3) needs clarification and that recognized organizations should be spelled out. Additionally, they think the proposed commission should be structured like other commissions, as should the language of the document. Members of the two groups had a discussion on how to select the eight college representatives. Some favored the Resolution's idea of having the deans nominate a faculty or staff member to ensure staff representation, although others feared it would result in friction. Others favored having the college diversity committees fill these seats, which usually include staff members. Someone suggested getting input from the eight community representatives on how they want to be represented. Myra Gordon remarked that we shouldn't do this until we have a refined version of the document. She recommended that the Merger Subcommittee expand to include underrepresented community members not currently on the subcommittee (e.g., Native Americans and Hispanics, and someone from the EOAA Committee or ACDMA who now wants to participate) to gain their perspectives.

Gordon made a motion to expand the Merger Subcommittee membership to include anyone from the EOAA Committee or ACDMA who wishes to be involved, and that after the document is revised that it be made available to the eight communities so they can see if they are being adequately represented. The motion was carried. The subcommittee will re-craft the document to reflect the concerns expressed in today's meeting, send it out to members of both groups for additional discussion, and then float the final version as broadly as possible to the eight communities. Finally, Plummer asked members to e-mail her (olummer@vt.edu) or Ben Dixon (bdixon@vt.edu) if they have any reactions or ideas for the name of the commission.

Adjournment: The meeting was adjourned at 9:50 a.m.

Respectfully submitted,
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The November meeting is cancelled. The next meeting will be held December 18.

**EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION COMMITTEE AND
ADVISORY COUNCIL ON DIVERSITY AND MULTICULTURAL AFFAIRS JOINT MEETING
Minutes for December 18, 2001**

PRESENT: L. Burcham, C. Burger, A. Cohen, M. Daniel, B. Dixon, M. Feuerstein, R. Giddings, V. Giddings, L. Gillman, S. Golden, M. Gordon, R. Grayson, L. Halleck, M. Holmes, P. Hyer, B. Lepczyk, J. Massie, L. Moore, B. Pendergrass, E. Plummer, V. Reilly, E. Scott, B. Simmons, D. Travis, G. Welbaum.

Call to order: The meeting was called to order at 10:05 a.m.

Introductory remarks: Dixon opened the meeting by explaining that its purpose was to move on the latest draft of the proposed Resolution to Amend the University Council Constitution By-Laws to Establish a Commission on Equal Opportunity and Diversity (dated 12/5/01). In the interim since the last meeting, the Merger Subcommittee met to consider the recommendations made by the two bodies, and incorporated as many of them as they thought appropriate. Hyer added that at a question-and-answer session, one topic was the role of existing student organizations in identifying student members. Pendergrass recommended that we utilize the Student Government Association (SGA) and Graduate Student Assembly (GSA) as the bodies for selecting student members; these were added to the draft under discussion. By the close of today's meeting, Dixon urged that a timeline be discussed for interacting with formal groups (Commissions on Faculty, Staff, Student Affairs, Deans' Council, Multicultural Fellows, college diversity committees, etc.) prior to the first reading before University Council.

Discussion of Resolution: Hyer remarked on the changes made to the latest draft, which appear in bold print. The first "whereas" statement was added at the bequest of the Black Caucus and addresses the historic legacy of discrimination at Virginia Tech. Under the "THEREFORE, be it resolved" section, technical items were included to specify what actions need to follow up the Resolution's passage. Under the Proposed Charge and Membership section, the subcommittee acted on suggestions from the Black Caucus and amended the language to emphasize the issue of historical underrepresentation. Under the proposed membership, the subcommittee clarified what community groups are to be represented. On page 3, the most substantive change was to name the SGA and GSA as the resources for student representation. This was done because the organizations are open to all students; hence, the two have an opportunity for an enormously diverse membership. Moreover, they have formal vehicles by which their representatives report back to the groups. The double-asterisked item on page 3 states that college representatives will alternate between faculty and staff, and the dean will select a representative from at least two candidates.

Regarding community representation, members raised questions about the preferred terms for different ethnic groups. Moore explained that the subcommittee decided to use federal definitions because they are the most inclusive. Dixon said we will stick with that rationale, but will defer to on-campus groups if they object.

Reilly asked that "People with disabilities" be added to the first "whereas" statement, as they too have been historically underrepresented. Dixon agreed, noting that this is a class of people protected by federal law. Members concurred.

Dixon said that the Resolution will be positioned as an official final draft when presented to the Faculty and Staff Senates. Any recommendations they make about the content or wording will be taken into consideration and the draft possibly changed; then University Council will receive it as a formal document. If the Senates want substantive changes, the EOAA Committee and ACDMA will be notified; if there are minor alterations, they will not, due to time constraints. Hyer added that as the Resolution expands into a university-wide proposal and is presented to campus groups, negotiations may be conducted, so the formal document might be somewhat different than the one at hand.

Dixon raised a motion that an official final draft of the Resolution be moved forward to the Faculty and Staff Senates as the first step in presenting it to the university. It was passed unanimously, with acclamation. Dixon congratulated members and asked for their support in the process ahead. He said this proposal is an historic effort for Virginia Tech and will have a lasting effect on the climate and status of underrepresented populations.

Dixon discussed the Resolution's timeline. Hyer passed out a Dissemination Activities handout, which lists what steps are to be done and by whom. She said the intent is to widely disseminate the Resolution and allow for questions-and-answers and commentary at a public forum in February. The forum will give the community an opportunity to have input into the Resolution and give us the opportunity to respond directly. Members will be notified of the date and location, which will probably be at noon in Squires, as it is a convenient time and site for a

brown-bag luncheon. Dixon asked members to lend their support by their presence. In all, the Resolution will be presented to four commissions: Faculty Affairs, Staff Affairs, Student Affairs, and Administrative and Professional Faculty Affairs. The Resolution will be presented to the Commissions on Faculty and Staff Affairs in January, but they will not vote on the final version until their March meetings. Dixon said in January *Spectrum* will either publish the Resolution in its entirety or it will appear as an insert with a question-and-answer piece.

Dixon spoke of the upcoming presentations to the Faculty and Staff Senates. He asked that EOAA Committee and ACDMA members assist by attending either meeting, respective of their faculty or staff status. Concerning the remainder of the meeting year, Dixon suggested that the two groups meet jointly on an as-needed basis to prepare for the implementation of the new commission. Of course, either group may continue to meet on schedule to discuss long-standing issues. Members will be kept informed of developments, via e-mail, as they occur.

Other business: Reilly said the Awareness Training Workshop is scheduled to present its pilot on April 11 in a full three-hour session. On a prior date, an abbreviated version will be held for University Unions and Student Activities.

Halleck was asked whether the EOAA Office is changing its name. She responded that it is, per the wish of its new director, Mel Gillespie. One reason is to avoid confusion in its being referred to by its initials. A second is to remove "Affirmative action" from the title because of the unfortunate negative connotations that surround the term. Ultimately, President Steger must approve the name change. Gooden asked to publicly go on record as opposing the removal of "Affirmative action" because it is still federal law that is supported by the Supreme Court, its enforcement remains a duty of the office, and it is a term Virginia Tech should not be ashamed of. Dixon responded that similar name changes are occurring nationwide for a variety of reasons, but Gooden's concerns would be noted. There will be no changes in the office's functions; in fact, there are plans to enhance and extend them.

V. Giddings asked Hyer about the revised faculty search procedures. Hyer said she and Dixon have been chairing academic search committees, so things are advancing there. On the administrative side, when a presentation was made to the vice presidents, there was concern about how the guidelines would be applied too rigidly. Gordon said there is some resistance to the revisions from department heads and faculty members, but also from those in the middle-management tier. Some items remain to be negotiated and some flexibility may be added. Nonetheless, we will adhere to a core set of standards for any individualized set of procedures.

V. Giddings asked how the commitment to revised searches will be affected by the state budget crisis. Some would claim that it is too costly to put extra effort into developing a diverse applicant pool; in light of this, would we be willing to hold up a search if the pool is not sufficiently diverse? Hyer said the accountability lies at the college level and depends on the commitment and judgment of the deans. Dixon responded that the decision to improve the search process was made without regard to budget conditions. The EOAA Office, the Office of Multicultural Affairs, and the Provost's Office will provide administrative assistance at the local level to search committees. Close contact and a willingness to work together should obviate the need to hold up searches, as should the education and training of department managers and search committees. Gooden asked if the EOAA Office's budget will be increased to handle its enlarged workload, as far as implementation and oversight; if not, it may be doomed to failure. Dixon said there will be discussions with President Steger and/or Provost McNamee about more resources.

Adjournment: There being no further business, the meeting was adjourned at 11:27 a.m.

Respectfully submitted,

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Handouts: University Council Resolution (12/5/01)
Background on the Proposal (12/5/01)
Dissemination Activities Timeline (12/5/01)

**The January 10, 2002 meeting was cancelled.
The next meeting is scheduled for February 14, 2002, 8:30 -10:00 a.m.
Executive Conference Room, Donaldson Brown Hotel and Convention Center**