

1990

Affirmative Action Policy and Procedures for Illinois Schools

Charles T. Kent Jr.

Eastern Illinois University

This research is a product of the graduate program in [Educational Administration](#) at Eastern Illinois University. [Find out more](#) about the program.

Recommended Citation

Kent, Charles T. Jr., "Affirmative Action Policy and Procedures for Illinois Schools" (1990). *Masters Theses*. 2270.
<https://thekeep.eiu.edu/theses/2270>

This is brought to you for free and open access by the Student Theses & Publications at The Keep. It has been accepted for inclusion in Masters Theses by an authorized administrator of The Keep. For more information, please contact tabruns@eiu.edu.

THESIS REPRODUCTION CERTIFICATE

TO: Graduate Degree Candidates who have written formal theses.

SUBJECT: Permission to reproduce theses.

The University Library is receiving a number of requests from other institutions asking permission to reproduce dissertations for inclusion in their library holdings. Although no copyright laws are involved, we feel that professional courtesy demands that permission be obtained from the author before we allow theses to be copied.

Please sign one of the following statements:

Booth Library of Eastern Illinois University has my permission to lend my thesis to a reputable college or university for the purpose of copying it for inclusion in that institution's library or research holdings.

5/21/90

Date



Author

I respectfully request Booth Library of Eastern Illinois University not allow my thesis be reproduced because _____

Date

Author

AFFIRMATIVE ACTION POLICY AND PROCEDURES

FOR ILLINOIS SCHOOLS

(TITLE)

BY

Charles T. Kent, Jr.

Field Experience

THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF

Specialist In Education

IN THE GRADUATE SCHOOL, EASTERN ILLINOIS UNIVERSITY
CHARLESTON, ILLINOIS

1990

YEAR

I HEREBY RECOMMEND THIS THESIS BE ACCEPTED AS FULFILLING
THIS PART OF THE GRADUATE DEGREE CITED ABOVE

5-23-90

DATE


ADVISER

5-23-90

DATE


DEPARTMENT HEAD

Affirmative Action Policy
And Procedures For
Illinois Schools
Charlie T. Kent, Jr.
Eastern Illinois University

Abstract

The purpose of this study was to examine the policy implementation process, and its implication for planned organizational change. A review of the literature reveals that school districts must utilize intensive recruitment campaigns to increase the hiring of minorities. The Superintendent Questionnaire was sent to the thirty-five Large Unit District Association (LUDA) throughout Illinois. Descriptive statistics, in the form of frequencies and percentages, were used to analyze responses to the questionnaire. The results and conclusions of this study gave rise to recommendations to superintendents, school boards and those with authority to hire should make a good faith effort in hiring minorities. The policy addresses decreasing the disparity that exists in the student teacher ratio for minorities.

Table of Contents

Chapter 1 -- Introduction.....5
 Background.....5
 Statement of the Problem.....7
 Limitations of the Study.....7
 Definition of Terms.....8
 Chapter 2 -- Rationale and Review of the Literature.....10
 Rationale.....10
 Philosophical Consideration.....11
 Affirmative Action.....19
 Uniqueness of the Study.....23
 Chapter 3 -- Design of the Study.....24
 General Design of the Study.....24
 Sample and Population.....24
 Data Collection and Instrumentation.....25
 Data Analysis.....26
 Chapter 4 -- Results and Findings.....27
 Introduction.....27
 Table 1--Responses to Survey.....28
 Table 2--Districts With Affirmative Action Policies
 and Compliance Reports.....29
 Table 3--Interviews and Assignments.....31
 Table 4--Board Involvement.....31
 Table 5--Authorization to Make Offer.....32
 Table 6--Recommendations to the Board.....33

Affirmative Action Policy

4

Table 7--Principals Role in the Hiring Process.....	34
Table 8--Minority Recruitment.....	35
Table 9--Incentives to Attract and Retain Minorities.....	35
Table 10--Women and Minority Hires.....	36
Table 11--Average Starting Salary.....	37
Table 12--Immigration Reform and Control Act.....	38
Table 13--Centralized vs. Decentralized Hiring.....	38
Table 14--District's Population by Race.....	39
Table 15--Minority Employment Survey.....	40
Chapter 5 -- Summary and Recommendations.....	41
Summary of the Study.....	41
Recommendations.....	42
Appendices.....	48

Chapter 1

Introduction

Background

School systems technically are not required to file an Affirmative Action Plan for Equal Employment Opportunity with the Equal Employment Opportunity Commission or the Office of Civil Rights; however, school districts may want to consider instituting an Affirmative Action Plan as part of their overall recruitment effort. Affirmative Action is a remedial concept imposing a duty on employers, employment agencies, and labor unions to take positive steps to improve the work opportunities of women, racial and ethnic minorities, and persons belonging to other groups who have been deprived of job opportunities (Commerce Clearing House [CCH], 1985). Personnel departments process and screen applications and provide a qualified pool with representation to meet affirmative action requirements.

An Affirmative Action Plan is a set of specific and "result oriented procedures," to which a district commits itself to apply every good faith effort. The objective of those procedures plus a district's efforts is equal employment opportunity. Procedures, without the effort to make them work are meaningless; and efforts, undirected by specific meaningful procedures, are inadequate. An acceptable Affirmative Action Plan must include an analysis

of areas within which the district is deficient in the utilization of minorities. Further, goals and timetables to which the district's good faith efforts must be directed to correct the deficiencies are commonly included to increase materially the utilization of minorities at all levels and in all segments of its work force where deficiencies exist.

Goals are projected levels of achievement given the availability of qualified minorities and the expected turnover in its work force. Establishing goals should be coupled with the adoption of genuine and effective techniques and procedures to locate qualified members of groups which have previously been denied opportunities for employment.

Although the Civil Rights Act of 1964 specifically forbids employment preferences for any group, there is well-established authority under the law, as well as under the Civil Rights Acts of 1866 and 1871, for requiring affirmative relief to insure that those discriminated against in the past will gain the employment position they would have attained as their "right place" had there been no discrimination. Affirmative action obligations may also arise under the various federal funding laws as Title VII of the Civil Rights Act of 1964, the Education Amendments of 1972, the Revenue Sharing Act of 1972, and the Intergovernmental Personnel Act (CCH, 1985).

Statement of the Problem

This field study examines the policy implementation process and its implication for planned organizational change. The process will review the Large Unit District Association members (hereafter called LUDA districts) separate efforts to implement each individual district's Affirmative Action Policy. From this a model policy will be recommended. The policy will establish a procedure for hiring minority staff. The policy will assure that all hiring authorities make a good faith effort in hiring minority staff. The policy will address decreasing the disparity that exists in the student teacher ratio for minorities. The policy will further address increasing the representation and utilization of minorities in educational administration.

Limitations of the Study

No attempt has been made to provide an authoritative document which would be the final source of information before an Affirmative Action Plan is developed. For example, there is no intention to decide what plan is correct. Therefore, the resulting policy should be used as one tool in the decision-making process.

In addition, no attempt to give alternative actions has been undertaken. The policy focuses upon issues and topics which should be reviewed before an Affirmative Action Plan

is implemented so those concerned will be better prepared to undertake the hiring process in which they are involved.

Definition of Terms

Listed below are definitions in terms used in this paper.

1. Decentralize - To distribute the administrative powers or function of over a less concentrated area.
2. Centralize - To bring under one control.
3. Minority - A protected gender, race, religion or political group.
4. Seniority - State of being more advanced than another or others in age, position or period of service, sometimes qualifying one for special power or consideration, pay raise, promotions, and the like.
5. Discrimination - Prejudice or partiality in attitudes or actions.
6. Quotas - Fixed amount, or a share of the total, due to or required of a given person, group, state or the like.
7. Goals - Object to which effort is directed.
8. Hiring - To give one work in return for payment.
9. Collective Bargaining - Negotiation between union representatives and employers for reaching an agreement on terms of employment, as wages, hours, or working conditions.

10. Faculty - Teachers and administrators of an educational institution, especially the teaching staff.

11. Tenure - Status assuring an employee, as a teacher or civil servant, of holding his/her position permanently, acquired after specified requirements are fulfilled.

12. Timetable - Schedule showing the times at which successive events are to happen.

13. Underutilization - Having fewer minorities or women in a particular job group than would reasonably be expected by their availability.

Chapter 2

Rationale and Review of the Literature

Rationale

School districts trying to initiate affirmative action programs risk court challenges by the Justice Department, despite existing Supreme Court decision turning back efforts to limit Title VII relief to identifiable victims of discrimination (U.S. Commission of Civil Rights, 1976). Primarily, the Justice Department has left only one avenue to increase hiring of minorities - intensive recruitment campaigns. For the time being, public schools may be wise to follow this path to avoid suits.

This study will highlight court decisions from the 1950s through the 1980s and the campaign to recruit minority teachers through such strategies as establishing recruitment centers in the old established Black teacher colleges by using minority personnel as role models, and detail training. Justification for affirmative action can be made on many cases, but there appears to be little or no consideration in affirmative action studies of the effects on those impacted. A much needed document is a computation of information gathered by others on affirmative action policies. Hopefully, after reviewing printed works, the issues which should be a part of the affirmative action policy and the decision making process will become evident

and a final policy drafted. A sample affirmative action policy and procedures will be developed as the result of this field study. Because of the writer's involvement in the development of the policy and procedures, it is identical to that used in Champaign Unit #4 Schools.

Philosophical Consideration

Recent Supreme Court decisions, have been mixed as to the application of affirmative action. Public schools, should realize that the Justice Department during the Reagan Administration interpreted affirmative action decisions narrowly, by going as far as reversing some previous decisions. It is widely recognized that the Justice Department openly endorsed hiring procedures by public employers that contain intensive recruitment outreach programs.

Selection techniques other than tests, as defined in Section 1607.2, including, but not restricted to, measures of general intelligence, mental ability and learning ability; special intellectual abilities; mechanical, clerical and other aptitudes; dexterity and coordination; knowledge and proficiency; occupational and other interests; and attitudes, personality or temperament (U.S. Commission on Civil Rights, 1976). Such techniques include, unscored or casual interviews and unscored application forms may be improperly used so as to have the effect of discriminating

against minority groups. Where there are data suggesting employment discrimination, the employer may be called upon to present evidence concerning the validity of their unscored procedures as well as tests which may be used, the evidence of validity being of the same types referred to in Sections 1607.4. Evidence shall be examined for indications of possible discrimination, such as instances of higher rejection rates for minority candidates than nonminority candidates, and Section 1607.5 (Federal Register, 1970). Empirical evidence in support of a test's validity must be based on studies employing generally accepted procedures for determining criterion-related validity, such as those described in "Standards for Education and Psychological Tests and Manuals" published by American Psychological Association, 1200 17th Street NW, Washington, D.C. 20036 (Federal Register, 1970). Data suggesting the possibility of discrimination exists, for example, when there are differential rates of applicant rejection from various minority and nonminority or sex groups for the same jobs or when there are disproportionate representations of minority and nonminority or sex groups among present employers in different types of jobs. If the employing district is unable or unwilling to perform such validation studies, it has the option of adjusting employment procedures

so as to eliminate the conditions suggestive of employment discrimination (Federal Register, 1970).

Before desegregation, faculty and staff were racially separated for the same reasons as students. Black teachers were segregated at Black schools as were Black administrators. Predominant Black schools were frequently assigned the less experienced and less qualified teachers, and the predominant White schools had for years gone through the motions of recruiting Black teachers, but never made a wholehearted effort to get results.

In Brown, the "separate but equal" doctrine was presented directly to the court, and the justices were asked to rule on the constitutionality of segregation which would either affirm or reject the Plessy doctrine, which stated, "separation of races in public services is legal, provided segregated services are equal." In this case, it would have found that black and white schools had been equalized or were in the process of being equalized with respect to buildings, curricula, qualifications and salaries of teachers plus other intangible factors. The court ruled that what was appropriate was a view of the issues in terms of the full development of education and its present place in American life.

The court then addressed itself to the principal question before it: Does segregation of children in public

education on the basis of race deprive minority children of equal protection, even though physical facilities and other tangible factors may be equal? It answered in the affirmative (Brown vs. Board of Education, 1954).

In Taylor vs. Board of Education of New Rochell, Taylor said, "It was within the power of the court to examine the motives of school officials." If the motives are free of racial taint, there is no affirmative duty to desegregate. If segregation of schools is racially motivated, the same duty arises in the north as in the south to desegregate the schools (Taylor vs. Board of Education of New Rochell, 1961).

In Bell vs. School Board of Gary, Indiana, the United States Supreme Court held that "there is no affirmative constitutional duty to change school attendance districts by the mere fact that shifts in population have increased or decreased the percentage of either Black or white pupils" (Bell vs. School Board of Gary, Indiana, 1964).

During the 1960's dual school systems existed throughout the United States. The court in its wisdom ordered desegregation to end assigning staff on a racially discriminating basis, segregated feeder schools to correct constitutional rights violations. In 1965, Massachusetts became the first state to enact a school desegregation law, the Racial Imbalance Act. Under this act, any school with

a nonwhite enrollment of more than 50 percent was imbalanced for which sanctions were imposed if the imbalance was not corrected.

During the early 1970's, many federal district courts became increasingly assertive, not only in uncovering constitutional violations, but also in mandating specific remedial measures. Some courts, even in areas outside the South, held that in order to offer equal educational opportunities to all students, school officials had an affirmative duty to provide a racially balanced school system. Courts began taking a strong stand in situations where school officials demonstrated good intentions but little action in achieving integration. For example, in 1970, a federal district court in Michigan declared that "sins of omission can be as serious as sins of commission" (Davis vs. School District of the City of Pontiac, 1971).

The court recognized that "constitutional command to desegregate schools does not mean that every school in every community must always reflect the racial composition of the school system as a whole." The Swann vs. Charlotte-Mecklenberg Board of Education decisions introduced the definition of a unitary school system as one in which there is a "sufficient" degree of racial balance in a "sufficient number of schools in the district."

The court stated, "Independent of student assignment, where it is possible to identify a 'white school' or a 'negro school' simply by reference to the racial composition of teachers and staff, the quality of school buildings and equipment, or the organization of sports activities, a prima facie case of violation of substantial constitutional rights under the equal protection clause is shown" (Swann vs. Charlotte-Mecklenberg Board of Education, 1971). The Supreme Court found that the district court's use of a mathematical racial ratio in the constituent school was a desirable 'norm', rather than an inflexible requirement (Swann vs. Charlotte-Mecklenberg, 1971).

In 1971, the United States Supreme Court rendered a decision in Swann vs. Charlotte-Mecklenberg Board of Education which set forth four principles regarding desegregation:

1. It might well be desirable to assign pupils to the schools nearest their homes. But all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation.

2. In school districts with a history of desegregation, the burden upon the school authorities will be to satisfy the court that their racial composition is not the result of present or past discrimination action on their part.

3. Every effort should be made to eliminate one-race schools.

4. Race may be used to determine the assignment of students when it enables a dual school district to be dismantled.

In 1972, it was ordered and adjudged in *Morgan vs. Hennigan*, that the defendants be permanently enjoined from discriminating upon the basis of race in the operation of the public schools. Henceforth, the defendants were under an affirmative obligation to reverse the consequences of their unconstitutional conduct (*Morgan vs. Hennings*, 1972).

The racial and socioeconomic discrimination and the resiliency of deprivation are reflected in public education where dual school systems exist. Prior to 1975, there were two school systems; one serving the City of Louisville and the other serving the surrounding county. Because the city's corporate limits extended beyond the Louisville school district lines, some 10,000 students who lived outside the school district but within the city limits, were in fact included in the Jefferson County school district but were permitted the choice of attending city schools, tuition paid the county (*Newberg Area Council, Inc. vs. Board of Education*, 1973).

The two systems had one thing in common, both were unconstitutionally segregated, despite the fact that in

1956 both had formally abolished the dual system that had been legally sanctioned in Kentucky (Kentucky Revised Statutes Annual 158.020). In 1973, the court allowed the Louisville Independent School District and Jefferson County School District to merge and become the Louisville Jefferson County School District. Out of this merger, came a court ordered Desegregation Plan for the new school district which included the transfer of teachers and administrators throughout the district.

In Boston, the district configuration resulted in nearly the maximum possible amount of racial isolation. Only small sections of the district lines coincide with natural boundaries (U.S. Commission on Civil Rights, 1975). In Boston, the judge noted, assignment to a particular high school was determined not by geography, but by a combination of seat assignments, preferences and options collectively called feeder patterns. Various elementary and intermediate schools fed into high schools at various grade levels depending on whether the high school included grades 9 to 12 or 10 to 12. The judge concluded that these feeder patterns since 1966 had been manipulated with segregative effect (U.S. Commission on Civil Rights, 1975).

Affirmative Action

During the period of 1986-88 there were six Supreme Court rulings specifically concerning affirmative action. According to the decisions taken together, under certain circumstances school boards and other public and private employers may establish voluntary affirmative action plans. The decisions by the court concern affirmative action in three types of situations: (a) voluntary affirmative action plans, (b) consent agreements including affirmative action as a settlement of job discrimination suits, and (c) court-ordered affirmative actions plans.

A collective bargaining agreement reached by the Jackson, Michigan school board and its teacher's union, provided that, in the event of teacher lay-offs, the percentage of minority personnel laid off would be no greater than the percentage of minority personnel employed by the school system at the time of the lay offs.

In *Wygant vs. Jackson Board of Education*, the Supreme Court reversed the lower court decision and invalidated the lay-off plan. All five of the justices in the majority appeared to conclude that the lay-off provision was too severe in its impact on nonminority employees and too broad to be justified as an affirmative action measure under the circumstances (*Wygant vs. Jackson Board of Education*, 1986). Specifically, three separate opinions

were written by five justices who voted to invalidate the lay-off plan in *Wygant*: a plurality opinion by Justices Powell, Burger and Rehnquist, which Justice O'Connor joined in part, a concurring opinion by Justice O'Connor; and a concurring opinion by Justice White. Justices Marshall, Brennan and Blackmon joined in a dissenting opinion, and Justice Stevens dissented in a separate opinion. Four of the five majority justices said that the school board's goals of remedying societal discrimination against minorities and providing role models for minority students were insufficient to justify the board's affirmative action lay-off plan (*Wygant vs. Jackson Board of Education*, 1986). Because of the multiple opinions issued by the Court, there is no single controlling rationale for the Court's decision.

In *Local 28 of the Sheet Metal Workers' International Association vs. EEOC* (1986), concerned the validity of a lower court decision which found a New York local sheet metal workers' union guilty of discrimination against minority workers. The lower court ordered the union not only to cease its discriminatory conduct, but also to adopt an affirmative action program including a special fund to recruit and train minority workers and a 29% minority membership goal. In a 5-4 decision, including five separate opinions by the justices, the Supreme Court upheld the lower court's order. Specifically, two opinions were

written by the five justices who voted to uphold the New York court's affirmative action plan. One opinion was written by Justice Brennan and joined by Justice Marshall, Blackmon, and Stevens. A separate opinion was written by Justice Powell, who also joined in parts of Justice Brennan's opinion which approved the lower court's decision finding that the union was liable and ordered civil contempt sanctions against the union and the appointment of an administrator to supervise compliance with the court's order. Justice O'Connor also agreed with several parts of Justice Brennan's opinion, but wrote a separate concurring and dissenting opinion in which she disagreed that the affirmative action provisions of the lower court's order were valid. Justice White wrote a dissenting opinion, and Justices Rehnquist and Berger joined in separate dissenting opinions.

As in the *Wygant* case, the multiple opinions in the New York case mean that there is no single controlling rationale for the decision. Four justices explained that the lower court order was permissible because it was necessary to remedy pervasive and egregious discrimination, because the affirmative action plan was flexible, temporary and not being used "simply to achieve and maintain racial balance," because it did not significantly harm nonminority employees and because it was narrowly tailored to furthering

the government's compelling interest to remedy past discrimination (Local 28 Sheet Metal Workers' vs. EEOC, 1986).

Affirmative action hiring plans have met with mixed success after *Wygant*. In *United States vs. New York* (1986), two white males claiming reverse discrimination tried to upset an affirmative action hiring plan seven years after it had been ordered by the district court as a remedy for discrimination. The court had ordered that New York seek to ensure that approximately 40% of newly hired state troopers be minorities in the relevant labor market. The court rejected the challenge and upheld the plan, based primarily on the fact that the challenge was raised seven years after the plan was ordered (*United States vs. New York*, 1986). In addition, the court relied upon language in *Wygant* and several other Supreme Court cases which indicated that affirmative action hiring plans are valid under some circumstances.

Numerical goals can be used in affirmative action plans if they are designed and implemented properly. It is important that the right labor market comparison be used in selecting goals. For example, a school system should choose a percentage goal for hiring minorities for unskilled positions comparable to the percentage of minorities in the general labor market. On the other hand, the right kind

of comparison for a school board affirmative action plan for minority teachers would be the percentage of qualified minority teachers in the labor market. Goals are also more likely to be acceptable where they are flexible and temporary and consider factors such as likely turnover and new job openings. Rigid quotas will probably be disapproved, although it may be permissible under some circumstances to set aside temporarily a carefully specified number of job positions for women or minorities as part of an affirmative action plan. The decision in Johnson indicates that the types of goals suggested in Executive Order 11246, which applies to government contractors, would probably be considered valid under most circumstances; although lower courts have recently overturned minority "set aside" provisions in Michigan and Virginia which required that minority owned companies receive specific percentages of government contract awards (School Law Review, 1989).

Uniqueness of the Study

This study is unique because the user will be able to find a sample Affirmative Action Policy for future reference. The study is the sample of a policy that is capable of being expanded and adopted by interested individuals to accomplish the purposes of their own Affirmative Action Plan.

Chapter 3

Design of the Study

General Design of the Study

This is a field study in which data were collected in a non-laboratory environment without any manipulation of an independent variable. Since this study provides a qualitative analysis of issues and events pertinent to Affirmative Action in the LUDA districts, independent and dependent variables are not considered. These factors have been separated into twenty-three items contained on the Affirmative Action Survey see (Appendix A) which serves as the criterion measure.

Sample and Population

The study is based on data obtained from a survey comparing the Large Unit District Association (LUDA) in Illinois. The thirty-five LUDA districts were the population, and all were included. Specifically, fifty-one percent of the district's responded to the survey instrument. Since almost half of the LUDA Districts participated in the survey, the issue of randomness does not apply. With respect to the representativeness of the sample, the fifty-one percent response rate leaves this in serious question. It seems reasonable to assume those districts with active affirmative action plans were most likely to respond thus giving a good sample of districts

with active affirmative action plans. Implications of this study for smaller school districts largely depend upon characteristics of the sample and the population to which one would be inferring. Specifically, inferences or generalizations made to smaller districts from the results of this study should compare the characteristics of the districts studied to those of the smaller districts.

The purpose of the Large Unit District Association (LUDA) is to promote laws, rules and regulations, and practices which improve the fiscal well-being and local control of unit districts in Illinois. Each superintendent of a Unit District in the State of Illinois with a WADA of 5000 or more is eligible for membership. A decline in student enrollment will not automatically result in deactivation of the member school district. Once membership is granted it continues as long as the superintendent or his/her designee or the superintendent's successor actively participates in LUDA and dues are not in arrears.

Data Collection and Instrumentation

The Affirmative Action Survey constituted the criterion measure or instrument used to solicit the sampled district's perceptions of Affirmative Action. Dr. Larry Janes of Eastern Illinois University assisted in the construction of the Affirmative Action Survey. The instrument addressed the issue of content and face validity in that it was developed

from established criteria. This is not to advocate, however, that consideration for revisions of the instrument in the future would not be apropos.

The data were collected by sending the survey to the LUDA Superintendents or designees. The Superintendents or designees completed the questionnaire at their leisure as opposed to completing the questionnaire in a meeting.

Data Analysis

Descriptive statistics in the form of frequency counts and percentages are the basis of reporting the data. The Affirmative Action Survey was scored by the computer center at Champaign Community Unit School District #4 for convenience rather than using the services made available through the computer center at Eastern Illinois University.

Chapter 4

Results and Findings

Introduction

The results of the LUDA responses are presented in the tables in this chapter. However, because of the number of responses each category is reported in a separate table. Appendix B presents the results to the twenty-two items on the Affirmative Action Survey. The results from each of the twenty-two items of the survey are also presented separately in this chapter, as noted earlier thirty-five districts were surveyed. Table 1 shows eighteen of the thirty-five districts responded to the survey and have an Affirmative Action Plan in place.

Recent years have seen a variety of programs develop for improving the participation and advancement of under-represented minorities. At the same time, there has been emphasis placed on planning, program and policy effectiveness where they are in place.

Table 1 will show the districts that responded as well as the districts that have in place an Affirmative Action Policy and the districts that do not. The responses were low on surveys returned, the writer assumed the majority of the non-responding districts did not have in place an Affirmative Action Policy. No written second effort was made to get additional responses. However, at the April

LUDA meeting a verbal request was made of the Superintendents and Personnel Directors.

Table 1
Responses to Survey

Districts Surveyed	Response	No Response
Alton District 11	Yes	
Aurora East District 131	Yes	
Aurora West District 129	Yes	
Barrington District 220	Yes	
Bloomington District 87		No
Cahokia District 187		No
Champaign District 4	Yes	
Chicago District 229	Yes	
Collinsville District 10		No
Danville District 118	Yes	
Decatur District 61	Yes	
Dundee District 300		No
East St. Louis District 13		No
Elgin District 46	Yes	
Elmhurst District 205	Yes	
Freeport District 145		No
Galesburg District 205	Yes	
Granite City District 9		No
Harlem District 122		No
Indian Prairie District 204		No
Kankakee District 111		No
Moline District 40		No
Naperville District 203	Yes	
Normal District 5	Yes	
Peoria District 150	Yes	
Quincy District 172	Yes	
Rock Island District 41	Yes	
Rockford District 205	Yes	
Round lake District 116		No
Springfield District 186		No
St. Charles District 303	Yes	
Urbana District 116		No
Valley View District 3650		No
Waukegan District 60		No
Wheaton District 200		No
Total	18	17

Results of Items 1 and 2

Table 2 presents the results for survey questions 1 and 2. When the initial results were reviewed, 13 (72%) LUDA districts indicated they had affirmative plans and 5 (27%) did not. Of the 18 districts responding to question 2, 3 (16%) of the districts did file compliance reports and 15 (83%) did not file compliance reports.

Because school districts do not have to file compliance reports with EEOC and most do not have the self analysis language in their policy.

Table 2

Districts With Affirmative Action Policies
And Compliance Reports

Affirmative Action Policy	Compliance Report
Yes 13 (72%)	Yes 3 (16%)
No 5 (27%)	No 15 (83%)

Results of Items 3, 4, 9, and 10

Table 3 presents the results for questions 3, 4, 9, and 10. The data indicates each district is unique in its own way. Initial interviews in the LUDA districts

by Principals 8 (44%), Directors of Personnel 8 (44%), Assistant Superintendents for Personnel 2 (11%), or by Committee 1 (5%), will depend largely upon the type of organizational structure Centralized and Decentralized. Question 4 references subsequent interviews by Principals 11 (61%), Director of Personnel 7 (38%), Assistant Superintendent for Personnel 3 (16%), Assistant Superintendent for Curriculum 1 (5%) and by Committee 1 (5%). In question 9 teachers are assigned to schools by the Director of Personnel 3 (16%), Assistant Superintendent for Personnel 10 (55%), Assistant Superintendent for Curriculum 4 (22%), and the Superintendent 6 (33%). The issue of placement of teachers in question 10 by the Principal 13 (72%), Director of Personnel 4 (22%), Assistant Superintendent of Personnel 4 (22%), and Superintendent 1 (5%). This writer does not believe one method is better than the other. Depending on the politics of the district and the organizational structure, different make-ups have been known to exist and be successful.

Results of Items 5 and 6

Of the 18 responding LUDA districts 6 (33%) require Board approval of candidates before he/she may be offered a teaching position. Twelve (66%) may offer a teaching position to a candidate without Board approval. Eight (44%) are permitted to hire specific individuals within

Table 3

Interviews And Assignments

	3	4	9	10
Principal	8 (44%)	11 (61%)	0 (0%)	13 (72%)
Director of Personnel	8 (44%)	7 (38%)	3 (16%)	4 (22%)
Assistant Superintendent for Personnel	2 (11%)	3 (16%)	10 (55%)	4 (22%)
Assistant Superintendent for Curriculum	0 (0%)	1 (5%)	4 (22%)	0 (0%)
Committee	1 (5%)	1 (5%)	0 (0%)	0 (0%)
Superintendent	0 (0%)	0 (0%)	6 (33%)	1 (5%)

Table 4

Board Involvement

Item #5	Yes 6 (33%)	No 12 (66%)
Item #6	Yes 8 (44%)	No 10 (55%)

a Board approved number and 10 (55%) are not permitted to hire without Board approval.

Boards of Education will require the administration to give a set number of staff for approval for that school year based upon projected enrollment. Some district's staff allocation is based upon projected enrollment to include class size. If this number is exceeded any additional staff will require Board approval.

Results of Item 7

Table 5 presents the results of question 7. The data indicates 7 (38%) of the Assistant Superintendent for Personnel are authorized to make job offers. Seven (38%) of the Personnel Directors are authorized to make job offers. Four (22%) of Superintendents are authorized to make job offers.

No principals are showing in this table because the final decision is made by the Superintendent or the Personnel Director before it is approved by the Board.

Table 5

Authorization To Make Offer

Assistant Superintendent for Personnel	7	(38%)
Director of Personnel	7	(38%)
Superintendent	4	(22%)

Results of Item 8

One aspect of a Superintendent's job is to make recommendations to the Board. Table 6 show statistical evidence of who make the recommendation of the number of teachers to be employed are the Superintendent 17 (3%), Assistant Superintendent 4 (22%), and the Director of Personnel 1 (5%).

This recommendation comes from the Superintendent for the simple fact that most of the Education Fund will be spent on salaries. This is also a budget control.

Table 6

Recommendations To The Board

Superintendent	17	(93%)
Assistant Superintendent for Personnel	4	(22%)
Director of Personnel	1	(5%)

Results of Item 11

In almost all district reporting, principals play a major roll in the hiring process. Screening 12 (66%), Interview 18 (100%), Recommend 14 (%) and Other 1 (5%). Personal interviews, resumes and summaries of work experience is always helpful.

In a district with Centralized and Decentralized hiring the principal is usually the administrator working

on a daily basis with this teacher and often times the evaluator.

Table 7

Principals Roll In The Hiring Process

Screen	12	(66%)
Interview	18	(100%)
Recommend	14	(77%)
Other	1	(5%)

Results of Item 12

Table 8 indicates a variety of methods are used to recruit minorities averaging over 50%. School visits 11 (61%), Letters to schools 11 (61%), staff referrals 12 (66%), placement office referrals 12 (66%) and other 4 (22%) was the lowest.

Because of the low number of candidates and the competition with other district's multiple procedures are necessary to recruit.

Results of Item 13

Item 13 gives a clear indication that 15 (83%) of the districts surveyed do not offer any type of incentives to attract or retain high ability minorities. One (5%) district reported it offers incentives but, refrained to state any specifics and 1 (55%) answered not applicable.

Table 8

Minority Recruitment

School visits	11	(61%)
Letters to schools	11	(61%)
Staff referrals	12	(66%)
Placements Office Referrals	12	(66%)
Other	4	(22%)

Table 9

Incentives To Attract And Retain Minorities

None	15	(83%)
Yes	1	(5%)
Not Applicable	1	(5%)

Because of the bargained agreements in this State district's are hard pressed to offer incentives in fear of having an Unfair Labor Practice filed against them. If its not bargained it can't be offered.

Results of Item 14

Table 10 show the number of new college graduates hired in 1985 were 1469.3, in 1986, 1072.5, and 1987, 914.2, for a total of 3456.

Table 10

Women And Minority Hires

	#14	#15	#16	#17
1985	1469.3	19	14	472
1986	1072.5	12	31	473
1987	914.2	20	39	622
Total	3456.0	51	84	1567

Results of Item 15

Of the 18 districts responding in 1985 there were 19 minorities not including women hired. Twelve were hired in 1986 and 20 in 1987. During the three year period 51 minorities were hired not including women throughout the LUDA districts.

Results of Item 16

Fourteen minority women were hired in 1985, 31 were hired in 1986 and 39 were hired in 1987. In the 18 districts reporting 84 minority women were hired during the survey period.

Results of Item 17

In 1985, 472 women were hired in the LUDA districts, 473 in 1986 and 622 in 1987 for a total of 1,567 during a three year period.

Ratio of minority to whites hired:

Roughly 1:18 minority females to white females

Roughly 1:22.6 minority males to white males

Roughly 1:25.6 minority to new hires

Results of Item 18

During the period surveyed of the 18 districts reporting the average salary for a new Bachelor Degree graduate was \$14,048 in 1985. In 1986 the average rose to \$15,872 and increased to \$16,053 in 1987.

Table 11

Average Starting Salary

	LUDA	STATE
1985	\$14,048	\$15,000
1986	\$15,872	\$15,684
1987	\$16,053	\$16,300

Results of Item 19

Item 19 shows that of the 18 reporting districts all indicate the Immigration Reform and Control Act did not have any impact on recruiting. This writer surmise the reason for this is the requirement in Illinois is one must be a U.S. Citizen or have filed a letter of intent to become a U.S. Citizen in order to be certified to teach.

Table 12

Immigration Reform And Control Act

Yes	0	(0%)
No	18	(100%)

Results of Item 20

The response indicate that Centralized personnel offices 12 (66%) is preferred over Decentralized personnel offices 3 (16%) with 3 (16%) indicating it was nonapplicable. For control and accountability the writer would prefer a Centralized personnel office. Decentralized should be left to those districts using site base management in conjunction with the personnel office for accountability.

Table 13

Centralized vs. Decentralized Hiring

Centralized	Decentralized	N/A
12	3	3
(66%)	(16%)	(16%)

Results of Item 21

The figures shown in Table 14 are a computation of the 18 responding districts with respect to their staff by race. Even though school districts are not required

to file an EEO report unless they are audited the figures are readily available. By the races listed Female staff is 1,679,261; whereas, Male staff is 1,545,820, a difference of 133,441.

Table 14
District's Population By Race

	Female	%	Male	%
White	792,110	47.2	782,137	50.6
Black	648,325	38.0	553,143	35.8
Amer Ind AK Native	3,045	0.2	3,037	0.2
Asian or Pac Isl	32,385	2.0	41,908	2.8
Spanish or Hispanic	203,396	12.2	219,595	14.2
Total	1,679,261		1,545,820	

Results of Item 23

Of the 8,576,5 staff only 596 are minority, for a 6.95%. The percentages range from a high of 13.69% minority staff in the Secondary Building Administrators position to a low of .07 at the Elementary Certified Teacher position.

Table 15
Minority Employment Survey

	Total Staff	Min. Staff.	% Min.
C.O. Certified Administrators	201	19	9.45
Elem. Bldg. Administrators	198	27	13.64
Sec. Bldg. Adminsitators	168	23	13.69
Elem. Certified Teachers	3,912.5	279	.07
Sec. Certified Teachers	2,793.5	171	6.12
Secondary Counselors	125	14	11.20
Elem. Sp. Ed. Teachers	656	23	3.51
Sec. Sp. Ed. Teachers	333	26	7.81
Psychologist	60	0	0.0
Social Worker	59	11	18.64
Elem. Librarians	28.5	1	3.51
Sec. Librarians	42	2	4.76
Total	8,576.5	596	6.95

Chapter 5

Summary And Recommendations

Summary of the Study

The researcher conducted this study to determine whether the Larger Unit District Association have in place Affirmative Action Policies. The study accepts the validity of the data collected from the EEO-1 Report collected for the Federal Government. The factors have been separated into twenty-two items contained on the Affirmative Action Survey which serves as the criterion measure. Dr. Larry Janes of Eastern Illinois University assisted in the construction of the Affirmative Action Survey. The survey was developed based on the data collected from the EEO-1 Report or information that would be contained on the EEO-1 Report.

The data for the study were collected by mailing the survey to the thirty-five superintendents in the LUDA districts. Fifty-one percent of the district superintendents responded to the survey instrument, the results of which were scored by the Computer Center at Champaign Community Unit School District #4. The results for each of the twenty-two items on the Affirmative Action Survey, are presented separately in this study along with conclusions and recommendations of the researcher. The researcher believes that minority recruitment is a useful starting

point for starting what will be a ongoing study for improving the hiring of quality educators in the LUDA districts.

Recommendations

Based on the results of the study, the researcher offers the following recommendations for which the LUDA districts should take action:

1. All districts should perform an internal analysis to assure that Board Policies are not being violated. The school board and administrators should communicate to the community that an Affirmative Hiring Practice does exist in the LUDA districts. (Items 1 and 2)

2. The number of interviews on college campuses must be increased significantly as well as the number of college campuses visited. Employers representing LUDA districts must continue their programs of selectivity when recruiting on college campuses. Interviews must be conducted with experienced teachers when they apply to other districts. Several LUDA districts may wish to recruit several colleges/universities in a particular region and conduct interviews, with building assignments to be made later. (Items 3, 4, 9, and 10)

3. Boards of Education must begin to look favorably on hiring teachers as unassigned staff to increase the number of minority staff. A position does not necessarily

have to be available when the candidates are coming close to the end of the semester. This will/may increase the budget in some school districts because without a specific position the employee may become a permanent substitute until a position becomes available. Districts should try and foster an openness with staff to notify or give some notion of a resignation or retirement. Unassigned teachers could be hired and assigned at the proper time. (Items 5 and 6)

4. In this case the organizational structure is really not a factor as it is in some districts. In order to make the offer to the best qualified candidate the person by position doing the interviewing should be able to make an offer. (Item 7)

5. Whether Centralized or Decentralized, data regarding Affirmative Action employment practices is more easily maintained if it is kept in one department. If the Superintendent is the person making recommendations to the Board, the Personnel Officer/Affirmative Action Officer should make the recommendations to the Superintendent and the Superintendent to the Board. (Item 8)

6. Personnel Directors should not take short cuts during the screening process, one extra day of waiting may save your district from embarrassment and/or liability. Do not overlook degree levels attained, reference checks,

years of education, transcript checks, and grade point averages. In Illinois do not forget the police background check and do not hold them for a long period before processing. (Item 11)

7. Effective recruiters cannot wait until spring recruiting to try and recruit minorities. The process must begin as early as high school with constant follow up, via visits, written communication and assistance in studies. Each district must begin to develop its own teachers. Incentives must be negotiated with unions to entice minorities to districts with low numbers of minority staff. (Item 12)

8. Districts should negotiate with respective teacher unions to establish channels through which incentives may be offered. Incentives may be donated by such corporations or groups as utility companies, car dealers, or the Chamber of Commerce. Community businesses will have to become more involved in the schools to include staff and curriculum needs. Incentives should be made available as necessary for newly hired minorities regardless of experience. (Item 13)

9. Recommendations are difficult because of staff allocation, vacancies, transfers, budget reductions and reduction in force. Districts must maintain a viable pool of applicants to meet specific needs, including leaves of

absence and short term maternity disabilities. (Item 14)

10. Goals and timetables should be established within the guidelines of the Affirmative Action Plan. All districts should make a good faith effort to hire minorities in their respective positions whenever and as soon as they become available. (Item 15)

11. Women make up between 70-80 per cent of the teaching staff and this is an example of why men should be recruited in the teaching field. Role models need/should be placed in the school especially at the elementary level. (Item 16)

12. Districts usually do not have a problem recruiting and hiring women teachers and that practice must continue. Additional efforts must be made to recruit and hire male teachers throughout the LUDA districts. Even though 70-80 per cent of the teachers are women there must be a push to hire additional minority women. (Item 17)

13. The LUDA districts purpose is to promote laws, rules and regulations, and practices which improve the fiscal well-being of unit districts. Superintendents must make every effort to persuade the legislature to increase the funding for schools and to negotiate with their respective unions to have incentives for new Bachelor Degree graduates. (Item 18)

14. Districts should begin to train their own teachers from their high schools. Counselors can/should plan with minority students their four years of high school and through articulation with the chosen college or university the four year program leading to a Bachelor Degree before they graduate from high school. (Item 19)

15. The State of Illinois has certain requirements for certification and information required for Affirmative Action/EEO, Immigration Reform and Control Act information, it is recommended that all records be kept in a central location. It is also recommended that hiring be centralized with input from the administrative staff but the main responsibility be left with the personnel department. (Item 20).

16. Role models are very important throughout the schooling year and even beyond. Enough cannot be said and recommendations can continue to be made to recruit minority staff, Female and Male. Effective January 1, 1990, the School Code required all school districts to adopt a minority recruitment policy. (Item 21)

17. High school teachers preparation programs (Future Teachers of America, Grow Your Own Teachers, etc.) should be established, funding should be created and minority students counseled into teacher education. Continued articulation with colleges and universities to encourage

Affirmative Action Policy

47

dual enrollment and credits in escrow to allow full transfer to credits must be initiated. Increased incentives and additional recruit throughout those states that have a large number of minority teachers must be considered.

(Item 23)

Affirmative Action Policy

11. What role does the principal play in the hiring process?

- Screen
- Interview
- Recommend for hire
- Other, explain

12. What procedure do you use to recruit minorities?

- School visits
- Letters to schools
- Staff referrals
- Placement office referrals
- Other, explain

13. What incentives does your district offer to attract and retain high ability minority teachers?

14. How many new college graduates were hired by your district in:

1985	1986	1987
------	------	------

15. How many minorities not including women were hired in:

1985	1986	1987
------	------	------

16. How many minority women were hired in:

1985	1986	1987
------	------	------

17. How many women were hired in:

1985	1986	1987
------	------	------

18. What was the average annual starting salary paid by your district to new Bachelor's Degree graduates hired in:

1985	1986	1987
------	------	------

19. Has the new Immigration Reform and Control Act of 1986 had any impact on your recruiting strategies?

Yes

No

If yes, explain.

20. Do you prefer centralized or decentralized personnel offices (assuming both are efficient)?

Centralized - organize under one control or a central authority

Decentralized - redistribute most of the centralized power, authority, by transfer to smaller units.

Centralized

Decentralized

Comments:

21. What is your district's population by race?

Female Male

White

Black

American Indian or Alaskan Native

Asian or Pacific Islander

Spanish or Hispanic

22. I would like to receive a copy of the results of the survey.

Yes

No

Affirmative Action Policy

51

23. Please complete the minority employment survey from your compliance report.

	Tot. Staff	Min. Staff	% Min.
Central Office Certified Administrators			
Elementary Building Administrators			
Secondary Building Administrators			
Elementary Certified Teachers			
Secondary Certified Teachers			
Secondary Counselors			
Elementary Special Education Teachers			
Secondary Special Education Teachers			
Psychologist			
Social Workers			
Elementary Librarians			
Secondary Librarians			

7. Who, by position, is authorized to make job offers?
- Assistant Superintendent for Personnel 7
 - Director of Personnel 7
 - Superintendent 4
8. Who determines or recommends to the Board the number of teachers to be employed in your school district?
- Superintendent 17
 - Assistant Superintendent for Personnel 4
 - Director of Personnel 1
9. Who determines the number of teachers assigned to a school?
- Principal 0
 - Director of Personnel 3
 - Assistant Superintendent for Personnel 10
 - Assistant Superintendent for Curriculum 4
 - Committee 0
 - Superintendent 6
10. Who determines the placement of teachers within a school?
- Principal 13
 - Director of Personnel 4
 - Assistant Superintendent for Personnel 4
 - Assistant Superintendent for Curriculum 0
 - Committee 0
 - Superintendent 1
11. What role does the principal play in the hiring process?
- Screen 12
 - Interview 18
 - Recommend for hire 14
 - Other, explain 1
12. What procedure do you use to recruit minorities?
- School visits 11
 - Letters to schools 11
 - Staff referrals 12
 - Placement office referrals 12
 - Other, explain 4

Affirmative Action Policy

13. What incentives does your district offer to attract and retain high ability minority teachers?
- None 15 Yes 1 Not Applicable 1
14. How many new college graduates were hired by your district in:
- 1985 - 1469.3 1986 - 1072.5 1987 - 914.2
15. How many minorities not including women were hired in:
- 1985 - 19 1986 - 12 1987 - 20
16. How many minority women were hired in:
- 1985 - 14 1986 - 31 1987 - 39
17. How many women were hired in:
- 1985 - 472 1986 - 473 1987 - 622
18. What was the average annual starting salary paid by your district to new Bachelor's Degree graduates hired in:
- 1985 - \$14,048 1986 - \$15,872 1987 - \$16,053
19. Has the new Immigration Reform and Control Act of 1986 had any impact on your recruiting strategies?
- Yes 0 No 18

If yes, explain.

20. Do you prefer centralized or decentralized personnel offices (assuming both are efficient)?
- Centralized - organize under one control or a central authority.
- Decentralized - redistribute most off the centralized power, authority, by transfer to smaller units.
- Centralized 12 Decentralized 3 N/A 3

Comments:

Affirmative Action Policy

21. What is your district's population by race?

Female	Male	
792,100	782,137	White
648,325	553,143	Black
3,045	3,037	American Indian or Alaskan Native
32,385	41,908	Asian or Pacific Islander
203,396	219,595	Spanish or Hispanic

22. I would like to receive a copy of the results of the survey.

Yes	No
-----	----

23. Please complete the minority employment survey from your compliance report.

	Tot. Staff	Min. Staff	% Min.
Central Office Certified Administrators	201	19	9.45
Elementary Building Administrators	198	27	13.64
Secondary Building Administrators	168	23	13.69
Elementary Certified Teachers	3,912.5	279	.07
Secondary Certified Teachers	2,793.5	171	6.12
Secondary Counselors	125	14	11.20
Elementary Special Education Teachers	656	23	3.51
Secondary Special Education Teachers	333	26	7.81
Psychologist	60	0	0.00
Social Workers	59	11	18.64
Elementary Librarians	28.5	1	3.51
Secondary Librarians	42	2	4.76

Appendix C

February 8, 1988

Mr. Robert Oaks
Decatur District 61
Decatur, IL 62523

Dear Mr. Oaks:

This is a request for Affirmative Action Information in regard to your district's hiring practices. The survey is designed to be completed in a reasonable length of time. Your district has been selected as a survey respondent because of the similarity to the other LUDA districts. This study is being conducted in cooperation with Dr. Larry Janes, Eastern Illinois University. We hope to compare the minority utilization between the Larger Unit Districts in Illinois. Please return the completed survey by February 26, 1988.

Anyone wishing a copy of the results of this study will receive such by checking the final statement. Your time and effort is especially appreciated.

Sincerely,

Charlie T. Kent, Jr., Director
Staff/Student Personnel

CTK/cem

Appendix D

PERSONNEL

GENERAL PERSONNEL - Affirmative Action

The ultimate goal of the Board of Education is the maintenance of the highest possible professional and academic standards in all its educational programs and services. In order to meet this goal, the Board affirms and strictly adheres to its policy of equal opportunity in all aspects of employment.

The Board recognizes that, in order to ensure that applicants for employment and employees with appropriate qualifications and responsibilities are afforded equal employment opportunities, it must also take reasonable action: (1) to eliminate the effects of any present practices, procedures, or policies that have an adverse impact upon a protected group unless such practices, procedures, or policies are justified by a business necessity; (2) to correct the effects of any past discriminatory practices; and (3) avoid the results of any available artificially limited labor pools.

Accordingly, the Board directs the administration to develop an affirmative action plan, which shall contain a set of specific and result-oriented procedures in order to accomplish these goals, based upon the guidelines set forth below. Additionally, the Board commits itself to

apply a good faith effort to meet these goals through the implementation of the affirmative action plan because procedures without effort to make them work are meaningless, and effort undirected by specific and meaningful procedures is inadequate.

PERSONNEL - ADMINISTRATIVE PROCEDURES

GENERAL PERSONNEL - Affirmative Action

The ultimate goal of the Board of Education is the maintenance of the highest possible professional and academic standards in all its educational programs and services. In order to meet this goal, the Board affirms and strictly adheres to its policy of equal opportunity in all aspects of employment.

Self-Analysis and Identification of Problem Areas

The Administration shall conduct an analysis of the school district's work force and employment practices in order to determine whether employment practices: (1) do, or tend to exclude, disadvantage, restrict or result in adverse impact or disparate treatment of previously excluded groups or (2) leave uncorrected the effects of prior discrimination and if so, attempt to determine why.

The administration shall first undertake an analysis of the major job groups in order to determine whether any protected group of persons (e.g., women or blacks) are currently being underutilized in any of these job groups. A protected group of persons shall be considered underutilized if a particular job group has fewer such persons than would be reasonable expected by their availability.

Additionally, the administration shall undertake an in-depth analysis of:

1. The total selection process including position descriptions, position titles, position specifications, applicant forms, interview procedures, final selection process and similar factors.
2. Transfer and promotion practices.
3. Seniority practices and seniority provisions of collected bargaining contracts.
4. Work force attitude.
5. Miscellaneous employment procedures such as notification to labor unions and subcontractors and retention of employee and applicant records.

Reasonable Basis for Concluding Affirmative Action as Appropriate

If the self-analysis shows that one or more employment practices: (1) have or tend to have an adverse effect on employment opportunities of members of previously excluded groups or groups whose employment opportunities have been artificially limited; (2) leave uncorrected the effects of prior discrimination; or (3) result in disparate treatment, the administration may conclude that action is appropriate. The Board specifically notes that it is not necessary that the administrators find a violation of any applicable

antidiscrimination statute in order to conclude that action is appropriate.

Specific examples of findings which could lead the administration to conclude that action is appropriate may include:

1. There is an "underutilization" of minorities or women in specific job groups.
2. Lateral and/or vertical movement of minority or female employees occur at a lesser rate (compared to work force mix) than that of minority or male employees.
3. The selection process eliminates a significantly higher percentage of minorities or women than nonminorities or men.
4. Application and related employment forms are not in compliance with antidiscrimination legislation.
5. Position descriptions are inaccurate in relation to actual functions and duties.
6. Referral ratio of minorities or women to the hiring supervisor indicates a significantly higher percentage are being rejected as compared to nonminority and male applicants.
7. Minorities or women are excluded from or not participating in school-sponsored activities or programs.

8. De facto segregation still exists at some schools.
9. Seniority provisions contribute to overt or inadvertent discrimination; i.e., a disparity or minority group status or sex exists between lengths of service and type of job held.
10. There is nonsupport policy by administrators or other employees.
11. Minorities or women are underutilized or significantly under-represented in training or career improvement programs.
12. No formal techniques established for evaluating effectiveness of EEO programs.

Reasonable Action

If the administration concludes that reasonable action is necessary, the affirmative action taken pursuant to this directive must be reasonable in relation to the problems disclosed by the self-analysis. Such reasonable affirmative action may involve the adoption and implementation of employment practices that will eliminate any actual or potential adverse impact, disparate treatment, or effect of past discrimination by providing opportunities for members of groups which have been excluded, regardless of whether the person benefited were themselves the victims of prior policies or procedures that produced the adverse

impact or disparate treatment or that perpetuated past discrimination.

Examples of reasonable affirmative action includes:

1. The establishment of a long-term goal and short-range, interim goals and timetables for the specific job classification or groups, all of which should take into account the availability of basically qualified persons in the relevant job market;
2. A recruitment program designed to attract qualified members of the group in question;
3. Revamping selection instruments or procedures that not yet been validated in order to reduce or eliminate exclusionary effects on particular job classifications;
4. The initiation of measures designed to assure that members of the affected group who are qualified to perform the job are included within the pool of persons from which the selecting official makes the selection;
5. A systematic effort to provide career advancement training, both classroom and on-the-job, to employees locked into dead-end jobs;
6. The establishment of a system for regularly monitoring the effectiveness of the particular affirmative action program, and procedures for

timely adjustments in this program where effectiveness is not demonstrated.

The Board of Education emphasizes that:

1. The affirmative action plan should be tailored to solve the problems that were identified in the self analysis, and to ensure that employment systems operate fairly in the future, while avoiding unnecessary restrictions on opportunity for the work-force as a whole. The race, sex, and national origin conscious provisions of the plan or program should be maintained only so long as is necessary to achieve these objectives; and
2. Goals and timetables should be reasonably related to such considerations as the effects of past discrimination, the need for prompt elimination of adverse impact or disparate treatment, the availability of basically qualified or qualifiable applicants, and the number of employment opportunities expected to be available.

Internal Audit and Reporting Systems

The administration shall monitor records of referrals, placements, transfers, promotions, and termination at all levels of employment to ensure that a nondiscriminatory policy is carried out.

The administration shall require formal reports from all administrators with authority to hire on a schedule basis as to degree to which school district goals are attained and timetables met, and shall review report results with the Board and all levels of management.

The administration shall advise the Board of Program effectiveness and submit recommendations to improve unsatisfactory performance.

Implementation of Board Policy and Development and Administration of the Affirmative Action Plan

The Superintendent shall appoint himself/herself or an administrator as director of the school district's equal opportunity program. His/her identity should appear on all internal and external communications on the school district's equal opportunity programs. His/her responsibility shall include implementing this policy on the development of an affirmative action plan, which shall, upon completion and after review by the Superintendent, be submitted to the Board for final approval. After Board approval, the director shall be responsible for administration of the plan, he/she shall be given the necessary administrative support and staffing support, and the director may delegate responsibilities and duties as necessary.

Formal Internal and External Dissemination of Board Policy
and Affirmative Action Plan

1. Copies of this Policy and the Affirmative Action Plan shall be made available to all members of the community, including employees, applicants, and union officials.
2. Reports dealing with the nature and implementation of the school district's equal opportunity policies will be made to the Board in open meetings.
3. Equal employment opportunity information and other pertinent school district and governmental brochures will be posted in appropriate places in the school district.
4. Meetings will be held for school district employees to disseminate, discuss, and assess the implementation of equal opportunity policies and affirmative action plans.
5. All direct sources of school district recruitment for employment will be informed of the school district's equal opportunity policy and will be requested to participate in its affirmative action program.

Board of Education Contractors and Vendors

Any person who enters into a contract with the Board shall refrain from unlawful discrimination in employment

and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination. Such person shall also comply with the procedures and requirements of any federal or state agency's regulations concerning equal employment and affirmative action and provide such information with respect to its employees and applicants for employment, and assistance as the Board may reasonably request.

The administration shall develop a contract clause which shall reflect the Board's policy and which shall be intersected in all such contract.