Date: May 24, 1982

From: Office of the Executive Vice Chancellor

Subject: Affirmative Action Staffing

As you know, the State University's affirmative action program has been expanded over the years, both by our perceptions of needs and by the addition of obligations incorporated in Federal statutes (all of which are still in effect) and State action. Recently, University compliance and reporting requirements have been extended and another set of responsibilities has been created, by the Governor's Executive Order 40.1.

Meanwhile, the budgetary pressures of recent years and this year have created staffing problems for the campuses in a number of areas. Unfortunately, and contrary to the trend of workload responsibilities, in the affirmative action area we have seen a decrease in the number of full-time campus officers and a combining of affirmative action functions with those of other positions.

The question of adequate staffing for our responsibilities has been studied at considerable length by the Chancellor's Affirmative Action Task Force, which has approved the attached resolution. The resolution was recently discussed with the Council of Presidents, and is forwarded to you now with the request that you give its contents your close personal attention.

Thank you.

Donald D. O'Dowd
Executive Vice Chancellor

Enclosure

This memorandum addressed to:

Presidents, State-operated campuses

Copies for information only to:

Presidents, Community College
Deans, Statutory College
President Coll
Vice Provost Spencer

Executive Staff
SUNY AFFIRMATIVE ACTION TASK FORCE RESOLUTION

ON AFFIRMATIVE ACTION STAFFING

The Chancellor's Task Force on Affirmative Action has reviewed affirmative action staffing throughout the University in order to assess whether current resources are adequate to the task, using as a guideline the existing policy established in 1974 in a memorandum to Presidents from (then) Executive Vice Chancellor Kelly (copy attached). As with the staffing of most administrative functions in a system as diverse as the State University of New York, different staffing models and structures exist. Some campus Affirmative Action Offices emerged after a careful study of campus needs and campus organizational structure had taken place; others resulted from historical accidents, a series of responses to Federal, State, and local pressures.

Starting this year, University compliance with the Governor's Executive Order 40.1 has placed additional burdens on our affirmative action resources. Thus, the Task Force urges each campus to review its present affirmative action staffing and to evaluate whether the resources presently allocated to that function are adequate to ensure the timely and effective disposition of the following tasks:

1. Assisting academic departments and administrative units with recruitment of affected group members, both students and employees.
2. Monitoring appointments to ensure compliance with regulations governing affirmative action searches.
3. Monitoring promotion, transfer, permanent appointment and merit increment transactions to ensure non-discrimination.
4. Review and disposition of allegations of discrimination by students and employees in accordance with the SUNY Internal Grievance Procedure or, for community colleges, the appropriate campus or county procedure.
5. Maintenance of a data base adequate to generate required periodic reports, such as (1) annual updating of the Affirmative Action Plan; (2) biennial filing of the Federal EEO-6 report; (3) filing of semester reports as required by the Governor's Executive Order 40.1; (4) filing of periodic reports on discrimination grievances, applicant flow, and other quantitative analyses required by Executive Order 40.1.
6. Preparation of all affirmative action reports required by Federal, State and University regulations.

7. On-going review of campus policies and practices to ensure campus compliance with laws and regulations protecting minorities and women (i.e., Civil Rights Act of 1964 as amended; New York State Executive Law; Education Amendments of 1972, Title IX).


10. Providing information, staff services, and other input to the campus affirmative action committee.

11. Working closely with campus and community organizations serving the protected groups.

12. Providing staff assistance and data to SUNY Legal Office staff and to State and Federal compliance officials reviewing discrimination grievances or conducting routine compliance reviews.

13. Resolving internal and community conflicts related to actual or perceived discrimination against affected group members.

14. Conducting on-going training sessions, briefings and workshops to ensure high awareness on campus and in the community of campus affirmative action programs.

Because of the importance of the affirmative action function to the University, there should be a clear reporting line from the affirmative action officer to the President. Regular reports on the status of the campus affirmative action program should be made to the campus Executive Staff. If more than one office is involved in the administration and implementation of the campus affirmative action program, there should be a structure whereby those responsible for the different components of the program meet on a regular basis to avoid fragmentation and duplication of efforts. There should be a coordinator of campus affirmative action efforts clearly designated.
Finally, as you review your present staffing pattern, you should determine whether there is, in fact or in appearance, any conflict of responsibilities which may render the program less effective. Some examples of current patterns on SUNY campuses which might raise questions about a conflict are:

1. A combined Affirmative Action-Personnel Office, which both implements personnel transactions and then investigates and makes determinations as to whether those transactions are discriminatory.

2. A combined Affirmative Action-Employee Relations function which represents the Administration in all collective bargaining grievances but which must be viewed as neutral in the review of discrimination grievances.

3. A Personnel Office which looks after affirmative action concerns of employees but which may not be recognized as an appropriate place for the reporting, review, and resolution of student affirmative action concerns.

In conclusion, the Task Force respectfully requests that each campus President conduct a campus review to determine (1) whether each of the tasks designated above is clearly assigned and the name and campus address of the person or persons with affirmative action responsibilities are well publicized on campus; (2) whether the person or persons with affirmative action responsibility report directly to the President and affirmative action concerns are reported on a regular basis to the campus Executive Staff; (3) whether there is any possibility of a conflict of responsibilities in the present composition and/or placement of the affirmative action office; (4) whether there are adequate staff and support to achieve campus affirmative action goals.
In a recent meeting with the Budget Division, we received approval for the establishment of the position of Affirmative Action Officer, to lead the equal employment opportunity effort on each campus. It is thus possible to legitimate in this position appointments which, until now, could be made only by borrowing some other title to perform the function. Now we are assured that reclassifications of existing positions assigned to this function, or other vacant positions, will be honored promptly by the Budget Division when requested.

Because of the importance of the equal employment opportunity effort, the position of Affirmative Action Officer will be assigned to PRP grade 5 at the University Centers and the Health Science Centers, and to PRP grades 4 and 3, as appropriate, at other campuses, subject to individual campus budget capacity. As you place this position in your organizational structure, I ask that you do so in a way that clearly indicates your personal support of the program and that takes into account the fact that personnel officers generally do not have full responsibility for recruiting members of the faculty and professional staff. Please understand that the Division of the Budget has cooperated with us in taking this action in order to help the University improve its total response to an urgent matter of National and State policy.

Several main responsibilities can be outlined in brief for the position. The first obligation is to develop an effective affirmative action plan for the campus. Next is the responsibility of getting the plan implemented on the campus as quickly and completely as possible. Finally, there is the continuing responsibility of developing information and contacts on the availability and sources of potential minority and female candidates for employment on campus. Many ancillary obligations and functions flow from these requirements, which call for exceptional and special talents.
In order to provide an effective and orderly means for establishing these positions in legitimate titles, please send Kenneth MacKenzie the item number and title of the position which you are now using to fulfill this function, and which you would wish to reclassify to the new Affirmative Action Officer title. Or instead, if you wish to convert an existing vacant professional position to this title, please forward the corresponding information for reclassification of this item. These reclassifications will supersede related requests already submitted as a part of the 1974-75 budget presentation; any future additional staff authorizations in this area will depend on evaluation of the campus Affirmative Action Plan.

When we have the information from each campus, we will proceed immediately to seek approval for the reclassifications. Since we are under a severe time deadline, I ask you to respond by January 20.

cc: Chancellor Boyer

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   Presidents, State-operated campuses
Copies for information only sent to:
   Presidents, Community Colleges