

a year ago on the basis that every four graduate assistants are counted as the equivalent to one full time faculty member. Professors in the various areas are consulted before assistantships are awarded. The assistantships are awarded by the Dean of the School of Education in consultation with the professors representing the several areas of study. Financial need is considered but is not the primary criteria for the awarding of the graduate assistantships.

Graduate assistants are expected to work an average of twenty hours a week. The specific responsibilities are determined by the professors in the area the assistant is assigned. These specific responsibilities are also used to establish the need for a graduate assistant in a particular area of study.

Graduate assistantships may be awarded to the same student in successive academic years. The performance of the assistants would be evaluated by those with whom they work and that evaluation would be used as part of the selection process. Graduate assistantships are awarded for one academic year and must be applied for each year.

The Committee feels that these policies and procedures are substantially in compliance with the requirements of Title IX.

#### PLACEMENT PROGRAMS

The College operates three placement offices, coordinated through the Sub-Committee on Placement. One, the Office of Corporate Relations and

Placement serves the needs of the entire College, while the remaining two serve the special needs of graduates from the School of Law and Education. Each is reviewed separately as follows.

#### OFFICE OF CORPORATE RELATIONS AND PLACEMENT

The Office of Corporate Relations and Placement offers career placement information for students and alumni of the College of Arts and Sciences and School of Business. The Director of the office is Mr. Stan Brown.

The Program is publicized by sending a letter to all junior students apprising them of the services provided by the Placement Office. In September of the year of graduation, students are also sent a letter containing an invitation to a placement orientation meeting.

Job qualifications and requirements are made known to students through announcements on the Office's bulletin board and through the maintenance of a current file on jobs. The file is available to all students (and alumni). In addition, the Office keeps interviewer forms and current literature on job openings. The Director of the Placement Office offers advice to any student regarding preparation of a resume. The office also maintains files for resumes and/or personal data on all students requesting this service. In these files students may place any information relative to employment which they so choose. They may include a personal data sheet and/or a resume. These files may also include letters of reference. Such letters may be either confidential or non-confidential at the student's choosing, and may be from

professors and/or employers. Academic transcripts are placed on file only if the student requests them. The Placement Office includes letters from employers requesting credentials of a student. In addition, the Office retains recruiting literature such as flyers from employers and any other relevant information received from employers. There is also a file containing addresses of firms and names of individuals to contact for particular positions.

The Placement Office sends a letter and brochure to employers who have been on campus in the past few years, employers with whom alumni are employed, and employers with whom other personal contact has been made seeking their participation in the on-campus interviewing program. Mr. Stan Brown is a member of the Virginia Placement Association, the Southern Placement Association and the College Placement Council, and makes additional contacts at those meetings with prospective employers in attendance. In addition, the office receives unsolicited inquiries from employers. No employer is invited to campus unless a waiver is signed claiming no discriminatory practices (regarding race or sex) by that employer.

The Office sends out the initial schedule in September with follow-up notifications throughout the year. The announcements are sent to Deans, Department Chairmen, and other administrative officers who work with students as counselors. In addition, announcements are made in the school papers and on the College radio stations and are posted on bulletin boards. The Placement Office maintains an interview schedule book in the office which is available to all students.

Scheduling of interviews is done on a "first-come-first-served" basis. The schedule is released on the first and third Tuesdays of each month. Students sign up for interviews on that day, and any day thereafter, at the Placement Office.

No information or opinion of any student is given to a prospective employer. Information can be released to prospective employers only by student written permission. No employers administer tests on campus, although the Virginia Employment Commission does offer merit exams on campus. The Placement Office also provides information regarding the PACE exam. The exception would be in cases in which employers have tests validated by the EEOC. All students are eligible for these same services.

The Committee finds the policies and practices of the Corporate Relations and Placement Office in full accord with the requirements of Title IX.

#### PLACEMENT OFFICE -- SCHOOL OF EDUCATION

The Office of Educational Placement provides credential services for students which includes a summary of their academic and work experience background, and individual recommendations. These credentials are mailed to prospective employers at the request of the student or at the request of the employer. The Office of Educational Placement also provides full information on certification requirements for specific teaching and educational positions.

Any student who completes an approved program or degree program in the School of Education is eligible for the services provided by the Office

of Educational Placement. An approved program is a program of studies submitted to the State Department of Education which receives their approval as a program that provides the necessary competencies to teach. The students who complete one of these programs in the School of Education meet certification requirements to teach in specific subject areas.

Any student at the College who is interested in becoming certified to teach in a specific field has access to this office for advice and counseling for the courses required for certification. This advice and counseling is given prior to a declaration of a major in the School of Education or application to one of its degree programs. This procedure and information is available to students both on the undergraduate and the graduate level.

Students are familiarized with the Office of Educational Placements through announcements sent out to classrooms, particularly at the graduate level since many graduate students attend school in the evening. The office also publicizes their program and services through the William and Mary News and the Flat Hat. Job qualifications and requirements are announced to students through individual counseling by the Director of Educational Placement and Certification, and, also, through duplicated material which explains and states the certification requirements as required in the State of Virginia. Also provided is information in regard to how students may be certified in states other than Virginia.

Resume preparations are assumed to be the responsibility of the individual student. However, the Office of Educational Placement prepares a suggested

resume with information on how to make this as individual as possible and suggested uses of a resume. Also, through meeting with classes of students in required education programs, the Director of Educational Placement indicates to students that the office freely offers its consultation services in the area of resume-writing. One copy of the resume is kept in the student's credential file. Students are encouraged to include a copy of their resume with their application forms or letters of inquiry to particular school systems.

The office also maintains reference files which are available in the Education Library on a reserve basis. They provide information to the students on certification requirements in various states, and the names and addresses of personnel officers and superintendents of all the school systems in the United States.

In soliciting employer recruitment, the Director of Educational Placement contacts all the school systems in the State of Virginia and invites them to the campus, arranging for them an appointment schedule so they might interview prospective graduates. Through membership in regional organizations, such as the Middle Atlantic Association for School, College and University Staffing, the Director of Educational Placement makes contacts with personnel directors in school systems in the middle atlantic state area and refers students to these people and possibly arranges for some of them to visit the College. In recent years school systems from out-of-state, because of economic reasons, have curtailed their recruitment schedule here on the campus.

However, these people now contact our students through brochures and other printed materials.

Recruitment visits are posted on our bulletin boards just outside the Educational Placement Office and also are advertised through the William and Mary News, the Flat Hat, and the College Radio Station.

Recruitment interviews are scheduled on the basis of convenience to the school system, on a first-come-first-served basis. For the past five years we have been able to establish a regular date and time each year for school systems to visit the campus. Students may come to the Office of Educational Placement around the first part of October and check the schedule of school systems visiting the campus and sign up for the time most convenient for them. By meeting with groups in required education classes the office counsels students on the interview procedure itself.

One student is not favored over another, rather all eligible candidates for teaching positions are referred to employers. If a particular school system, for example, is looking for an English teacher, then they are sent the names of all those who are certified to teach English. Then as they request individual credentials, they select the particular person they may want to hire.

The only pre-employment testing conducted through the Office of Educational Placement is the National Teachers Examination which is offered through the Educational Testing Service of Princeton, New Jersey. It is not required by most school systems nor by William and Mary. Students are merely encouraged to take the Exam and include their scores in their professional credential file.

Without exception, the qualifications for positions through this office are determined by certification requirements set by the State Department of Education of Virginia or by State departments of education of other states in which teachers wish to be employed in the field of education. These eligibility qualifications can cover classroom teaching positions at the elementary and secondary levels, and speciality positions, such as music and physical education, at the elementary and secondary levels. At the graduate level the office has positions such as supervisors, elementary and secondary principals, directors of instruction, guidance counselors and special education teachers in three categories--emotionally disturbed, learning disabilities and mentally retarded. The qualifications for those positions are also determined by state departments of education.

The Committee feels that all policies and procedures of the Educational Placement Office comply with the requirements of Title IX.

#### PLACEMENT OFFICE -- SCHOOL OF LAW

In the late spring and early fall all students are invited to attend placement meetings. Students are given a packet (see Appendix) which includes a description of the Placement Service and a sample resume. The seasonal structure of the office is discussed. At the spring meeting resume writing is discussed. At the fall meeting, the various kinds of prospective employers who will recruit in the fall are reviewed: large law firms; government agencies; the military; corporations with in-house counsel; and the smaller firms who will be contacting the school throughout the year. The interview procedure is also discussed.



Most prospective employers send firm resumes, but if they do not, the Placement Office requests two copies for student use. Firms who phone to request interviews are asked to send one, or if the firm does not have one, a verbal description is passed on to students. These resumes list the job qualifications each firm has established for its openings.

Students are given a sample resume at the spring meeting. They are also invited to visit the Placement Office at any time to discuss their resumes or to browse in the reference library. Student resumes are kept on file so that they may be sent to those prospective employers the student would like to interview. As students notify the Placement Office that they have accepted a job, this information is filed.

Correspondence with prospective employers and their firm resumes are on file and readily available to students. The office has on hand lists of Commonwealth's Attorneys, Legal Aid and Defender Services, and of Prosecuting Attorneys. The six volume Martindale-Hubbell Law Directory and the U.S. Lawyers Reference Directory are available.

Over 1,500 invitations to recruit are sent during the spring to law firms, federal agencies, the military and corporation with in-house counsel. A similar mailing goes to all Commonwealth's Attorneys. These letters contain the following paragraph:

"The Marshall-Wythe School of Law does not discriminate on the basis of race, religion, national origin or sex in admission, placement or otherwise. Accordingly, our invitation assumes that your employment practices are free of such discrimination."

Should a prospective employer indicate that they would like the Placement Office to arrange interviews with only men, or only women, the request is routinely denied. If during interviews, a student has been discriminated against, they are instructed to report the incident to the Faculty Placement Committee. This group is currently working out a regularized grievance procedure.

Notices of recruiting visits are posted on the Placement Bulletin Board together with a sign-up sheet (see Appendix). If more sign up than can be seen, the prospective employer determines who will be interviewed.

The Placement Office, which maintains a file of student class schedules, makes up the interview schedule, pulling students out of class as seldom as possible. This schedule is posted on the Bulletin Board (see Appendix). Sign-up sheets and interview schedules are consistent in appearance and are easily noticed.

Information or opinions on any student is given to a prospective employer by the Placement Office, except as provided in the student file.

Participation is encouraged through the two yearly meetings, through notices and through the article in each issue of the Law School newspaper. Minority students are sought out. The Placement Office attends the programs put on by BALSAs (Black American Law Student Association) in order to get to know these students better and to encourage them to make use of the Placement Service. The Placement Director is also cooperating with the

Mary and William Society (women law students' society) in an effort to educate prospective employers as to the capabilities of women.

The Committee finds these practices to be in compliance with the provisions of Title IX.

## SECTION 9

### PART (C) - FACULTY AND STAFF EMPLOYMENT POLICIES

The following examples of guidelines distributed to the College concerning the employment of faculty and staff:

- (a) Extracts from the Faculty Handbook, and
- (b) Faculty and Staff Recruitment Handbook.

### CONCLUSION

The faculty and staff employment policies and procedures do not discriminate against any person and are designed to notify all persons of vacancies and to make all positions available to the best qualified applicant. The faculty and staff employment policies of William and Mary are in compliance with Title IX.

## FACULTY APPOINTMENTS

### NON-DISCRIMINATION AND EQUAL OPPORTUNITY

It is College policy to recruit, appoint, promote, and retain faculty members without regard to race, color, religion, sex, national origin, or political affiliation. The College has adopted an Equal Opportunity Plan, promulgated by Executive Order of the Governor of Virginia, whereby the institution will continue to expand its efforts to attract applicants from all segments of the population, and to preclude any form of exclusion or discrimination in employment practices regarding women and minorities.

### RECRUITING AND APPOINTMENTS

All appointments to the Faculties of the College are made by the Board of Visitors upon the recommendation of the President. The terms of appointment are specified in a letter from the Academic Vice President to the faculty member. This letter constitutes the faculty member's contract with the College.

Faculty appointments for the Summer Session and the Evening College are made in separate letters of contract.

### THE RECRUITMENT PROCESS

In consultation with the Dean, the appropriate chairmen and/or committees shall identify candidates, taking care to insure that all relevant Affirmative Action and Equal Opportunity guidelines are met in the search and identification process.

Complete dossiers are gathered for all candidates in serious consideration. Recommendations received orally are summarized in writing by the recipient and made part of the circularized dossier.

After discussion with, and on the recommendation of the department chairman and/or committees, the Dean, within the limits of his travel budget, invites one or more candidates for campus interview. Such interviews are scheduled only after the candidate's dossier is complete and made available to all involved in the decision to recommend the candidate to the Academic Vice President.

Following interviews with final candidates, the Dean determines with appropriate chairmen and/or committees the agreed-upon first choice, and informs that individual in writing of the intention to recommend him or her for appointment to the Academic Vice President and President, and through the President to the appropriate committee of the Board of Visitors.

This letter from the Dean to the candidate must include:

- (1) A clear statement that appointment is made only by the Board of Visitors, and that the Dean's present statement of intention is therefore recommendatory to the President and the Board.
- (2) The date of the next meeting of the Board committee, and indication that a contract letter will be sent to the individual by the Academic Vice President immediately after that meeting, provided that the candidate responds favorably and in time to be placed upon the agenda, and of course assuming that the Board committee accepts the recommendation.

(3) Reference to the Faculty Handbook, which shall have been given to the candidate prior to the conveyance of the Dean's letter of intention, and to the detailed statements contained therein regarding College policies and procedures.

(4) Appropriate details of rank, salary, term, and tenure considerations that will be presented to the Board. In the case of a recommendation for a visiting, restrictive, or part time appointment, it is to be clearly indicated that no future or other commitment by the College is intended or implied.

#### THE APPOINTMENT PROCESS

When an individual has stated that he or she would accept an appointment, the Dean conveys to the Academic Vice President the complete dossier, including copies of all pertinent correspondence with or about the candidate. The dossier is returned to the Dean after the Vice President has determined his recommendation to the President.

The Academic Vice President recommends candidates to the President for recommendation to the Board, and prepares for the committee of the Board the appropriate resolutions for candidates to be presented for approval.

After approval of the recommended appointments by the Board committee, the Academic Vice President, on behalf of the President, and the Board of Visitors, sends to successful candidates the appropriate contract form, confirming the appointment, and the details of rank, salary, term, etc., as stated in the Dean's earlier letter. A mutually binding obligation is understood upon the return of the contract form, duly signed by the appointee.

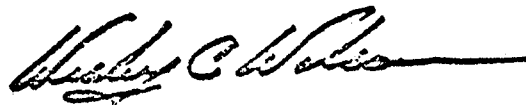
## INTRODUCTION

Viable affirmative action is today one of the most important issues before the higher education community in general and The College of William and Mary in particular. Until the last two years many women and minorities have traditionally halted their education at the master's or advanced degree level because the academic job market did not provide sufficient opportunities for the individual with the doctor's degree. Affirmative action, therefore, affects the life chances of many individuals and the degree of independence of higher education from increasing governmental controls.

Much has been made of the argument that recruitment utilized the "old-boy network." There is basis to this charge, but to the extent that the argument implies recruitment and appointments were traditionally made on the basis of friendships, rather than ability is not typically justified. The major consideration in departments that are concerned about their quality and prestige has been the candidate's individual qualification and affirmative action is consistent with that philosophy.

Traditionally, search committees and departments have been required to submit documents justifying the recommendation for appointment of a particular candidate for a position, but typically have not been required to provide evidence that candidates were considered in a strictly nondiscriminatory manner, regardless of race or sex. In fact, information relating to rejected candidates has not formally been required at all.

In contrast, a major feature of selection provisions of our affirmative action plan, HEW's Office for Civil Rights 1000 Series Report, and Department of Labor's EEO-6 Report require departments to maintain, in a central file, records relating to all candidates considered in the selection process. These records must be maintained for a period of not less than two years, three years when dealing with handicapped.



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## PURPOSE

This handbook is to encourage and guide department heads and search committees in creating a moral environment and a "good faith" attitude toward the affirmative program of recruitment solicitation and selection. This handbook will also serve as an assist, a guide and a resource to the regulatory guidelines related to the recruitment, selection and record keeping process.

## COORDINATION REQUIRED WHEN A VACANCY IS CREATED OR ANTICIPATED

(1) State Council of Higher Education for Virginia (SCHEV) requires that we provide them semi-annually with a listing of faculty and staff vacancies that exist or are anticipated. While we are not restricted by the listing, we are obligated to insure its accuracy by updating when required. It is essential that the College Office of AA/EEO (Ext. 651) be notified when a vacancy is created or anticipated and prior to announcement of the position. It is also necessary that this office (AA/EEO) be apprised when a position has been filled for the purpose of updating the William and Mary and SCHEV listings.

(2) Department heads and/or search committee chairpersons should contact the AA/EEO office prior to acting on a vacancy. The purpose of this contact will be to discuss the most effective and economical methods of complying with affirmative action guidelines on recruiting and hiring. Of equal importance is to insure that persons responsible for recruitment and selection are fully aware of their legal responsibilities to the process.

(3) Department heads and/or search committee chairpersons should contact the AA/EEO office at some point during the final interview process and prior to making a recommendation for filling the vacancy. The purpose of this contact will be to insure that every aspect of the law has been met and that a positive and demonstrably affirmative action effort had been put forth in arriving at the point of making a recommendation.

(4) Department heads and/or search committee chairpersons should contact the AA/EEO office after the position has been filled in order to conclude and summarize the data required for record keeping and reporting.

By calling Ext. 651 appointments will be arranged as much to your convenience as possible.

## RECRUITMENT

A key to increasing the presence of women and minorities on our faculty and staff is an aggressive and imaginative recruiting effort. We must remember that the available labor force includes those persons who are qualified whether currently employed or not. Since employment opportunities have in the past been restrictive to women and minorities, it is reasonable to assume that many sought employment elsewhere. It is, therefore, necessary to recruit outside the disciplines and through media never before utilized.

Recruitment procedures should include, but not be limited to the following:

- A careful review of the written position description to insure it is job related, can be validated and is limited to position essential requirements.

- Ensure the position vacancy has been posted with the College AA/EEO office, prior to announcement.

- Include qualified women and minority group members on search committees, whenever possible. Minority students in a department or majors in a field should be members.

- Refer to the file of position inquiries and inform all qualified persons that they are being considered for the vacancy (refer to section on record keeping.)

- In addition to sources maintained by departments refer to any additional lists of potential female and minority group candidates, and any suggested sources for recruitment of such candidates that might be maintained in the AA/EEO office.

- Advertise vacancies through standard professional publications. In addition, vacancies should be advertised through the special interest media. An extensive mailing of announcements to women and minority professional committees is also recommended. The AA/EEO office maintains current listings and addresses of most organizations and special interest media, such as Congress of American Indians and Black Women's Voice (periodical). The AA/EEO is prepared to advise as to the most cost effective affirmative action advertising.

-All announcements of vacancies must contain the statement that William and Mary is an "Affirmative Action/Equal Opportunity Employer."

-Except in unusual situations a minimum of four to six weeks should be allowed between vacancy announcements and application closing date. This period must be considered before arranging for advertising. Exceptions to the four to six week period should be cleared with the AA/EEO office prior to announcement.

-Every effort should be made to create as large and as diversified a pool of qualified applicants as possible.

Department heads and search committee chairpersons must refer to the section of this handbook entitled, "Record Keeping" in order to be apprised of the actions required by Title 29 (EEO-6 Compliance Report) guidelines.

### SELECTION

Title VII specifically outlaws the failure or refusal to hire an individual on the basis of the individual's race (applies to white, also), color, religion, sex or national origin. The Age Act prohibits failure or refusal to hire an individual on the basis of age if the individual is between the ages of 40 and 65 years.

### BFOQ EXCEPTIONS

Title VII provides for exceptions from its hiring prohibitions if religion, sex or national origin is a bona fide occupational qualification. The BFOQ exception is interpreted extremely narrowly. Race is never a BFOQ. As of this writing there are no positions authorized at William and Mary that are BFOQ. If you feel you have such a position in your department or a need to create such a position, contact the AA/EEO office or Professor Brown, Marshall-Wythe Law School, prior to announcing such a vacancy.

### PREHIRE INQUIRIES

All aspects of prehire inquiries must be free of discrimination on the basis of race, color, religion, sex, national origin or age. The term "prehire inquiries" includes questions asked on application forms, interviews and tests.\*

\* Refer to section on Record Keeping

Questions concerning an applicant's race, color, religion, sex, national origin, age, arrest and conviction record, should be avoided.\* None of the federal civil rights laws specifically outlaw such questions, but in the absence of any logical explanation for these questions, they will be viewed as evidence of discrimination by the EEOC or the court.

An area most often violated is the asking of sex typed questions of the female applicant. Questions such as, "Where does your husband work?", "How long will he be there?", "Will your children be cared for?", etc. Questions asked of a female, to be lawful, must be job related and must be asked of males also.

A department head or search committee may require any information of an applicant as long as that information is job related and required of every applicant.

Tests, in order to be lawful, must have a valid relation to the job for which they test. Interviewers are reminded that certain types of questions or questions asked in a certain way have been upheld by the EEOC as a form of test. In establishing and administering ability tests, we must act within some very strict EEOC guidelines.

#### RECORD KEEPING AND REPORTS

In accordance with certain federal and state legislation and College policies, it is necessary to make and keep records and to render reports. Under the record keeping requirements the College must:

- (1) Make and keep records relevant to the determination of whether unlawful employment practices have been or are being committed; and
- (2) Preserve those records for such a period of time as the EEOC and College policy prescribes.

In order to be in compliance with the above requirements and to meet the administrative burden as reasonably as possible, the following procedures are outlined:

- (1) Regulations require that central files be established and maintained. For the College purposes, files may be established at, but no lower than departmental level. An inactive file and an ethnic, sex and age file will be established at the College AA/EEO office (Ext. 651).

\*Refer to section on Record Keeping