2019-2020 Annual Affirmative Action Report

Table of Contents

The FAAOC regrets that it cannot discuss this report with you in real time at a Faculty Meeting this year. We have therefore expanded the narrative sections of the report, and provided a glossary of key terms.

Background

Since the 1964 passage of Title VII of the Civil Rights Act, employment discrimination on the basis of race and sex has been prohibited. Subsequently, the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1974 and the Americans with Disabilities Act (ADA) of 1990 prohibited discrimination on the basis of veteran and disability status. Since 1974, a number of federal laws, regulations, and executive orders have mandated that federal contractors and subcontractors[1] take identifiable steps to recruit, hire, and promote qualified women, members of racial minorities, U.S. veterans, and persons with disabilities. Before Colgate was legally obligated to follow these Affirmative Actions laws and regulations, it nevertheless decided to commit itself to do so. The faculty adopted a resolution on Affirmative Action on February 11th, 1974, and Colgate has produced Affirmative Action Reports ever since. When Colgate became a federal subcontractor in 2015, because of our faculty's success in securing significant grants, what had been a voluntarily incurred resolution became a legal obligation. (Our success in meeting that obligation is monitored by the Office of Federal Contractor Compliance Programs, about which you'll read more below.)

This history speaks to Colgate as an employer, without specifically addressing Colgate's identity as an educational institution. But of course we are, and so we not only select and promote employees—faculty and staff—we also select and evaluate potential and current students. Since 1978, U.S. courts, including the United States Supreme Court (USSC), have recognized that diversity is a legitimate goal for universities. Research over decades has found that diverse cohorts —of faculty, staff, and students—further the educational mission of an institution. In particular, participation in such a community prepares students to be leaders in an increasingly multicultural society and, in their working lives, to participate in professions that are increasingly globalized.

However, particular efforts taken by colleges and universities to diversify their student population through race-conscious or other affirmative action measures have been challenged in the courts. Legal challenges to those particular efforts drew on Title VI and VII of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment. Court responses to these challenges have placed specific limitations on the ways protected categories like race and gender may be used in a selection process, and some of those limitations apply even to those selection processes concerning the hiring of faculty or staff rather than the admission of students.

In this legal landscape, where is Colgate left? It is helpful to distinguish between (1) our *obligations* as an employer and our *permissible* pursuit of diversity as an institutional goal and (2) any particular path we take to fulfill those obligations or pursue that goal. Since 1978, courts have affirmed the legitimacy of diversity as an institutional goal each time it has been challenged. The goal of creating diverse educational environments has, in fact, been characterized as directly serving both the letter and the spirit of the laws covering non-discrimination and equal protection—in university admissions and employment decisions alike. However, the particular ways institutions attempt to increase or maintain diversity have been the subject of controversy. Particular methods have been critiqued, at times, by those who oppose affirmative action in general, and by those who would like to see it more robustly promoted. Opponents argue that various steps taken in the name of affirmative action unfairly discriminate against men, whites, or Asians, and do so because of their membership in the protected categories of gender and/or race. Proponents, on the other hand, question the efficacy of many of the allowed affirmative action steps. What good is it, they ask, if courts say diversity is a legitimate goal but then prevent university admissions offices, or employers, from doing anything meaningful or substantial to achieve that goal?

The current regulatory landscape—shaped in part by guidance from the Office of Federal Contractor Compliance Programs (seated in the Department of Labor)—attempts to ensure that universities are able to meet their *obligations* in hiring and promotion and pursue their *goal* of diversification in ways that will pass legal muster. So, for example, no identifiable step taken as part of an affirmative action program can include or exclude an individual (as a student or employee) *solely* because of that individual's membership in one of the so-called 'protected categories' (race, gender, disability status, or veteran's status). Just as Colgate could not *deny* someone employment solely because she was female, so Colgate cannot *offer* someone employment solely because she is female. Were we to do so, we would be illegally discriminating against her male competitors. The courts have restricted various race- and sex-conscious affirmative action

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[1] The Office of Federal Contract Compliance Programs ("OFCCP") in the U.S. Department of Labor, which regulates federal grant expenditures, requires that federal contractors and federal subcontractors with 50 or more employees who receive $50,000 or more in federal funds have an Affirmative Action Plan ("AAP") and prepare an annual report.

efforts to ensure that men, White people, non-disabled persons, and non-veterans are not being discriminated against. However, in order to meet our *obligations* and pursue our *goals* we are able to consider race, gender, and veteran and disability status as *part* of an otherwise holistic evaluation (that includes educational background, professional experience, references, and other pertinent job-related abilities) of an individual when we make hiring and other employment decisions. And note, the reach of affirmative action extends beyond hiring decisions and applies to matters of promotion, training, and other benefits of employment relevant to the retention of employees. This helps ensure that affirmative action programs are in fact able to support the retention of members of groups historically under-represented in certain employment contexts (typically, women, members of racial minorities, disabled persons, and veterans).

The importance of diversity and the legal limitations of affirmative action:

Institutions' interest in diversity has withstood the highest level of scrutiny by the United States Supreme Court. It has been judged to fall into a category called 'compelling interest'. Examples of other interests that rise to this level of importance include eminent domain or the interests in avoiding incitement, libel, or sedition that can result in appropriate limitations on free speech. Interests of such importance allow our government to enact laws that infringe on fundamental rights—such as the right to private property or the right to freedom of expression—in the pursuit of those interests. Our government also allows public and private institutions, and hence Colgate, to pursue relevant interests in this category by enacting policies and procedures that will affect various rights (of current and prospective students and employees) that the institution would otherwise be aiming not to affect. However, institutions do not have free rein in choosing the methods they use in pursuit of these important interests. In the case of affirmative action programs, limitations are placed on how an institution may legally pursue affirmative action goals. This is true both of affirmative action efforts undertaken with an eye to increasing the diversity of cohorts of admitted students or of hired employees, *and* of affirmative action programs undertaken with an eye to an institution meeting its obligations to the Office of Federal Contractor Compliance Programs (OFCCP). All such affirmative action efforts (1) have to be tailored to the problem areas specific to an institution, (2) must be specifically designed to achieve the desired outcomes, and (3) must be designed in a way that infringes on the fewest rights (of current or prospective students and employees) possible. In many affirmative action cases heard before the USSC or other courts, whether college admissions or employment cases, courts have evaluated how well an institution has navigated these three factors in developing and implementing their affirmative action plans. Generally speaking, affirmative action programs get nullified by the courts when they are overly broad (e.g. quota systems either in student admissions practices or the employment context), and/or when an institution was using an individual's belonging to a protected category as the *sole* reason for their inclusion in or exclusion from a group of admitted students, hired employees, or promoted employees. Yet within these limitations, as a federal subcontractor, we are obligated to make good-faith efforts to reduce underutilization (see permissions and obligations document here). So the affirmative action plans that Colgate followed voluntarily from 1974 to 2015, and that it was obligated to develop and follow after 2015, have been designed to be appropriately focused, and while the demographic facts about anyone we evaluate (for admission, hire, or promotion) may be a factor among other factors (which would be how the person is qualified to be admitted, hired, or promoted), they may not be the sole facts on the basis of which those evaluations are made.

The ways affirmative action and equal employment opportunity interact:

Two sets of federal laws are especially relevant in guiding any employers' procedures for recruitment, hiring, evaluation, and promotion: equal employment opportunity law (EEO) and affirmative action (AA) law. EEO aims to remove barriers to employment, and affirmative action (AA) aims to expand job opportunities for minorities, women, individuals with disabilities, and veterans. EEO laws designate legally protected categories (e.g. race or gender) and require organizations to ban explicit discrimination based on those properties (e.g. a 'No women need apply' clause in a job ad). They also require organizations to change policies or selection procedures when they turn out to have a discriminatory effect: that is, when they disqualify members of a protected category at a substantially higher rate than others in the workplace.

While EEO laws proscribe discrimination, AA plans prescibe: they list the tailored, institution-specific, proactive measures organizations take to break down barriers to employment and promotion. Well-designed affirmative action plans will not require an institution to hire a person who lacks qualifications to perform a job successfully, nor will they require an institution to hire a less-qualified person in preference to a more-qualified one. They contain practical steps to address the underemployment of specific demographics or, in some cases, to attempt to remediate past harm. Because affirmative action programs work to increase representation of particular populations in a workforce, including, when appropriate, members of racial minority groups, there is a risk that they could run afoul of Title VII, as that prohibits

employers from considering race when making employment decisions. However, Title VII itself carves out two exceptions to its prohibition on considering demographic characteristics in hiring. Those exceptions are: (1) government contractors or subcontractors, who are required to work to ensure their employment patterns reflect the demographic make-up of available qualified pools; and (2) employers undertaking voluntary programs designed to remediate historical inequality within their own organization. Employers are permitted to voluntarily implement affirmative action plans to create a more diverse workforce in an effort to overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity within the organization. Employers who are government contractors or subcontractors are required to produce affirmative action reports which analyse the demographic characteristics of their workforce. Those employers are also obligated to implement affirmative action plans when their analyses reveal what the federal regulations term "underutilization". (See glossary.)

When an institution sees patterns of underutilization, in certain job categories, of members of certain demographic groups, it is obligated to take affirmative actions—identifiable steps—that will make it more likely than it would otherwise be that qualified members of those groups will be hired and retained. Because Colgate has been a federal subcontractor since 2015, because we were voluntarily engaged in affirmative action efforts before that date, and because we have had and continue to have underutilization of women and racial minority group members in various job categories, we are permitted to use, among our affirmative action tools, demographically aware hiring practices. We are permitted, for example, to have someone responsible for affirmative action oversight inform search committees about the demographic make-up of their applicant pools and interview lists. We are also permitted to consider, as part of an otherwise holistic evaluation of applicants, whether a hire has the potential to address patterns of underutilization on campus. While we are permitted to use those particular tools, and others, we are obligated to use some tools. We are obligated, as a federal subcontractor, to make good-faith efforts to address patterns of underutilization. If our current tools don't address the patterns we see, that means we cannot continue to pursue *only* those tools. If we do, we can't certify to the Office of Federal Contract Compliance Programs (OFCCP) that we are making good-faith efforts.

Preface

On February 11, 1974, when Colgate's faculty adopted its Resolution on Affirmative Action for women and people of color, it also requested an annual report to the Faculty outlining progress in this area. The *2019-2020 Annual Affirmative Action Report to the Faculty* is the 43rd such report. Prior to 2015, these reports helped Colgate pursue long-standing commitments to equal employment and affirmative action for women and people of color. After our gaining federal subcontractor status in 2015, this voluntary commitment expanded (to include affirmative action requirements for veterans and individuals with disabilities), and became an obligation. Federal subcontractor status requires Colgate to hold itself to the highest standard of equal employment opportunity and requires it to generate an affirmative action plan (the Plan) annually. The Office of Federal Contract Compliance Programs (OFCCP) is entitled to audit the university's workforce composition, tenure requirements, and practices of hiring, promotion, termination, and compensation at any time. The first step in such an audit would be a request to review our Plan. In later phases of an audit, the OFCCP would conduct an assessment of the current year's workforce, examine utilization trends (with an eye to persistent patterns of underrepresentation or concentration), look for potential discrimination in hiring and/or promotion (including in the awarding of tenure), and assess the institution's progress against prior years. The annual affirmative action reports to the faculty do not cover everything covered by the annual Plans (for example, certain topics around staff compensation are left out). But they address the issues of hiring and promotion with which faculty themselves are most closely engaged. So, like its predecessors, the *2019-2020 Annual Affirmative Action Report to the Faculty* fulfills a long-standing institutional commitment to affirmative action while also helping to serve current federal affirmative action obligations.

In the *2019-2020 Annual Affirmative Action Report to the Faculty* you will find analysis of a roster of all faculty as of September 1 as well as the prior academic year's (September 1-August 31) hires, terminations, and promotions. This analysis offers important diagnostic information necessary for the development of a comprehensive affirmative action program. It should also guide deeper analysis into policies, practices, and procedures for recruitment, selection, and advancement within the institution. *It should inform our obligation to detail strategies, goals, and timetables for eliminating underutilization in the next year and beyond.*

- The composition of the workforce is presented with analysis of both hires and terminations/departures, because hiring and retention both impact the university's progress toward addressing underutilization.
- Multi-year (longitudinal) data illustrate how populations (e.g. departments, tenure-stream faculty, or non-tenure-stream faculty) contract or expand over time; show persistent patterns of under- or overrepresentation over time; and indicate how individuals from specific social identities are represented relative to other identities. *Longitudinal reporting demonstrates the presence or absence of progress toward addressing underutilization over time and should be used to identify problem areas.*
- The prohibition against discrimination covers explicit discrimination but also any selection procedure that has a discriminatory effect by disqualifying members of a protected category at a substantially higher rate than others in the workplace. When this occurs, we must conduct deeper analysis into policies, practices, and procedures in recruitment, selection, and advancement practices within the institution. Perhaps the disparate impact was due to something truly job-related, or due to an appropriately tailored effort to address under-utilization, but perhaps it was not. The onus is on us to make sure, and to redress any problems we find.

The methodology used to analyze the data in this report reflects a combination of federally prescribed conventions and choices made by the institution. As prescribed by the federal reporting requirements, each federally mandated affirmative action plan includes three major areas of analysis: (I) distribution and utilization analysis of the entire university workforce (all academic and non-academic employees); (II) statistical analysis of all employment actions (hiring, promotions, terminations, and compensation) for adverse impact; (III) review of all campus affirmative action and equal employment activities. In this report, the university chooses to report the distribution and utilization analysis and does not include the adverse impact analysis. The calculation of underutilization applies a federally prescribed formula (comparing the demographics of our faculty to the demographics of the cohort of persons in principle possessed of the requirements to serve on our faculty) in a format selected by the university (breaking the faculty down by department and division). Throughout the report, the Faculty Affirmative Action Oversight Committee opted to provide different display options for the same data to provide alternative views of it. Any display option will make it easier to focus on some features of a data set at the expense of others; that is one reason to opt for a variety of displays.

The *2019-2020 Annual Affirmative Action Report to the Faculty* was compiled through the collaborative efforts of a number of individuals. Pat Kochan, Office of Equity and Diversity, provided data regarding faculty recruitment. The statistical analysis, narrative, and accompanying tables were prepared by Tamala Flack, Executive Director for Equity and Inclusion, EEO/AA and Priya Dhawka, Data Analyst. Maura Tumulty, Professor of Philosophy and Associate Provost for Equity and Diversity, assisted with the narrative. Feedback on drafts was provided by the Faculty Affirmative Action Oversight Committee.

Hiring

The *2019-2020 Annual Affirmative Action Report to the Faculty* analyzes hires from September 1-August 31 and applicants applying to searches conducted during that same period. Affirmative action efforts must be tailored to the problem areas specific to an institution. This analysis provides important diagnostic information necessary for the development of a comprehensive and Colgate-specific affirmative action program. Please note:

- Every addition to our classroom faculty serves our educational mission and each hire offers an opportunity to bring individuals with the ability to effectively teach students across a wide range of identities and backgrounds to our institution. As a result, it is important to analyze all academic hiring each year and over time. However, tenure-stream positions remain a separate and distinct group from non-tenure-stream positions in underutilization calculations. Therefore it is also important to analyze tenure-stream and non-tenure-stream hiring separately.
- It is important to compare the actual number of appointments by gender and race to the pools of applicants for those positions. If selection rates differ significantly by gender or race, an inquiry should be made to analyze, identify, and implement any appropriate remedial steps.
- A review of hiring records, including a review of the reasons why individual applicants were or were not selected, might also assist with analysis and the identification of problem areas.
- Longitudinal analysis is helpful because it can identify areas of potential discriminatory trends. Colgate's longitudinal analysis does suggest some problematic trends exist, which means the university must work to identify the reasons for them, and engage in efforts to address them. As a result, this report includes longitudinal information where in past years it wasn't included.

Academic Tenure-Stream Hiring:
- There were 14 tenure-stream hires, including 2 target of opportunity hires.
- There were a total of 16 tenure-stream searches during the 2018-2019 academic year. Of those searches, 4 failed, and 12 resulted in tenure-stream hires; 8 of those hires were departmental first-choice candidates.
  - The gender and racial breakdown of the 14 tenure-track hires was: *Gender:* 5 women and 9 men were hired into the tenure-stream. No women of color were hired.
  - *Race:* A total of 4 faculty of color and 10 white faculty members were hired.
  - *International Faculty:* A total of 1 international faculty of color was hired.
  - (See Fig. 1 for a presentation of this information in a table.)
- For context, see the longitudinal information about tenure-stream hiring presented in Fig. 2.

Fig 1: Full-Time Tenure-Stream Faculty Hired in Academic Year 2018-2019

Full-Time Tenure-Stream Faculty Hired in Academic Years: 2012-13 to 2018-19

Year			
2012-13	White Men		4
	White Women		4
	Men Of Color		1
	Women Of Color		2
	All Hires		11
2013-14	White Men		3
	White Women		5
	Men Of Color		1
	Women Of Color		2
	All Hires		11
2014-15	White Men		3
	White Women		2
	Men Of Color		2
	Women Of Color		3
	All Hires		10
2015-16	White Men		3
	White Women		7
	Men Of Color		7
	Women Of Color		3
	All Hires		20
2016-17	White Men		7
	White Women		5
	Men Of Color		1
	Women Of Color		0
	All Hires		13
2017-18	White Men		5
	White Women		3
	Men Of Color		1
	Women Of Color		2
	All Hires		11
2018-19	White Men		5
	White Women		5
	Men Of Color		4
	Women Of Color		0
	All Hires		14

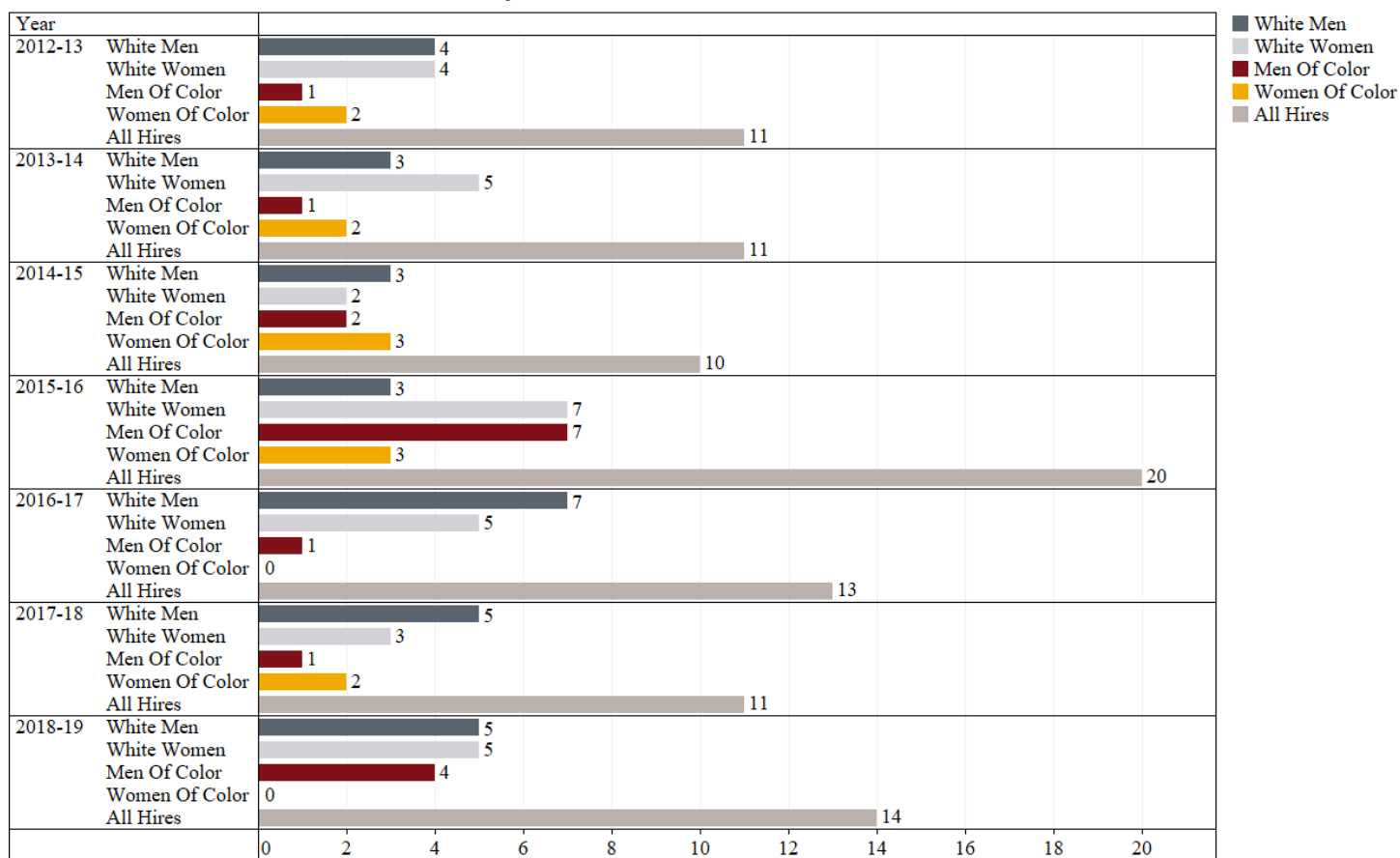Legend: White Men, White Women, Men Of Color, Women Of Color, All Hires

Fig. 2: Full-Time Tenure-Stream Faculty Hired in Academic Years: 2012-13 to 2018-19

Non-Tenure-Stream Academic Hires (including term positions):

- There were 50 total hires for non-tenure-stream positions (e.g. term, visiting assistant professors, lecturers/instructors, and post-doctoral fellows).
- The gender and racial breakdown for all non-tenure-stream hires are (see Fig. 3 for a presentation of this information in a table):
    - *Gender*: 28 women and 22 men were hired into term positions.
    - *Race*: A total of 11 faculty of color and 39 white faculty members were hired into academic non-tenure-stream positions.
        - 7 Asian
        - 3 Black
        - 1 Hispanic
    - *International Faculty*: 4 academic non-tenure-stream hires were international faculty, 2 were international faculty of color.

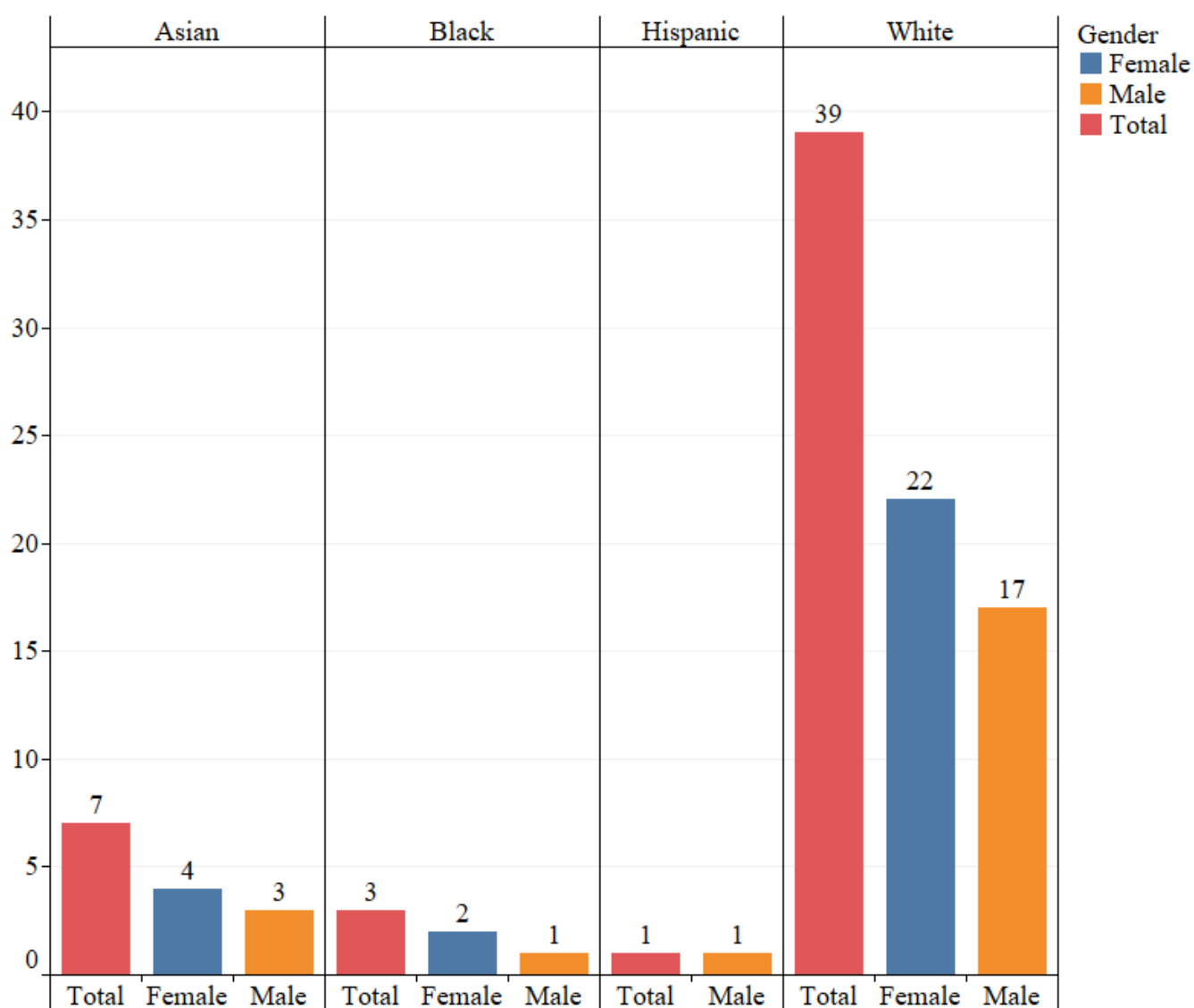## Academic Non-Tenure-Stream Hires (including term positions) 2018-2019

Fig. 3: Academic Non-Tenure-Stream Hires (including term positions) 2018-19
Other Faculty Hires

Library Hires:

- No library faculty hires were made in 2018-19.

Athletic Hires:
- There were 5 total hires for athletic faculty.
- The gender and racial breakdown for all athletic faculty hires are as follows:
  - *Gender*: 4 women and 1 man.
  - *Race*: 0 faculty of color.
  - *International*: 0 international faculty.

We have historically offered year-by-year comparisons to see if any stark differences exist.

All Faculty Hiring Compared to Prior Year

	Year	
	2017-2018	2018-2019
Athletic Hires	6	5
Library Hires	1	0
Total Academic Hires	43	62
Total Number of Tenure-Stream Hires	12	12
Tenure-Stream Academic Hires - Women	5	4
Term Academic Hires - Women	13	28
Tenure-Stream Academic Hires - of Color	2	4
Term Academic Hires - of Color	13	11

Fig. 4: All Faculty Hiring Compared to Prior Year

We are required to analyze our applicant pools annually, describe our recruitment and outreach efforts, and provide an explanation for any statistically significant differences in selection rates if audited. In performing this analysis we also gain insight into potential problem areas and positive efforts (the concrete good faith efforts) we might take to make it more likely than it is at present that we will hire qualified candidates from members of demographic groups that are flagged in EEO/AA analysis. For example, if applicant pools are not diverse, it stands to reason we will not hire qualified candidates from those demographic groups. In this case, we can evaluate our advertising and outreach to potential candidates, and identify ways to broaden these efforts. If the applicant pools are diverse but selection rates differ significantly by gender or race, we can evaluate hiring records, including a review of the reasons why individual applicants were or were not selected, to identify potential problem areas (if any). The table "Tenure Stream Applicants 2018-2019" shows the race and gender of those applying to all tenure stream searches conducted during the 2018-2019 academic year. It does not show the statistical analysis used to determine whether certain demographic categories are selected at significantly higher rates than others but it does show the race and gender of those not selected and those hired. In the future more fine grained analysis will be provided as information from our hiring process (such as the lists of candidates participating in phone/video conference interviews) becomes more readily accessible for reporting purposes.

Tenure-Stream Applicants 2018-19

Status

Legend:
- Of Color - Men
- Of Color - Women
- Of Color - Not Disclosed
- White Men
- White Women
- White - Not Disclosed
- Not Disclosed - Men
- Not Disclosed - Women
- Not Disclosed - Not Disclosed

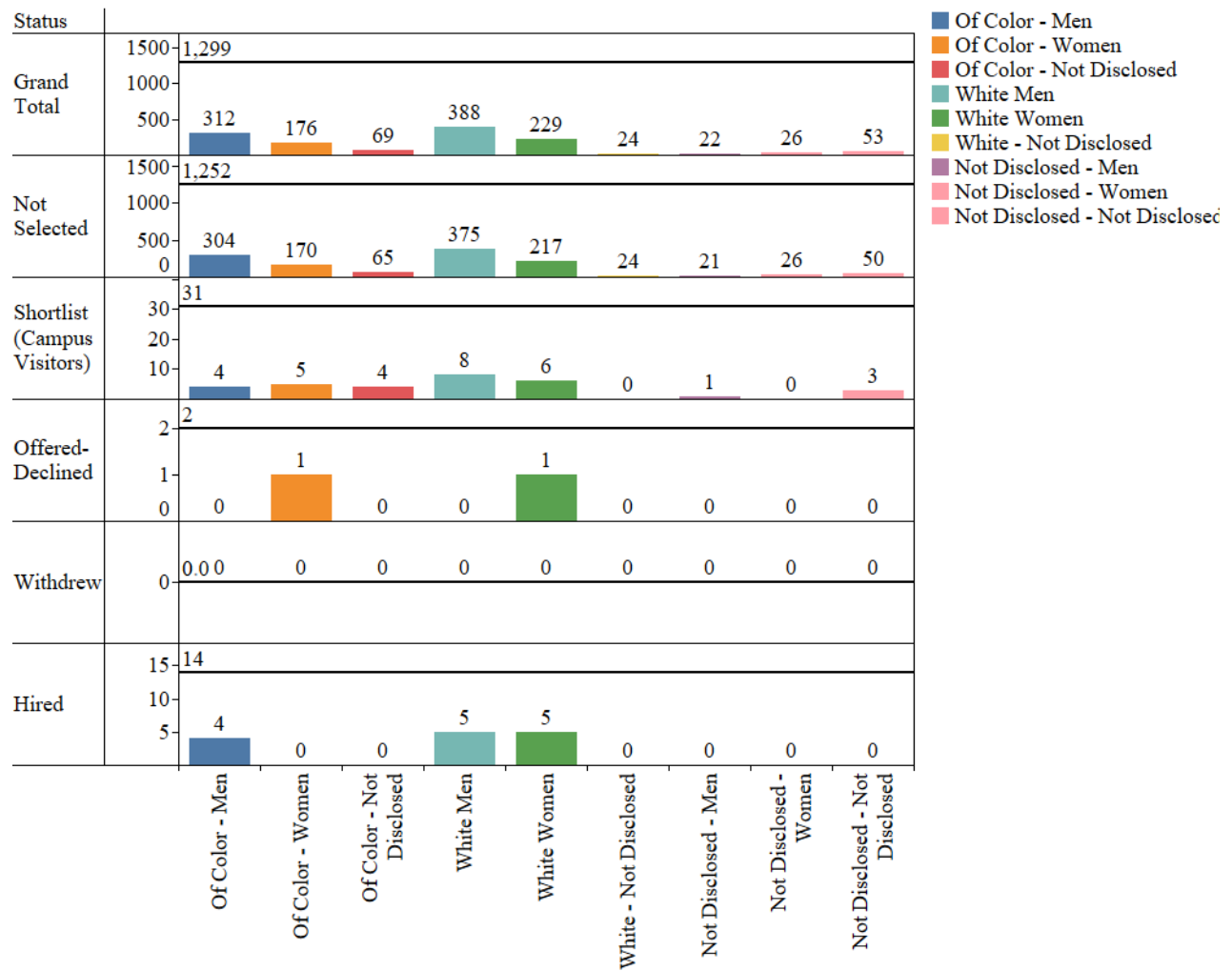| Status	Of Color - Men	Of Color - Women	Of Color - Not Disclosed	White Men	White Women	White - Not Disclosed	Not Disclosed - Men	Not Disclosed - Women	Not Disclosed - Not Disclosed
Grand Total (1,299)	312	176	69	388	229	24	22	26	53
Not Selected (1,252)	304	170	65	375	217	24	21	26	50
Shortlist (Campus Visitors) (31)	4	5	4	8	6	0	1	0	3
Offered-Declined (2)	0	1	0	0	1	0	0	0	0
Withdrew (0)	0.0	0	0	0	0	0	0	0	0
Hired (14)	4	0	0	5	5	0	0	0	0

Fig. 5 (new this year): Tenure-stream Applicants 2018-2019

*Constant lines represent the total number of applicants at each hiring stage. The grand total breakdown of applicants by race and gender at the top of this figure are represented by 'Grand Total'.

Composition of the Faculty

The composition of the faculty presented in this report includes a "snapshot" of the makeup of the faculty on September 1, 2019. It also includes longitudinal information collected from every affirmative action report presented to the faculty since 1974. The composition of the faculty illustrates Colgate's representation of women and racial/ethnic minorities within each division or department.[2]   It also depicts demographic trends that signal the existence of barriers to equal employment opportunity within the institution. Work must be done to identify problem areas in hiring, promotion, and/or retention and efforts to eliminate barriers must be made.

Terminology used in this report includes 'tenure-stream', 'non-tenure-stream', 'tenure-track', and 'tenured'. Visiting professors, term appointments, and lecturers are included in the non-tenure-stream category. Assistant, associate, and full professors are included in the tenure-stream category. Within the tenure-stream designation, this report also distinguishes between tenured and tenure-track faculty. Associate and full professors are included in the tenured category, whereas assistant professors compose the tenure-track category.

This report also uses availability statistics from the Survey of Earned Doctorates (SED). The Survey of Earned Doctorates (SED) is an annual census conducted since 1957 of all individuals receiving a research doctorate from an accredited U.S. institution in a given academic year. This report uses data from the 2018 survey. The population for the 2018 SED consists of all individuals receiving a research doctorate from a U.S. academic institution in the 12-month period beginning July 1, 2017 and ending June 30, 2018. The survey reports the field of each degree earned (N=334 fields). Information from SED has been tailored to reflect the fields taught within our curriculum. For example, while SED reports on a total of 334 fields, Colgate utilizes only 143 of those fields; demographic comparisons are made only to that smaller number.

The availability statistics from SED is used in comparison to the composition of the faculty in order to identify where individuals from historically underrepresented groups (gender, race, and ethnicity) are not represented in proportion to availability reported in SED. This is underutilization analysis. The comparison between SED and the current composition of the faculty is only an approximation due to some inherent limitations. First, individuals who participated in searches from September 1, 2018 to August 30, 2019 may not have earned a research doctorate in 2018. In addition, SEDS does not include individuals who received research doctorate degrees outside the United States. Second, the 2018 SEDS data is compared against the total population of Colgate's tenure-stream faculty who, in large part, did not earn their research doctorates in 2018. While imprecise, this is the analysis adopted by the faculty through the years in an effort to produce underutilization analysis that truly reflects our university. Third, SED reports availability statistics by race and ethnicity for U.S. citizens and permanent residents only. It does not include individuals with a Non-Immigrant (NI) Alien visa status who earned a research doctorate in the U.S. (in 2018 or otherwise). However, individuals with the NI Alien visa status are present in our applicant pools, hires, and current faculty.

In an effort to make possible a more meaningful comparison between data from SED and data on our faculty the university created an "international faculty" designation. The university began assigning individuals into this category in the mid- to late-2000's. The university did not officially define this term; rather, historically any faculty member holding the Nonresident Alien (NR) immigration status *at the time of hire* would be included in this category.   This posed a number of problems. For example, while a faculty member's immigration status might change over their time at Colgate, their designation as "international faculty" would not change. Without an official definition of "international faculty", coupled with the fact that various people produced AA reports since the mid- to late-2000's, it is unclear whether we were consistently applying the category we designed. As a federal subcontractor, if we add a category like "international faculty" to our affirmative action reports, we must provide justification for the addition of the category, and ensure individuals are accurately (and consistently) included within the category as we have defined it. The Faculty Affirmative Action Oversight Committee, in collaboration with other relevant parties, will work to define a more useful understanding of the "international faculty" category in the future. In the meantime, for the purposes of this report, Colgate has deferred to the practices of the regulatory agency responsible for the oversight of federally mandated affirmative action plans (the OFCCP). That agency uses the Integrated Postsecondary Education Data System (hereafter, "IPEDS") as the basis for categorizing various aspects of a subcontractor's labor force. The Integrated Postsecondary Education Data System

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[2] In the future, as we improve the accuracy of our records of self-reported veterans and individuals with disabilities, both veteran and disability analysis will be included in this report.

(IPEDS) is a system of interrelated surveys conducted annually, which gathers information from every college, university, and technical and vocational institution in the United States and other jurisdictions (such as Puerto Rico) that participate in the federal student financial aid programs. IPEDS requires institutions to report employees' NR alien visa status at the time of reporting (not at the time of hire). Since IPEDS will be used by the OFCCP, this year's annual report uses this standard. Hence, in the information presented below, "international faculty" covers only those Colgate faculty whose immigration status was NR at the time of AA reporting (9/1/2019).

Each year we are required to compare our current workforce to the pools of in-principle-available workers—this is called 'underutilization analysis'. The availability statistics from SED are used to characterize the pool of in-principle-available workers.   We analyze our current workforce to learn our utilization of women, people of color, veterans, and individuals with disabilities. We then compare utilization to availability for various demographic categories, following formulas provided by the OFCCP. When considering women and people of color, when our utilization is less than availability by at least one whole person, this is counted as underutilization. (The 'whole person' test recognizes the difference between utilization and availability must be at least one whole person in order to warrant a finding of underutilization, because you cannot hire less than a whole person (even though you could hire one whole person to fill a part-time position, the whole person counts in our utilization numbers).) For veterans and individuals with disabilities, therefore, the availability percentages are prescribed by the OFCCP: veterans make up 5.9% of the available workforce and individuals with disabilities, make up 7%.   When our utilization is less than 5.9% for veterans and 7% for individuals with disabilities, underutilization exists. In this report you will find underutilization findings for women, people of color, veterans, and individuals with disabilities. It is important to remember, a finding of underutilization in this technical sense does not mean we know why underutilization occurred. In particular, it doesn't mean that discrimination is the cause of the underutilization. (For example, it is possible that the availability of veterans with doctoral degrees is significantly less than 5.9%.) But it does mean we face some new obligations.

<h1 style="text-align:center">Composition of the Faculty: Academic Year 2019-2020</h1>

Tenure-Stream Faculty:
- The total number of tenure-track and tenured faculty (including international faculty) for the academic year 2019-2020 is 269.
- The gender breakdown of the tenure-track and tenured faculty is:
    - Women constitute 45.5 % (36 women out of 79 for Assistant Professors) of all tenure-track faculty, and 41.05% (78 women out of 190 Associate and Full Professors) of the tenured faculty.
    - The availability statistics in the 2018 Survey of Earned Doctorates (SED) shows that women earned 48% of the Ph.D.'s in the fields that are comparable to the components of our curriculum.
- The tenure-stream faculty by race is:
    - ***Including International Faculty***: Faculty of color (including international faculty of color) constitute 34.20% (27 faculty of color out of 79 Assistant Professors) of all tenure-track faculty. Faculty of color (including international faculty of color) constitute 21.05% (40 of color out of 190 Associate and Full Professors) of all tenured faculty.
        - The international faculty of color represents 2.6 % (7/269) of the total population of all tenure-track and tenured faculty of color at Colgate.
    - ***Excluding International Faculty***: Faculty of color (excluding international faculty of color) constitute 31.51% of all tenure-track (23 of color out of 73 Assistant Professors) faculty members. Faculty of color constitute (excluding international faculty of color) 21.16% of all tenured faculty (40 of color out of 189 Associate and Full Professors).
        - The availability statistics in the 2018 Survey of Earned Doctorates (SED) shows that in 2018 Ph.D.'s earned by U.S. citizens or permanent residents also self-identifying as a person of color represented 25.2% of all Ph.D.'s earned by U.S. citizens or permanent residents in the fields that are comparable to the components of our curriculum.

Fig. 6: Tenured and Tenure-Track Faculty Breakdown by Rank (Including International Faculty) 2019-2020

Fig. 7: Tenured and Tenure-Track Faculty Breakdown by Rank (excluding International Faculty) 2019-2020

Fig. 8: Non-Tenure-stream Faculty – Visiting Assistant Professors & Instructors (including International Faculty) 2019-2020

This year's annual report includes multi-year (longitudinal) data to illustrate the presence or absence of progress toward addressing underutilization over time and indicate how individuals from specific social identities are represented relative to other identities.
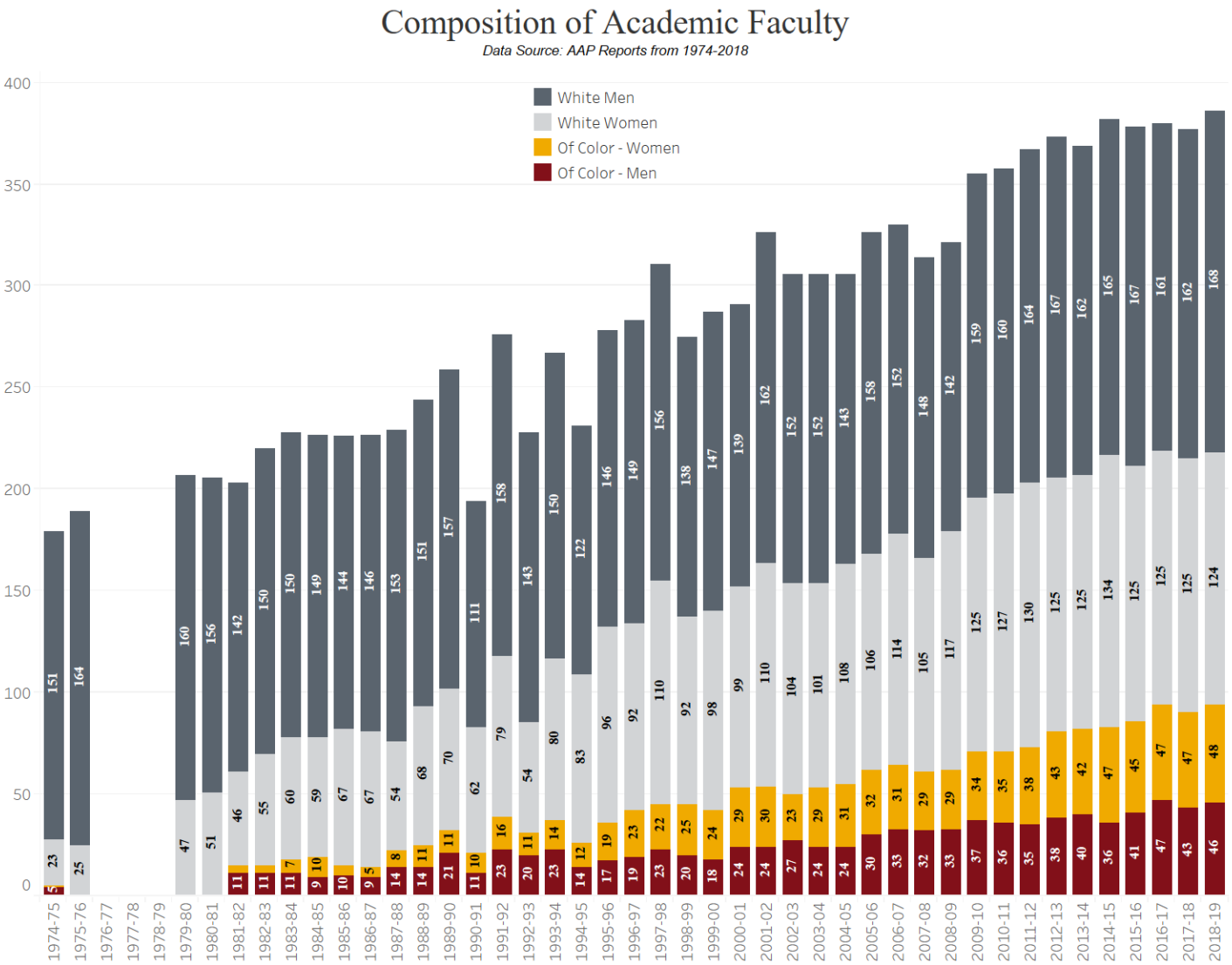
Fig. 9a (new this year): Composition of Academic Faculty by number (1974 – 2018)

Composition of Academic Faculty: 1974 - 2018

Legend: White Men, White Women, Of Color - Men, Of Color - Women
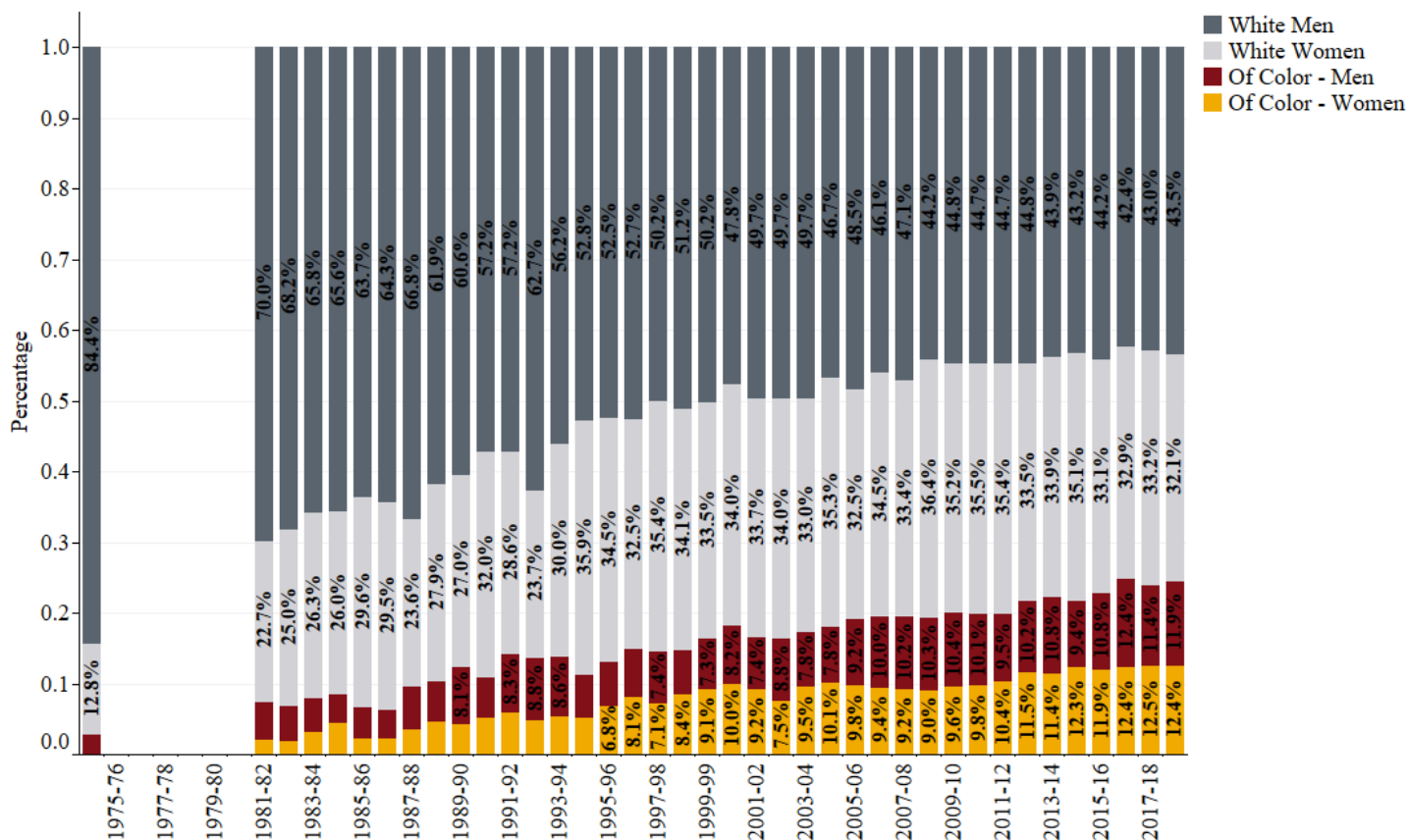
Fig. 9b (new this year): Composition of Academic Faculty by percentage (1974 – 2018)

Figure 10 gives the distribution of female faculty across the academic divisions. Figure 11 gives the distribution of faculty of color across the academic divisions, and also identifies the count of domestic and international faculty of color. Figure

21

12 trends tenure-stream white women and women of color over a seventeen-year period from academic years 2003-2020. Figure 13 trends tenure-stream white men and men of color over a seventeen-year period from academic years 2003-2020. Figure 14 trends tenure-stream faculty of color (men and women) over a seventeen-year period from academic years 2003-2020.
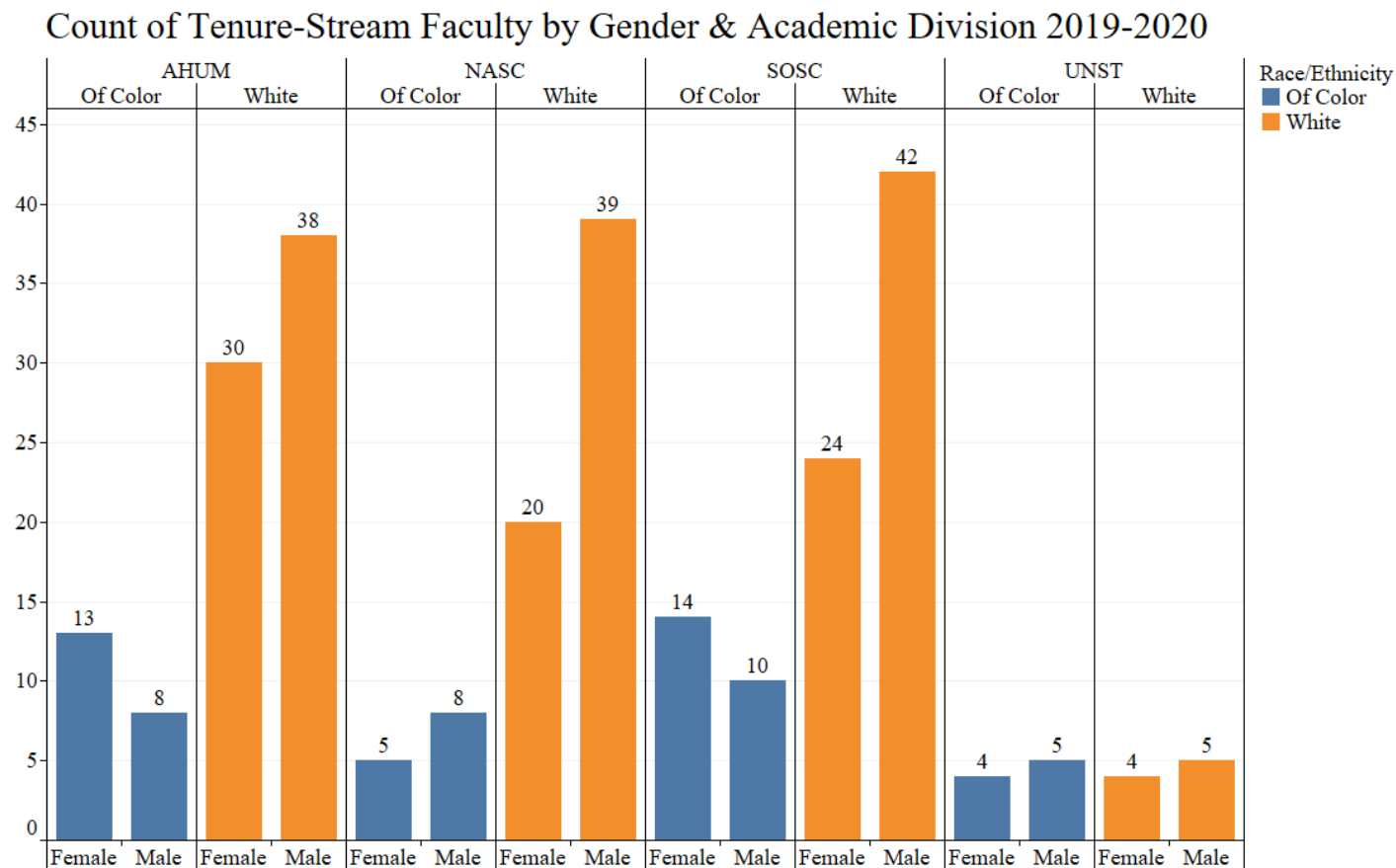
Fig. 10: Count of Tenure-Stream Faculty by Gender and Academic Division 2019-2020

Count of Tenure-Stream Faculty of Color (including International) by Academic Division 2019-2020
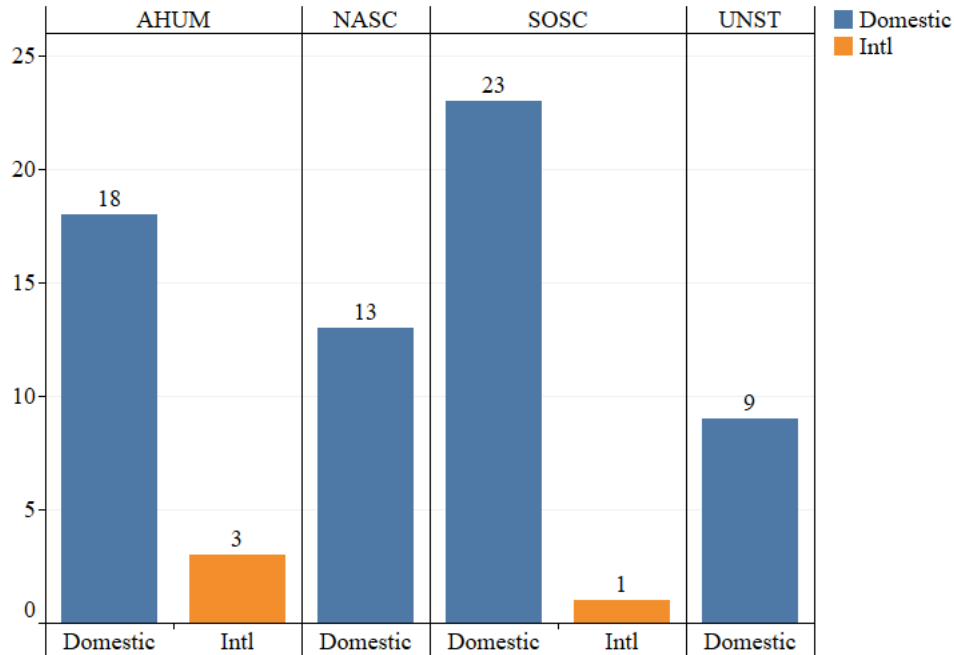
Fig. 11: Count of Tenure-Stream Faculty of Color (including international) by Academic Division 2019-2020

2003-2020 Tenured & Tenure-Track Faculty % White Women & Women of Color
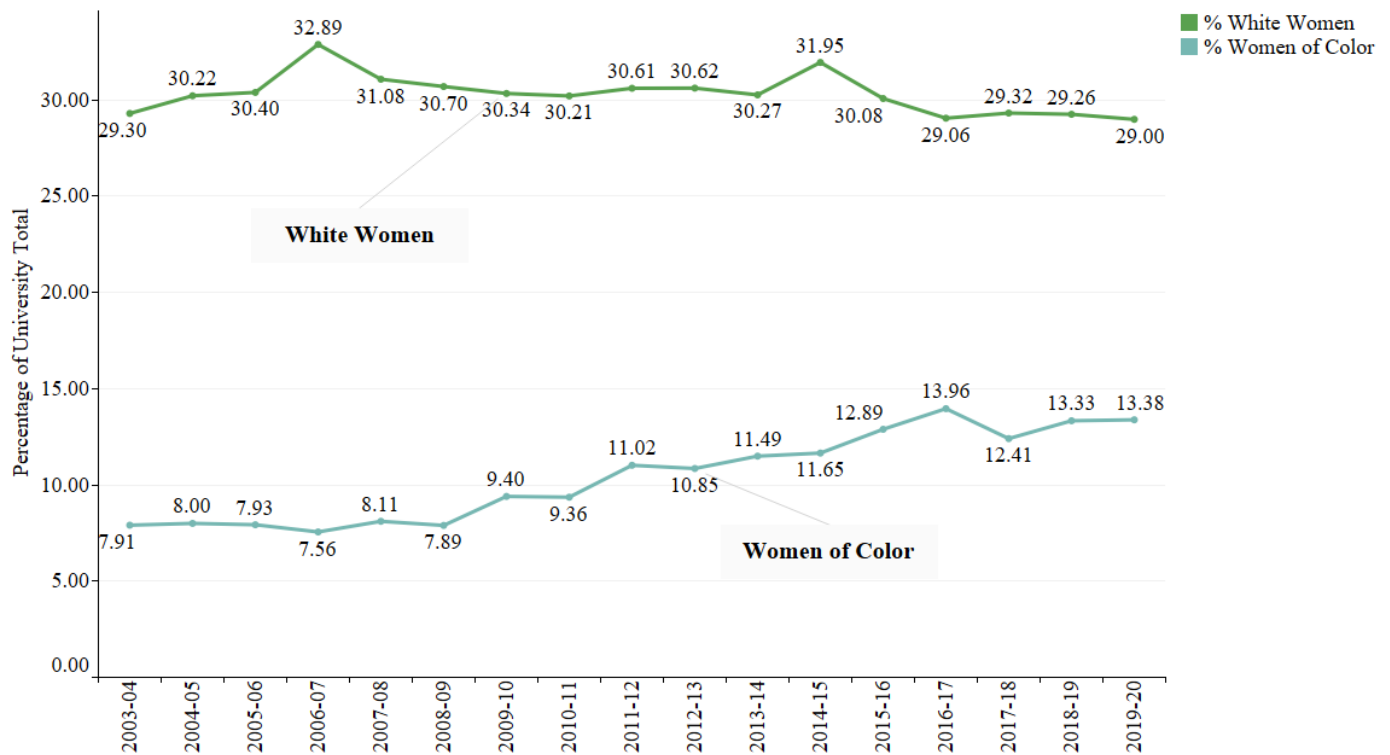
Figure 12: Academic years 2003-2020 Tenured & Tenure-Track Faculty % White Women and Women of Color

2003-2020 Tenured & Tenure-Track Faculty % White Men & Men of Color
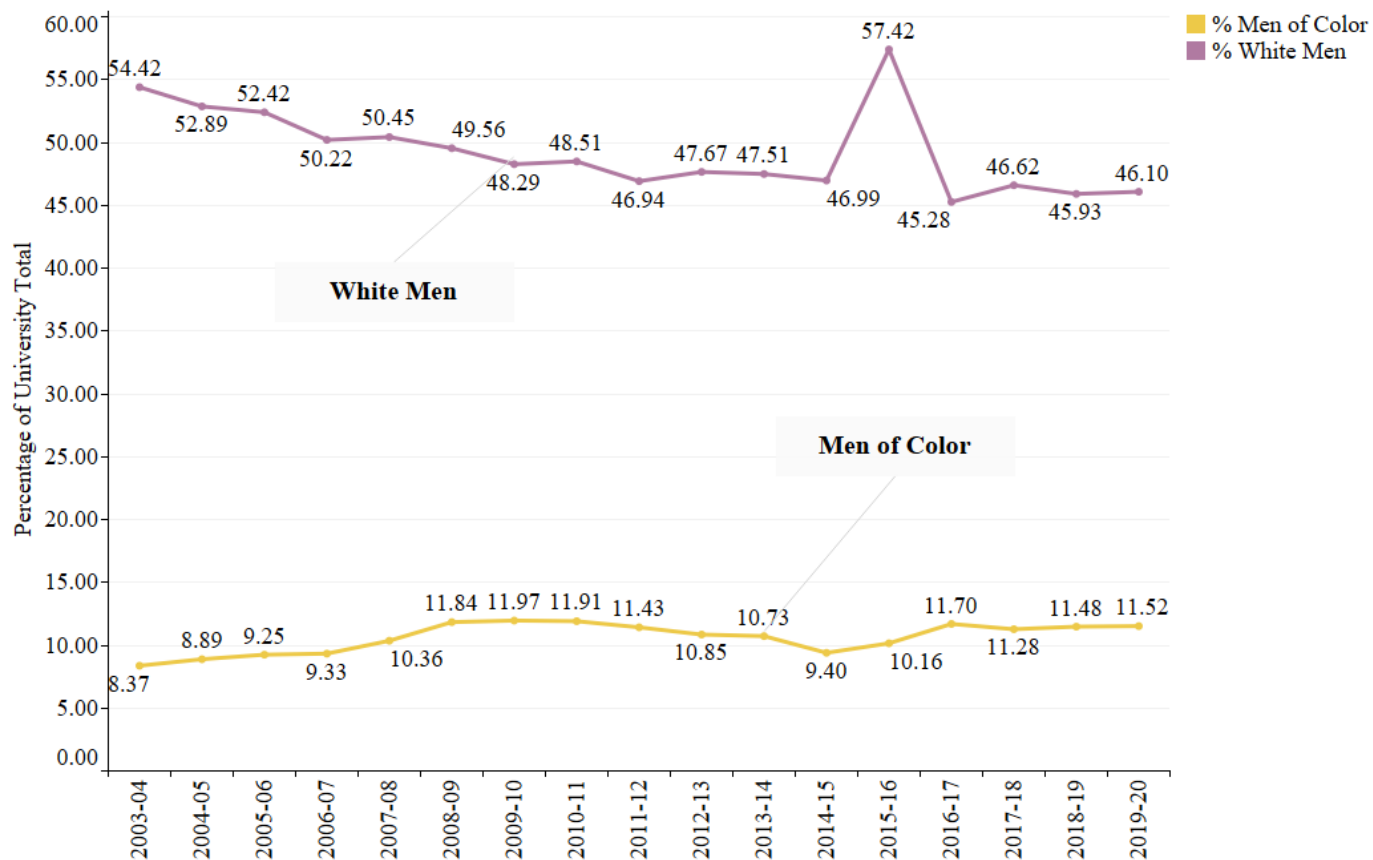
Figure 13: Academic years 2003-2020 Tenured & Tenure-Track Faculty % White Men and Men of Color

2003-2020 Tenured & Tenure-Track Faculty % All Faculty Of Color

Legend: % Men of Color, % Women of Color
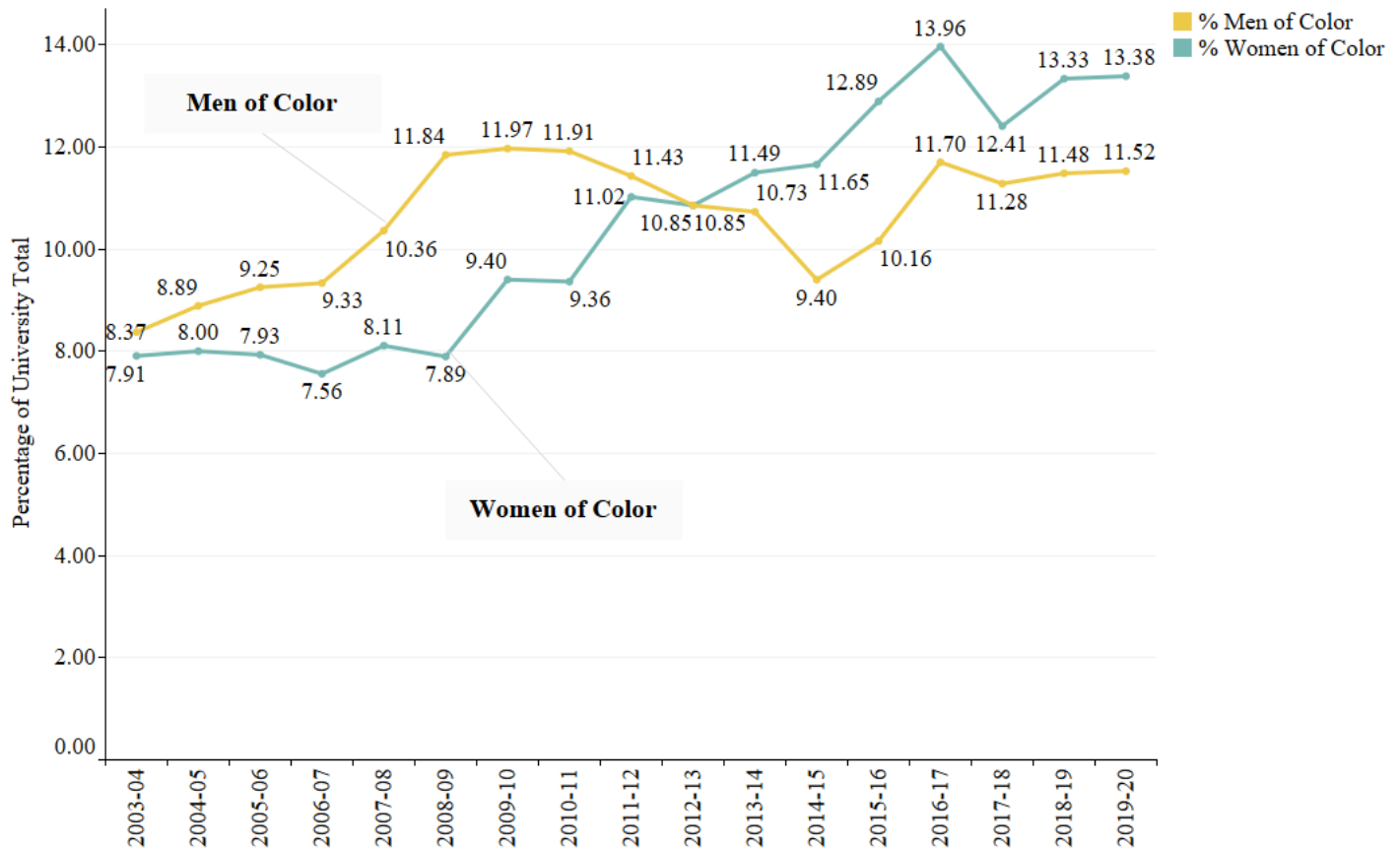
Figure 14: Academic years 2003-2020 Tenured & Tenure-Track Faculty % All Faculty Of Color

All Full-time Faculty (tenure-stream, academic non-tenure-stream and term, athletic, and library):
The total number of full-time faculty for the academic year 2019/20 is 435.
- The gender and racial breakdown for all full-time faculty are:
  - *Gender*: 199 females and 236 males. Women constitute 45.75% of all full-time faculty members.
    - Women in Humanities: 51.67%
    - Women in Natural Sciences & Mathematics: 42.06 %
    - Women in Social Sciences: 45.13%
    - Women in University Studies: 41.03%
    - Women in Athletics: 39.02%
    - Women in Library: 60.0%
  - *Race*: 93 full-time faculty of color. Faculty of color constitutes 21.38% of all full-time faculty members.
    - Of color in Humanities: 21.67%
    - Of color in Natural Sciences & Math: 16.82%
    - Of color in Social Sciences: 27.43%
    - Of color in University Studies: 30.77%
    - Of color in Athletics: 9.76%
    - Of color in Library: 13.3%

- Explanation of Full-Time Faculty Figures that follow:
  - Figure 15 illustrates the gender distribution of all full-time faculty members by university division.
  - Figure 16 illustrates the distribution of faculty of color by university division.

25

- o Figure 17 trends all full-time white women and women of color faculty over a seventeen-year period from 2003-2020.
- o Figure 18 trends all full-time white men and men of color faculty over a seventeen-year period from 2003-2020.
- o Figure 19 trends all full-time faculty of color (men and women) over a seventeen-year period from 2003-2020.

Figure 15: Gender Distribution of all Full-time Faculty by Division 2019-2020

Percentage of all Full-time Faculty: Race/Ethnicity by Division (incl. international) 2019-2020
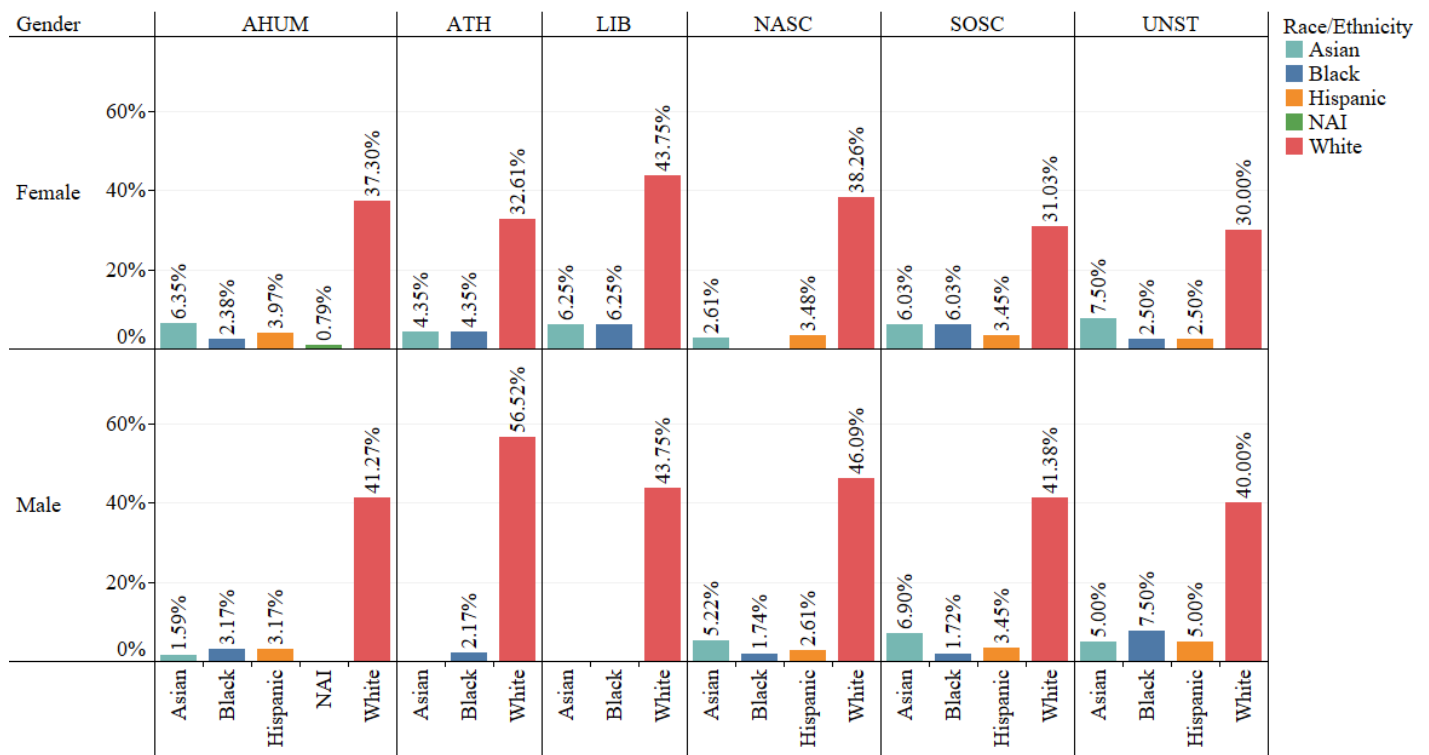
Figure 16: Percentage of all Full-Time Faculty: Race/Ethnicity by Division (incl. international) 2019-2020

Full-time Academic, Athletic, Library Faculty % White Women & Women of Color

Legend:
- % White Women
- % Women Of Color

% White Women values: 33.88 (2004-05), 31.43 (2005-06), 32.30 (2006-07), 32.49 (2007-08), 32.81 (2008-09), 32.33 (2009-10), 32.15 (2010-11), 32.85 (2011-12), 31.83 (2012-13), 33.17 (2013-14), 32.96 (2014-15), 32.59 (2015-16), 31.95 (2016-17), 34.27 (2017-18), 32.32 (2018-19), 34.02 (2019-20)

% Women of Color values: 6.51, 6.98, 7.45, 7.57, 7.81, 7.85, 8.55, 9.80, 10.14, 10.64, 10.80, 11.36, 12.68, 11.03, 12.41, 11.72

Y-axis: Percentage of University Total
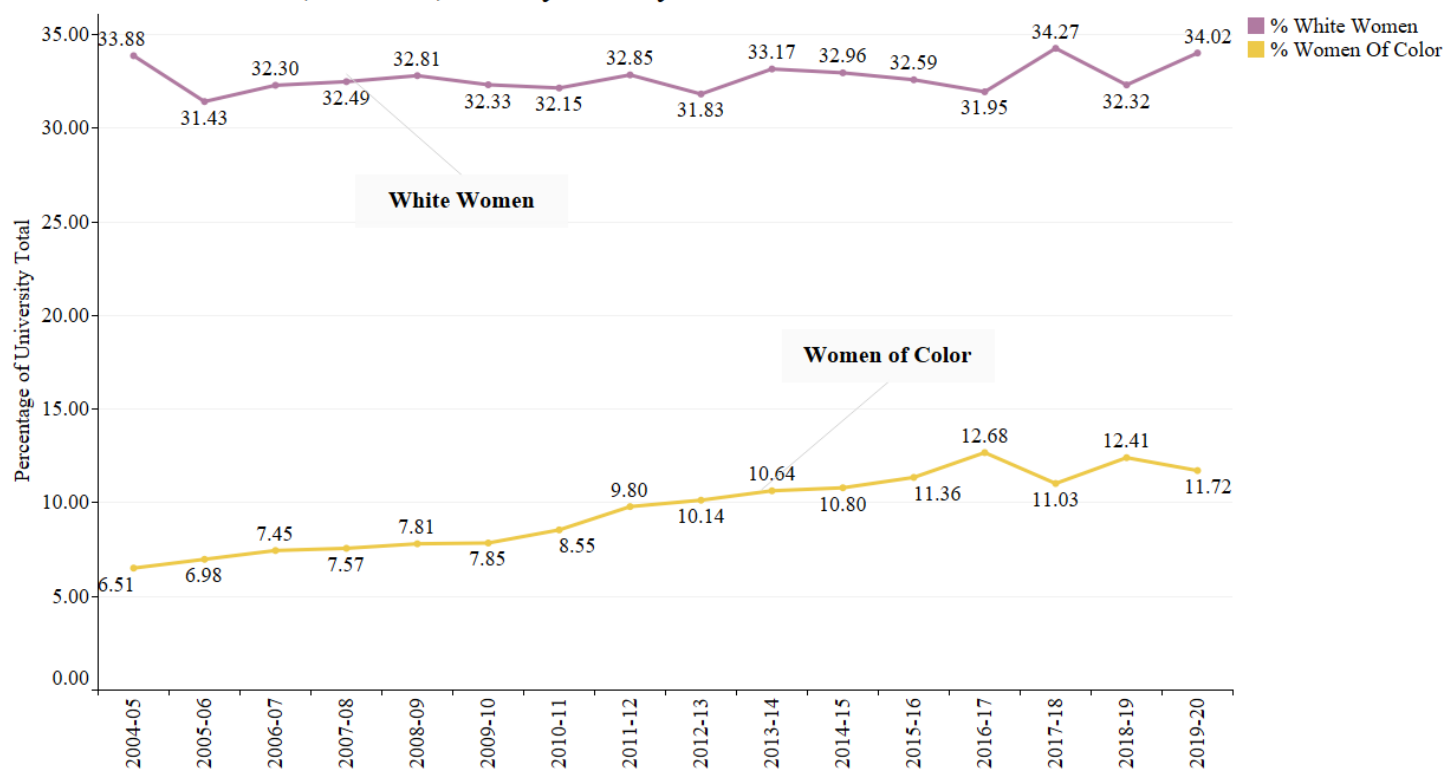
Figure 17: Full-Time Academic, Athletic, Library Faculty % White Women and Women of Color

Full-time Academic, Athletic, Library Faculty % White Men & Men Of Color

Legend:
- % Men Of Color
- % White Men

% White Men values: 52.12, 52.70, 50.31, 49.84, 49.38, 49.55, 48.67, 47.84, 48.45, 50.99, 47.09, 46.42, 44.15, 44.60, 43.56, 44.60

% Men Of Color values: 7.49, 8.89, 9.94, 10.09, 10.00, 10.27, 10.62, 9.51, 9.58, 9.65, 9.14, 9.63, 11.22, 10.09, 11.71, 9.66

Y-axis: Percentage of University Total
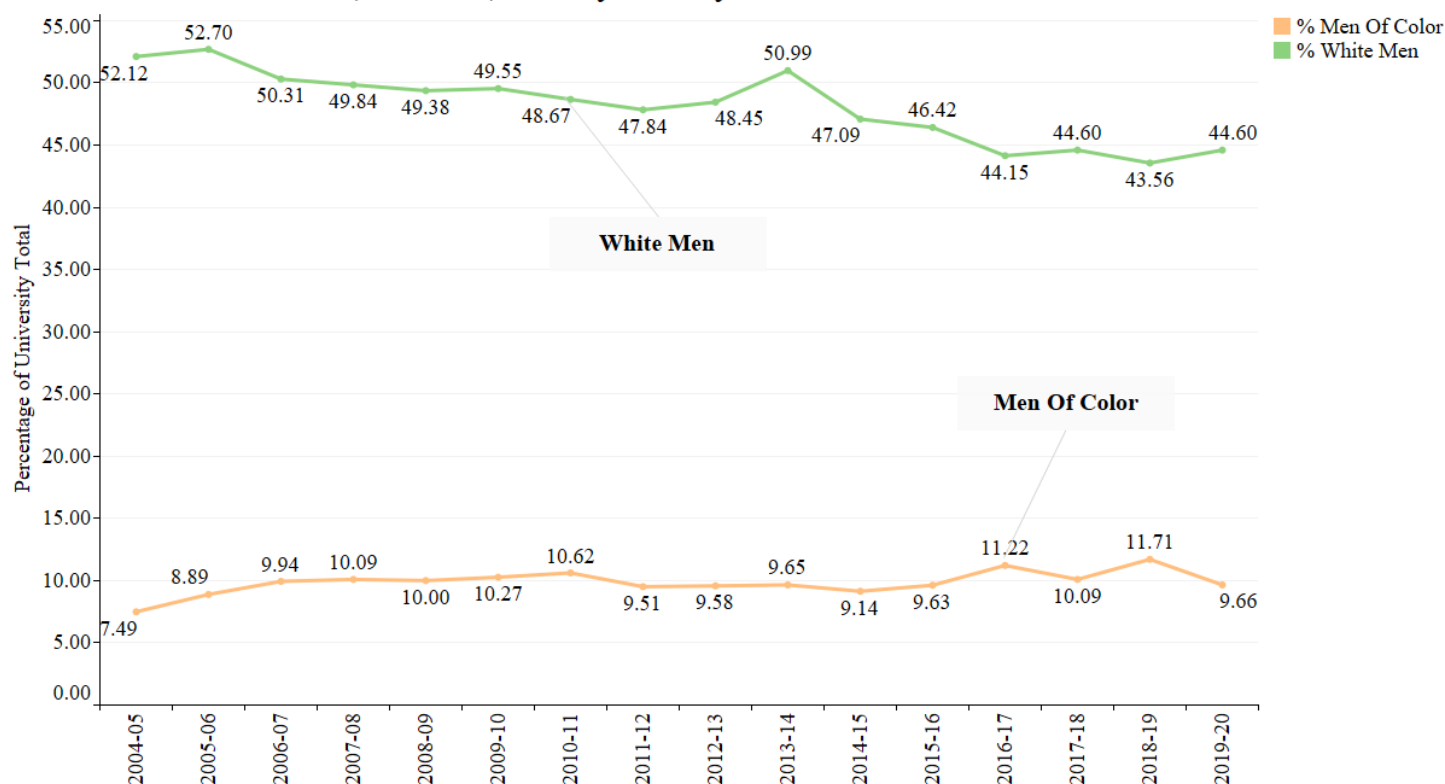
Figure 18: Full-Time Academic, Athletic, Library Faculty % White Men and Men of Color

Full-Time Academic, Athletic, Library Faculty % All Faculty of Color
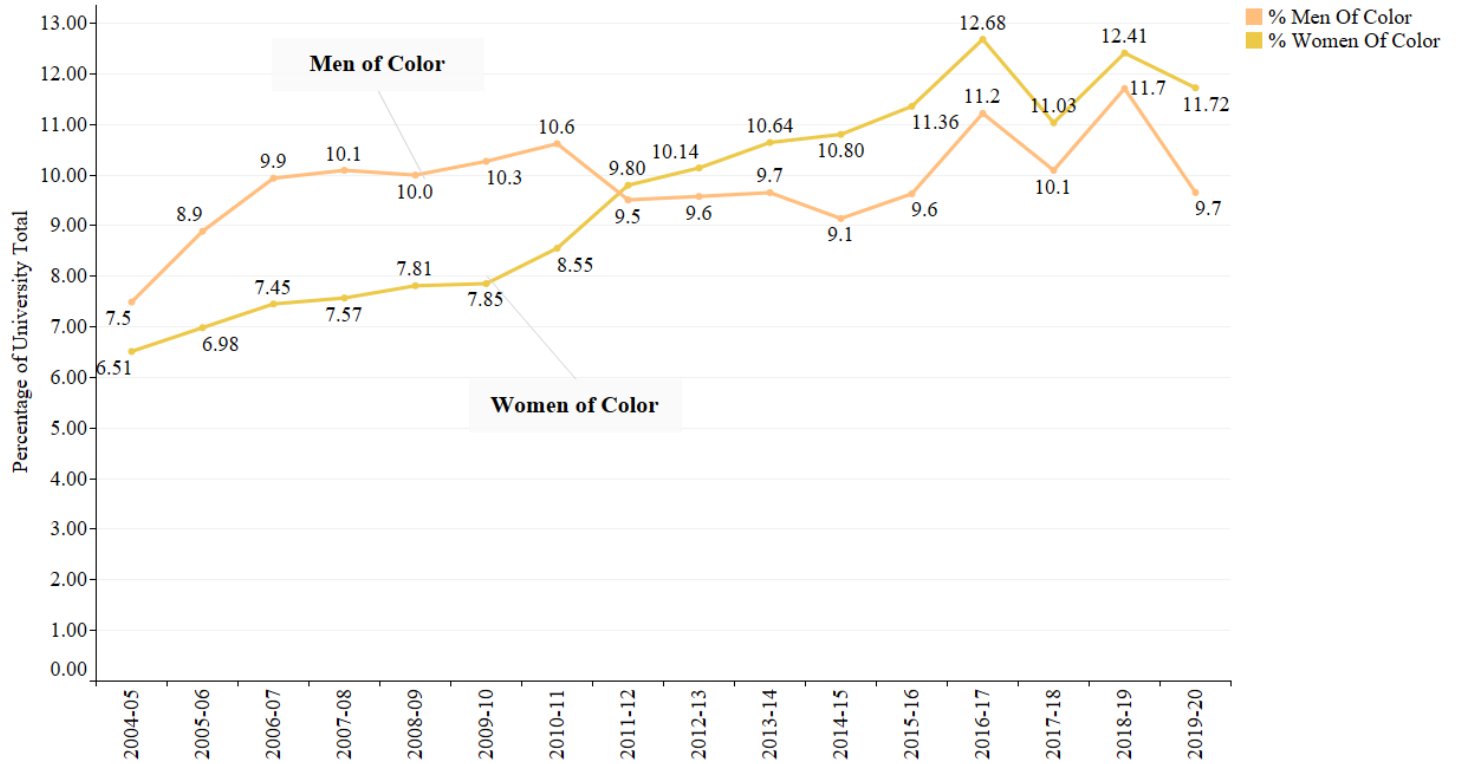
Figure 19: Full-Time Academic, Athletic, Library Faculty % Faculty Of Color

As noted above, each year we are required to analyze and compare our current workforce and the pools of in-principle-available workers. Tables 1, 2, and 3 below report underutilization findings for women and people of color by division and department.

For veterans and individuals with disabilities our utilization is less than 5.9% and 7% respectively. As a result, we have underutilization in all academic faculty categories (tenure-stream and nontenure-stream). Our data on the number of veterans and individuals with disabilities in our workforce must improve. Improving the accuracy of our data could have a substantial impact on our utilization analysis for veterans and individuals with disabilities. Again, it is important to note, a finding of underutilization does not mean we know why underutilization occurred. In particular, it doesn't mean that discrimination is the cause of the underutilization.

Table 1: Utilization by Gender within the Tenure-Stream

Division/Dept.	Actual Number			Availability (derived from 2018 SEDS data)			Underutilization	
	Total # (all faculty)	Women	% Women	Total #	Total Women	% Women	Underutil	# to Gain
DIVISION OF NATURAL SCIENCES & MATHEMATICS	**75**	**27**	**36.0%**	*21,467*	*9,608*	**44.8%**		
BIOLOGY	**16**	**6**	37.5%	6,158	3,185	51.7%	Yes	1
CHEMISTRY	**9**	**2**	22.2%	3,489	1,427	40.9%	Yes	1
COMPUTER SCIENCE	**7**	**1**	14.3%	1,882	386	20.5%		
GEOLOGY	**5**	**3**	60.0%	847	374	44.2%		
MATHEMATICS	**14**	**4**	28.6%	2,026	548	27.0%		
PHYSICS & ASTRONOMY	**8**	**2**	25.0%	2,340	525	22.4%		
PSYCHOLOGY and BRAIN SCIENCES	**16**	**9**	56.3%	4,725	3,163	66.9%	Yes	1
DIVISION OF SOCIAL SCIENCES	91	40	44.0%	*7,439*	*4,129*	55.5%		
ECONOMICS	**20**	**6**	30.0%	1,247	397	31.8%		
EDUCATIONAL STUDIES	**9**	**7**	77.8%	2,514	1,822	72.5%		
GEOGRAPHY	**9**	**3**	33.3%	504	268	53.2%	Yes	1
HISTORY	**16**	**5**	31.3%	948	435	45.9%	Yes	2
POLITICAL SCIENCE	**19**	**7**	36.8%	1,133	490	43.2%	Yes	1
SOCIOLOGY & ANTHROPOLOGY	**18**	**12**	66.7%	1,093	717	65.6%		
DIVISION OF HUMANITIES	93	43	46.2%	*3,166*	*1,564*	49.4%		
ART & ART HISTORY	**13**	**10**	76.9%	220	169	76.8%		
CLASSICS	**6**	**2**	33.3%	94	46	48.9%		
ENGLISH	**19**	**11**	57.9%	772	458	59.3%		
THEATER	**4**	**1**	25.0%	113	76	67.3%	Yes	1
GERMAN	**3**	**1**	33.3%	62	33	53.2%		
MUSIC	**8**	**2**	25.0%	359	142	39.6%	Yes	1
EALL, REST	**9**	**4**	44.4%	248	149	60.1%	Yes	1
PHILOSOPHY	**11**	**3**	27.3%	514	145	28.2%		
RELIGION	**8**	**4**	50.0%	477	158	33.1%		
ROMANCE LANGUAGES	**12**	**5**	41.7%	307	188	61.2%	Yes	1
DIVISION OF UNIVERSITY STUDIES	9	6	66.7%	*421*	*257*	61.0%		
WRITING & RHETORIC	4	**2**	50.0%	283	176	62.2%		
WMST	1	**1**	0.0%	48	43	89.6%		
FILM & MEDIA STUDIES	4	**3**	75.0%	90	38	42.2%		
PCON	3	**1**	33.3%	N/A	N/A			
ENST	3	**2**	66.7%	N/A	N/A			
LGBTQ	2	**0**	0.0%	N/A	N/A			

Table 2a: Utilization by Race and Ethnicity Within the Tenure-Stream

Tenure-Stream and Tenured Faculty of Color (Excluding International*) by Department: 2019-2020 Actual Number vs. 2018 Projected Availability								
Division/Dept.	**Actual Number (excludes international*)**			**Availability (derived from 2018 SEDS data)**			**Underutilization**	
	Total # (all faculty)	# of Color	%	Total #	Total of Color	%	Underutil	# to Gain
DIVISION OF NATURAL SCIENCES & MATHEMATICS	**75**	**10**	**13.3%**	*14,174*	*3,610*	**25.5%**	**Yes**	
BIOLOGY	16	4	25.0%	4,430	1,227	27.7%		
CHEMISTRY	9	0	0.0%	2,253	549	24.4%	Yes	2
COMPUTER SCIENCE	7	1	14.3%	673	197	29.3%	Yes	1
GEOLOGY	5	0	0.0%	546	85	15.6%		
MATHEMATICS	14	4	28.6%	996	234	23.5%		
PHYSICS & ASTRONOMY	8	1	12.5%	1,300	253	19.5%		
PSYCHOLOGY AND BRAIN SCIENCES	16	3	18.8%	3,976	1,065	26.8%	Yes	1
DIVISION OF SOCIAL SCIENCES	**90**	**24**	**26.7%**	*5,473*	*1,478*	**27.0%**		
ECONOMICS	19	5	26.3%	484	131	27.1%		
EDUCATIONAL STUDIES	9	4	44.4%	2,101	585	27.8%		
GEOGRAPHY	10	2	20.0%	353	108	30.6%	Yes	1
HISTORY	16	5	31.3%	800	162	20.3%		
POLITICAL SCIENCE	18	3	16.7%	844	227	26.9%	Yes	1
SOCIOLOGY & ANTHROPOLOGY	18	5	27.8%	891	265	29.7%		
DIVISION OF HUMANITIES	**88**	**19**	**21.6%**	*2,542*	*523*	**20.6%**		
ART & ART HISTORY	12	3	25.0%	183	37	20.2%		
CLASSICS	6	0	0.0%	80	12	15.0%		
ENGLISH	18	2	11.1%	706	121	17.1%	Yes	1
THEATER	4	2	50.0%	91	19	20.9%		
GERMAN	3	0	0.0%	43	4	9.3%		
MUSIC	8	1	12.5%	273	50	18.3%		
EALL	5	2	40.0%	143	47	32.9%		
REST	3	0	0.0%					
PHILOSOPHY	10	2	20.0%	399	50	12.5%		
RELIGION	8	3	37.5%	404	94	23.3%		
ROMANCE LANGUAGES	11	4	36.4%	220	89	40.5%		
DIVISION OF UNIVERSITY STUDIES	**16**	**8**	**50.0%**	*378*	*83*	**22.0%**		
WRITING & RHETORIC	4	2	50.0%	263	52	19.8%		
WMST	1	1	100.0%	41	11	26.8%		
FILM & MEDIA STUDIES	3	1	33.3%	74	20	27.0%		
PCON	3	1	33.3%	N/A	N/A			
ENST	3	2	66.7%	N/A	N/A			
LGBTQ	2	1	50.0%	N/A	N/A			

*For racial and ethnic groups, the SED provides the number of doctorates awarded in 2018 to U.S citizens who were members of racial/ethnic groups. The current workforce is a "snapshot" of the makeup of the faculty on September 1, 2019. The citizenship status of the faculty reflects citizenship as of 9/1/2019 rather than at the time the degree was awarded. Consistent with IPEDS reporting, only individuals with a status of "nonresident alien" receive an international designation and removed from this analysis (n=7).

Table 2b: Utilization by Race and Ethnicity Within the Tenure-Stream

Tenure-Stream and Tenured Faculty of Color (IncludesInternational*) by Department: 2019-2020 Actual Number vs. 2018 Projected Availability

Division/Dept.	Actual Number (includes international*)			Availability (derived from 2018 SEDS data)			Underutilization	
	Total # (all faculty)	# of Color	%	Total #	Total of Color	%	Underutil	# to Gain
DIVISION OF NATURAL SCIENCES & MATHEMATICS	**75**	**13**	**17.3%**	*14,174*	*3,610*	**25.5%**	**Yes**	
BIOLOGY	16	4	25.0%	4,430	1,227	27.7%		
CHEMISTRY	9	0	0.0%	2,253	549	24.4%	Yes	2
COMPUTER SCIENCE	7	1	14.3%	673	197	29.3%	Yes	1
GEOLOGY	5	0	0.0%	546	85	15.6%		
MATHEMATICS	14	4	28.6%	996	234	23.5%		
PHYSICS & ASTRONOMY	8	1	12.5%	1,300	253	19.5%		
PSYCHOLOGY AND BRAIN SCIENCES	16	3	18.8%	3,976	1,065	26.8%	Yes	1
DIVISION OF SOCIAL SCIENCES	**91**	**24**	**26.4%**	*5,473*	*1,478*	**27.0%**		
ECONOMICS	20	5	25.0%	484	131	27.1%		
EDUCATIONAL STUDIES	9	4	44.4%	2,101	585	27.8%		
GEOGRAPHY	9	1	11.1%	353	108	30.6%	Yes	1
HISTORY	16	5	31.3%	800	162	20.3%		
POLITICAL SCIENCE	19	4	21.1%	844	227	26.9%	Yes	1
SOCIOLOGY & ANTHROPOLOGY	18	5	27.8%	891	265	29.7%		
DIVISION OF HUMANITIES	**93**	**23**	**24.7%**	*2,542*	*523*	**20.6%**		
ART & ART HISTORY	13	4	30.8%	183	37	20.2%		
CLASSICS	6	0	0.0%	80	12	15.0%		
ENGLISH	19	3	15.8%	706	121	17.1%		
THEATER	4	2	50.0%	91	19	20.9%		
GERMAN	3	0	0.0%	43	4	9.3%		
MUSIC	8	1	12.5%	273	50	18.3%		
EALL	6	3	50.0%	143	47	32.9%		
REST	3	0	0.0%					
PHILOSOPHY	11	2	18.2%	399	50	12.5%		
RELIGION	8	3	37.5%	404	94	23.3%		
ROMANCE LANGUAGES	12	5	41.7%	220	89	40.5%		
DIVISION OF UNIVERSITY STUDIES	**17**	**8**	**47.1%**	*378*	*83*	**22.0%**		
WRITING & RHETORIC	4	2	50.0%	263	52	19.8%		
WMST	1	1	100.0%	41	11	26.8%		
FILM & MEDIA STUDIES	4	1	25.0%	74	20	27.0%		
PCON	3	1	33.3%	N/A	N/A			
ENST	3	2	66.7%	N/A	N/A			
LGBTQ	2	1	50.0%	N/A	N/A			

*For racial and ethnic groups, the SED provides the number of doctorates awarded in 2018 to U.S citizens who were members of racial/ethnic groups. The current workforce is a "snapshot" of the makeup of the faculty on September 1, 2019. The citizenship status of the faculty reflects citizenship as of 9/1/2019 rather than at the time the degree was awarded. Consistent with IPEDS reporting, only individuals with a status of "nonresident alien" receive an international designation.

Tenure-Stream Faculty Departures

The annual affirmative action report includes hire and termination analysis as they both impact the university's progress toward addressing underutilization and retention patterns. The pools of available workers eligible for hire into the ranks of associate and full professor, for the most part, are made up of faculty already at Colgate. Underutilization within these ranks, therefore, cannot be addressed without evaluating efforts to retain and promote individuals from historically underrepresented groups. Addressing hiring alone will not count as an effective effort to address disparities within these ranks. With obligations to address underutilization, it is important to develop initiatives to eliminate any identified disparities in salary and promotion. It is equally important to track the reasons people resign (e.g. better salary, denial at third-year review, denial of tenure, dual-career concerns, etc.), examine faculty satisfaction, *and to investigate the factors that contribute to departures from the university* in order to shape retention efforts. In this report (see below), "resignations" include departures after a negative decision at third year review or tenure, as well as departures for any other reason. At present, we cannot differentiate between involuntary departures due to denial of promotion or third year review from voluntary departures (seeking better salary, dual-career concerns, etc.)

In addition to addressing underutilization, the university must also safeguard against selection procedures that have a discriminatory effect. That is, it must avoid promotion and retention policies that disqualify members of a protected class at a substantially higher rate than others in the workplace. In particular, we must be able to certify that bias does not play an impermissible role in our promotion and tenure process. It is also important to examine policies (e.g. leave policies, hiring, promotion and tenure), look for potential discriminatory effect, and either make appropriate changes to the policy or articulate the business necessity for it.

Hires:
- **12** tenure-stream positions.
    - *Gender:* 4 women and 8 men were hired into the tenure-stream.
    - *Race:* A total of 4 faculty of color and 8 white faculty members were hired.

Total Tenure-Stream Departures: 11 (6 resignations, 5 retirements)
- 6 tenure-stream resignations
    - Gender: 3 females, 3 males
    - Race: 2 faculty of color
        - 1 Black woman
        - 1 Asian male
- 5 retirements
    - Gender: 3 males, 2 females
    - Race: 2 faculty of color
        - 1 Asian Male
        - 1 Black Male

Tenured & Tenure-Track Faculty of Color Hires vs. Departures

	Asian Men	Asian Women	Black Men	Black Women	Hispanic Men	Hispanic Women	Native American Men	Native American Women	White Men	White Women	Total
Hires	2	0	2	0	0	0	0	0	4	4	12
Retirement	1	0	1	0	0	0	0	0	1	2	5
Resignation	1	0	0	1	0	0	0	0	2	2	6
Other	0	0	0	0	0	0	0	0	0	0	0

Fig. 20: Tenured & Tenure-Track Faculty of Color Hires vs. Departures in 2019-2020
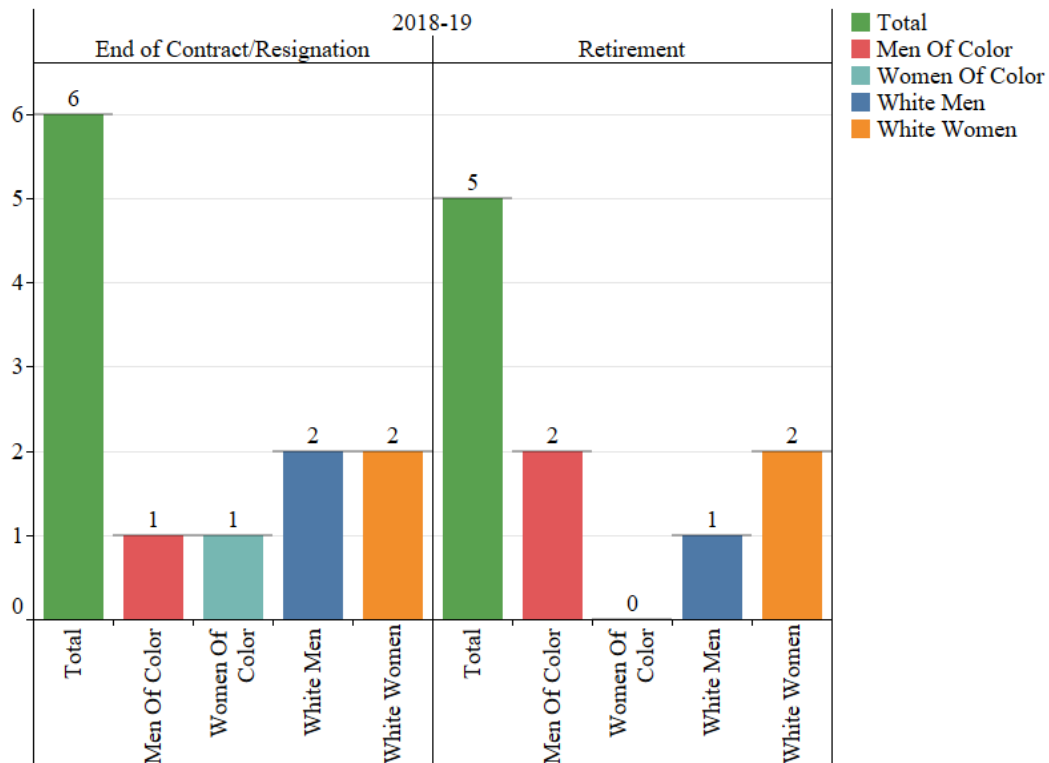

Fig. 21: Tenured and Tenure-Track Faculty Resignation vs. Retirement in Academic Year: 2018-19

Tenured and Tenure-Track Women and Of Color Faculty Resignation vs. Retirement in Academic Years:
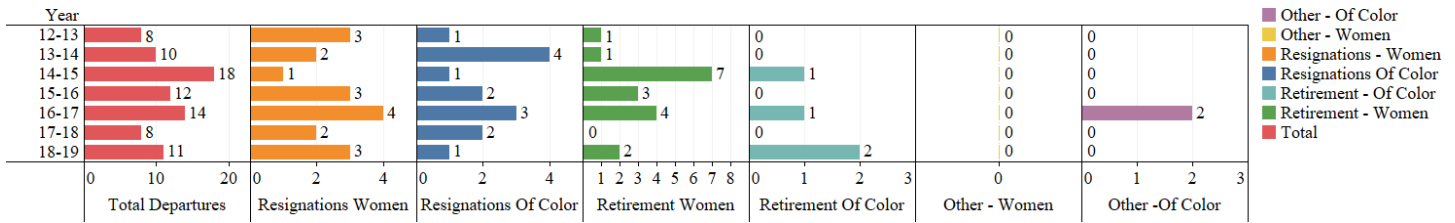2012-13 to 2018-19

Fig. 22: Tenured and Tenure-Track Women and of Color Faculty Resignation vs. Retirement in Academic Years: 2012-13 to 2018-19

			White		Of Color					Women & All Faculty of Color
Year	University Total (Tenure-stream & Tenured)	University Total Departures	White Men	White Women	Of Color Men	Of ColorWomen	% Of Color	% Women of Color	% Women	% of Total Departures
2000-01	N/A	10	5	5	0	0	0.0%	0.0%	50.0%	**50.0%**
2001-02	N/A	10	8	0	1	1	20.0%	10.0%	10.0%	**20.0%**
2002-03	215	13	6	5	1	1	15.4%	7.7%	46.2%	**53.8%**
2003-04	225	8	3	5	0	0	0.0%	0.0%	62.5%	**62.5%**
2004-05	227	6	2	2	1	1	33.3%	16.7%	50.0%	**66.7%**
2005-06	225	12	11	0	0	1	8.3%	8.3%	8.3%	**8.3%**
2006-07	222	16	7	6	3	0	18.8%	0.0%	37.5%	**56.3%**
2007-08	228	10	6	2	0	2	20.0%	20.0%	40.0%	**40.0%**
2008-09	234	5	4	1	0	0	0.0%	0.0%	20.0%	**20.0%**
2009-10	235	7	3	2	1	1	28.6%	14.3%	42.9%	**57.1%**
2010-11	245	12	4	3	4	1	41.7%	8.3%	33.3%	**66.7%**
2011-12	258	10	3	3	2	2	40.0%	20.0%	50.0%	**70.0%**
2012-13	261	8	3	4	1	0	12.5%	0.0%	50.0%	**62.5%**
2013-14	266	10	3	2	4	1	50.0%	10.0%	30.0%	**70.0%**
2014-15	256	18	7	9	1	1	11.1%	5.6%	55.6%	**61.1%**
2015-16	265	12	4	6	2	0	16.7%	0.0%	50.0%	**66.7%**
2016-17	266	14	3	5	3	3	42.9%	21.4%	57.1%	**78.6%**
2017-18	270	8	5	1	1	1	25.0%	12.5%	25.0%	**37.5%**
2018-19	269	11	4	3	3	1	36.4%	9.10%	36.4%	**63.6%**
Totals	4167	200	91	64	28	17	23%	9%	40.5%	**54.5%**
Average	245.1	10.5	4.79	3.4	1.5	0.89				

Fig. 23: Tenure-Stream Faculty Leaving Colgate in Academic Years: 2000-01 to 2018-19

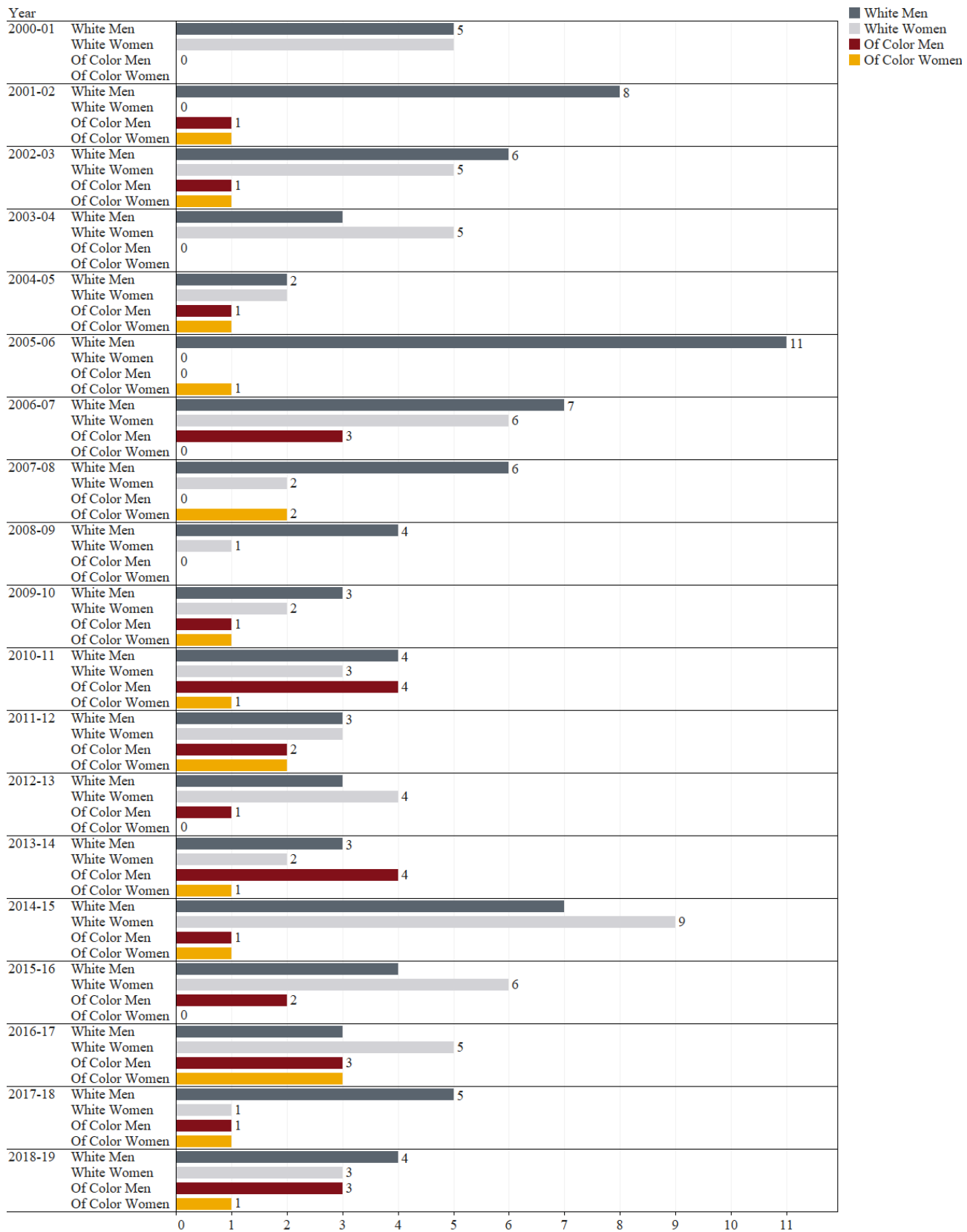Full-Time Tenure-Stream Faculty Departures in Academic Years 2000-01 to 2018-19

Year	White Men	White Women	Of Color Men	Of Color Women
2000-01	5	5	0	
2001-02	8	0	1	1
2002-03	6	5	1	1
2003-04	3	5	0	
2004-05	2	2	1	1
2005-06	11	0	0	1
2006-07	7	6	3	0
2007-08	6	2	0	2
2008-09	4	1	0	
2009-10	3	2	1	1
2010-11	4	3	4	1
2011-12	3	3	2	2
2012-13	3	4	1	0
2013-14	3	2	4	1
2014-15	7	9	1	1
2015-16	4	6	2	0
2016-17	3	5	3	3
2017-18	5	1	1	1
2018-19	4	3	3	1

Fig. 24a: Tenure-stream Faculty Leaving Colgate in Academic Years: 2000-01 to 2018-19 by number of departures

Full-Time Tenure-Stream Faculty (White Men & Men Of Color) Departures in Academic Years 2000-01 to 2018-19
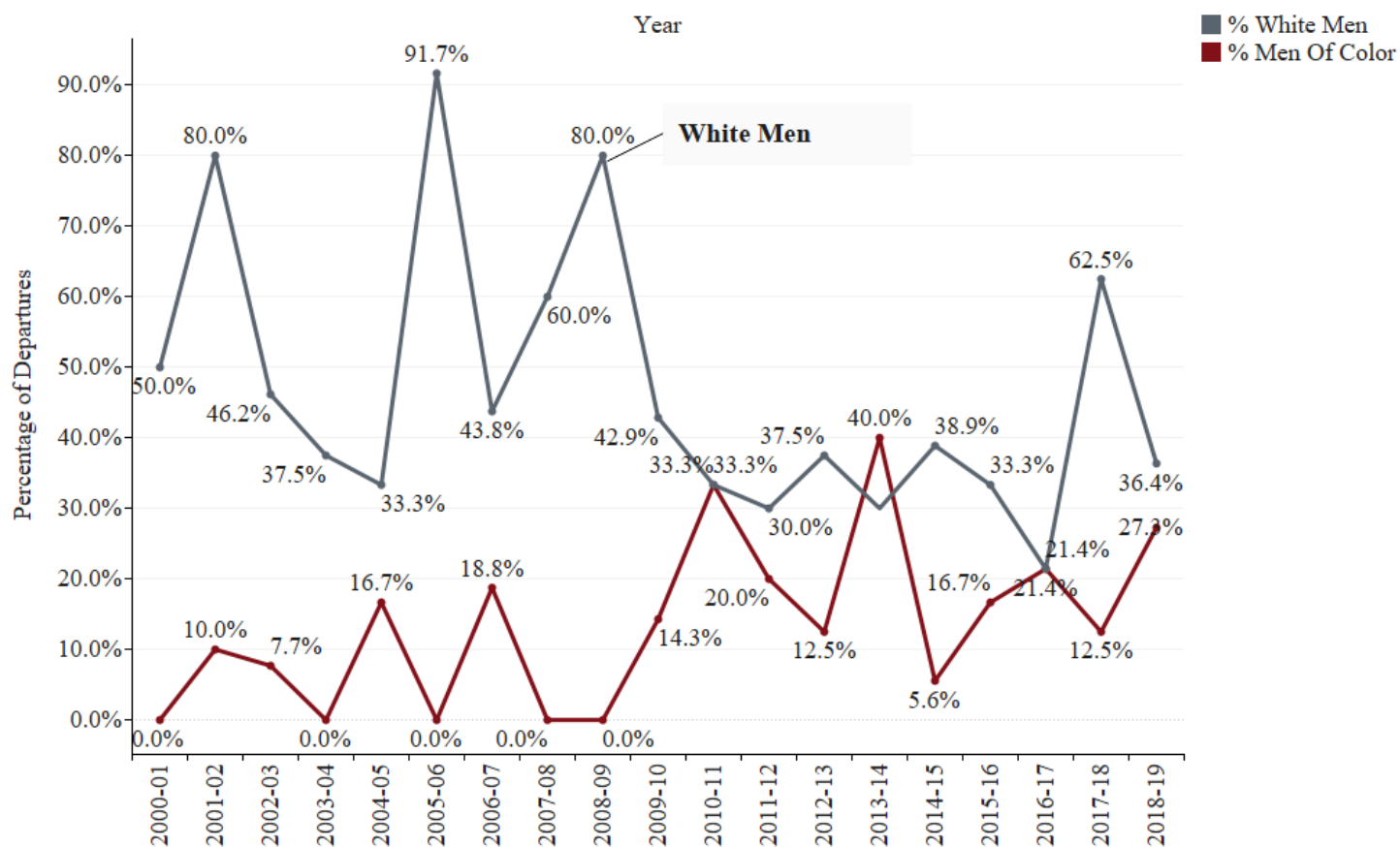

Fig. 24b: Tenure-Stream Faculty (White Men & Men of Color) Leaving Colgate in Academic Years: 2000-01 to 2018-19 by percentage of departures

Full-Time Tenure-Stream Faculty (White Women & Women Of Color) Departures in Academic Years 2000-01 to 2018-19
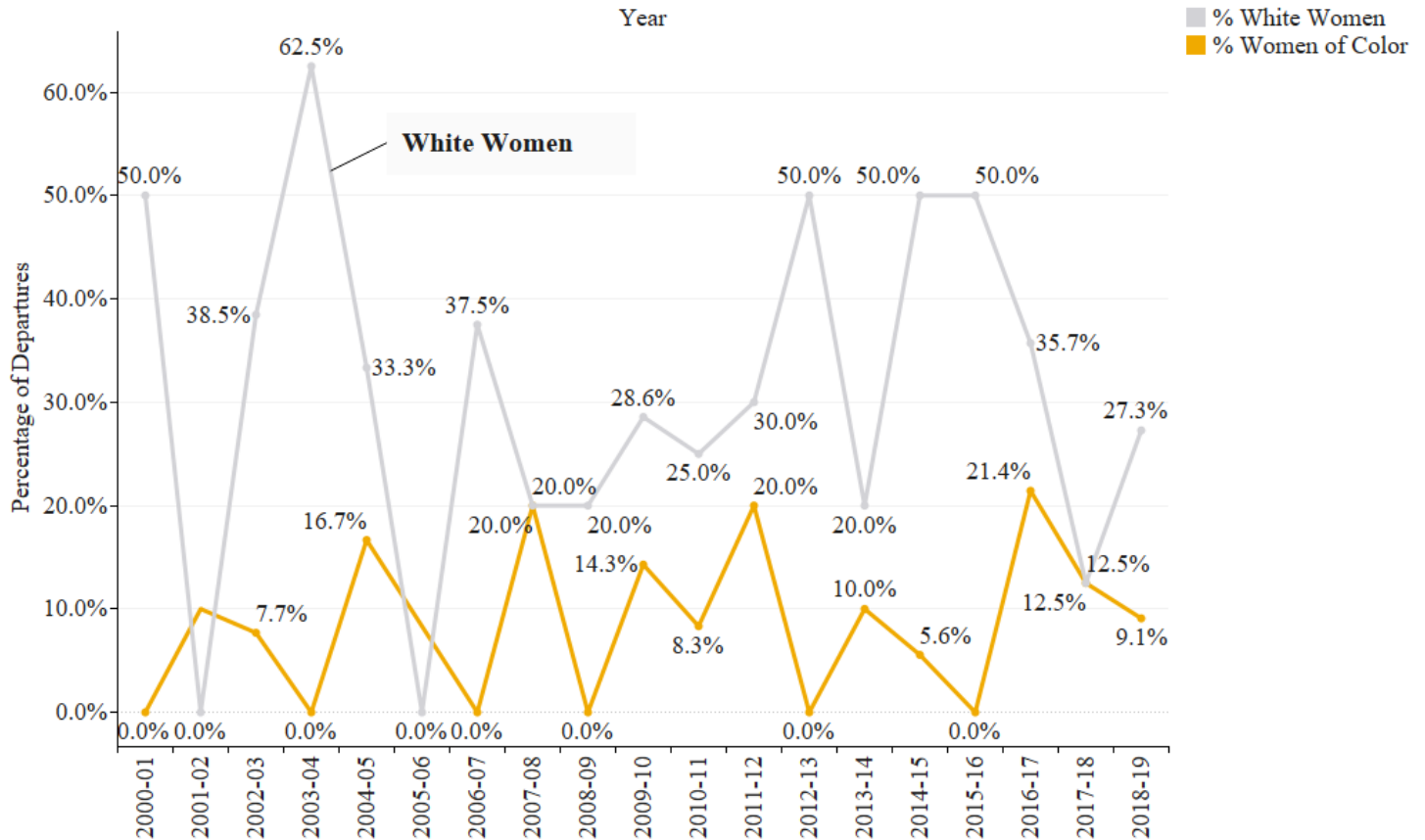
Fig. 24c: Tenure-stream Faculty (White Women & Women of Color) Leaving Colgate in Academic Years: 2000-01 to 2018-19 by percentage of departures

The Faculty Affirmative Action Oversight Committee identified additional retention concerns not analyzed in this report: Compensation by Race; Compensation by # of Years in Rank; Compensation by Gender/Rank. The FAAOC intends to include such analysis in future reports.

Table: Compensation by Race
Table: Compensation by # of Years in Rank
Table: Compensation by Gender/Rank

Staff Hiring

This section of the report analyzes hires from September 1, 2018-August 31, 2019 and applicants applying to searches conducted during that same period. Affirmative action efforts must be tailored to the problem areas specific to an institution. This analysis provides important diagnostic information necessary for the development of a comprehensive and Colgate-specific affirmative action program. Please note:

- Colgate engages in a committee-based hiring practice. Search committees work in concert with the Human Resources Department to create job descriptions, evaluate candidates, and ultimately hire individuals into our community. The decentralized nature of our hiring process creates numerous challenges vis-à-vis our obligations as a federal subcontractor.
- It is important to compare the actual number of appointments by gender and race to the pools of applicants for those positions. If selection rates differ significantly by gender or race, an inquiry should be made to analyze, identify, and implement any appropriate remedial steps.
- A review of hiring records, including a review of the reasons why individual applicants were or were not selected, might also assist with analysis and the identification of problem areas.

Staff Hiring:
- The gender and racial breakdown of the 188 staff hires are as follows:
  - *Gender:* 87 women and 101 men
    - By Division:
      - Admissions: 4 women, 2 men
      - Advancement: 5 women, 3 men
      - Athletics: 32 women, 50 men
      - DOC: 11 women, 7 men
      - DOF: 19 women, 18 men
      - Finance & Administration: 15 women, 21 men
      - President's Office: 1 woman

  - *Race:* A total of 26 staff of color (7 Asian, 8 Hispanic, 7 Black, 4 Two or more races).
    - By Division:
      - Admissions: 1 Hispanic, 1 Asian
      - Advancement: none
      - Athletics: 1 Asian, 1 Black, 3 Hispanic, 2 Two or more races
      - DOC: 1 Hispanic, 1 Asian, 2 Black
      - DOF: 4 Asian, 3 Black, 3 Hispanic, 1 Two or more races
      - Finance & Administration: 1 Black
      - President's Office: 1 Two or more races

Staff Hires 2018-2019 by Gender and Race/Ethnicity

Division	Division Total	Asian Female	Asian Male	Black Female	Black Male	Hispanic Female	Hispanic Male	White Female	White Male	Two + Races Female	Two + Races Male
Admissions	32	16.67%				16.67%		33.33%	33.33%		
Advancement	60							66.67%	33.33%		
Athletics	184		1.20%	1.20%		1.20%	2.41%	34.94%	56.63%	1.20%	1.20%
DOC	143		5.00%	10.00%		5.00%		45.00%	35.00%		
DoF/Provost	222	5.41%	5.41%	5.41%	2.70%	5.41%	2.70%	32.43%	37.84%	2.70%	
Finance/Admin	266			2.78%				38.89%	58.33%		
President's Office	10									100.00%	

Figure 25: Staff Hires for 2018-2019 By Gender and Race/Ethnicity

We are required to analyze our applicant pools annually, describe our recruitment and outreach efforts, and provide an explanation for any statistically significant differences in selection rates if audited. In performing this analysis we also

gain insight into potential problem areas and positive efforts (the concrete good faith efforts) we might take to make it more likely than it is at present that we will hire qualified candidates from members of demographic groups that are flagged in EEO/AA analysis. For example, if applicant pools are not diverse, it stands to reason we will not hire qualified candidates from those demographic groups not represented in our pools. In this case, we can evaluate our advertising and outreach to potential candidates, and identify ways to broaden these efforts. If the applicant pools are diverse but selection rates differ significantly by gender or race, we can evaluate hiring records, including a review of the reasons why individual applicants were or were not selected, to identify potential problem areas (if any). The table "Staff Applicant Log" shows the race and gender of all applicants applying to searches conducted during the 2018-2019 academic year. It does not show the statistical analysis used to determine whether certain demographic categories are selected at significantly higher rates than others but it does show the race and gender of those not selected and those hired.

Staff Applicant Log

Application Status	Of Color			White			Not Disclosed		
	Women	Men	Gender Not Disclosed	Women	Men	Not Disclosed	Women	Men	Not Disclosed
Not Selected	90	189	63	777	885	11	23	25	75
Phone Interview	7	6	5	46	56	1	1	2	6
Interview	9	2	2	40	33	0	1	1	2
Offered (Declined)	0	0	0	4	3	0	0	0	0
Withdrew	12	11	0	47	39	1	0	0	0
Hired	13	12	2	76	82	1	4	4	10
Search Cancelled	6	7	2	21	36	0	3	0	2
Total	**137**	**227**	**74**	**1011**	**1134**	**14**	**32**	**32**	**95**

Figure 26: Staff Applicants for 2018-2019 (including casual wage positions)

Composition of the Staff for 2019-2020

The composition of the staff presented in this report includes a "snapshot" of the makeup of the staff on September 1, 2019. It also includes longitudinal information pulled from HR data. The composition of the staff illustrates Colgate's representation of women and racial/ethnic minorities within each division or department.[3] Longitudinal analysis is helpful because it can identify areas of potential discriminatory trends. Colgate's longitudinal analysis does suggest some problematic trends exist, which means the university must work to identify the reasons for them, and engage in efforts to address them.

Divisional Summary by Gender
2019-2020

Division	Gender		
	Female	Male	Grand Total
Admissions	78.13%	21.88%	100.00%
Advancement	81.67%	18.33%	100.00%
Athletics	41.85%	58.15%	100.00%
Communications	60.00%	40.00%	100.00%
DOC	60.84%	39.16%	100.00%
DoF/Provost	57.21%	42.79%	100.00%
Finance/Admin	40.98%	59.02%	100.00%
President's Office	60.00%	40.00%	100.00%
Grand Total	52.51%	47.49%	100.00%

Figure 27: Divisional Summary by Gender for 2019-2020

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[3] In the future, as we improve the accuracy of our records of self-reported veterans and individuals with disabilities, both veteran and disability analysis will be included in this report.

Departmental Summary by Gender
2019-2020

Division	Dept	Female	Male
		Gender	
Admissions	Admissions	74.07%	25.93%
	Financial Aid	100.00%	
Advancement	Advancement	66.67%	33.33%
	Alumni Relations	88.89%	11.11%
	Annual Giving	75.00%	25.00%
	Capital Support	85.71%	14.29%
	Corp, Fd, Govt Rel	66.67%	33.33%
	Planned Giving	66.67%	33.33%
	Research	100.00%	
	Stewardship	100.00%	
	University Events	100.00%	
Athletics	Athletic Communications	29.41%	70.59%
	Athletics	57.89%	42.11%
	Basketball	50.00%	50.00%
	Equipment	44.44%	55.56%
	Events	45.65%	54.35%
	Football	14.29%	85.71%
	Hockey	20.00%	80.00%
	Lacrosse	40.00%	60.00%
	Outdoor Education	60.00%	40.00%
	Recreation & Phys Ed	48.15%	51.85%
	Rowing		100.00%
	Soccer	33.33%	66.67%
	Softball		100.00%
	Sports Medicine	28.57%	71.43%
	Strength & Fitness		100.00%
	Swimming	40.00%	60.00%
	Tennis	100.00%	
	Track & Field		100.00%
	Volleyball	50.00%	50.00%
Communications	Communications	60.00%	40.00%
DOC	Campus Safety	26.83%	73.17%
	Career Services	61.11%	38.89%
	Chaplain's Office	40.00%	60.00%
	Counselling	81.82%	18.18%
	COVE	83.33%	16.67%
	DOC	75.00%	25.00%
	Environmental Health & Safety	50.00%	50.00%
	Health Services	92.86%	7.14%
	Residential Life	81.82%	18.18%
	Shaw Wellness Institute	100.00%	
DoF/Provost	DoF/Provost	66.43%	33.57%
	Equity and Diversity	100.00%	
	ITS	18.37%	81.63%
	Library	75.00%	25.00%
	Sustainability	50.00%	50.00%
Finance/Admin	Accounting & Control	75.00%	25.00%
	Bookstore	88.24%	11.76%
	Budget & Decision Support		100.00%
	Community Affairs	55.56%	44.44%
	Corp, Fd, Govt Rel	100.00%	
	Facilities	24.26%	75.74%
	Finance & Administration	66.67%	33.33%
	Human Resources	88.89%	11.11%
	Mail Services	35.71%	64.29%
	Purchasing	60.00%	40.00%
President's Office	President's Office	60.00%	40.00%
Grand Total		52.51%	47.49%

Figure 28: Divisional Summary with department breakdown by Gender for 2019-2020

Divisional Summary by Race/Ethnicity for 2019-2020

Division	American Indian/Alaska Native	Asian	Black	Hispanic	White	Two + Races	Grand Total
Admissions		3.13%	3.13%	3.13%	84.38%	6.25%	100.00%
Advancement		1.67%	1.67%		96.67%		100.00%
Athletics		1.09%	2.72%	1.63%	92.93%	1.63%	100.00%
Communications			5.00%		95.00%		100.00%
DOC		2.80%	8.39%	4.90%	82.52%	1.40%	100.00%
DoF/Provost	1.35%	5.86%	2.70%	3.60%	85.59%	0.90%	100.00%
Finance/Admin			0.75%	1.50%	97.74%		100.00%
President's Office		10.00%	10.00%		70.00%	10.00%	100.00%
Grand Total	0.32%	2.35%	3.09%	2.45%	90.72%	1.07%	100.00%

Figure 29: Divisional Summary by Race for 2019-2020

Departmental Summary by Race/Ethnicity for 2019-2020

Division	Dept	Race						
		American Indian/Alaska Native	Asian	Black	Hispanic	White	Two + Races	Grand Total
Admissions	Admissions		3.70%	3.70%	3.70%	85.19%	3.70%	100.00%
	Financial Aid					80.00%	20.00%	100.00%
Advancement	Advancement					100.00%		100.00%
	Alumni Relations			11.11%		88.89%		100.00%
	Annual Giving					100.00%		100.00%
	Capital Support					100.00%		100.00%
	Corp, Fd, Govt Rel					100.00%		100.00%
	Planned Giving					100.00%		100.00%
	Research					100.00%		100.00%
	Stewardship					100.00%		100.00%
	University Events	20.00%				80.00%		100.00%
Athletics	Athletic Communications			5.88%	5.88%	88.24%		100.00%
	Athletics		5.26%	5.26%		84.21%	5.26%	100.00%
	Basketball			16.67%		83.33%		100.00%
	Equipment					100.00%		100.00%
	Events			2.17%		97.83%		100.00%
	Football			14.29%		71.43%	14.29%	100.00%
	Hockey					100.00%		100.00%
	Lacrosse					100.00%		100.00%
	Outdoor Education					100.00%		100.00%
	Recreation & Phys Ed				3.70%	96.30%		100.00%
	Rowing					100.00%		100.00%
	Soccer					100.00%		100.00%
	Softball				100.00%			100.00%
	Sports Medicine					100.00%		100.00%
	Strength & Fitness					100.00%		100.00%
	Swimming					100.00%		100.00%
	Tennis					100.00%		100.00%
	Track & Field	50.00%				50.00%		100.00%
	Volleyball					50.00%	50.00%	100.00%
Communications	Communications			5.00%		95.00%		100.00%
DOC	Campus Safety			4.88%		95.12%		100.00%
	Career Services			5.56%		94.44%		100.00%
	Chaplain's Office					100.00%		100.00%
	Counselling			9.09%		72.73%	18.18%	100.00%
	COVE				16.67%	83.33%		100.00%
	DOC		7.14%	17.86%	3.57%	71.43%		100.00%
	Environmental Health & Safe..					100.00%		100.00%
	Health Services			7.14%		92.86%		100.00%
	Residential Life		18.18%	18.18%	45.45%	18.18%		100.00%
	Shaw Wellness Institute					100.00%		100.00%
DoF/Provost	DoF/Provost	2.14%	5.71%	3.57%	3.57%	83.57%	1.43%	100.00%
	Equity and Diversity		33.33%			66.67%		100.00%
	ITS		8.16%		2.04%	89.80%		100.00%
	Library			3.57%	7.14%	89.29%		100.00%
	Sustainability					100.00%		100.00%
Finance/Admin	Accounting & Control					100.00%		100.00%
	Bookstore					100.00%		100.00%
	Budget & Decision Support					100.00%		100.00%
	Community Affairs					100.00%		100.00%
	Corp, Fd, Govt Rel					100.00%		100.00%
	Facilities			1.18%	2.37%	96.45%		100.00%
	Finance & Administration					100.00%		100.00%
	Human Resources					100.00%		100.00%
	Mail Services					100.00%		100.00%
	Purchasing					100.00%		100.00%
President's Office	President's Office		10.00%	10.00%		70.00%	10.00%	100.00%
	Grand Total	0.32%	2.35%	3.09%	2.45%	90.72%	1.07%	100.00%

Figure 30: Divisional Summary with department breakdown by Race/Ethnicity for 2019-2020

Composition of the University 2009-2019

Multi-year (longitudinal) data illustrate how divisions or departments contract or expand over time; show persistent patterns of under- or overrepresentation over time; and indicate how individuals from specific social identities are represented relative to other identities. *Longitudinal reporting demonstrates the presence or absence of progress toward addressing underutilization over time and should be used to identify problem areas.*
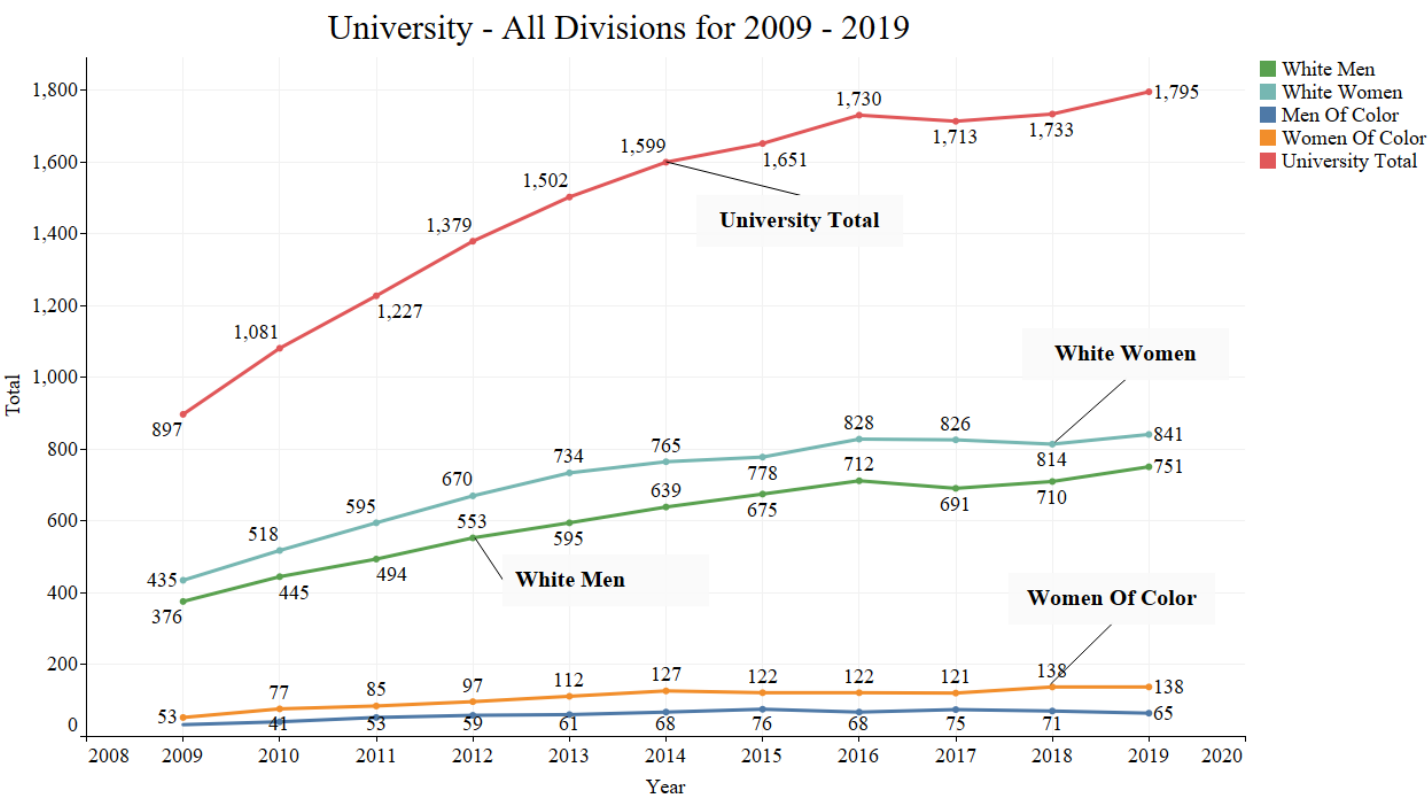

Figure 31: University (faculty and staff) Totals for all Divisions for 2009-2019

Figure 32: Staff composition (Percentage) for Admissions Division for 2009-2019

Figure 33: Staff composition (Percentage) for Advancement Division for 2009-2019

Figure 34: Faculty and Staff composition (Percentage) for Athletics Division for 2009-2019

Figure 35: Staff composition (Percentage) for Communications Division for 2009-2019

Figure 36: Staff composition (Percentage) for Dean Of the College Division for 2009-2019

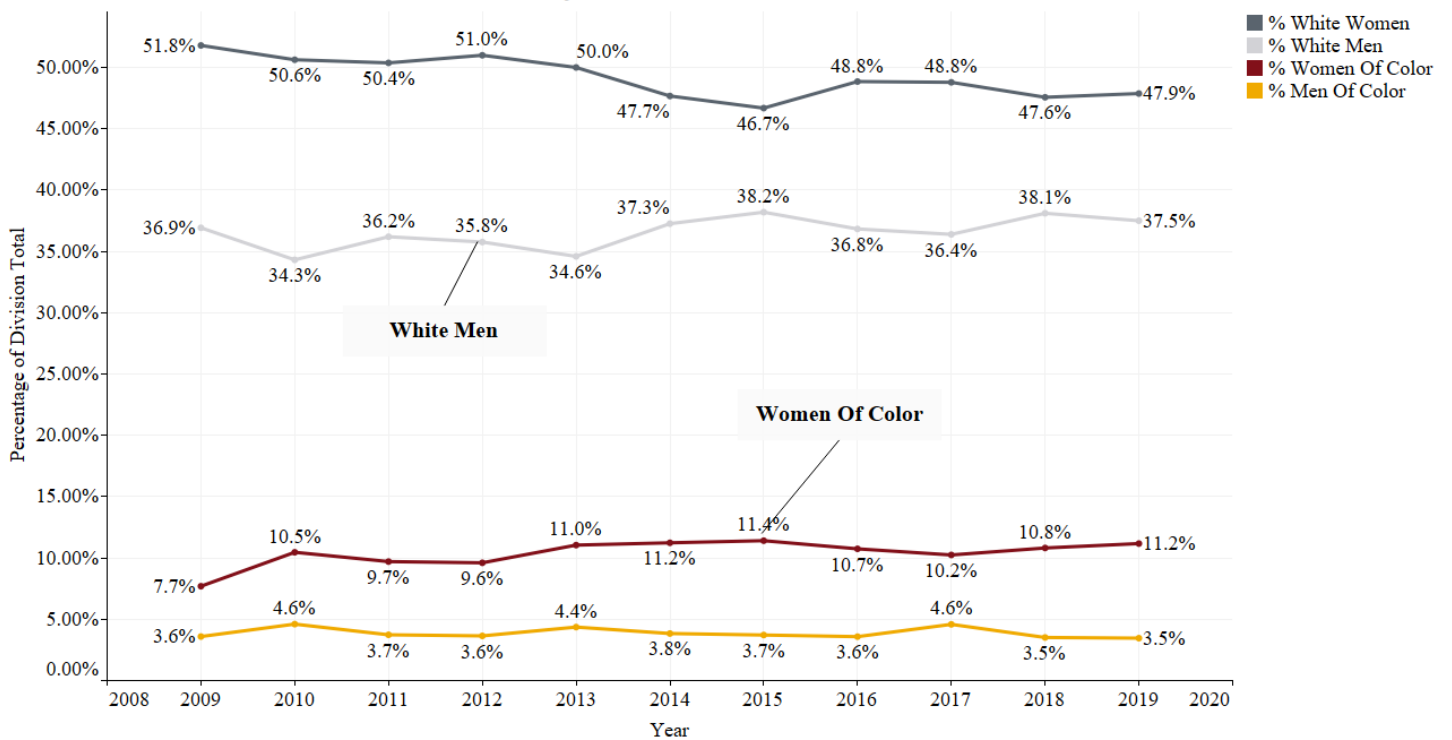**Figure 37: Staff composition (Percentage) for Dean Of the Faculty Division for 2009-2019**

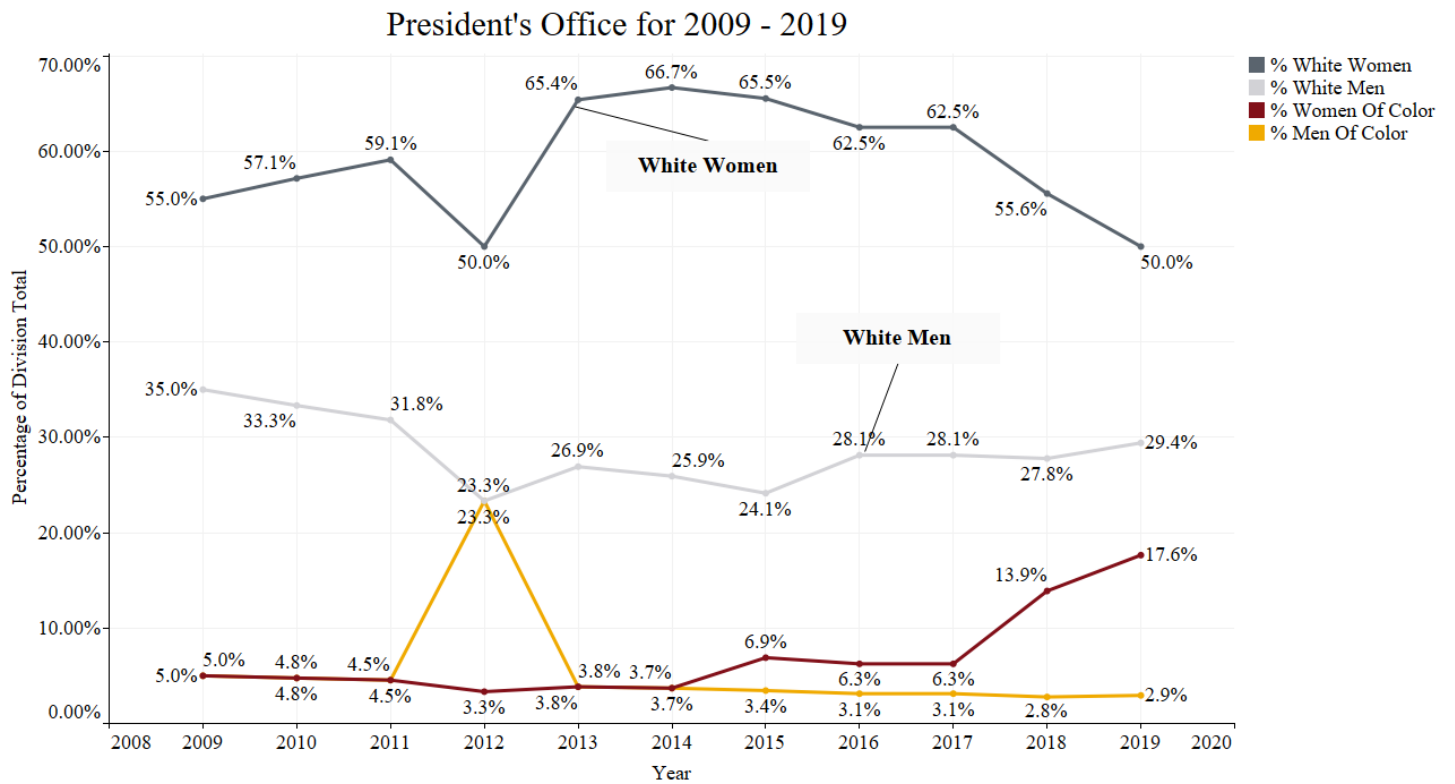**Figure 38: Staff composition (Percentage) for President's Office Division for 2009-2019**
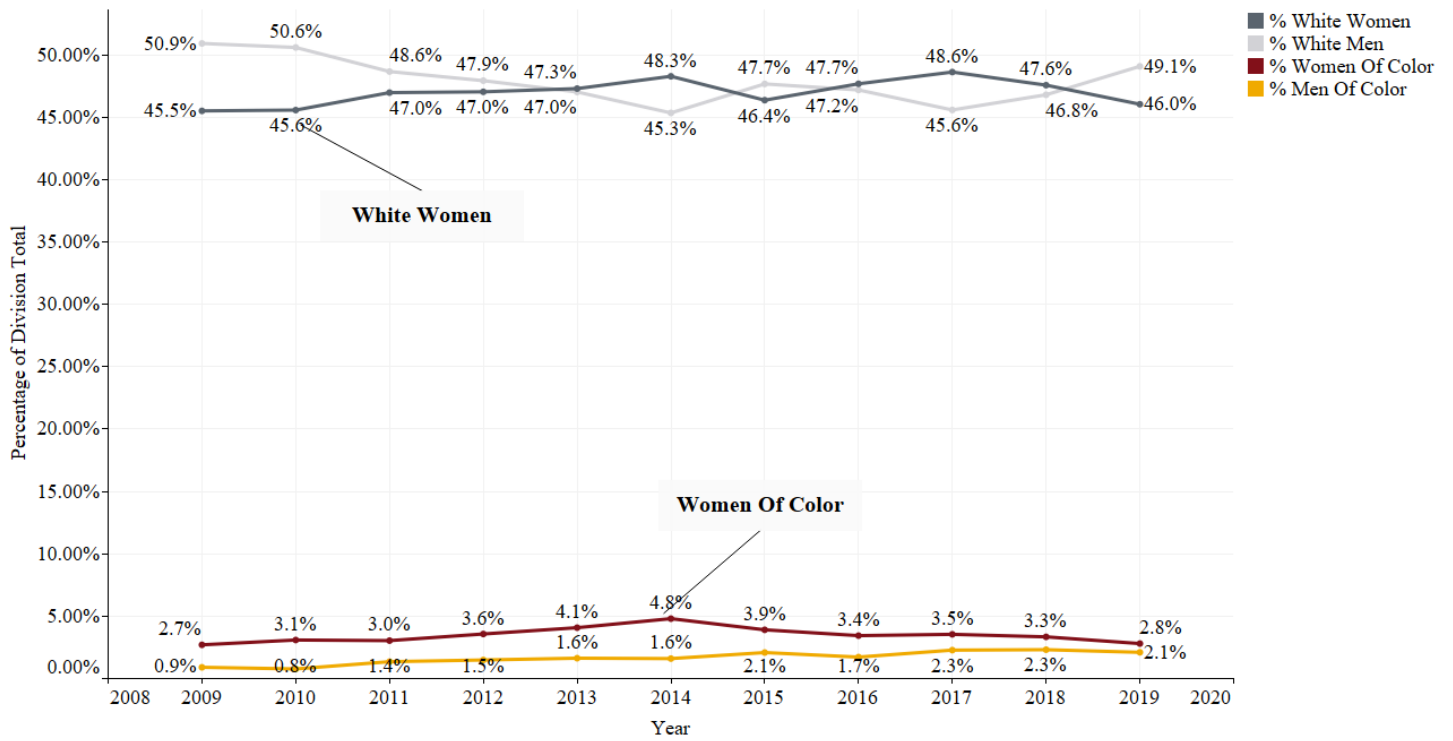
Figure 39: Staff composition (Percentage) for Finance & Administration Division for 2009-2019

The annual affirmative action report includes promotion and termination analysis as they both impact the university's progress toward addressing underutilization and retention patterns. Addressing hiring alone will not count as an effective effort to address underutilization. With obligations to address underutilization, it is important to develop initiatives to eliminate any identified disparities in salary and promotion. It is equally important to track the reasons people resign (e.g. better salary, dual-career concerns, career progress, campus climate, etc.), examine staff satisfaction, *and to investigate the factors that contribute to departures from the university* in order to shape retention efforts.

In addition to addressing underutilization, the university must also safeguard against selection procedures that have a discriminatory effect. That is, it must avoid promotion and retention policies that disqualify members of a protected class at a substantially higher rate than others in the workplace. In particular, we must be able to certify that bias does not play an impermissible role in our promotion process. It is also important to examine policies (e.g. leave policies, hiring, and promotion), look for potential discriminatory effects, and either make appropriate changes to the policy or articulate the business necessity for it.

Divisional Promotions Summary by Gender 2018-2019

Division	Gender		
	Female	Male	Grand Total
Admissions	1	3	4
Advancement	4		4
Athletics	2	3	5
Communications	2	1	3
DOC	7		7
DoF/Provost	10	5	15
Finance/Admin	3		3
President's Office	1		1
Grand Total	30	12	42

Figure 40: Divisional Promotions Summary by Gender for 2018-2019

Divisional Promotions Summary by Race/Ethnicity 2018-2019

Division	Race			
	White	Black	Asian	Grand Total
Admissions	3	1		4
Advancement	4			4
Athletics	4		1	5
Communications	3			3
DOC	7			7
DoF/Provost	13	2		15
Finance/Admin	3			3
President's Office	1			1
Grand Total	38	3	1	42

Figure 41: Divisional Promotions Summary by Race/Ethnicity for 2018-2019

Staff Departures

276 staff departed from the university from September 1, 2018 to August 31, 2019.

Departures:
- 276 staff departures
  - Gender: 134 females, 142 males
  - Race: 40 staff of color
    - 7 Asian
    - 12 Black
    - 10 Hispanic
    - 7 Native Hawaiian/Pacific Islander
    - 4 Two or More

Departures (Women) by Division in 2018-2019

Division	Division Total	Women Total	Women Departures	Departures as % of Women Total	Departures as % of Division
Admissions	32	25	6	24.0%	18.8%
Advancement	60	60	9	15.0%	15.0%
Athletics	184	77	48	62.3%	26.1%
Communications	20	12	1	8.3%	5.0%
DOC	143	76	17	22.4%	11.9%
DoF/Provost	222	125	36	28.8%	16.2%
Finance/Admin	266	157	17	10.8%	6.4%
President's Office	10	6	0	0.0%	0.0%
Grand Total	937	538	134		

Figure 42: Divisional Departures Summary by Gender (Percentage) for 2018-2019

Departures (Of Color) by Division in 2018-2019

Division	Division Total	Of Color Total	Of Color Departures	% Of Color Departures	Of Color Departures as % Of Division
Admissions	32	5	0	0.0%	0.0%
Advancement	60	3	1	33.3%	1.7%
Athletics	184	13	10	76.9%	5.4%
Communications	20	1	1	100.0%	5.0%
DOC	143	24	6	25.0%	4.2%
DoF/Provost	222	31	20	64.5%	9.0%
Finance/Admin	266	7	2	28.6%	0.8%
President's Office	10	3	0	0.0%	0.0%
Grand Total	937	87	40		

Figure 43: Divisional Departures Summary by Race/Ethnicity (Percentage) for 2018-2019

Staff Turnover for 2018-2019

Employee Type	Voluntary Rate	Involuntary Rate
Exempt	17.08%	1.03%
Nonexempt	5.20%	0.00%

Figure 44: Staff Turnover Analysis (Voluntary & Involuntary) for 2018-2019
* Separation rates exclude casual wage employees.
Staff separation rates were calculated using the following formula:
number of departures / average monthly university totals (average university headcount)*100

Quick Turnover Rates 2018-2019

Employee Type	Involuntary Rate	Voluntary Rate	Turnover
Exempt	0.68%	5.47%	6.15%
Nonexempt	0.00%	0.00%	0.00%

Figure 45: Staff Turnover within 12 months of hire (Voluntary & Involuntary) for 2018-2019
* Separation rates exclude casual wage employees.
Staff separation rates were calculated using the following formula:
number of departures within 12 months of hire / average monthly university totals (average university headcount)*100

Staff Departure Rates for 2013-2019

Year	Exempt		Nonexempt	
	Involuntary Rate	Voluntary Rate	Involuntary Rate	Voluntary Rate
2013-2014		94.74%		5.26%
2014-2015	13.64%	68.18%		18.18%
2015-2016	9.09%	63.64%	4.55%	22.73%
2016-2017	8.33%	70.83%	8.33%	12.50%
2017-2018	5.88%	70.59%		23.53%
2018-2019	9.09%	72.73%		18.18%

Figure 46: Staff Departure Rates within 12 months of hire (Voluntary & Involuntary) for 2013-2019

Staff Departure Rates by Division for 2013-2019

Year	Division	Exempt		Nonexempt	
		Involuntary Rate	Voluntary Rate	Involuntary Rate	Voluntary Rate
2013-2014	Advancement		100.00%		
	Athletics		100.00%		
	DOC		100.00%		
	DoF/Provost		90.91%		9.09%
	Finance & Administration		100.00%		
2014-2015	Advancement	50.00%	50.00%		
	Athletics	20.00%	80.00%		
	Communications		100.00%		
	DOC		50.00%		50.00%
	DoF/Provost		72.73%		27.27%
	Finance & Administration	100.00%			
2015-2016	Advancement				100.00%
	Athletics	66.67%	33.33%		
	DOC		66.67%	33.33%	
	DoF/Provost		76.92%		23.08%
	Finance & Administration		50.00%		50.00%
2016-2017	Admissions		100.00%		
	Athletics	14.29%	71.43%		14.29%
	DOC	25.00%	50.00%	25.00%	
	DoF/Provost		81.82%	9.09%	9.09%
	Finance & Administration				100.00%
2017-2018	Admissions				100.00%
	Athletics	20.00%	80.00%		
	DOC		66.67%		33.33%
	DoF/Provost		85.71%		14.29%
	Finance & Administration				100.00%
2018-2019	Advancement				100.00%
	Athletics		100.00%		
	Communications				100.00%
	DOC	25.00%	25.00%		50.00%
	DoF/Provost	10.00%	90.00%		

Figure 47: Staff Departure Rates (by Division) within 12 months of hire (Voluntary & Involuntary) for 2013-2019

Glossary of Terms

Federal Subcontractor: The Office of Federal Contract Compliance Programs ("OFCCP") in the U.S Department of Labor, which regulates federal grant expenditures, requires that federal contractors and federal subcontractors with 50 or more employees who receive $50,000 or more in federal funds have an Affirmative Action Plan ("AAP") and prepare an annual report.

Historically Underrepresented Groups: refers to **groups** who have been denied access and/or suffered past institutional discrimination in the United States.

Integrated Postsecondary Education Data System (IPEDS): IPEDS is a system of interrelated surveys conducted annually, which gathers information from every college, university, and technical and vocational institution in the United States and other jurisdictions (such as Puerto Rico) that participates in federal student financial aid programs. The regulatory agency responsible for the oversight of federally mandated affirmative action plans will use IPEDS as the basis for categorizing various aspects of a contractor or subcontractor's labor force.

Promotion: Although the definition of a promotion varies from institution to institution, in this report a promotion is considered any action that results in one or more of the following:

- Movement to a position affording higher pay and/or greater rank (examples of greater rank include (but are not limited to) assistant to associate professor, non-supervisor to supervisor, assistant to associate dean, etc.).
- Movement to a position requiring greater skill or responsibility (examples include (but are not limited to) advancing technical skills in ITS, additional duties that require additional skill or responsibility).

Protected Category: various state and federal laws identify certain demographic categories (e.g. race, gender, age, disability, or sexual orientation) as 'protected'. Individuals are legally protected from any discrimination or harassment that occurs on the basis of their membership in one or more protected categories.

Non-Immigrant Alien: A nonresident alien is an alien in the United States in a nonresident classification as defined by section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)). Generally, "nonresident aliens" are tourists, students, business travelers and temporary workers who enter the U.S. for fixed periods of time; they are lawfully admitted aliens who are not lawful permanent residents. https://www.uscis.gov/tools/glossary?topic_id=n#alpha-listing, accessed March 2020.

Survey of Earned Doctorates (SED): The Survey of Earned Doctorates (SED) is an annual census conducted since 1957 of all individuals receiving a research doctorate from an accredited U.S. institution in a given academic year. The SED is sponsored by the National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation (NSF) and by three other federal agencies: the National Institutes of Health, Department of Education, and National Endowment for the Humanities. The SED collects information on the doctoral recipient's educational history, demographic characteristics, and post-graduation plans. Results are used to assess characteristics of the doctoral population and trends in doctoral education and degrees.

Target of Opportunity (TOO): As defined by the AAUP, "programs designed to create the flexibility to hire individuals who add particular expertise, experience and diversity to an area of need. Such programs are designed to give the institution the ability to go after a desirable individual when he or she becomes available for hire, even if no hiring line is open or planned for in the relevant department. Such programs can give universities and colleges a chance at candidates who will greatly benefit the institution but who they might otherwise lose because no position happened to be open at the time the individual became available."   https://www.aaup.org/issues/diversity-affirmative-action/diversify-faculty, accessed March 2020.

Underutilization: see permissions and obligations document here.

Calculating Underutilization Using The Whole Person Test: underutilization is declared if the utilization percentage (actual number) is less than the availability percentage (availability) by at least one whole person.