

**Council on Postsecondary Education
November 5, 2007**

Committee on Equal Opportunities Report

Kentucky entered into a partnership with the U. S. Department of Education, Office for Civil Rights, to bring the Commonwealth into compliance with Title VI of the Civil Rights Act of 1964. The partnership is a joint, cooperative effort between the Commonwealth, the institutions, and the OCR. *The Kentucky Plan* (established by postsecondary education to accomplish the same objectives as the partnership) is folded into the agreement with the OCR. The Committee on Equal Opportunities is given responsibility by the Council for oversight of implementation of *The Kentucky Plan*, the partnership, and diversity planning.

The following is a summary of discussions and actions taken at the October 15, 2007, meeting of the Committee on Equal Opportunities.

- The committee adopted a 2008 meeting calendar as follows: February 19, April 21, June 16, August 17-18, and October 20. All meetings will be held in Frankfort unless otherwise noted.
- Augusta A. Julian, president of Maysville Community and Technical College, gave an update of the college's adoption of a quantitative waiver to implement a new academic program after failing to make adequate progress on its equal opportunity objectives. The president described several initiatives that have been implemented and provided evidence of improvements in student enrollment and employment. The CEO was complimentary of the efforts of Maysville.
- Madisonville Community College President Judith L. Rhoads presented a status report of activities by the college to implement the recommendations contained in the committee's report of its campus visit March 26, 2007. President Rhoads presented documentation supporting the activities implemented by the college that have or will address each recommendation in the CEO report. The college has already had positive results from a number of the initiatives implemented and anticipates a greater level of student and community participation as the initiatives are communicated more widely in the service area. The committee was pleased with the results identified by the president and expressed its support for the college's method of tackling the recommendations.
- A follow-up report was given by University of Kentucky Provost Kumble R. Subbaswamy and Associate Vice President Terry Allen regarding the status of initiatives at the university to implement the recommendations contained in the committee's report of its campus visit October 16-17, 2006. Dr. Subbaswamy identified through a written report a number of specific activities implemented by the university to address the CEO recommendations.

Also, the provost responded to a number of questions related to newspaper articles in the Lexington Herald-Leader and the Louisville Courier Journal that discussed possible challenges that confront the university's attempts to further increase diversity among its faculty. The university also responded to inquiries related to a recent race sensitive editorial cartoon in the Kentucky Kernel newspaper and a racial slur that appeared on the door of an African American student in UK's New North Hall (located near the intersection of M. L. King Boulevard and Avenue of Champions).

Following the comments by UK officials, Reverend Louis Coleman, director of the Justice Resource Center of Louisville, requested an opportunity to address the committee regarding the recent UK incidents. Reverend Coleman provided written comments to the committee; the communication also was shared with University of Kentucky officials. Reverend Coleman, in the written communication and comments to the committee, expressed concern that the university did not respond more quickly and more strongly with regard to the publication and its perceived message. He also noted displeasure, based on data available to his organization, about the lack of sufficient representation of African Americans among deans and chairs and among the executive staff reporting directly to the president. In both the written and verbal comments to the committee, Reverend Coleman suggested that economic sanctions be placed against the University of Kentucky for "failing to implement any form of diversity beginning with the office of the president, administration office, deans, chairpersons, department heads, and head coaching positions in the athletic department."

The committee noted that the university needs to put forth a greater effort but the employment related issues identified by the Reverend Coleman are matters that should be addressed by UK directly. The Committee on Equal Opportunities and the Council on Postsecondary Education are not vested with the authority to place economic sanctions against an institution for its performance on diversity initiatives. The CEO chair plans to confirm the committee's position in a letter to Reverend Coleman.

- The committee heard a report by CPE vice president of academic affairs, Jim Applegate, regarding the status of an administrative regulation to implement the Developmental Education Task Force recommendations. Dr. Applegate noted that the regulation addresses the June comments of the CEO and other suggestions by Senator Gerald Neal. The regulation is expected to become effective next fall.
- CPE director of communications, Sue Patrick, gave a presentation about the College Access Initiative. Ms. Patrick provided a general overview of the college access campaign and discussed the target audience and proposed strategies. Members were asked to provide feedback regarding their thoughts or suggestions on how make the campaign more effective. The campaign is expected to begin within the next 90 days, hopefully in time to influence spring 2008 enrollments.

- The Council is contracting with the Harvard Civil Rights Project to conduct a statewide diversity study. The CEO received a status report on the study from Gary Orfield, the project leader. Mr. Orfield reported that:
 - The Civil Rights Group moved to the University of California at Los Angeles in July 2007, but the group is still working with Harvard to complete the study as devised by the Council on Postsecondary Education.
 - While the team expects to complete the report as requested by the contract, the move caused a delay in some research and the HCRP may request an extension of up to 90 days to deliver a more thoroughly researched report. The committee suggested that Mr. Orfield and his colleagues develop a formal request for consideration.
 - The U. S. Supreme Court decision regarding the Louisville/Jefferson County public school system case argued in December 2006 was handed down in June 2007. Mr. Orfield commented that the Louisville case does not significantly impact diversity planning at the postsecondary level and that the clear guide is the Supreme Court decision in the Michigan cases.
 - In response to a question, Mr. Orfield noted that if the CEO is interested in broadening the base (diversity) but also focusing efforts, the committee should not be anxious for the OCR to release the Commonwealth from the remedial order. He noted that opportunity for lawsuits are much greater under a diversity plan and the remedies available are much narrower.
 - Mr. Orfield noted that the Texas approach might represent the best proxy for race that he has seen recently and the Texas approach is not that effective.

- The committee received a report on the Governor's Minority Student College Preparation Program. In 2006-07, the program served 1,091 students from 155 schools. Because of limited funds, there are over 300 students on waiting lists to participate in the program. Data indicate that a significant portion of the students in the program go on to enroll in college. Approximately 21 percent of the eighth grade students who transitioned out of four programs in 2002-03 enrolled in college four years later.

- The CEO will conduct a campus visit at Somerset Community College November 13, 2007.