

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

DR. RONNALIE HOWARD, :  
Complainant :  
 : Docket No. E-4623P  
vs. :  
 :  
SLIPPERY ROCK STATE COLLEGE, :  
DR. ALBERT A. WATREL, President, :  
Respondents :

HISTORY OF THE CASE,  
FINDINGS OF FACT, CONCLUSIONS OF LAW,  
COMMISSION'S DECISION AND FINAL ORDER

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HISTORY OF THE CASE

The Complainant is Dr. Ronnalie Howard, who, at the time of the filing of the original complaint resided at R.D. #5, Butler, Pennsylvania 16001, and who presently resides at Wilson College, Chambersburg, Pennsylvania 17201.

On June 8, 1971, Complainant filed a Complaint with the Pennsylvania Human Relations Commission against Slippery Rock State College and its president, Dr. Albert A. Watrel, alleging a violation of Section 5(a) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended, 43 P.S. Sections 951 et seq., which is of a continuing nature and which has persisted up to and including the present time, in that respondent has in the past and continues to the present to maintain employment policies and practices which discriminate against females as a class in the hiring, promotion and selection for professional employment positions. The Complaint further alleges respondent utilizes arbitrary policies and practices to alter the criteria in evaluation of candidates for higher faculty and administrative positions which have a disparate effect on female candidates.

On June 5, 1972, complainant filed an Amended Complaint alleging discriminatory practices in violation of Section 5(a) of the Pennsylvania Human Relations Act, supra, in that the respondent's policies and practices for recruitment, hiring, classification, <sup>compensation,</sup> promotion and granting of other privileges of employment for professional and administrative staff members discriminate against women as a class because of their sex, and that as a result of such discriminatory practices women as a class are disproportionately overly-represented in the lower levels of professional and staff positions and under-represented in the higher levels of professional and administrative positions. The Complainant further alleges that the respondent continues to limit the employment of women by applying arbitrary policies and practices which alter the criteria for hiring and for evaluating candidates for full-time, permanent and higher level positions, and which have a disparate effect upon female candidates as a class because of their sex. The Amended Complaint is in the nature of a pattern and practice action as same is defined by the Pennsylvania Human Relations Commission and is interpreted to allege that a pattern and practice of sexual discrimination is charged against the respondent in the aforementioned areas.

An investigation into the allegations of both the original and amended complaints was made by representatives of the Pennsylvania Human Relations Commission and a determination was made that there was probable cause to credit the allegations of the complaint.

Thereafter, attempts to effectuate an amicable settlement of the complaint being unsuccessful, the Commission scheduled a public hearing for the presentation of evidence in the case. On August 16, 1972, subsequent to the notice of a public hearing, an answer to the original and amended complaints was filed by Respondents wherein all allegations of the illegal discriminatory acts were generally denied.

The public hearing was convened at the meeting room of the Friendship Savings and Loan Association Building, 126 South Main Street, Butler, Pennsylvania on Thursday, September 28, 1972 and additional testimony was taken at the YWCA meeting room, 120 West Cunningham Street, Butler, Pennsylvania on Friday, September 29, 1972.

The hearing was conducted by a hearing panel consisting of Commissioner Robert W. Goode, presiding, Commissioner Elizabeth M. Scott, and Commissioner John P. Wisniewski.

The case in support of the complainant was presented by Attorneys Jay Harris Feldstein and Mark Senick, Regional Counsel for the Pennsylvania Human Relations Commission, who called seven witnesses to testify in support of the allegation.

The case for respondent was presented by Joseph J. Pass, Jr., Esquire, counsel for Slippery Rock State College and Dr. Albert A. Watrel, who called four witnesses to testify for the defense.

The hearing commissioners recommend, on the basis of the evidence presented at the public hearing, that the Commission find in favor of the complainant on certain counts and in favor of the respondent on certain counts, all of which findings will be later enumerated, and make the following findings of fact and conclusions of law:

## FINDINGS OF FACT

1. Complainant is Dr. Ronnalie Howard, who resides at Wilson College, Chambersburg, Pennsylvania 17201.

2. Respondents are Slippery Rock State College and Dr. Albert A. Watrel, President, Slippery Rock, Pennsylvania 16057.

3. The allegations of the Complaint deal with a charge that respondent discriminates against women in recruitment, hiring, classification, compensation, promotion, and granting of other privileges of employment for professional and administrative staff and that such alleged discriminatory practices result in women, as a class, being disproportionately overly-represented in the lower levels of professional and staff positions and under-represented in the higher levels of professional and administrative positions and further alleges that the employment of women is limited by respondents applying arbitrary policies and practices and applying disparate criteria for evaluating candidates for full-time, permanent and higher level positions.

4. As regards other privileges of employment: Although we find certain instances where females were given slightly smaller monetary stipends for travel and meeting expenditures, such facts do not necessarily lead to the conclusion that the smaller amounts were given because of their sex and are not extensive enough to make a finding of discrimination in privileges of employment. (T-72 through 74, 132 through 136 and 149 through 154)

5. As regards promotions: Although we find there may be occasional instances of failure to either promote a woman when she was qualified for a promotion or instances where a male who is in some regard less qualified than a female is given

a promotion and the woman is denied that promotion, such examples are not sufficiently pervasive in respondent's overall activities as to warrant a finding of pattern and practice discrimination in the areas of promotion and can and should be dealt with by individual complaints filed by the aggrieved individual or individuals.

6. As regards compensation:

- A. A female, Dr. Copeland, and a male, Mr. Boykin, were both hired on August 22, 1970, by respondent's Modern Language Department as Assistant Professors. Both had obtained their Master's Degree at the time of hire. Mr. Boykin's starting salary was \$10,200.00 and Dr. Copeland's starting salary was \$9,720.00. For the 1971-72 academic year, Dr. Copeland's salary was \$10,200.00 and Mr. Boykin's salary was \$10,750.00. (T-21, 22, 23 and 330)
- B. At the time Dr. Copeland and Mr. Boykin were hired by respondent, Mr. Boykin had more teaching experience than Dr. Copeland and he was recommended for a higher salary by the Department Chairman, who, at that time was a female. (T-329)
- C. A female, Miss Weston, was hired by the Sociology and Anthropology Department for the fall term, 1970 for a salary of \$10,720.00. A male, Mr. Sovan, was hired in the same department in the fall of 1971 for a salary of \$11,240.00. At the time of Mr. Sovan's employment, Miss Weston had one year's teaching experience and her salary for the fall of 1971 was raised to \$11,240.00. When both Miss Weston and Mr. Sovan were hired, they had master's degrees and were both hired as assistant professors. (T-23)
- D. A female, M. K. Bentel, was employed by the Music Department in 1963 and presently holds the rank of assistant professor. A male, G.B. Barksdale, was hired by the Music Department as an assistant professor in 1969 at a salary of \$10,720.00. In 1970, Mr. Barksdale's salary was \$11,240.00 and Ms. Bentel's salary was \$10,200.00 with six years more teaching experience than Mr. Barksdale. (T-24 and 94)
- E. Six associate professors were hired by respondent's English Department for the 1969-70 academic year. One male was hired at a salary of \$13,020.00, four males were hired at the salary of \$11,800.00 and one female, Dr. Ronnie Howard, the instant complainant, was hired at a salary of \$11,240.00. At the time of hire, all six had obtained their doctorate degrees and Dr. Howard was the only one of the six who had

published a book. The salaries which were accepted by the six new employees were the exact amounts which were recommended by Dr. Daniel Marder, then Chairman of the English Department, and the same salaries which were offered, indicating that there were no negotiations. (T-25 through 28, 68, 69 and Exhibit K)

\* (1)

- F. A male Ph.D., Paul Martosis, was hired for the 1972-73 academic year in the Department of Economics as an associate professor with a salary of \$13,680.00. A female with a bachelor's degree was hired at the same time, at the same rank, for the same salary. (T-216)
- G. A female with a master's degree was hired in September 1971, by the Department of Speech and Theatre, as an assistant professor at a salary of \$10,720.00. A male, with a master's degree, was hired for the same department in January, 1972, as an instructor at a salary of \$10,200.00. (T-217, 218)
- H. In 1969, the Department of Biology employed a female, Dr. Patricia Archibald, at the rank of associate professor and the same department employed a male, Dr. Poglass, in 1970, at the rank of assistant professor. At the time of hire, both had obtained their doctorate degrees. (T-218)
- I. Two persons were employed by the library in 1966. A male, Mr. Kolbow, was employed as an assistant professor. A female, Miss Edna King, was employed as an associate professor. At the time of employment both had master's degrees. (T-218, 219)
- J. In 1967, two females and one male, all with master's degrees, were hired by the Department of Physical Education and the present salaries of the two females are \$600.00 higher than the present salary of the male. (T-219)
- K. A husband-wife team of Mr. and Mrs. Singleton, both with the same degree, were hired as instructors with the wife making \$10,200.00 and the husband making \$8,200.00. (T-220)
- L. The average male salary for full professors for the 1971-72 academic year was \$17,309.00 and the average female salary for full professors for the same year was \$16,440.00.\* (2) (Exhibit C and T-36)
- M. The average male salary for an associate professor for the 1971-72 academic year was \$14,071.00 and the average female salary for associate professor for the same year was \$13,042.00.\* (2) (Exhibit C and T-36)

\* (1) Later referred to as "Baritosis" (T-288)

\* (2) These averages include administrative staff personnel. (T-92)

- N. The average male salary for an assistant professor for the 1971-72 academic year was \$11,257.00 and the average female salary for assistant professor for the same period was \$11,073.00 \*(2) (Exhibit C and T-36, 37)
- O. The average male salary for an instructor for the 1971-72 academic year was \$9,436.00 and the average female salary for an instructor for the same period was \$8,803.00. \* (2) (Exhibit C and T-37)
- P. Although some salary differentials in favor of male instructional staff can be explained in terms of length of teaching experience and other criteria, the overall pattern reflected in the above four sub-paragraphs indicate that females -- as a class -- are victims of a pattern and practice of underpayment.
- Q. The high and low salaries in the respondent's instructional faculty for the 1971-72 academic year were: \*(3) (T-37, 38 and Exhibit C)

<u>Assistant Professor</u>		<u>Instructor</u>	
Male	\$9,260.00-11,800.00	Male	\$8,820.00-9,720.00
Female	9,260.00-11,800.00	Female	8,000.00-9,720.00
<u>Professor</u>		<u>Associate Professor</u>	
Male	13,680.00-23,478.00	Male	11,800.00-15,780.00
Female	15,080.00-18,060.00	Female	11,240.00-14,360.00

- R. Again, although individual discrepancies in favor of males may be explained by criteria, including, but not limited to, teaching experience, the overall pattern of salaries is reflective of a pattern of salary discrimination against female instructional staff.
7. As regards classification:
- A. As of the 1971-72 academic year, 19.83% of the Slippery Rock Instructional staff was female and 80.16% was male. (Exhibit A.)
- B. 24.75% of all male instructional faculty at Slippery Rock State College \*(4) are full professors. These are 73 male full professors and 69 have their doctorate degrees. 6.84% of all females teaching at Slippery Rock State College are full professors. There are 5 female full professors and all have their doctorate degrees. These statistics and the following statistics in this line are relevant for the 1971-72 academic year. (T-31, 32)
- C. 40% of all male instructional faculty members of respondents are associate professors, which comprise 118 male associate professors of whom 64 have their

\*(2) These averages include administrative staff personnel. (T.29)  
 \*(3) These salaries do not include administrative staff. (T-92,93)

doctorate degrees. 17.8% of all female instructional faculty members of respondent are associate professors which comprise 13 female associate professors, of whom 8 have their doctorate degrees. (T-32)

- D. 29.15% of all male instructional faculty members of respondent are assistant professors comprising 86 males in this position. 49.31% of the female instructional faculty members of respondent are assistant professors, which comprise 19 females in this position. (T-32, 33)
- E. There are 143 males and 21 females at Slippery Rock State College who have doctorate degrees. 93% of the males with doctorate degrees are either full professors or associate professors and 62% of females with doctorate degrees are either full professors or associate professors. (T-33, 34)
- F. Five female full professors have doctorate degrees or 100% of the females in that rank. \*(5) (T-44 and Exhibit D)
- G. 56 male full professors have doctorate degrees, or 92.65% of all male full professors. (T-44 and Exhibit D)
- H. 8 female associate professors have doctorate degrees, or 61.55% of all females holding that rank. (T-44 and Exhibit D)
- I. 60 male associate professors have doctorate degrees, or 62.5% of all males holding that rank. (T-44 and Exhibit D)
- J. 8 female assistant professors have doctorate degrees or 22.85% of all females in that rank. (T-44 and Exhibit D)
- K. 10 male assistant professors have doctorate degrees 12.67% of all males in that rank.
- L. 17.64% of all female instructors at Slippery Rock have only a bachelor's degree and 25% of all male instructors at Slippery Rock have only a bachelor's degree. (T-45 and Exhibit E)
- M. With the exception of the rank of associate professors where 1% more males have doctorate degrees than females, the females seem to be higher qualified, as a percentage equivalent, in the ranks of full professor assistant professor, and instructors than do the males which would indicate, on a pattern basis, that past procedures and practices in ranking initial hires of females has tended to discriminate against them as a class.

\* (4) Instructional faculty is defined here and as used hereafter to mean the four categories of full professor, associate professor, assistant professor and instructor.

\* (5) The percentages in this sub-paragraph and those immediately following refer to the percentages of doctorate degrees in that particular instructional classification. (Exhibit H)



- N. Women comprise 4% of the chairpersons of the 26 instructional departments at Slippery Rock State College. (T-63 and Exhibit I)
- O. 42 Persons comprise the Slippery Rock State College administrative staff, of which 3 are women; one an assistant to the vice president one the associate director and one as a coordinator. 92.85% of the administrative staff is male and 7.1% is female. (T-64, Exhibits J and L)
- P. There is no finding of a pattern of discrimination in the Slippery Rock Administrative staff although it must be noted that greater diligence could have been used by persons responsible for hiring in that area to ensure more female representation and this item will be discussed in greater length in the "hiring" section of these Findings of Fact.
8. As regards recruitment and hiring:
- A. There presently exists 26 instructional departments at Slippery Rock State College. (T-50)
- B. The following chart is used as was introduced into evidence at the public hearing and explained by footnotes:

<u>Department</u>	<u>Female, Ph.Ds at Slippery Rock</u> * (6)	<u>Female Ph.Ds graduated</u> * (7)
Educational Psychology & Guidance	None	25.60% (T-102)
Recreation	None	25%
Philosophy	None	18.23%
Political Science	None	8.8%
Chemistry	None	6.82%
Geography	None	5.58%
Physics	None	2.0%
Geology	None	2.47%

\* (6) Shown as the percentage of Ph.Ds in that particular department at Slippery Rock. (Exhibit H)

\* (7) Shown as the percentage of female Ph.Ds graduated in that particular discipline over the 10 year period, 1960-1969, in all the public and private colleges and universities in the United States Dept. of Health, Education and Welfare and reported in bulletins of the Bureau of Educational Research and Development and the National Center for Educational Statistics, Washington, D.C., United States Government Printing Office. The consecutive bulletins from which these original data were obtained are located in the Wilson Library document division. (Exhibit G)

<u>Department</u>	<u>Female Ph.Ds at Slippery Rock</u> * (6)	<u>Female Ph.Ds graduated</u> 8 (7)
Special Education	None	36.05% * (8)
English	8.33% * (9)	24.09%
Art	None	25.80%
Health Science	None	29.55%
Library Science	None	27.14%
Secondary Education	None	15.94%
Elementary Education	28.57%	38.28%
Music	None	13.51%
Sociology and Anthropology	None	19%
Speech and Theater	None	15.87%
Mathematics	None	6.46%
History	10%	11.71%
Economics and Business	None	5.62%
Biology	20%	20.27%
Modern Languages	50%	31.70%
Psychology	33.33%	25.04%
Communications	50%	17.7%
Physical Education	45.45%	28.38% * (10)

\* (8) It is to be noted that all the particular categories encompassed by the title, "Special Education" may not be applicable to the instant respondents course of instruction. (T-110 through 120)

\* (9) This percentage results from the inclusion of one female Ph.D. in the English Department, Dr. Elizabeth Curry, who, at the time of this hearing had been dismissed from employment by the respondent. (T-55-56)

\* (10) It is to be noted that the final column in each instance in this chart represents the female Ph.D. graduates in each discipline for the 10 year period and not the availability of female Ph.Ds during that time. Availability would, by definition, include some female Ph.Ds who earned their degrees prior to 1960 and would not necessarily include all female Ph.D graduates during the 1960-1969 period. The language included at the bottom of Exhibit G and as read into the record at T-138 may further illuminate the murky area of availability, as it is therein stated: "A recent study (The Woman Doctorate in America by Helen Astin) indicated that 91% of women doctorates were working, 81% of them full time. 79% had not interrupted their careers in the 10 years after obtaining the doctorate. Only 81% of all men are in the labor force. Of men with doctorates, only 69% work full time in their fields of study."

- C. The percentage of male and female instructional staff at Slippery Rock State College does not significantly differ from the national average of male-female ratios on instructional staffs at colleges and universities throughout the United States. (T-248)
- D. The percentage of female full professors at Slippery Rock is slightly lower than the national average for female full professorships at the colleges and universities throughout the United States. (T-249)
- E. The percentage of male full professorships at Slippery Rock State College is slightly higher than the national average for male full professorships at the colleges and universities throughout the United States. (T-249)
- F. The percentage of female instructors at Slippery Rock State College is lower than the national average for female instructors at the colleges and universities throughout the United States. (T-250)
- G. The nepotism policy of Slippery Rock State College, as it was explained to Ms. Wanda Badget, in 1970, was that since her husband was full-time, she could only be part time and that no husband-wife teams could be hired in the same department. (T-164, 202 and 338) Yet in January 1969, both Dr. Stephen Curry and Dr. Elizabeth Curry, a husband and wife, were offered full-time positions in the same department. (T-190)
- H. Ms. Wanda Badget was as well qualified as Mr. Dean Wall to assume a position of part-time reading instructor in the spring of 1972, and Ms. Badget had published and had previously taught reading. Yet Mr. Wall was hired for that position. (T-166 through 181)

9. New avenues for recruiting women instructional staff have been explored since the instant complaint was filed in June of 1971 and the results were more fruitful in obtaining qualified female instructional staff than had been the case prior to the filing of the complaint. (T-300)

10. We find, from the testimony of Dr. George Quick, that affirmative recruitment efforts toward the hire of female instructional staff was fruitful in this area and could have been fruitful if affirmative action has been taken in all departments at Slippery Rock State College. (T-223 through 237)

11. We find a pattern of disparate treatment to the detriment of female instructors in the recruitment and hiring policies of Slippery Rock State College which results directly from their lack of efforts in this field.

### CONCLUSIONS OF LAW

Upon all the evidence in the public hearing and in consideration of the foregoing findings of fact, the Pennsylvania Human Relations Commission makes the following conclusions of law:

1. At all times herein mentioned, the Pennsylvania Human Relations Commission had and still has jurisdiction over complainant and respondents and the subject matter of the complaint herein under the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended by Act 56 of July 6, 1969, 43 P.S. Section 955(a), and under Section 5(a) of said Act.

2. 43 P.S. § 955 provides in part as follows:

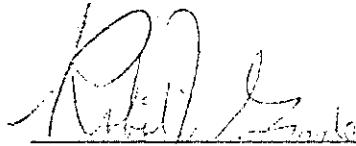
"It shall be an unlawful discriminatory practice, unless based upon a bona fide occupational qualification ... (a) For any employer, because of the race, color, religious creed, ancestry, age, sex, or national origin of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment ..."

3. The policies, practices and procedures of promotion, and other privileges of employment of the instructional faculty and administration at Slippery Rock State College are not violative of Section 5(a) of the Pennsylvania Human Relations Act, supra.

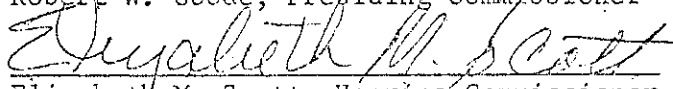
4. The policies, practices and procedures of Slippery Rock State College in the areas of compensation, classification, and recruitment and hiring of female instructional staff employees is in violation of Section 5(a) of the Pennsylvania Human Relation Act, supra.



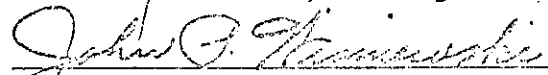
under-utilization of females with Ph.D. and Masters Degrees in various departments and a lack of affirmative effort to correct said under-representation. It is, therefore, recommended that the Commission enter an order against respondents requiring them to remedy the violations in the areas of compensation, classification and hiring.



Robert W. Goode, Presiding Commissioner



Elizabeth M. Scott, Hearing Commissioner



John P. Wisniewski, Hearing Commissioner





- b. The Respondent shall request all such female applicants whose application information has not been retained by the Respondent to resubmit their applications for the purpose of this evaluation. Such requests shall be publicized by means of bulletin board notices, all faculty publications, notices to appropriate professional organizations and in all the media through which faculty positions were advertised during that period.
- c. Each female applicant who shall be evaluated as entitled to a job under a. and b. above shall be paid by the Respondent a token payment in the amount of \$750.00 each in lieu of the back salary and interest to which she may be entitled.
- d. The Respondent shall notify in writing all females who have held faculty positions, full-time or part-time, since July 9, 1969, of their right to have their employment conditions with the Respondent reviewed and compared with males in the employ of the same department of the Respondent during the same period.
- e. The employment conditions to be considered in d. above shall include:
- (1) Hired part-time v. full-time.
  - (2) Annual service increments.
  - (3) Merit raises.
  - (4) Renewals of contract.
  - (5) Granting of tenure.
  - (6) Promotion to higher ranks.
  - (7) Recommendation by the college for research grants.
- f. The purpose of the review and comparison in d. above shall be to determine what, if any, compensations shall be made for whatever inequities are found. Such compensations shall include back pay from the date of the inequity.
- g. The Respondent shall report to the Pennsylvania Human Relations Commission for its approval the results of these evaluations and comparisons outlined above and proposed compensations, and make available for inspection at the college all supporting documents and data.

- h. The college shall complete the reviews described above by March 1, 1974.
- i. The Complainant, Dr. Ronnalie Howard, shall be compensated by the Respondent for the difference between her cumulative salary while on the faculty of Slippery Rock State College and the cumulative salary during the same period of the male hired at the same time and at the highest salary as Associate Professor in the English Department. Such compensation shall include interest at 6% per annum if compensation is not paid in full within 30 days of this Order.
- j. The Respondent shall not employ or promote any additional instructional staff until the following affirmative action steps have been taken and approved by the Commission:
- (1) Each department submit in writing to the President its plans to affirmatively recruit female applicants as soon as it has faculty openings in the department, to include but not be limited to:
    - (a) The names and addresses of specific sources of female applicants to include:
      - Professional journals
      - Job registries
      - Predominantly women's colleges
      - Non-college employers of women with graduate or professional degrees
      - Feminist periodicals
      - Women's groups
    - (b) The goal of the department in terms of the number of total and female new faculty it projects will be hired for each academic year through fall 1980.

- k. The President shall not make any appointment or promotion to a faculty position unless the recommendation from the department is accompanied by---
- (1) Evidence that the department has adequately announced the vacancy to the sources named in above.
  - (2) The complete credentials of all female applicants for the position.
  - (3) A written justification for any recommendation of a male for appointment in preference to the female applicants.
- l. The President shall not take any of the following personnel actions regarding faculty without giving the Commission prior notification of the names and sex of the intended beneficiaries, to provide the opportunity for the Commission, if it so chooses, to review the Respondent's compliance with the terms of this Order.
- Appointment  
Granting of annual service increments and merit raises  
Renewal of contracts  
Granting of tenure  
Promotions
- m. The Commission shall have 30 days within which to complete its review of a given personnel action and indicate its response, if any. To conduct such a review, the Commission must indicate its intention to do so within 10 days of the postmark date of notification.
- n. The Respondent shall rescind forthwith its policies against the hiring of husband-wife teams within the same department, while it may place a limit on the participation of said spouses in decisions that affect the employment conditions of the other.

- o. The Respondent shall comply with the provisions of k, l, and ~~m~~ for a period of two (2) years from the date of this Order subject to renewal by the Commission.

PENNSYLVANIA HUMAN RELATIONS COMMISSION

By: \_\_\_\_\_  
E. E. Smith,  
Chairman

ATTEST:

By: \_\_\_\_\_  
Dr. Robert Johnson Smith,  
Secretary

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

DR. RONNALIE HOWARD,  
Complainant

vs.

SLIPPERY ROCK STATE COLLEGE  
DR. ALBERT A. WATREL, President,  
Respondent

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: Docket No. E-4263P  
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AMENDED  
FINAL ORDER

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AND NOW, this 30th day of April 1974, upon consideration of the foregoing Findings of Fact and Conclusions of Law, and pursuant to Section 9 of the Pennsylvania Human Relations Act, it is hereby

O R D E R E D

1. The Respondents shall remedy all members of the aggrieved sex who have suffered directly from the pattern and practice of discrimination by the Respondents in their recruitment, hiring, classification and compensation of staff for faculty positions since July 9, 1969, the date of the sex amendment to the Pennsylvania Human Relations Act to the present date, in the following manner:

a. All females who applied for faculty positions filled by males since July 9, 1969, shall be evaluated in comparison with the males hired for these positions on the basis of qualifications at the time of their respective application. All such females who were equally or better qualified by such comparisons and who would have been hired except for their sex shall be offered full-time employment at the first available opening in the department where they were denied employment, at the rank and salary to which they would have been entitled through regular merit progression had they been employed at the date the male was employed. In the case of any female so hired who is not

granted tenure, the Respondent will provide the Commission with the reasons for same.

b. The Respondent shall request all such female applicants whose application information has not been retained by the Respondent to resubmit their applications for the purpose of this evaluation. Such requests shall be publicized by means of bulletin board notices, all faculty publications, notices to appropriate professional organizations and in all the media through which faculty positions were advertised during that period.

c. Each female applicant who shall be evaluated as entitled to a job under "a" and "b" above shall be paid by the Respondent a token payment in the amount of \$750.00 each in lieu of the back salary and interest to which she may be entitled.

d. "Applicants" as referred to in this Order shall be considered any person who has communicated in writing with officials of the Respondent indicating an interest in being employed in a faculty position and including information regarding their qualifications for such position. To qualify as an "applicant" for purpose of potential relief under this Order, said persons must be able to provide by reasonable substantiating evidence, such as copies of correspondence or affidavit from other persons, that they did in fact comply with the requirements as set forth in the first section of this paragraph and establish with reasonable accuracy the date of the "application".

e. The Respondent shall notify in writing all females who have held faculty positions, full-time or part-time, since July 9, 1969, of their right to have their employment conditions with the Respondent reviewed and compared with males in the employ of the same department of the Respondent during the same period.

f. The employment conditions to be considered in "d" above shall include:

- 1) Hired part-time v. full-time
- 2) Annual service increments
- 3) Merit raises
- 4) Renewals of contract
- 5) Granting of tenure
- 6) Promotion to higher ranks
- 7) Recommendation by the college for research grants

g. The purpose of the review and comparison in "d" above shall be to determine what, if any, compensations shall be made for whatever inequities are found. Such compensations shall include back pay from the date of the inequity.

h. The Respondent shall report to the Pennsylvania Human Relations Commission for its approval the results of these evaluations and comparisons outlined above and proposed compensations, and make available for inspection at the college all supporting documents and data.

i. The college shall complete the reviews described above by May 1, 1974, regarding those departments in which vacancies arise between December 5, 1973 and May 1, 1974, and by September 1, 1974, regarding the balance of these reviews.

j. The Respondent shall not employ or promote any additional instructional staff until the following affirmative action steps have been taken and approved by the Commission:

1) Each department submit in writing to the President its plans to affirmatively recruit female applicants as soon as it has faculty openings in the department, to include but not be limited to:

(a) The names and addresses of specific sources of female applicants to include:

Professional journals  
Job registries  
Predominantly women's colleges  
Non-college employers of women with graduate or  
professional degrees  
Feminist periodicals  
Women's groups

(b) The goal of the department in terms of the number of total and female new faculty it projects will be hired for each academic year through fall 1980.

k. The President shall not make any appointment or promotion to a faculty position unless the recommendation from the department is accompanied by:

- 1) Evidence that the department has adequately announced the vacancy to the sources named in "j. 1) (a)" above.
- 2) The complete credentials of all female applicants for the position.
- 3) A written justification for any recommendation of a male for appointment in preference to the female applicants.

l. In lieu of Commission pre-review of the following personnel actions of the President, the President shall promptly notify the Commission of the names and sex of the actual beneficiaries of the following personnel actions regarding faculty, for Commission review to ensure compliance with this Order and the Pennsylvania Human Relations Act.

- 1) Appointment
- 2) Granting of annual service increments and merit raises
- 3) Renewal of contracts
- 4) Granting of tenure
- 5) Promotions

This procedure shall be in effect until January 1, 1975 at which time the Commission shall consider requesting a pre-review procedure if necessary. A Commission determination, upon review

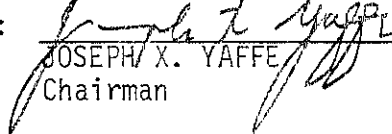


and after affording Respondents a full opportunity to explain and justify its actions, that unlawful discrimination because of sex occurred in any of the personnel actions enumerated in this Order shall place Respondent in violation of this Order. The Commission may thereupon order any appropriate remedy including but not limited to back pay and the relief provided in paragraph "l. a." Such an order shall be enforced in Commonwealth Court under the procedures set forth at Section 10 of the Pennsylvania Human Relations Act: provided that the Commission shall submit to the Court along with its Petition for Enforcement the relevant information upon which it made its determination of unlawful discrimination and the Respondent's explanation and justification of its decision.

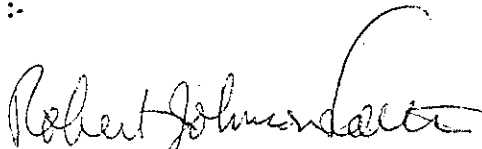
m. The Respondent shall rescind forthwith its policies against the hiring of husband-wife teams within the same department, while it may place a limit on the participation of said spouses in decisions that affect the employment conditions of the other.

n. The Respondent shall comply with the provision of "k" for a period of two (2) years from the date of this Order subject to renewal by the Commission.

PENNSYLVANIA HUMAN RELATIONS COMMISSION

By:   
JOSEPH X. YAFFE  
Chairman

ATTEST:-

By:   
DR. ROBERT JOHNSON SMITH  
Secretary

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DR. RONNALIE HOWARD :  
COMPLAINANT :  
vs. : DOCKET NO. H-1557  
SLIPPERY ROCK STATE COLLEGE :  
DR. ALBERT A. WATREL, PRESIDENT :  
RESPONDENTS :

CONSENT ORDER AND DECREE

WHEREAS, a complaint has been filed against Slippery Rock State College and Dr. Albert A. Watrel, President, located at Slippery Rock, Pennsylvania, hereinafter called the respondents, by Dr. Ronnalie Howard, whose present address is Wilson College, Chambersburg, Pennsylvania, hereinafter called the complainant, alleging that the respondents are in violation of Section 5 h (3) of the Pennsylvania Human Relations Act of October 27, 1955, P. L. 744, as amended by the Act of February 28, 1961, P. L. 47, and as further amended by the Act of July 9, 1969, P. L. 133, and

WHEREAS, the Pennsylvania Human Relations Commission, after investigating the facts of the complaint, has found probable cause to believe that the respondents are in violation of the Human Relations Act, and

WHEREAS, the respondents state that they sign this agreement without duress of any kind and with the intent to be legally bound thereby, and

WHEREAS, for the purpose of avoiding litigation, the respondents do hereby agree to waive any Public Hearing to which they may be entitled to under the Pennsylvania Human Relations Act and Regulations promulgated thereunder and to the entry of the following Consent Order and Decree having the full force and effect of a Commission order following a Public Hearing.

NOW, THEREFORE, this nineteenth day of January 1972, the respondents and the Pennsylvania Human Relations Commission agree as follows:

1. The respondents agree that all residence halls maintained and/or supervised by Slippery Rock State College shall be governed by a uniform set of rules and regulations, and all rules and regulations in respect to housing and penalties in connection therewith exclusively for women are hereby rescinded.

2. The respondents agree that all references to housing relating to women outlined on pages 49 through 52 of the 1971-72 student handbook, The Green and White, will be forthwith deleted therefrom.

3. The respondents agree that regulations governing place of residence shall be uniform for students of both sexes.

4. The respondents agree that the Open House Policy shall be uniform for all students, male and female, and that information pertaining to Open House Policy on page 49 of the 1971-72 student handbook will clearly state this policy.

5. The respondents agree to hereby rescind regulated hours and/or living standards for freshmen women and to delete all reference pertaining thereto in the student handbook, the Residence Hall Staff Handbook and any other publication or information; and further agree that any substitute regulations shall pertain uniformly to freshmen students of both sexes.

6. The respondents further agree that they will provide parents of students with an official notification of all revisions in their policy relating to housing to bring it in compliance with the Pennsylvania Human Relations Act; and the respondents further agree that official notification of this change shall be given students through posting in appropriate locations in all dormitories maintained or administered by the respondents.

7. The respondents agree that on or before February 1, 1972, an official notification shall be mailed to all students that all documentation of punishments and/or penalties suffered by women for failure to comply with discriminatory housing rules and

regulations, from July 9, 1969, to the present date, will be forthwith removed from their records; and further agrees that those students who so desire may, upon request, receive the official documentation of such punishments and/or penalties as it is removed from their record.

8. The respondents agree to make an official search of the school records dating from July 9, 1969 to the present date, to determine if any female student has suffered an expulsion which was in any way related to infractions of discriminatory housing rules and regulations; and further agrees that in the event the records reveal that this was the cause, or a contributing cause for expulsion of any female student, such student shall be immediately offered an apology and reinstatement with adequate compensation for any loss including financial or student rank. The respondents agree that in the event the records show that these rules and regulations have not been the cause, nor contributing cause, for the expulsion of any female student that a notarized statement to this effect shall be filed with the Pennsylvania Human Relations Commission.

9. The respondents hereby agree that no off-campus housing shall be listed, advertised or approved by the respondents unless the operator of such housing affirms in writing that such housing will be rented in full compliance with the Pennsylvania Human Relations Act and this Consent Order.

10. The respondents further agree that the terms of this Consent Order shall be fully effective no later than January 31, 1972, and that they will submit to the Pennsylvania Human Relations Commission the following verification of implementation:

- a. A copy of the uniform rules and regulations for residence halls.
- b. Verification that information applicable in any way to residency or housing for women is

deleted from the next issue of the student handbook (The Green and White) and from the Residence Hall Staff Handbook.

- c. A copy of the uniform Open House Policy as it will appear in the revised Green and White and staff handbook.
- d. Copy of the official notification to parents of the respondent's revised rules and regulations relating to housing.
- e. A copy of the official notification to students described in point six of this Consent Order.
- f. Copy of the official notification to students to which the respondents agree in point seven.
- g. A notarized statement of the results of the record search to which the respondents agree in point 8 of this Consent Order.

11. The respondents hereby further agree to submit to the Pennsylvania Human Relations Commission for a five year period beginning February 1, 1972, any proposed <sup>housing</sup> rules and regulations in order that such proposals may be reviewed by the Commission to determine that they are in compliance with the Pennsylvania Human Relations Act.

12. It is agreed that any future violations of the section of the Pennsylvania Human Relations Act covered by this complaint shall be considered a violation of this agreement.

This Consent Order in no way determines the validity of any complaints that have existed or may in the future exist between any of the respondents and any other person or organization.

Donald P. Osterburg  
Chairman, Board of Trustees  
Slippery Rock State College

Albert A. Watrel  
Dr. Albert A. Watrel, President  
Slippery Rock State College

ATTEST:

Alfred E. ...  
Secretary, Board of Trustees  
Slippery Rock State College

Homer C. Floyd  
Homer C. Floyd, Executive Director  
Pennsylvania Human Relations Commission

Approved at a meeting of the Pennsylvania Human Relations Commission  
held this 28th day of August, 1972.

E. E. Smith  
E. E. Smith, Chairman

ATTEST:

Robert Johnson Smith  
Dr. Robert Johnson Smith, Secretary

Alfred J. [Signature], being duly sworn, deposes and says:

1. That he is the Secretary of the Board of Trustees of Slippery Rock State College.

2. That a meeting of the Board of Trustees of Slippery Rock State College was held on September 7, 1972, at which the Board of Trustees by a vote of the majority of the Board, a quorum being present, voted to adopt and adhere to the proposed said Order and Decree attached hereto.

3. That on said date the Board of Trustees authorized the Chairman of the Board of Trustees to execute said Order and Decree on behalf of and with full authority of the Slippery Rock State College. A copy of that Resolution is attached hereto and made a part of as Attachment 1.

Alfred J. [Signature]  
Secretary

Virgil A. Galante  
Notary Public

VIRGIL A. GALANTE, Notary Public  
Slippery Rock, Butler County, Pa.  
My Commission Expires July 11, 1974

August 22, 1972

Mr. Raymond W. Cartwright, Director  
Housing Division  
Human Relations Commission  
100 North Cameron Street  
Harrisburg, Pennsylvania

Dear Mr. Cartwright:

Pursuant to the August 15, 1972, meeting between your office and representatives of Slippery Rock State College, the following understanding, agreement and interpretation is to be given to the proposed "Consent Order and Decree."

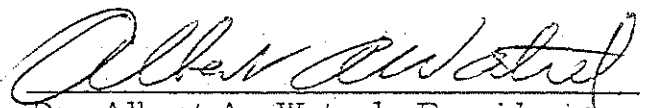
There were never any violations of any Federal, State or local laws, or rules and regulations of any governmental agencies by the Board of Trustees of Slippery Rock State College, its officers, employees and representatives. Slippery Rock State College, through its Board of Trustees, officers, employees and representatives shall at all times endeavor to comply with pertinent governing and controlling laws, rules and regulations in seeking to avoid discrimination of any kind as the same may relate to college admissions, activities, housing and college rules and regulations.

This letter shall become incorporated with the "Consent Order and Decree" at Docket No. H-1557 before the Pennsylvania Human Relations Commission in the matter of Dr. Rennalee Howard, Complainant, vs. Slippery Rock State College, Dr. Albert A. Watrel, President, Respondents. The said "Consent Order and Decree" shall have no retroactive legal effect and shall apply prospectively only.

Sincerely yours,



Donald O. Oesterling, Chairman  
Board of Trustees, Slippery Rock  
State College



Dr. Albert A. Watrel, President  
Slippery Rock State College



PENNSYLVANIA HUMAN RELATIONS COMMISSION

DR. RONNALIE HOWARD :  
COMPLAINANT :  
vs. : DOCKET NO. H-1557  
SLIPPERY ROCK STATE COLLEGE :  
DR. ALBERT A. WATREL, PRESIDENT :  
RESPONDENTS :

CONSENT ORDER AND DECREE

WHEREAS, a complaint has been filed against Slippery Rock State College and Dr. Albert A. Watrel, President, located at Slippery Rock, Pennsylvania, hereinafter called the respondents, by Dr. Ronnalie Howard, whose present address is Wilson College, Chambersburg, Pennsylvania, hereinafter called the complainant, alleging that the respondents are in violation of Section 5 h (3) of the Pennsylvania Human Relations Act of October 27, 1955, P. L. 744, as amended by the Act of February 28, 1961, P. L. 47, and as further amended by the Act of July 9, 1969, P. L. 133, and

WHEREAS, the Pennsylvania Human Relations Commission, after investigating the facts of the complaint, has found probable cause to believe that the respondents are in violation of the Human Relations Act, and

WHEREAS, the respondents state that they sign this agreement without duress of any kind and with the intent to be legally bound thereby, and

WHEREAS, for the purpose of avoiding litigation, the respondents do hereby agree to waive any Public Hearing to which they may be entitled to under the Pennsylvania Human Relations Act and Regulations promulgated thereunder and to the entry of the following Consent Order and Decree having the full force and effect of a Commission order following a Public Hearing.

NOW, THEREFORE, this nineteenth day of January 1972, the respondents and the Pennsylvania Human Relations Commission agree as follows:

1. The respondents agree that all residence halls maintained and/or supervised by Slippery Rock State College shall be governed by a uniform set of rules and regulations, and all rules and regulations in respect to housing and penalties in connection therewith exclusively for women are hereby rescinded.

2. The respondents agree that all references to housing relating to women outlined on pages 49 through 52 of the 1971-72 student handbook, The Green and White, will be forthwith deleted therefrom.

3. The respondents agree that regulations governing place of residence shall be uniform for students of both sexes.

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6. The respondents further agree that they will provide parents of students with an official notification of all revisions in their policy relating to housing to bring it in compliance with the Pennsylvania Human Relations Act; and the respondents further agree that official notification of this change shall be given students through posting in appropriate locations in all dormitories maintained or administered by the respondents.

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8. The respondents agree to make an official search of the school records dating from July 9, 1969 to the present date, to determine if any female student has suffered an expulsion which was in any way related to infractions of discriminatory housing rules and regulations; and further agrees that in the event the records reveal that this was the cause, or a contributing cause for expulsion of any female student, such student shall be immediately offered an apology and reinstatement with adequate compensation for any loss including financial or student rank. The respondents agree that in the event the records show that these rules and regulations have not been the cause, nor contributing cause, for the expulsion of any female student that a notarized statement to this effect shall be filed with the Pennsylvania Human Relations Commission.

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- a. A copy of the uniform rules and regulations for residence halls.
- b. Verification that information applicable in any way to residency or housing for women is

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12. It is agreed that any future violations of the section of the Pennsylvania Human Relations Act covered by this complaint shall be considered a violation of this agreement.

This Consent Order in no way determines the validity of any complaints that have existed or may in the future exist between any of the respondents and any other person or organization.

Ronald D. Dentenberg  
Chairman, Board of Trustees  
Slippery Rock State College

Albert A. Watrel  
Dr. Albert A. Watrel, President  
Slippery Rock State College

ATTEST:

\_\_\_\_\_  
Secretary, Board of Trustees  
Slippery Rock State College

\_\_\_\_\_  
Homer C. Floyd, Executive Director  
Pennsylvania Human Relations Commission

Approved at a meeting of the Pennsylvania Human Relations Commission  
held this \_\_\_\_\_ day of \_\_\_\_\_, 1972.

\_\_\_\_\_  
E. E. Smith, Chairman

ATTEST:

\_\_\_\_\_  
Dr. Robert Johnson Smith, Secretary

\_\_\_\_\_, being duly sworn, deposes  
and says:

1. That he is the Secretary of the Board of Trustees  
of Slippery Rock State College.

2. That a meeting of the Board of Trustees of Slippery  
Rock State College was held on \_\_\_\_\_, at which  
the Board of Trustees by a vote of the majority of the Board,  
a quorum being present, voted to adopt and adhere to the proposed  
said Order and Decree attached hereto.

3. That on said date the Board of Trustees authorized  
the Chairman of the Board of Trustees to execute said Order and  
Decree on behalf of and with full authority of the Slippery Rock  
State College. A copy of that Resolution is attached hereto and  
made a part of as Attachment 1.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Notary Public

August 22, 1972

Mr. Raymond W. Cartwright, Director  
Housing Division  
Human Relations Commission  
100 North Cameron Street  
Harrisburg, Pennsylvania

Dear Mr. Cartwright:

Pursuant to the August 15, 1972, meeting between your office and representatives of Slippery Rock State College, the following understanding, agreement and interpretation is to be given to the proposed "Consent Order and Decree."

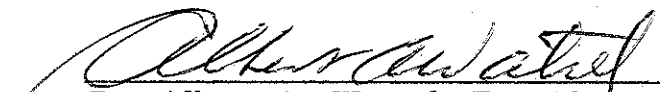
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Sincerely yours,



Donald O. Oesterling, Chairman  
Board of Trustees, Slippery Rock  
State College



Dr. Albert A. Watrel, President  
Slippery Rock State College