October 9, 2009

To: APA

From: Leslie Francis
Chair, Committee on Career Opportunities and Placement

Re: Committee Report 2008-09

The Committee has engaged in several important activities during the last year. First, we held sessions at each of the three divisional meetings, aimed at graduate students and on the topic of best placement practices. These sessions were reasonably well attended and very well received by the students who came. We are planning similar sessions for upcoming APA meetings.

Second, the Committee staffed each meeting with a placement ombudsperson, available to answer any questions from job candidates. This function was publicized at the meetings and will be continued this year. It is clearly important to have this capacity at the meetings; however, we report that there were no requests for help at any meeting this past year.

Third, the Committee drafted a memo in response to the Committee on Inclusiveness’s report on the APA nondiscrimination policy. The memo, which resulted from extensive Committee discussion, is appended to this report.

Fourth, the Committee chair received several inquiries about hiring practices that allegedly violated the professional rights of philosophers. These inquiries were from philosophers who had formally accepted positions, only to be told later that the positions in question were either withdrawn or significantly altered. Although these are properly issues for another committee (and were referred), we believe that this is a situation (given the current economic climate) that requires ongoing monitoring. Placement candidates should be warned that this has happened and be advised about how to handle the risk.

Relatedly, the Committee has as an ongoing project to update the placement handbook, in light of this and other current issues. We plan to complete this project within this academic year.

Appendix:

August 25, 2009

To: Cheshire Calhoun
Chair, APA Committee on Inclusiveness
Cc: David Schrader, Executive Director, APA
From: APA Committee on Career Opportunities and Placement
The APA Committee on Career Opportunities and Placement has conducted extensive online discussions of the memo from the Committee on Inclusiveness. We have the following response.

We are in full agreement on several points. Whatever the APA policy is, it must be clear, communicated in timely fashion, and enforceable. We have some suggestions about enforcement that can be passed on, if the Board would like. Additionally, it would be very helpful for the APA to know what other academic professional organizations are doing, and what issues they have encountered with their policies.

One member of the Committee pointed out that the APA should consider seeking legal advice about whether refusal to carry the ads might be either problematic from the perspective of 501(c) (3) status or risk litigation if the APA is a state actor subject to suit under the 14th Amendment. Any legal risks of course should not be determinative of APA action.

Committee members were polled on a series of questions. The questions and replies are as follows:

1. Do you agree with the petitioners or the counterpetitioners on the APA’s antidiscrimination policy?

   All members of the Committee agreed with the petitioners with respect to the APA’s antidiscrimination policy. They agreed with the Committee on Inclusiveness’s judgment that a distinction between status and conduct cannot be sustained.

   However, it seems clear that there remains some confusion about what the APA policy actually is. For purposes of this response, we assume that the current policy of prohibiting “all forms of discrimination,” but permitting institutions to take into account a requirement of religious affiliation that is announced and non-discriminatory, would permit an institution to require applicants to be “a member of the X faith” or “to adhere to the tenets of the X faith.” It would prohibit an institution from imposing a conduct code that disproportionately burdened same-sex couples in comparison to opposite-sex couples, or from interpreting religious affiliation in a way that requires conformity with a discriminatory conduct code. One example of such a discriminatory code would be a code that prohibited any sexual relationships outside of marriage, where marriage is defined as “between a man and a woman.” As we understand the policy, an anti-same sex relationship policy is discriminatory, whereas an anti-extramarital-behavior policy isn’t, so long as marriage is equally available in the jurisdiction in question.

2. Should ads from institutions that violate the APA antidiscrimination policy be accepted or not? State why.

   A majority of the Committee favored accepting the ads (Francis, Mattingly, Nails, Piccinini, Rainbolt, Timpe, Weirich), with a clear statement that the institution in question has a conduct code that does not comply with the APA’s antidiscrimination policy (or perhaps in a separate, flagged section of JFP). Meghani and Snow would reject ads from such institutions. No members of the Committee would accept the ads without flagging.
Supporters of the prohibition argued that the APA should not further or in any way be complicit in conduct that violates its anti-discrimination policy. They pointed out that other forums (e.g. the Chronicle of Higher Education) are available to publicize information about job openings. Some members of the Committee also believe that an outright ban would help to put pressure on institutions to change their discriminatory policies.

Opponents of the prohibition argued that APA placement policy should put the interests of job-seekers first and that it is important to have a single locus for job listings. Concerns were also raised that a policy of prohibition would further divide the profession and make it more difficult for opponents of discrimination to attempt to change their own schools’ policies by working from within. The possibility was also expressed that requiring institutions to identify themselves as discriminating might serve a shaming function and that free expression might help in ultimately changing prejudices.

3. If ads from such institutions should be accepted, should they be flagged in some way? State how they should be flagged, and the purpose of flagging.

Opponents of allowing the advertising thought that flagging would serve little purpose in changing policy. They also commented that job seekers would likely be aware of institutional policies. Publishing the ads, flagged or not, would bring into serious question the APA’s commitment to opposing discrimination.

Those who favored permitting the APA to accept the ads thought that flagging would provide job seekers with an important source of information. Simply referring job candidates to an institutional web site is insufficient notice about institutional policy. They also thought that flagging would serve an important shaming function and that the flagging requirement might help faculty opposing discrimination put pressure on their institutions. The Committee emphasized that any flagging method should be clearly recognizable, understandable, and prominent.