

AN ANALYSIS OF OKLAHOMA PUBLIC SCHOOL JOB
APPLICATIONS AND INTERVIEW QUESTIONS
ACCORDING TO EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
GUIDELINES

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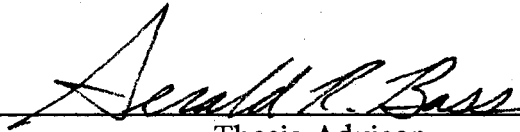
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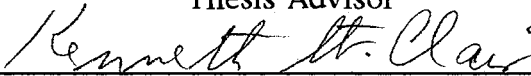
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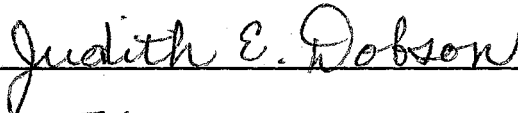
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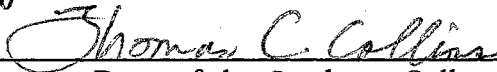


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CHAPTER I

INTRODUCTION

The most important and perhaps most challenging problem of any organization is to identify the most qualified individuals from its pool of human resources who best fit position requirements. To accomplish the task of achieving congruency between people and positions, a variety of sources of information about the individual such as application forms, interviews, inventories, references, transcripts, and tests are used to complete the process of selection (Castetter, 1986).

Organizations began using the application form as a tool to collect standardized biographical information and screen applicants for positions in the late 19th Century (Ferguson, 1961). Until the early 1970s, the completed application form revealed basic personal data of applicants such as their age, gender, and race. School district administrators were free to ask for whatever information they wanted, regardless of its relationship to an individual's ability to perform effectively in a given position (Harris, McIntyre, Littleton, & Long, 1985). Thus, use of a standardized application form to fulfill the function of improving the selection of applicants actually created a dysfunction which allowed organizations to discriminate against applicants who might otherwise be the best qualified.

A Louisiana study of both private and public schools suggested that the application form is inherently discriminatory against applicants unless all the applicants are interviewed (Broussard, 1989). The findings revealed that

the personal interview supersedes the job application when it comes to the hiring of school principals. Therefore, if an employer chooses not to interview an applicant because of a response to an item on the job application, that individual is effectively eliminated from further consideration.

Purpose of the Study

Public school leaders have made substantial efforts in the last decade to improve their hiring practices in an effort to employ people who more fully reflect the diverse society in which they serve. However, there is still room for improvement. While public schools have been one of many organizations affected by attempts to eliminate discrimination, a review of the literature suggests that discrimination still exists with such factors as race, gender, age, disability and personal appearance.

The purpose of this study was to investigate first the degree to which application forms for teaching positions in the public schools of Oklahoma were in compliance with the guidelines established by the Equal Employment Opportunity Commission (EEOC). A second, similar focus was directed toward the degree of compliance in interviewing.

All Oklahoma independent public school districts were asked to provide the application form, if any, used in the selection process for teachers. Additionally, Oklahoma State University Entry Year teachers who were interviewed for professional positions in the public schools of Oklahoma for the 1992-93 school year were surveyed to identify topics of discussion during the interview phase of the hiring process and determine the degree of compliance with EEOC guidelines.

Nine research questions were developed to guide the acquisition of data necessary to accomplish the stated purpose of the study:

1. To what extent do Oklahoma independent school district application forms comply with EEOC guidelines?
2. Does district size affect the degree of compliance of application forms with EEOC guidelines?
3. Does the geographic location of the district affect the degree of compliance of application forms with EEOC guidelines?
4. Does the setting of the district affect the degree of compliance of application forms with EEOC guidelines?
5. To what extent do the questions asked of applicants during the interview phase of the hiring process comply with EEOC guidelines?
6. Does the age of the prospective teacher affect the degree of EEOC compliance of the questions asked during the interview phase of the hiring process?
7. Does district size affect the degree of EEOC compliance of the questions asked during the interview phase of the hiring process?
8. Does the geographic location of the district affect the degree of EEOC compliance of the questions asked during the interview phase of the hiring process?
9. Does the setting of the district affect the degree of EEOC compliance of the questions asked during the interview phase of the hiring process?

Significance of the Study

Public schools were established to provide an education to all classes of young people in our society regardless of factors such as socioeconomic status, gender, or race. Because public school educators are responsible for "educating the masses," they find themselves having a powerful impact on society. At the same time, public schools should reflect the society which they

have been established to serve. It is therefore important that the professionals who educate young people reflect the diverse society and be selected with that goal. More research is needed in the area of job discrimination in public schools for two reasons. First, the collective public school system is a massive organization when compared to most other employers. Second, discrimination of individuals in relation to employment may continue despite a host of legislative and statutory actions that have been approved during the past three decades.

The American public school system comprises 15,398 school districts which employ over 5.3 million full-time professional and support staff (Bredeson, 1988). Included in this total are 223,667 administrators and professional personnel in central offices, (123,204 of which are building level administrators), 2.1 million classroom teachers, 63,312 guidance counselors, 46,979 librarians, 285,651 instructional assistants, and 163,692 school and library support staff. There are 1.4 million non-professionals in food service, maintenance, and transportation and another 899,290 individuals in other service and support staff positions. Additionally, many states have experienced school reform and restructuring in the last few years, efforts which have often included the hiring of additional classroom teachers and paraprofessionals to reduce the teacher-student ratio. It is quite obvious that the impact of job discrimination would be great considering the number of individuals employed by the public schools.

Discrimination continues despite the legislation, Supreme Court decisions, and government regulations of the past 30 years. During this time, research findings have suggested that individuals were still being hired because of "good old boy" networks and because they had "the right connections" (Adams & Jones, 1980). Socolow (1978) concluded that

organizations advertised positions nationally but continued to use the "good old boy" network. It was determined that only 24% of positions advertised nationally were filled by applicants who had no prior connection with the organization or with members of the search committee. The research also indicated that candidates within an organization were often selected for a position prior to affirmative action advertising. Whisenhunt (1980) suggested that the entire process of advertising for positions and the use of a search committee had become a new ritual for organizations during the hiring process, in large part because individuals simply went through the motions and implied that the processes were open when, in fact, they involved closed systems.

Limitations of the Study

This study is subject to the following limitations:

1. Implications of this study are applicable only to Oklahoma public schools. Any finding of discrimination due to the hiring process and job applications used in Oklahoma may not be generalized to other public schools in the United States.
2. Some school districts did not have job applications while representations of others did not respond to a request for a job application.
3. The selection of subjects who are graduates of Oklahoma State University and were part of the Entry Year Teacher program was limited to those who responded to a request to complete a survey instrument.
4. Students who were graduates of Oklahoma State University who had interviewed for teaching positions, but had not been hired for the 1992-1993 school year, those graduates who were hired in other states, or those graduates who were being supervised by professors from colleges or universities in

Oklahoma other than Oklahoma State University were excluded.

5. Entry year teachers who interviewed for positions in the spring of 1992 may have had difficulty accurately recalling questions they were asked in interviews due to the length of time that had elapsed from the interview until the request to complete the survey.

6. The results of this study cannot be generalized to all teachers who are interviewing for teaching positions since the questions personnel directors ask Entry Year teachers may be different from those questions they ask teachers who are more experienced.

7. The collection of data from Entry Year teachers had limitations because of relying on someone else to deliver it, asking for the completion of the survey just prior to the holiday season, the heavy workload of first year teachers, and the sensitivity of the questions.

Definition of Terms

For the purpose of this study, terms which were important for its understanding are defined as follows:

An affected class is a group of people with a common characteristic (i.e., race, sex, religion or national origin) who have been denied equal opportunity in violation of Title VII of the Civil Rights Act of 1964.

An applicant interview is the interview which is part of the hiring process, conducted by personnel directors or other administrators who have been given the responsibility of selecting applicants for professional positions in public schools.

The Equal Employment Opportunity Commission (EEOC) is the organization established by the United States Congress through the 1964 Civil Rights Act to implement and enforce the provisions of Title VII which

addresses the issue of job discrimination against individuals due to race, color, religion, sex, or national origin.

An Entry Year Teacher is a graduate of an Oklahoma college or university teacher education program who is licensed by the State Department of Education and has been hired to teach school for one year in Oklahoma. Pending the approval of a committee consisting of a veteran classroom teacher, university faculty member, and public school administrator, the Entry Year teacher may be recommended for certification at the conclusion of the Entry Year.

A group interview is an interview in which the applicant for a professional position meets with more than one interviewer at the setting.

A hiring practice is an activity in the hiring process used consistently by a school district in the selection of professional employees.

The hiring process is the procedure a school district follows in the selection of professional employees including advertising for positions, development and use of a job application, interviews, and the final selection and notification of those to be hired.

Job discrimination is the act of selecting one individual for employment instead of another individual because of factors such as race, religion, sex, age, marital status or physical condition.

Public schools are those schools provided by the Oklahoma State Constitution who are subject to the guidelines of the State Board of Education and the local board of education and financed with public funds through state, county and local taxes and assessments.

Summary

Leaders of public schools have made substantial efforts in the last

decade to improve their hiring practices so that the professionals they employ will more fully reflect the diverse society in which they serve. However, discrimination continues despite legislation, Supreme Court decisions, and government regulations. Research findings suggest that individuals continue to be hired because of "good old boy" networks and because they have "the right connections."

The purpose of this study was to investigate the content of job applications for professional positions in the public schools of Oklahoma and the extent of their compliance with the guidelines established by the EEOC. The degree of compliance for questions asked during the interview phase of the hiring process was also investigated.

CHAPTER II

REVIEW OF THE LITERATURE

The purpose of this review of the literature was to determine the extent of discrimination in such areas as race, gender, age, physical features and criminal history as it pertains to the hiring practices of organizations in our society, particularly educational institutions. The chapter begins with a brief overview of studies of job applications and then includes a review of the legislation passed by Congress and implemented by federal agencies to govern organizations as they engage in the process of hiring so as to ensure equitable treatment of all applicants for available positions. The final portion of the chapter contains material from studies which examined specific forms of discrimination in hiring.

Application Forms

The application form is an important selection tool for collecting standardized biographical information on candidates during initial screening activities. School districts have found use of an application form to be increasingly more important to better ensure that selection activities and processes are equitable and legal. Of equal importance is the need to become more selective and thus place only the most able candidates in professional positions in public schools.

Results of three studies conducted in the 1980s indicated that application forms used in the public schools often do not comply with Equal Employment

Opportunity Commission (EEOC) guidelines. In 1982, Sandler received application forms from 71% of the public school districts located in the State of Arkansas. An analysis showed that 66.3% of these applications each contained three or more questions that do not comply with EEOC guidelines. In 1988, Bredeson and Caldwell reported the results of an analysis of legal compliance in the use of application forms by public school districts in a large northeastern state. They found that 45.7% of respondent districts used application forms, for professional positions, which contained specific requests for information which were violations of EEOC guidelines. Also in 1988, Bredeson conducted a study of application forms used by public school districts located in four northeastern states. An analysis of the 202 forms found that 51.6% of the respondent districts used application forms which contained specific requests which did not comply with EEOC guidelines.

Legislation

Legislative action was initiated in the early 1960s in an attempt to prevent job discrimination in the workplace. The first piece of legislation in this effort was Title VII of the 1964 Civil Rights Act which declared that it was an unlawful employment practice for an employer to fail or refuse to hire an individual because of that individual's race, color, religion, sex, or national origin. With this legislation, Congress created the EEOC to implement and enforce the provisions of Title VII (Sandler,1982).

Two of the areas not specified in Title VII were age and physical and mental disabilities. In an attempt to eliminate further discrimination, Congress in 1967 passed the Age Discrimination in Employment Act, which made it unlawful for organizations with 20 or more employees to refuse to hire an individual because of age. This original legislation protected workers in

the 40-65 age group and was amended in 1978 to cover workers through age 70. The 1973 Rehabilitation Act granted legal protection in employment to those with physical and mental disabilities.

In 1972, Title VII was amended by the Equal Employment Opportunity Act which extended coverage of the law to cover private organizations, the federal government, and all state and local governments, governmental agencies, and political subdivisions with 15 or more employees. During the same year, Title IX of the Educational Amendments further specified the equal employment responsibilities of educational institutions. This provision also extended the regulations to include the prohibition of discrimination against applicants based on marital status or parental status.

Realizing that written pre-employment tests could be used to discriminate systematically against certain groups, their use was limited by Title VII which stated that only professionally developed ability tests could be used as long as they were not designed, intended, or used to discriminate. EEOC guidelines have defined the term "test" to include all selection procedures and instruments, including interviews and application forms. Test validity must be demonstrated only in those cases where selection procedures have been alleged to have adversely impacted employment opportunities of an affected class. Those guidelines devised by the EEOC are not law, but are intended to assist employers in their efforts to comply with the law. However, the courts have affirmed many of the guidelines pertaining to hiring procedures as did the U.S. Supreme Court in Griggs v. Duke Power Co . In that case, the Court held that

Congress has placed on the employer the burden of showing that any given requirement must have a manifest relationship to the employment in question (Sandler, 1982, p 413).

The intent of the Court is that no device, such as a job application, or mechanism used during the hiring process should disqualify someone from employment because of their race, religion, gender, age, or physical features (Sandler,1982).

Areas of Discrimination

In studies conducted over three decades, from the 1960s to the 1980s, researchers have concluded that individuals seeking employment in organizations, including public schools, have been subjected to unjustifiable discrimination, particularly in the areas of race, gender, age, physical, and criminal history. Racial discrimination emerged as a prevalent issue in the 1960s. Discrimination in the area of gender became a prevalent issue in the 1970s, followed by age discrimination in the late 1970s and early 1980s. While discrimination against individuals because of physical disability or appearance first became an issue in the 1970s, it received much greater attention in the early 1990s due to more compelling legislation. School district administrators found themselves confronted with yet another area of discrimination, the criminal history of a teacher applicant, beginning in the late 1970s and 1980s (Rhodes, 1992).

Results of research conducted in the discriminatory areas of race, gender, and physical disabilities suggest some improvement in the hiring practices of public school districts. Results in the discriminatory areas of age and criminal history are inconclusive.

Race

Racial discrimination against applicants for public school positions has the longest history when compared to the other discriminatory areas.

Beginning in the early 1960s, administrators became more aware of their responsibility to avoid prejudice against applicants due to race. The early opinion held by many indicated that the public schools were excluded from stringent hiring standards and Affirmative Action plans. Perhaps because the courts imposed strict judicial requirements on administrators, studies such as the following, have documented some reduction in racial discrimination.

VanderWaerdt (1981) reported that the courts had imposed less stringent standards on educational organizations than on industry and other professions, particularly in cases involving racial discrimination. More recent decisions indicate that this is changing and that the judicial requirements are becoming more strict. In 1985, Clague confirmed that public educational organizations must implement Affirmative Action plans despite the political controversy surrounding earlier lower court decisions confirming the validity of affirmative action.

In 1986, Gerdes conducted a study using 64 white male and female college students to evaluate job candidates. The candidates not only varied in race and gender, but also varied in qualifications for high status or low status positions. Information about the candidate was found to affect perceptions of the job status and clarity of candidate description, as well as the candidates' qualifications for the job. The findings of the study showed that male subjects rejected most of the black female candidates, an impact that may be very significant since administrators in the American public schools have predominantly been white males.

Findings of a more recent study suggest that there has been some improvement in racial discrimination. Branscombe and Smith (1990) conducted a study using male and female evaluators who ranked candidates for a position and found that black female candidates were evaluated more

favorably than the other subjects. They concluded that these results suggest a "reverse discrimination" effect in the evaluators' final decision.

Gender

More research has been conducted in the area of gender discrimination than perhaps in other areas of discrimination. This is area of discrimination has the possibility of having the most profound impact on the public school systems since the majority of school teachers tend to be female, yet the majority of public school administrators tend to male. Studies indicate improvement in some levels of positions (Saltzstein,1983) but still more discrimination in higher paying positions.

In 1988, Edson concluded that women continue to be asked illegal questions during the hiring process for administrative positions. A survey of women showed that they were asked such questions as how their husbands feel about their assuming a position as an administrator and how they will take care of their children. The researcher noted that, when interviewing for administrative positions, women often mentioned that their children were older, in order to avoid questions such as these. Another study conducted in the Long Island, New York, School District showed that women applying for administrative positions found it difficult to get past "the paper review" and to get an interview because even the receipt of their applications was often not acknowledged (Pavan,1989). This same study did note that "women typically show less professional perseverance than men" in getting administrative jobs because they do not reapply for positions. Men reapply on the average of three times and women, on average, reapply less than one time during the same period of time, but perhaps this is because of the obstacles with which they are confronted.

The findings of three studies conclude that women continue to be discriminated against when being considered for higher level positions. A 1981 study by Gall investigated whether the proportions of males and females employed in educational leadership positions were equitable in relation to the available talent pool. It was concluded that one in every two or three top educational leadership positions should be held by females. The data, however, revealed that the ratio of women to men in the position of superintendent is only 1 to 50 (Gall, 1981). In a 1983 study, 174 working adults (76 males and 98 females) were presented with a bogus job resume of a high-ranking female corporate employee. The study concluded that, while women continue to obtain full-time jobs at ever-increasing rates, they remain dramatically underrepresented at the managerial level (Hatcher & Penner, 1983). Katz's 1987 findings were similar to those in the Mitchell and Henning study conducted in 1987, both of which concluded that women continue to be discriminated against in the area of salary. Mitchell and Henning (1987) conducted a study using 80 under-graduate business majors who rated four applicants (two male and two female), evaluated them according to their qualifications and awarded a starting salary. The study concluded that women continue to earn 60% less than their male counterparts salary perhaps because of the employer's knowledge of the applicant's present salary.

Results of two studies indicated that gender discrimination in the workplace has been improving. Siegfried (1983) conducted a study using 48 subjects who rated male and female applicants average or superior in their technical skills. The study concluded that decisions made by the subjects were reflective of technical qualifications and did not discriminate against women. A more recent study involved a survey of 100 male and 120 female educational administration professors to determine their perceptions of how they obtained

their positions. The study concluded that, since their perceptions were more similar than different, the women obtained their positions based on legitimate factors instead of discriminatory factors such as gender (Mertz & McNeely, 1991).

Age

Age discrimination has received less publicity in our society than have racial and gender discrimination, perhaps because there has not yet been a fully organized movement as there were for racial minorities in the 1960s and for women in the 1970s. It is also true that fewer studies have investigated the effects of applicant age on selection decisions than the effects of race and/or gender (Arvey, 1979). Age discrimination may become a larger issue as the American population becomes older and political action continues through organizations such as the American Association of Retired Persons (AARP). Despite a lack of public awareness, Congress considered legislation to prevent age discrimination as early as 1967 when the Age Discrimination in Employment Act was adopted. This legislation was subsequently amended in 1970, 1975, and 1978.

One major age discrimination case pertaining to the employment of school personnel is Markham v. Geller. In this case, a 55-year-old art teacher was told on September 3 to be ready to assume a teaching position on September 7. After she prepared the classroom and taught a few days, she was replaced by a 25-year-old woman who had only applied for the position on September 10. The school system admitted that she was replaced, in part, because they had an applicant who was less experienced, yet also qualified to fill the position. The school district was found guilty of age discrimination because the court ruled that only one substantial factor in a dismissal case has

to be age. The plaintiff was awarded one year's salary and one year's pension benefits due to her discrimination in employment by the district (Linett,1982).

Studies on the effect of age on hiring or selection decisions for employment are inconsistent. Some show that, when using both a managerial and a student sample, age discrimination is evident only for low-status jobs. Managerial subjects tend to prefer younger workers and student subjects also prefer younger workers even though they perceive the older workers to be as competent as the younger ones (Craft, Doctors, Schkop, & Benecki,1979). In a more recent study, it was found that older applicants were more likely to be hired (Arvey, Miller, Gould & Burch,1987). In 1989, Singer and Sewell conducted a study using 61 managers with a mean age of 33 years who had experience with selection interviews for their companies and 119 undergraduate psychology students with a mean age of 20 years. The managers and students viewed a videotaped interview of a 27-year-old male who was professionally made up to play the roles of younger (25 years) and older (48 years) applicants. The findings showed that, when the applicants' qualifications were equal, the managers were fair in giving similar ratings to the young and the old applying for a high-status job. However, they preferred hiring the younger applicant for the low-status job. The student subjects evaluated the two similarly for the low-status job, but they favored the older applicant for the high-status position. These results suggest that younger raters believe older persons are more suitable for high-status positions and older raters believe younger persons are more appropriate for low-status jobs.

Physical

Whereas the discrimination emphasized in the 1960s was racial and in the 1970s was gender, the emphasis during the 1980s was on physical

disabilities. The original definition of physical discrimination had a more narrow interpretation but developed a broader application with time. In the late 1970s, with the implementation of legislation pertaining to handicapped students in the public schools, Public Law 94-142, school administrators became more aware of this area of discrimination and its impact on the public schools. In part because of the integration of students with disabilities into the regular classrooms, the public also became more aware of adults with disabilities. Through social awareness, some definitions of physical discrimination began to include not only those with physical disabilities, such as those confined to wheelchairs, but also those with physical features such as the obesity or the "physically unattractive." Several studies have shown that physical discrimination has improved for the disabled, but not in the sense of these broader definitions (Rhodes, 1992).

Stone and Sawatzki (1980) conducted a study in which they manipulated the levels of disability on a job application form prior to MBA students hearing a taped job interview. The subjects rated the interview and stated the probability that they would hire the applicant. The findings showed that disability did make a difference, with lower hiring probabilities for those applicants who were more disabled. However, two other studies have indicated either no difference or possible reverse discrimination. Rose and Brief (1979) conducted a study using business administration students who evaluated a hypothetical job applicant who was variously described as an amputee, an epileptic, or "normal" for job openings with supervisory responsibility and public contact. The results showed that there was no significant difference in the probability of hiring the three categories of applicants. Farrow (1980) used students in advanced personnel and behavioral science courses to evaluate epileptic and non-epileptic applicants for auto sales and receptionist

positions. The subjects rated the applicants after reviewing their resume folders. The findings suggested reverse discrimination since the handicapped applicant was generally rated higher.

The issue of job discrimination against the physically disabled has reoccurred in the 1990s. The July 19, 1992, edition of the Sunday Oklahoman reported that job applications that ask questions about past medical care, injuries, or disabilities are prohibited under the law because of the possibility that a person with physical disabilities could be discriminated against when being considered for a position. Since July 26, 1992, Title I of the Americans with Disabilities Act (ADA) has required that employers base their hiring decisions on an individual's ability to perform the essential functions of a job and not make presumptions, generalizations, or assumptions about the abilities of people with disabilities. The ADA also requires further assistance be given to the physically disabled on the completion of job applications. For example, the blind must be read the information on the application and receive help with its completion. With the current emphasis on those with physical disabilities, more research is needed to more accurately determine the extent of job discrimination in this area.

Related to physical disabilities are less-studied areas of physical discrimination such as obesity and unattractiveness. Benson (1980) concluded that the obese receive severe discriminatory reactions, perhaps because they develop negative self-images which lead to low rates of prosocial intervention and devaluation of ability and potential. In his study, he used 70 public health administrators to rate applicants' chances of finding employment by sending resumes from obese and normal body-build applicants. A control factor was an application without a picture. The results show that obese applicants were less likely to find employment than the normal body-build

applicants as well as the non-pictured applicants.

Two studies have led to conclusions that physically attractive applicants are more apt to be hired over physically unattractive applicants. Gilmore (1982) used 105 interviewers to rate applicants for employability and job performance. The researcher concluded that the findings were perhaps more accurate since actual interviewers were used as opposed to college students. The results showed that physically unattractive applicants were less apt to be employed and that more attractive individuals were thought to have better personalities. In 1983, Hatcher and Penner's findings were similar when they presented a bogus job resume of a high-ranking female corporate employee to 174 working adults (76 males and 98 females). The results indicated that both males and females exhibited a generally positive bias toward the attractive stimulus person, but females also attributed hiring to knowing someone in the company.

Criminal History

A final area of discrimination which has been the subject of much controversy, especially in school districts, is that of persons who have been arrested for a crime. The fact that fewer studies have been conducted in this area may show the magnitude of prejudices against hiring those with a prior criminal record.

Persons with an arrest record, even those not convicted of the charges, have a criminal history and, as such, are often considered to be offenders (Coffey, 1979). School districts legally cannot automatically bar employment to a person convicted of a crime, but must consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which the applicant is applying. If an applicant is being

considered for a bookkeeping position or a similar position in a school district, it would be appropriate to consider whether the person had been convicted of theft or embezzlement. The laws in each state vary depending on their definition of terms such as moral turpitude and on whether the crime is a misdemeanor or a felony (Horton & Corcoran,1984).

While school districts must be very sensitive to the issue of discrimination against persons with a criminal history, a greater responsibility is that of protecting students against the influence of those adults who might serve as negative role models. In Cleveland, Oklahoma, a school district was found negligent at the district court level for failure to investigate adequately the background of a teacher who had been convicted of a charge of sodomy 12 years before he was hired. By the time he was hired, his conviction had been completely erased from the records and even the state certification application had only asked about felony convictions within the preceding 10 years. Three years after he was hired by the district, he was convicted of sexually molesting three male students (Howard,1988). Although the civil case was overturned at the circuit court level, this example does show that, when school districts are screening applicants for positions, there is a fine line between discriminating against those who have been arrested and being negligent for not investigating their background thoroughly.

Summary

Despite a host of legislation passed by the U.S. Congress in the last 30 years, research suggests that discrimination continues to exist in the hiring practices of organizations. Legislation continues to be passed with the purpose of giving minority members of our society an equal opportunity of becoming employed in positions for which they are fully qualified. While current

research indicates that discrimination against blacks is improving, more research is needed before the same conclusions can be made for other ethnic groups. Even though there is evidence that discrimination against women is improving, most of this research was focused on lower-level positions in organizations. Women are still being discriminated against in middle management positions, including such administrative positions in schools as assistant principal, principal, assistant superintendent, and superintendent. When the large pool of women in teaching positions is considered, the ratio of those hired for administrative positions is inequitable.

Most of the research on age discrimination is inconsistent except when the applicants for low and high status positions were rated by experienced managers and psychology students. Both preferred older applicants for high status positions and younger applicants for low status positions. Physical discrimination against the disabled appears to be improving, yet research shows that discrimination against the obese and unattractive is still prevalent. Finally, the most recent area of discrimination to receive attention is against those who have been arrested for a crime. Even though people may not have been convicted of a crime, they are still often considered to be offenders. More research in this area of discrimination is needed before any final conclusions can be made.

CHAPTER III

RESEARCH DESIGN

American public schools should reflect the diverse society which they have been established to serve. Administrators either advance or hinder this notion through the hiring practices they use when employing professional personnel. Substantial efforts have been made during the last decade to eliminate discrimination, however, a review of the literature suggests that it still exists with such factors such as race, gender, age, handicaps and personal appearance.

The purpose of this study was to investigate the application forms for professional positions in the public schools of Oklahoma and the questions asked during the interview conducted by administrators during the hiring process in relation to their compliance with the guidelines established by the EEOC

Population

Every independent public school district listed in the 1992-1993 Oklahoma Educational Directory issued by the Oklahoma State Department of Education was included in the population used in the study. This comprised a total of 438 school districts, each of which provides instruction to students in grades K-12. Excluded were elementary (K-6 or K-8) school districts, which are typically small rural schools with a single administrator, and non-public schools.

The second population was used to determine the extent to which discriminatory data are collected by personnel directors or other administrators in Oklahoma public schools during the applicant interview portion of the hiring process. This population included 249 first year teachers in Oklahoma who were employed for the 1992-1993 school year. The sample consisted of those first year teachers who were graduates of Oklahoma State University, participants in the Entry Year Assistance Program mandated by statute for beginning teachers, and whose higher education representative on the Entry Year Assistance Committee was a faculty member from Oklahoma State University.

Instrumentation

For this study, the necessary data were collected by sending a letter to the 438 independent school districts requesting a copy of the application form used in teacher selection. For confidentiality purposes, the letter requested that any identifying information, such as the name of the district or the city, be removed from the form before its submission. Information pertinent to the demographics of the district, such as student enrollment, district location, and district setting, were requested on a separate form.

The data related to interview questions were gathered through the use of a survey instrument. The instrument, designed by the researcher, directed teachers to determine if interview questions they were asked by administrators in the district in which they were hired could be categorized as illegally discriminatory according to the EEOC guidelines (Appendix A). If the question was determined to be discriminatory, the teacher was asked to classify the discriminatory topic into one of three categories: (1) asked **directly** by the administrator, (2) asked **indirectly** by the administrator or (3) **volunteered**

by the teacher. A fourth classification, **not applicable**, was available for the teacher to choose if an item was not identified during the interview.

After the letter and survey were drafted, they were reviewed by educational professionals. The survey was piloted among several Entry Year teachers in the Putnam City School District who were graduates of universities other than Oklahoma State University. Their suggestions as well as recommendations provided by the doctoral committee and the Internal Review Board of Research at Oklahoma State University were used to make revisions

Collection of Data

A letter (Appendix B) was sent on November 4, 1992, to each independent school district's central office requesting that a copy of the district's application for a professional position be provided. For convenience, an addressed, stamped envelope was included. As noted in the letter, district personnel were to check the appropriate place on the letter and return it to the researcher if the district did not have an application form for use by applicants. They were also asked to complete the demographic information form (Appendix C) as it related to the district. The return envelopes were coded so follow-up letters could be mailed to those who failed to respond. By December 3, 1992, 297 (68%) of the districts had responded to the request for an application. A second request was mailed on December 7, 1992, to those school districts that had not yet responded to the first request. By January 12, 1993, 370 school districts had responded to the request for a job application. This represented a response rate of over 84%.

A survey instrument was to be distributed to the 249 Entry Year teachers served by Oklahoma State University at the second entry year committee meeting held in December 1992 or January 1993 via the teacher education

faculty member serving on the committee. The packet of materials distributed to the faculty members on November 20, 1992, contained a cover letter from the researcher's doctoral committee advisor requesting the survey be hand-delivered to the Entry Year teacher at the second committee meeting. The letter further requested that a list of Entry Year teachers, to whom they were unable to hand-deliver the survey, and their home or school address be given to the researcher for follow-up purposes. The packet also contained a cover letter (Appendix D) to the Entry Year teacher, the survey instrument (Appendix E), and a self-addressed, stamped envelope for return of the completed instrument. By February 12, 1993, 79 of the Entry Year teachers had returned the survey. This represented a response rate of 32%.

Data Analysis

Once the applications for professional positions were received from the school districts and the survey pertaining to questions asked during the interview were received from the Entry Year teachers, the data were encoded and analyzed by the researcher with the assistance of tables produced by Systat software (Version 5.2 for the Macintosh, a copyrighted product of Systat, Inc., 1992). The data were categorized according to the degree of compliance with EEOC guidelines (Appendix A), size of the district, the location of the district, and the setting of the district (rural, suburban, urban). The data were also analyzed by identifying the percentage distribution and measures of central tendency, according to discriminatory factor and district variables.

Summary

The procedure followed in this study included the collection of application forms for professional positions from every independent public

school in the State of Oklahoma and information received from graduates of Oklahoma State University who participated in the Entry Year Assistance Program and had interviewed for positions in Oklahoma public school districts for the 1992-93 school year. The data was compared to the 33 discriminatory items which indicated non-compliance with the EEOC guidelines and classified according to the student enrollment, the location, and the setting of the district.

CHAPTER IV

PRESENTATION AND ANALYSIS OF DATA

The purpose of this chapter is to provide a description and analysis of the data collected from Oklahoma independent school districts, including copies of their application forms for professional positions, and the survey instrument sent to Entry Year teachers served by Oklahoma State University. The analysis of the letter and the survey instrument was designed to determine the degree of compliance by Oklahoma school districts with EEOC guidelines during the hiring process. The presentation and analysis of the data related to the application were categorized according to the size of the district, its geographic region, and setting (i.e., rural/ suburban/urban). The presentation and analysis of the data related to the Entry Year Teacher Survey Instrument were categorized according to the extent to which interview questions they were asked comply with the EEOC guidelines. The presentation and analysis of the data in this chapter are provided in order of the nine research questions proposed in Chapter I.

Demographic Data

The respondents to the letter requesting an application form for professional positions were all representatives of independent school districts in Oklahoma. The respondents to the Entry Year Teacher Survey Instrument were all Entry Year teachers served by Oklahoma State University who had interviewed for professional positions and received employment in the public

schools of Oklahoma. Of the 438 independent school districts in Oklahoma, representatives of 370 (84.47%) responded to the request. Of the Oklahoma State University Entry Year teachers, 79 (31.73%) responded to the survey. One possible reason for the low rate of return from Entry Year teachers may have been a concern for confidentiality because of the possibly sensitive nature of the survey items and the possible job insecurity frequently associated with a first year position. There may also have been some distribution problems since faculty were to deliver surveys to their Entry Year teachers and some may not have done so, for a variety of possible reasons. The time of the year, between Thanksgiving and Christmas, when the surveys were distributed is an especially busy time for first year teachers and therefore may constitute yet another reason for the low rate of return.

The letter sent to school districts requesting applications also contained a request to so indicate if the district did not use an application form. Of the 370 districts from which responses were received, 282 (76.22%) used a job application and 88 (23.78%) did not use a job application for professional positions (see Table I).

The data presented in Table II show that application forms were used in approximately three fourths of all respondent districts. Almost all (98.86%) of the school districts in which an application form was not used had enrollments of fewer than 2,500 students. Only one district with an enrollment over 2,500 students did not use an application form. Over one third (35.23%) of districts with an enrollment of 500 students or less did not use an application form.

TABLE I
USE OF JOB APPLICATIONS BY OKLAHOMA
SCHOOL DISTRICTS

Use Application Form	Number	Percentage
Yes	282	76.22%
No	<u>88</u>	<u>23.78%</u>
TOTALS	370	100.00%

TABLE II
USE OF JOB APPLICATIONS, BY
DISTRICT ENROLLMENT

Enrollment (School District)	Use Job Application					
	Yes		No		Total	
	No.	%	No.	%	No.	%
1- 250	37	61.67	23	38.33	60	100.00
251- 500	77	66.38	39	33.62	116	100.00
501- 750	35	79.55	9	20.45	44	100.00
751- 1,000	32	86.49	5	13.51	37	100.00
1,001- 2,500	63	85.14	11	14.86	74	100.00
2,501- 5,000	17	94.44	1	5.56	18	100.00
5,001-10,000	10	100.00	0	0.00	10	100.00
10,000+	<u>11</u>	100.00	<u>0</u>	0.00	<u>11</u>	100.00
TOTALS	282		88		370	

In every region (northwest, northeast, southwest, southeast), between 70% and 80% of the districts used application forms. The lowest percentage of use (71.43%) occurred in the Southeast region while the highest percentage of use (79.71%) occurred in the Southwest region (see Table III).

TABLE III
USE OF JOB APPLICATIONS,
BY DISTRICT LOCATION

Region of State	Use Job Application					
	Yes		No		Total	
	No.	%	No.	%	No.	%
Northwest	51	77.27	15	22.73	66	100.00
Northeast	101	77.69	29	22.31	130	100.00
Southwest	55	79.71	14	20.29	69	100.00
Southeast	<u>75</u>	71.43	<u>30</u>	28.57	<u>105</u>	100.00
TOTALS	282		88		370	

As noted in Table IV, all of the urban school districts used an application form. Nearly 90% of suburban school districts used an application form while that use was almost 75% in rural districts.

TABLE IV
USE OF JOB APPLICATIONS,
BY DISTRICT SETTING

Setting of District	Use Job Application					
	Yes		No		Total	
	No.	%	No.	%	No.	%
Urban	18	100.00	0	0.00	18	100.00
Suburban	36	87.80	5	12.20	41	100.00
Rural	<u>228</u>	73.31	<u>83</u>	26.69	<u>311</u>	100.00
TOTALS	282		88		370	

The demographic data indicate that the majority (84.47%) of the 438 independent school districts responded to the request for an application form. Most of the 370 school districts from which responses were received (76.22%) did have a job application, including all but one of the school districts with an enrollment over 2,500. The lowest percentage of use of job applications (71.43%) occurred in the Southeast region of the state. All urban school districts and nearly 90% of the suburban school districts used an application.

Application Forms

The data and analysis presented in this segment of the chapter are listed in the order of response to the four research questions which pertain to application forms.

Extent of Compliance

The first research question was focused on the extent to which Oklahoma independent school district application forms complied with Equal Employment Opportunity Commission (EEOC) guidelines. Of the 282 school district application forms which were provided, 271 (96.10%) had one or more items that requested information that should not be collected under EEOC guidelines. Therefore, only 11 school districts (3.90%) had application forms that were interpreted to comply with all EEOC guidelines. As noted in Table V, all of the school districts that complied with all EEOC guidelines had enrollments of less than 2,500 students. The highest proportion (7.84%) of the school districts that complied with the EEOC guidelines were located in the Northwest region of the state (see Table VI). All of the urban and suburban school districts had one or more items on the application form that requested information that should not be collected under EEOC guidelines (see Table VII).

To answer research question one more specifically concerning the extent to which application forms comply with EEOC guidelines, an item analysis was conducted. By multiplying the number of possible discriminatory items (33) times the number of respondents' forms (282), a total possible of 9,306 items existed. The item analysis showed that a total of only 1,392 (14.96%) discriminatory questions, not in compliance with EEOC guidelines, were included.

TABLE V
 ENROLLMENT OF SCHOOL DISTRICTS
 IN RELATION TO COMPLIANCE
 WITH EEOC GUIDELINES

Enrollment of District	In Compliance		Not in Compliance	
	No.	Percentage	No.	Percentage
1- 250	1	2.70	36	97.30
251- 500	5	6.49	72	93.51
501- 750	1	2.86	34	97.14
751- 1,000	2	6.25	30	93.75
1,001- 2,500	2	3.17	61	96.83
2,501- 5,000	0	0.00	17	100.00
5,001-10,000	0	0.00	10	100.00
10,000+	<u>0</u>	0.00	<u>11</u>	100.00
TOTALS	11		271	

TABLE VI
 REGION OF SCHOOL DISTRICT IN
 RELATION TO COMPLIANCE
 WITH EEOC GUIDELINES

Region of District	In Compliance		Not in Compliance	
	No.	Percentage	No.	Percentage
Northwest	4	7.84	47	92.16
Northeast	3	2.97	98	97.03
Southwest	2	3.64	53	96.36
Southeast	<u>2</u>	2.67	<u>73</u>	97.33
TOTALS	11		271	

TABLE VII
 SETTING OF SCHOOL DISTRICT IN
 RELATION TO COMPLIANCE
 WITH EEOC GUIDELINES

Setting of District	In Compliance		Not in Compliance	
	No.	Percentage	No.	Percentage
Urban	0	0.00	18	100.00
Suburban	0	0.00	36	100.00
Rural	<u>11</u>	4.82	<u>217</u>	95.18
TOTALS	11		271	

Data reported in Table VIII indicate the items that do not comply with EEOC guidelines which were included most frequently on applications for professional positions in Oklahoma independent school districts. The most frequently asked question in violation of EEOC guidelines pertaining to the hiring process dealt with organizational memberships. In nearly half (49.65%) of the school districts, the applicants were asked to list the non-work-related organizations of which they were members. The second most frequently asked discriminatory item pertained to physical disabilities. In 44.33% of the school districts, the applicants were asked to respond to a question related to possible physical disabilities. The third most frequently asked question was focused on the applicants' age. In many (42.55%) of the school districts, the applicants were directed to give either their age at the time of application or their date of birth.

Other EEOC-based discriminatory items that were frequently included on applications included condition of health, marital status, citizenship, and identity of relatives employed by the school system. Over 100 (36.52%) of the school districts' applications contained at least one question concerning the health of the applicant. In fact, in nearly 20% of these districts, a complete health history was requested, including questions such as the following: "Are you pregnant?" "Are you presently taking any medications?" "Have you had a recent gain or loss in weight?" "Do you have frequent colds or coughs?" "Do you have varicose veins?" "Have you ever undergone a psychological evaluation for a mental disorder?" "What are the number of days you have missed work during the last 12 months due to illness?" "Are you presently under a physician's care for any health problems?" "Do you have epilepsy?" "Do you have high blood pressure?" "Do you have arthritis?"

Marital status was requested on 98 (34.75%) of the forms while on 92

(32.62%) the applicants were asked if they were naturalized citizens and 77 (27.30%) forms contained items used to ask the applicants if they had any relatives currently employed by the school district to which they were applying. One fifth of the school districts asked for a photograph (20.92%) or for the height (20.21%) or weight (20.21%) of the applicant (Appendix F).

Items categorized as "Other," often found on the applications, were also in violation of EEOC guidelines. The applications included "other" questions such as the following: "What is your current salary?" "Do you have any objections to working overtime or traveling?" "Do you have any restrictions on your driver's license?" "What type of discharge did you receive from military service?" "Are you living with your spouse?" "How many children do you have living at home?" "Are there any domestic responsibilities that would interfere with the time required for this position?" "What percentage of your college expenses did you earn?" "Would you be willing to live in the school district?" "How long do you plan to teach in this district?" (see Appendix O for a complete listing).

TABLE VIII
 DISCRIMINATORY ITEMS MOST OFTEN ASKED
 ON TEACHER JOB APPLICATIONS

EEOC Discriminatory Items	Respondents (n=282)	
	No.	Percentage
Organizational Memberships (Non-work related)	140	49.65
Physical Disabilities	125	44.33
Age or Birthdate	120	42.55
Health	103	36.52
Marital Status	98	34.75
Citizenship	92	32.62
Relatives in School System	77	27.30
Photograph	59	20.92
Height	57	20.21
Weight	57	20.21

Table IX provides data regarding items that, while they would constitute violation of EEOC guidelines, were asked least often on applications for professional positions. Neither the occupation of the applicant's parents nor whether the applicant was a member of a subversive organization was asked by any respondent school district. Only one school district application form asked if the applicant believed in a "Supreme Being" and only one asked if the applicant's religion prevented working on Saturday. On two school district

forms, the applicant was asked to state a religious preference and two asked the applicant to respond to a question concerning degree of church participation. Four school districts asked the applicant to indicate tobacco use while six asked to indicate alcohol use.

TABLE IX
DISCRIMINATORY ITEMS LEAST OFTEN ASKED
ON TEACHER JOB APPLICATIONS

EEOC Discriminatory Items	Respondents (n=282)	
	No.	Percentage
Parent's Occupation	0	0.00
Member of Subversive Organization	0	0.00
Belief in Supreme Being	1	.35
Religion Prevents Working on Saturday	1	.35
Religious Preference	2	.71
Degree of Church Participation	2	.71
Use of Tobacco	4	1.42
Church Membership	5	1.77
Use of Alcohol	6	2.13
Ages of Children	8	2.84
Number of Dependents	8	2.84

District Size

The second research question was focused on the effect that school district size had on the degree of compliance with EEOC guidelines of applications for professional positions. Smaller school districts' applications more frequently contained items that did not comply with EEOC guidelines than did those of larger school districts (see Appendix G). However, of the responding districts, all districts with an enrollment greater than 2,500 contained at least one item that did not comply with EEOC guidelines.

Table X shows that organizational membership and physical disability were the most frequently used items in six of the eight categories of district enrollment. These two items are also the only ones that showed up in every category. It is interesting that age or birthdate of the applicant was not frequently asked by school districts with an enrollment of more than 5,000 students. The frequency of questions regarding one's citizenship gradually, but generally consistently, declined in use as the district size increased. Health is an item that tended to be asked more often as the size of district increased to 2,500 students. Number of children, height, and weight were issues in small and mid-sized school districts. Items referring to arrests, sex, and race were more frequently used in large school districts.

TABLE X
 RANKING OF MOST FREQUENTLY USED
 DISCRIMINATORY ITEMS ON JOB
 APPLICATIONS, BY
 ENROLLMENT

Discriminatory Item	District Enrollment							
	<250	250- 500	501- 750	751- 1000	1001- 2500	2501- 5000	5001- 10000	>10000
Age or Birthdate	1	3	3	2	3	4		
Marital Status	2t	6	4t	4t	4		8	3t
Organizational Membership	2t	1	2	3	1	2	1	2
Physical Disability	4t	2	1	1	5	1	3t	7t
Citizenship	4t	4	7	6	7t	7t		10
Health	6	5	4t	4t	2	6	2	
No. of Children	7							
Height	8t	7t	8t	9t				
Weight	8t	7t	8t	9t				
Photograph		9		7t	10		3t	3t
Relative(s) in System		10	4t		6	3	3t	1
Immorality				7t	7t	4t	3t	7t
Arrests					9	7t	3t	7t
Sex	10		8t			9t		3t
Race						9t		3t

t=tied ranking

The discriminatory item most often asked on application forms of small school districts (those with a student enrollment of less than 250 students) was the age or birthdate of the applicant. Application forms from this size of school district were more frequently used to ask items such as marital status, number and ages of children, religious preference, spouse's name and

occupation, and number of dependents. The item most often asked by school districts with an enrollment of 251-500, 1,001-2,500, and 5,001-10,000 students was the (non-work related) organizational memberships of the applicant. Asking the applicant for a photograph was more common in large school districts with an enrollment of more than 10,000 students. The largest school districts also most often asked the applicant if they had relatives currently employed in the school system to which they were seeking employment (see Appendix H).

District Location

Research question three focused the analysis on whether a relationship existed between the geographic location of school districts and the degree to which their job applications were in compliance with EEOC guidelines. School districts located in the southeastern region of the state were more likely to have EEOC discriminatory items on their job applications than were those in the other regions of the state. More than 40% of the EEOC discriminatory items were more frequently asked on applications used by school districts located in that region. More than 30% of the EEOC discriminatory items were more frequently asked by school districts located in the northeastern region of the state (see Appendix I).

Table XI shows that organizational membership, physical disabilities, and age or birthdate of the applicant were highly ranked in all four regions. Organizational membership was most frequently used in the northern regions. Immorality was also an issue only in the northern regions. The number of children of the applicant was only an issue in the northwest region of the state. Arrests is only an issue in the northeast region. Height and weight were issues in the southern regions.

TABLE XI
RANKING OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
LOCATION

Discriminatory Item	District Location			
	NW	NE	SW	SE
Organizational Membership	1	1	3t	2
Physical Disability	2	4t	1	3
Citizenship	3t	7	8t	6
Age or Birthdate	3t	3	2	1
Health	5	2	3t	5
Marital Status	6	6	7	4
Immorality	7	8t		
Photograph	8	10	10	10
Relatives in School System	9	4t	8t	9
Number of Children	10			
Arrests		8t		
Weight			5t	7t
Height			5t	7t

t= tied ranking

District Setting

The fourth research question was focused on the relationship between the setting of the school district (urban, suburban, rural) and the degree of compliance of applications for professional positions with EEOC guidelines. Most of the EEOC discriminatory items were more frequently asked in rural school districts. When comparing urban and suburban school districts, urban school districts were less frequent in the use of EEOC discriminatory items

than were suburban school districts. Appendix K contains detailed data regarding this analysis.

Table XII shows that organizational membership was the item most frequently used in all three district settings. Physical disabilities also ranks near the top in all three settings. Age or birthdate of the applicant was asked more frequently in rural districts. Relatives employed in the school system is an item asked frequently in urban and suburban school districts, but not in rural districts. Marital status and citizenship were asked frequently in urban and rural districts, but not in suburban school districts. Suburban districts were more likely to request that the applicant provide a photograph and more frequently asked the applicant about their being charged with immorality.

TABLE XII
RANKING OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
SETTING

Discriminatory Item	District Setting		
	Urban	Suburban	Rural
Organizational Membership	1	1	1
Physical Disabilities	2t	2	3
Relatives in School System	2t	3	
Age or Birthdate	4t	6t	2
Marital Status	4t		5
Citizenship	6		6
Photograph		6t	
Health		5	4
Immorality		4	

t=tied ranking

Interview Questions

The remaining five research questions focused on the extent to which the questions asked by administrators during the interview phase of the hiring process complied with EEOC guidelines. The instrument sent to Entry Year teachers collected data regarding the illegally discriminatory topics used in the interview, the manner in which such topics were introduced, the age of the Entry Year teacher who was interviewed, the size of the district, the geographic location of the district, and the setting (urban, suburban, rural) of the district. Of the 249 Oklahoma State University Entry Year teachers, 79 (31.73%) responded to the survey. One possible reason for the low rate of return from Entry Year teachers may have been a concern for confidentiality because of the possibly sensitive nature of the survey items and the possible job insecurity frequently associated with a first year position. There may also have been some distribution problems since faculty were to deliver surveys to their Entry Year teachers and some may not have done so, for a variety of possible reasons. The time of the year, between Thanksgiving and Christmas, when the surveys were distributed is an especially busy time for first year teachers and therefore may constitute yet another reason for the low rate of return.

Table XIII shows that marital status and organizational membership were the only items that were included frequently either directly, indirectly or volunteered during the teacher interview. Arrests and birthplace were more frequently asked in a direct manner. The number of children of the applicant was frequently asked either directly or indirectly but was not frequently volunteered. The age of the applicant was not frequently asked directly, but frequently was asked indirectly or volunteered. Health,

immorality, and use of alcohol and tobacco were items frequently asked indirectly. A photograph and the occupation of the applicant's parents were items frequently volunteered.

TABLE XIII
RANKING OF DISCRIMINATORY ITEMS
MOST FREQUENTLY ASKED DURING
TEACHER INTERVIEWS

Discriminatory Item	Type of Inclusion		
	Direct	Indirect	Volunteered
Marital Status	1	5t	1
Arrests	2		
Birthplace	3		
No. of Children	4t	5t	
Organizational Memberships	4t	3	2
Age or Birthdate		1	5
Health		2	
Use of Alcohol		4	
Use of Tobacco		5t	
Immorality		5t	
Photograph			3
Parent's Occupation			4

t=tied ranking

Data in Appendix N show that marital status was the only discriminatory item that was most often asked directly by the administrator. Other items which arose less frequently were either asked indirectly, were volunteered by

the teacher, or were not discussed at all during the interview. Marital status was the item most frequently asked directly and most frequently volunteered, but less frequently asked indirectly. The age of the applicant was the item most frequently addressed indirectly during the teacher interview.

The instrument distributed to Entry Year teachers also collected data regarding the age of the respondent, the size of the district, its geographic region, and setting (i.e., urban/suburban/ rural) of the district by which the Entry Year teacher was hired. An analysis of the Entry Year data by demographics was not included for several reasons. First, there was a low response rate (31.73%) from the Entry Year teachers compared to a much greater response rate (84.47%) of applications received from school districts. Second, the respondents were located in a relatively smaller proportion of school districts in Oklahoma. The Entry Year teachers tended to be from a more concentrated area surrounding Oklahoma State University, perhaps because they were more likely to receive teaching jobs near their graduating institution. Entry Year teachers who graduated from Oklahoma State University but received teaching positions near other universities may have been served by those universities closer in proximity to the school district where they were hired. Finally, an analysis of the data showed that, when breaking the data down by demographics, many cell sizes were small and the results were therefore suspect.

Summary

The data collected from the letter sent to independent school districts requesting their application for professional positions indicated that most (76.22%) use an application to assist in the hiring process. The majority of the school districts who did not use an application; had an enrollment of fewer

than 2,500 students, are located in the southeastern region of the state, and are rural school districts.

Of the 282 independent school districts in Oklahoma who use a job application, 271 (96.10%) had one or more items on the application form that requested information that should not be collected under EEOC guidelines. The discriminatory item on these applications that appeared most frequently was the request for the applicant to divulge the non-work related organizations of which they are members.

When considering the effect student enrollment of the school district had on the degree of compliance of applications with EEOC guidelines, the data indicated that all of the school districts with an enrollment of more than 2,500 students did not meet the EEOC guidelines. Organizational membership and physical disabilities are the most frequently used items in all sizes of school districts.

The analysis of the relationship between location of the school district and the compliance of applications with EEOC guidelines indicates that over forty percent (42.42%) of the discriminatory items are more frequently asked by districts located in the southeastern region of Oklahoma.

When considering the effect that the setting (urban, suburban, rural) of school district has on the degree of compliance of applications with EEOC guidelines, the data indicate that all of the EEOC discriminatory items are more frequently asked by rural districts.

The data related to the extent the questions asked by administrators during the interview phase of the hiring process indicate that marital status is the item most frequently asked directly and most frequently volunteered. The age or birthdate of the applicant is the item most frequently asked indirectly.

The data indicate that most school districts in the state use an application form, however, most contained one or more items that did not meet the EEOC guidelines. All of the school districts with an enrollment of more than 2,500 students did not meet the EEOC guidelines. Nearly half of the discriminatory items were more frequently asked by districts located in the southeastern region of Oklahoma. All of the EEOC discriminatory items were more frequently asked by rural districts.

CHAPTER V

SUMMARY, CONCLUSIONS, RECOMMENDATIONS, AND COMMENTARY

Summary

The purpose of this study was to investigate the legality of applications for professional positions in the independent public schools of Oklahoma and the extent of their compliance with the guidelines established by the Equal Employment Opportunity Commission. Additionally, Entry Year teachers served by Oklahoma State University were surveyed to determine the degree of compliance of Oklahoma school districts with EEOC guidelines during the interview phase of the hiring process.

A review of the literature related to the purpose of the study indicated that despite a host of legislation passed by the U.S. Congress in the last thirty years, research suggests that discrimination continues to exist in the hiring practices of educational organizations. The literature suggests that discrimination against black minorities is improving, but no conclusions can be made for other ethnic groups. When gender is considered, women continue to be discriminated against in middle management type positions such as assistant principal, principal, assistant superintendent and superintendent; however, it appears that discrimination against women is improving in lower-level organizational positions such as teaching. Age discrimination research concludes that older applicants are preferred for high status positions and younger applicants are preferred for low status

positions. Physical discrimination against the disabled appears to be improving, yet research concludes that discrimination against the obese and unattractive is still prevalent.

This study was designed to collect data from the application forms for professional positions from every independent public school in the State of Oklahoma. Through the use of a survey instrument, data pertaining to interview questions asked by personnel directors and/or superintendents was collected from graduates of Oklahoma State University who participated in the Entry Year Assistance program, interviewed and were hired during the 1992-1993 school year for positions in Oklahoma public schools. The data were compared to the 33 discriminatory items which indicate non-compliance with the EEOC guidelines.

The data indicated that most (76.22%) of the independent school districts use an application to assist in the hiring process and that 96.10% of these school districts are not in compliance with EEOC guidelines. Asking the applicant to divulge the non-work related organizations of which they are members is the question in violation of EEOC guidelines that appears most frequently (49.65%).

The data regarding student enrollment of the school district and its effect on the degree of compliance of applications with EEOC guidelines indicated smaller school districts more frequently asked items that do not comply with EEOC guidelines than larger school districts. Small school districts with an enrollment of less than 250 students most frequently asked the age or birthdate of the applicant. School districts of various sizes most often asked the applicant the organizations (non-work related) of which they are member. This item was more frequently asked by school districts in three categorical areas which included districts with enrollments of: 251-500

students, 1,001-2,500 students, and 5,001-10,000 students. A question concerning the applicant's physical disabilities was asked most frequently by school districts with an enrollment of between 501-1,000 students and districts with an enrollment of 2,501-5,000 students. The largest school districts in Oklahoma, those with an enrollment of more than 10,000 students, most often asked the applicant if they had relatives currently employed in the school system to which they were seeking employment.

The data related to the effect geographic location of the school district has on the degree of compliance indicated that school districts located in the southeastern region of the state more frequently asked items that do not comply with EEOC guidelines. School districts in the northwest and northeast regions most often asked the applicant to divulge the non-work related organizations to which they are members. School districts located in the southwest region most often asked the applicant about their physical disabilities.

The data related to the effect the setting of the school district (urban, suburban, rural) has on the degree of compliance indicated that most of the EEOC discriminatory items are more frequently asked by rural school districts. School districts in all settings most often asked the applicant to divulge the organizations (non-work related) of which they are members.

The data related to the extent the questions asked by administrators during the interview phase of the hiring process indicates that marital status is the item most frequently asked directly and most frequently volunteered. The age or birthdate of the applicant is the item most frequently asked indirectly.

Conclusions and Implications

The following conclusions were based upon the analysis of the data:

1. Applications for professional positions in schools most likely reflect the values or qualities that districts are seeking to find in those who apply and become employed by their district. Since memberships in non-work related organizations by applicants is the item most frequently asked by school districts in Oklahoma, there is some indication that those being hired are becoming employed partially because of their association with those outside the field of education.

2. The ages of the applicant's children and the number of children are items asked more frequently by school districts with an enrollment of less than 250 students. It is likely that these school districts would be more discriminatory against those who do not have school-age children or have fewer children. The applicant with more school-age children would be financially more profitable to the school district since the enrollment of their children in school would increase the amount of funding provided through the state formula. With an increase in enrollment, smaller districts would be able to remain open for another year and not be confronted with the threat of closing or consolidation with a neighboring district.

3. Due to financial restraints on budgets of school districts and state mandates related to House Bill 1017, a recent school reform measure, school districts are seeking ways to reduce expenses or increase revenue. Since over forty percent (42.55%) of the school districts asked the applicant their age or date of birth, it is highly probable that districts are striving to make greater gains financially by hiring the younger applicant since this applicant most likely has less experience and would cost less in district money budgeted for salaries.

4. The occupation of the applicant's spouse is an item more frequently asked by the smallest school districts in the state. It is likely that these school districts are seeking applicants who will live in the district and will have a longer tenure with the district. In fact, small districts more frequently asked the questions, "Would you be willing to live in the district?" and "How long do you plan to teach in this district?", which are questions categorized as "Other". Some occupations of spouse's are more susceptible to being transferred more frequently which would require a move out of the community. Also, smaller communities are limited in the types of employment available to spouses. By living and working in the community, the teacher would benefit the district financially through property taxes, the purchase of car tags, and the support of bond issues.

5. The race of the applicant is an item asked more frequently by large school districts. It is likely that large school districts are seeking to employ teachers of all races, especially minorities since they are more prone to having a higher population of minority students.

6. Church membership and the degree of church participation are items more often asked by school districts with an enrollment of less than 750 students. Perhaps smaller school districts are more interested in hiring teachers whose religious values are more consistent with those of the community.

7. Small, rural school districts located in the southeastern region of the state are more likely to discriminate against applicants for positions in public schools. This implies that perhaps these districts find it more difficult to avail themselves of inservice opportunities related to legal trends pertaining to topics such as current EEOC guidelines due to their location. Other

districts may be less isolated and closer in proximity to universities which offer staff development opportunities for superintendents.

8. A comparison of urban, suburban, and rural school districts shows that urban school districts are less frequent in their asking of EEOC discriminatory items. It is highly probable that urban school districts are more prone to lawsuits and are therefore more sensitive to the types of information they ask of applicants seeking positions in their districts.

9. Marital status is the item asked directly most frequently and volunteered most frequently by teacher applicants during the interview. This may indicate that administrators perceive married teachers to be more stable in character and less apt to be mobile. Applicants may be frequently volunteering this information, as well as their parent's occupation (especially if their parents are teachers) because they believe this information will give them an advantage over other applicants.

Recommendations for Further Study

Based on the findings of this study, the following recommendations are suggested:

1. A follow-up study should be conducted to determine if the percentage of school districts asking EEOC discriminatory items on their applications for professional positions has increased, decreased or remained the same. A review of the literature failed to produce relevant information concerning compliance of applications used by Oklahoma school districts with EEOC guidelines. Therefore, it was impossible to determine if there was a trend in Oklahoma schools.
2. A similar study should be conducted in other states or regions to determine how Oklahoma compares with surrounding states or regions

concerning its degree of compliance with EEOC guidelines in relation to school district applications. A review of the literature produced a similar study conducted in the State of Arkansas in 1982 and one conducted in the north-eastern region of the United States in 1988. However, the literature failed to produce evidence that entry year teachers have been surveyed to determine the type of questions related to EEOC guidelines that are being asked during the interview phase of the hiring process.

3. A follow-up study should be conducted to determine if there is a correlation between the proximity of the school district to colleges and universities offering advanced level educational administration courses and the number of EEOC discriminatory items on applications. This information would be helpful to determine if EEOC guidelines are not followed by school districts because superintendents are not aware of the guidelines.

4. Since there was a low response rate on the data collected from Entry Year teachers, a follow-up study should be conducted which collects these data more directly from the teachers at a different time of the year, preferably earlier.

5. Using data collected from school districts who do not use teacher application forms, a follow-up study should be conducted to determine how information is collected from applicants during the selection process in these districts. Using these alternate methods of gathering information (i.e., resumes), the study should compare any discriminatory items not in compliance with EEOC guidelines to determine the difference between districts with application forms and districts using other information gathering tools.

Commentary

The purpose of this study was to investigate the degree to which application forms for teaching positions in the public schools of Oklahoma comply with the guidelines established by the EEOC and to investigate the questions being asked by personnel directors and/or superintendents during the interview phase of the hiring phase to determine their compliance with EEOC guidelines. The data clearly indicated that the majority of school districts in Oklahoma use an application and the majority of them had one or more items that requested information that should not be collected under EEOC guidelines.

In reviewing the applications, it appeared that many school districts falsely presumed compliance with the EEOC guidelines when the application included the standard statement that the prospective applicant would receive consideration without discrimination because of race, creed, color, sex age, national origin, handicap or veteran status. It also appeared that many school districts falsely presumed compliance with the EEOC guidelines by using a commercially-produced standard form since none of those collected in this study were in full compliance.

While many public school administrators would prefer to have additional information about candidates for positions for various reasons, such as their belief that they would be more capable of selecting teachers with similar values of the community or the desire to select teachers that would better meet the needs of the district, the fact remains that many items asked on applications do not meet the EEOC guidelines. Due to recent Supreme Court decisions regarding school practices, such as the elimination of prayers at graduation, it appears that Oklahoma school districts will only become more vocal about federal decisions that attempt to mandate regulations or eliminate

practices of the local school system. The data collected in this study indicate that perhaps the prevailing attitude is one that says, "We will continue to do as we please until our practices are challenged."

The review of the literature supported this study which found that discrimination appears to continue despite a host of legislation passed by the U.S. Congress in the last thirty years. If it can be concluded that the items being asked on school district applications reflect the actual occurrence of discrimination, this study is consistent with the review of the literature. In the areas of sexual and racial discrimination, there appears to be less discrimination since these items are not asked frequently on Oklahoma school district applications. In fact, the sex of the applicant is only requested on 10.99 % of the applications and the race of the applicant is only requested on 4.26% of the applications. However, discrimination in the areas of age and physical disabilities is still prevalent since these items are asked more frequently on Oklahoma school district applications. Both of these items are among the four most frequently asked items. The age of the applicant is requested on 42.55% of the applications while a question related to the physical disabilities of the applicant is requested on 44.33 % of the applications.

Finally, this study reflects the review of the literature related to concept that those who are hired are receiving their positions not because of their qualifications, but because of who they are, who they know and with whom they associate. As noted by Adams & Jones (1980), applicants are being hired because they have "the right connections" and as Socolow concluded in his 1978 study, "organizations advertised positions nationally but continued to use the 'good old boy' network." It was interesting to note that the discriminatory item that does not comply with EEOC guidelines most requested

on applications for teaching positions in Oklahoma public schools is the organizational memberships (non-work related) of which the applicant is a member.

During the early stages of the study, a few school districts noted that an application would not be sent because revisions were being made on current applications. Some school districts sent an application, noted the planned revisions, and later mailed the final revised application. Some superintendents noted that their district applications were not in compliance, but would be making necessary revisions in the near future. It became apparent that the request to send an application to the researcher prompted some school districts to begin the revision process. It appears that school districts in Oklahoma would be wise to review their applications for professional positions and make necessary changes to ensure compliance with EEOC guidelines.

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APPENDIX A

DISCRIMINATORY ITEMS

DISCRIMINATORY ITEMS*

1. Age or Birthdate
2. Marital Status
3. Height
4. Weight
5. Number of Children
6. Photograph
7. Physical Disabilities
8. Health
9. Birthplace
10. Religious Preference
11. Organizational Memberships (Non-Work Related)
12. Sex
13. Race
14. Spouse's Name
15. Spouse's Occupation
16. Ages of Children
17. Number of Dependents
18. Parent's Name or Maiden Name
19. Church Membership
20. Arrests
21. Nationality
22. Use of Alcohol
23. Relatives in School System
24. Degree of Church Participation
25. Use of Tobacco
26. Citizenship
27. Parent's Occupation
28. Ever Charged with Immorality
29. Member of Subversive Organization
30. Belief in a Supreme Being
31. Religion Prevents from Working Saturday
32. Complete Health History
33. Other**

* These items were constructed prior to the analysis.

** These items were unanticipated in pre-coding and appeared infrequently on the applications. A representative listing of responses is provided in Appendix O.

APPENDIX B

SAMPLE REQUEST LETTER

Superintendent
Independent Public School District
Anytown, Oklahoma 10100

Dear Superintendent/Personnel Director,

As a doctoral student in Educational Administration at Oklahoma State University, I am conducting research related to the job applications used by school districts in Oklahoma.

Please send your school district's job application form for teaching positions, with the identification of the school district omitted, in the enclosed self-addressed, stamped envelope along with the requested demographic information.

You can be assured that confidentiality will be maintained.

If your school district does NOT use a job application form, please check the box below, complete the information and return this letter in the enclosed self-addressed, stamped envelope.

1. Our district does NOT use a job application form.
2. Our district ID # is _____.

Thank you for you time.

Sincerely,

Dr. Gerald Bass
Assistant Dean
College of Education
Oklahoma State University

Fred Rhodes
Will Rogers Elementary
Putnam City Schools
Oklahoma City, Oklahoma

APPENDIX C

SAMPLE DEMOGRAPHIC INFORMATION

DISTRICT DEMOGRAPHICS

DISTRICT STUDENT ENROLLMENT-----

(Circle the number of the category of student enrollment in your school district)

- | | |
|--------------|-----------------|
| 1) 1-250 | 5) 1,001-2,500 |
| 2) 251-500 | 6) 2,501-5,000 |
| 3) 501-750 | 7) 5,001-10,000 |
| 4) 751-1,000 | 8) 10,000 + |

DISTRICT LOCATION-----

(Circle the number of the quadrant where your school district, or central office, resides)

- 1) Northwest
- 2) Northeast
- 3) Southwest
- 4) Southeast

DISTRICT SETTING -----

(Circle the number that best describes your school district)

- 1) Urban
- 2) Suburban
- 3) Rural

APPENDIX D

SAMPLE LETTER TO ENTRY YEAR TEACHERS

Dear Entry Year Teacher,

As a doctoral student in Educational Administration at Oklahoma State University, I am conducting research related to the job interview questions asked of Entry Year teachers who recently graduated from Oklahoma State University.

Please complete the attached instrument as it relates to your interview with the superintendent, personnel director or principal in the district in which you were hired and return in the enclosed self-addressed, stamped envelope.

You can be assured that confidentiality will be maintained.

Thank you for your time. Best wishes for a successful first year in the teaching profession.

Sincerely,

Dr. Gerald Bass
Assistant Dean
College of Education
Oklahoma State University

Fred Rhodes
Will Rogers Elementary
Putnam City Schools
Oklahoma City, Oklahoma

APPENDIX E

SAMPLE INSTRUMENT FOR ENTRY YEAR TEACHERS

DEMOGRAPHICS

AGE-----

(Circle the number of the category of your present age).

- | | |
|---------------------|---------------------|
| 1) 25 years of less | 4) 36-40 years |
| 2) 26-30 years | 5) 41 years or more |
| 3) 31-35 years | |

DISTRICT STUDENT ENROLLMENT-----

(Circle the number of the category of student enrollment in your district).

- | | |
|--------------|-----------------|
| 1) 1-250 | 5) 1,001-2,500 |
| 2) 251-500 | 6) 2,501-5,000 |
| 3) 501-750 | 7) 5,001-10,000 |
| 4) 751-1,000 | 8) 10,000 + |

DISTRICT LOCATION-----

(Circle the number of the quadrant where your school district, or central office, resides).

- 1) Northwest
- 2) Northeast
- 3) Southwest
- 4) Southeast

DISTRICT SETTING-----

(Circle the number that best describes your school district).

- 1) Urban
- 2) Suburban
- 3) Rural

CONTINUED ON NEXT PAGE

INSTRUCTIONS

On the next page are topics related to questions you may have been asked during your interview(s) with one or more administrators in the district by which you were hired. Please read these instructions and circle only ONE number by each topic.

1 If you were asked a DIRECT QUESTION about a category, circle the number "1" in the column labeled "DIRECT". (For example, you would circle this choice if you were directly asked, "What is your age?").

2 If you provided information INDIRECTLY about a topic in response to a less specific request, circle the number " 2" in the column labeled "INDIRECT". (For example, you may have been asked the year you graduated from high school which would indirectly allow the interviewer to figure your age.)

3 If you VOLUNTEERED information about a category without being asked, circle the number " 3 " in the column labeled "VOLUNTEERED".

4 If no specific information about a category was provided during the interview, circle the number " 4 " in the column labeled "NOT APPLICABLE".

CATEGORY	Direct	Indirect	Volunteered	Not Applicable
Age or Birthdate	1	2	3	4
Marital Status	1	2	3	4
Height	1	2	3	4
Weight	1	2	3	4
Number of Children	1	2	3	4
Photograph	1	2	3	4
Physical Disabilities	1	2	3	4
Condition of Health	1	2	3	4
Birthplace	1	2	3	4
Religious Preference	1	2	3	4
Organizational Member- ships(Non-work related)	1	2	3	4
Sex	1	2	3	4
Race	1	2	3	4
Spouse's Name	1	2	3	4
Spouse's Occupation	1	2	3	4
Ages of Children	1	2	3	4
Number of Dependents	1	2	3	4
Parent's Name or Maiden Name	1	2	3	4
Church Membership	1	2	3	4
Arrests	1	2	3	4
Nationality	1	2	3	4
Use of Alcohol	1	2	3	4
Relatives in School System	1	2	3	4
Degree of Church Participation	1	2	3	4
Use of Tobacco	1	2	3	4
Citizenship	1	2	3	4
Parent's Occupation	1	2	3	4
Ever Charged with Immorality	1	2	3	4
Member of Subversive Organization	1	2	3	4
Belief in a Supreme Being	1	2	3	4
Religion Prevents Working on Saturday	1	2	3	4

APPENDIX F

USE OF DISCRIMINATORY ITEMS ON
TEACHER JOB APPLICATIONS

USE OF DISCRIMINATORY
ITEMS ON TEACHER JOB
APPLICATIONS

Discriminatory Items	N=282	Respondents	
		No.	Percentage
Age or Birthdate		120	42.55%
Marital Status		98	34.75%
Height		57	20.21%
Weight		57	20.21%
Number of Children		38	13.48%
Photograph		59	20.92%
Physical Disabilities		125	44.33%
Health		103	36.52%
Birthplace		13	4.61%
Religious Preference		2	.71%
Organizational Memberships (Non-work related)		140	49.65%
Sex		31	10.99%
Race		12	4.26%
Spouse's Name		13	4.61%
Spouse's Occupation		13	4.61%
Ages of Children		8	2.84%
Number of Dependents		8	2.84%
Parent's Name or Maiden Name		15	5.32%
Church Membership		5	1.77%
Arrests		48	17.02%
Nationality		29	10.28%
Use of Alcohol		6	2.13%
Relatives in School System		78	27.66%
Degree of Church Participation		2	.71%
Use of Tobacco		4	1.42%
Citizenship		92	32.62%
Parent's Occupation		0	0.00%
Ever Charged with Immorality		56	19.86%
Member of Subversive Organization		0	0.00%
Belief in a Supreme Being		1	.35%
Religion Prevents Working on Saturday		1	.35%
Complete Health History		20	7.09%
Other		140	49.65%

APPENDIX G

NUMBER OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
ENROLLMENT

NUMBER OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
ENROLLMENT

Discriminatory Item	District Enrollment							
	<250	250- 500	501- 750	751- 1000	1001- 2500	2501- 5000	5001- 10000	>10000
N=	(37)	(77)	(35)	(32)	(63)	(17)	(10)	(11)
Age or Birthdate	23	33	14	16	21	7	1	5
Marital Status	19	24	13	13	20	3	2	4
Height	11	20	7	8	9	1	1	0
Weight	11	20	7	8	9	1	1	0
No. of Children	12	11	5	3	5	1	1	0
Photograph	5	15	5	9	13	5	3	4
Physical Disabilities	17	35	18	18	19	12	3	3
Health	15	27	13	13	24	6	4	1
Birthplace	3	3	2	0	2	2	0	1
Religious Preference	1	1	0	0	0	0	0	0
Organizational Membership	19	38	16	14	33	10	5	5
Sex	8	0	7	1	6	4	1	4
Race	0	0	1	0	3	4	0	4
Spouse's Name	7	2	0	0	2	0	1	1
Spouse's Occupation	7	2	2	0	0	1	1	0
Ages of Children	5	2	0	0	0	0	1	0
Number of Dependents	3	1	2	2	0	0	0	0
Parent's Name or Maiden Name	1	3	1	0	7	2	0	1
Church Membership	1	1	2	0	0	0	0	0
Arrests	3	8	5	7	14	5	3	3
Nationality	6	7	3	2	9	1	0	1
Use of Alcohol	1	0	1	1	0	1	1	1
Relatives in School System	6	14	13	7	18	9	3	7
Degree of Church Participation	1	0	1	0	0	0	0	0
Use of Tobacco	1	1	0	0	0	0	1	1
Citizenship	17	28	11	11	17	5	1	2
Parent's Occupation	0	0	0	0	0	0	0	0
Immorality	7	6	4	9	17	7	3	3
Subversive Organization	0	0	0	0	0	0	0	0
Belief in Supreme Being	0	1	0	0	0	0	0	0
Religion Prevents Working Sat.	0	0	0	0	1	0	0	0
Complete Health History	3	4	4	3	5	1	0	0
Other	21	37	21	16	23	12	3	7

APPENDIX H
PERCENTAGE OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
ENROLLMENT

PERCENTAGE OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
ENROLLMENT

Discriminatory Item	District Enrollment							
	<250	250- 500	501- 750	751- 1000	1001- 2500	2501- 5000	5001- 10000	>10000
N=	(37)	(77)	(35)	(32)	(63)	(17)	(10)	(11)
Age or Birthdate	62.16	42.86	40.00	50.00	33.33	41.18	10.00	45.45
Marital Status	51.35	31.17	37.14	40.63	31.75	17.65	20.00	36.36
Height	29.73	25.97	20.00	25.00	14.29	5.88	10.00	0.00
Weight	29.73	25.97	20.00	25.00	14.29	5.88	10.00	0.00
No. of Children	32.43	14.29	14.29	9.38	7.94	5.88	10.00	0.00
Photograph	13.51	19.48	14.29	28.13	20.63	29.41	30.00	36.36
Physical Disabilities	45.95	45.45	51.43	56.25	30.16	70.59	30.00	27.27
Health	40.54	35.06	37.14	40.63	38.10	35.29	40.00	9.09
Birthplace	8.11	3.90	5.71	0.00	3.17	11.76	0.00	9.09
Religious Preference	2.70	1.30	0.00	0.00	0.00	0.00	0.00	0.00
Organizational Membership	51.35	49.35	45.71	43.75	52.38	58.82	50.00	45.45
Sex	21.62	0.00	20.00	3.13	9.52	23.53	10.00	36.36
Race	0.00	0.00	2.86	0.00	4.76	23.53	0.00	36.36
Spouse's Name	18.92	2.60	0.00	0.00	3.17	0.00	10.00	9.09
Spouse's Occupation	18.92	2.60	5.71	0.00	0.00	5.88	10.00	0.00
Ages of Children	13.51	2.60	0.00	0.00	0.00	0.00	10.00	0.00
Number of Dependents	8.11	1.30	5.71	6.25	0.00	0.00	0.00	0.00
Parent's Name or Maiden Name	2.70	3.90	2.86	0.00	11.11	11.76	0.00	9.09
Church Membership	2.70	1.30	5.71	0.00	0.00	0.00	0.00	0.00
Arrests	8.11	10.39	14.29	21.88	22.22	29.41	30.00	27.27
Nationality	16.22	9.09	8.57	6.25	14.29	5.88	0.00	9.09
Use of Alcohol	2.70	0.00	2.86	3.13	0.00	5.88	10.00	9.09
Relatives in School System	16.22	18.18	37.14	21.88	28.57	52.94	30.00	63.64
Degree of Church Participation	2.70	0.00	2.86	0.00	0.00	0.00	0.00	0.00
Use of Tobacco	2.70	1.30	0.00	0.00	0.00	0.00	10.00	9.09
Citizenship	45.95	36.36	31.43	34.38	26.98	29.41	10.00	18.18
Parent's Occupation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Immorality	18.92	7.79	11.43	28.13	26.98	41.18	30.00	27.27
Subversive Organization	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Belief in Supreme Being	0.00	1.30	0.00	0.00	0.00	0.00	0.00	0.00
Religion Prevents Working Sat.	0.00	0.00	0.00	0.00	1.59	0.00	0.00	0.00
Complete Health History	8.11	5.19	11.43	9.38	7.94	5.88	0.00	0.00
Other	56.76	48.05	60.00	50.00	36.51	70.59	30.00	63.64

APPENDIX I

NUMBER OF MOST FREQUENTLY USED

DISCRIMINATORY ITEMS ON JOB

APPLICATIONS, BY

LOCATION

NUMBER OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
LOCATION

Discriminatory Item	N=	District Location			
		NW (51)	NE (101)	SW (55)	SE (75)
Age or Birthdate		18	36	21	45
Marital Status		11	32	18	37
Height		3	12	19	23
Weight		3	12	19	23
No. of Children		5	12	9	12
Photograph		8	22	13	16
Physical Disabilities		24	35	27	39
Health		16	38	20	29
Birthplace		1	3	2	7
Religious Preference		0	0	0	2
Organizational Membership		32	44	20	44
Sex		2	5	10	14
Race		3	2	2	5
Spouse's Name		3	1	4	5
Spouse's Occupation		0	2	6	5
Ages of Children		1	2	2	3
Number of Dependents		1	2	1	4
Parent's Name or Maiden Name		1	3	2	9
Church Membership		0	0	2	2
Arrests		4	28	1	15
Nationality		1	11	8	9
Use of Alcohol		0	5	0	1
Relatives in School System		6	35	17	19
Degree of Church Participation		0	0	1	1
Use of Tobacco		0	3	0	1
Citizenship		18	31	17	26
Parent's Occupation		0	0	0	0
Immorality		9	28	4	15
Subversive Organization		0	0	0	0
Belief in Supreme Being		1	0	0	0
Religion Prevents Working Sat.		0	1	0	0
Complete Health History		3	6	7	4
Other		19	49	35	37

APPENDIX J

PERCENTAGE OF MOST FREQUENTLY USED

DISCRIMINATORY ITEMS ON JOB

APPLICATIONS, BY

LOCATION

PERCENTAGE OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
LOCATION

Discriminatory Item	N=	District Location			
		NW (51)	NE (101)	SW (55)	SE (75)
Age or Birthdate		35.29	35.64	38.18	60.00
Marital Status		21.57	31.68	32.73	49.33
Height		5.88	11.88	34.55	30.67
Weight		5.88	11.88	34.55	30.67
No. of Children		9.80	11.88	16.36	16.00
Photograph		15.69	21.78	23.64	21.33
Physical Disabilities		47.06	34.65	49.09	52.00
Health		31.37	37.62	36.36	38.67
Birthplace		1.96	2.97	3.64	9.33
Religious Preference		0.00	0.00	0.00	2.67
Organizational Membership		62.75	43.56	36.36	58.67
Sex		3.92	4.95	18.18	18.67
Race		5.88	1.98	3.64	6.67
Spouse's Name		5.88	.99	7.27	6.67
Spouse's Occupation		0.00	1.98	10.91	6.67
Ages of Children		1.96	1.98	3.64	4.00
Number of Dependents		1.96	1.98	1.82	5.33
Parent's Name or Maiden Name		1.96	2.97	3.64	12.00
Church Membership		0.00	0.00	3.64	2.67
Arrests		7.84	27.72	1.82	20.00
Nationality		1.96	10.89	14.55	12.00
Use of Alcohol		0.00	4.95	0.00	1.33
Relatives in School System		11.76	34.65	30.91	25.33
Degree of Church Participation		0.00	0.00	1.82	1.33
Use of Tobacco		0.00	2.97	0.00	1.33
Citizenship		35.29	30.69	30.91	34.67
Parent's Occupation		0.00	0.00	0.00	0.00
Immorality		17.65	27.73	7.27	20.00
Subversive Organization		0.00	0.00	0.00	0.00
Belief in Supreme Being		1.96	0.00	0.00	0.00
Religion Prevents Working Sat.		0.00	.99	0.00	0.00
Complete Health History		5.88	5.94	12.73	5.33
Other		37.25	48.51	63.64	49.33

APPENDIX K

NUMBER OF MOST FREQUENTLY USED

DISCRIMINATORY ITEMS ON JOB

APPLICATIONS, BY

SETTING

NUMBER OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
SETTING

Discriminatory Item	District Setting			
	N=	Urban (18)	Suburban (36)	Rural (228)
Age or Birthdate		6	10	104
Marital Status		6	9	83
Height		0	5	52
Weight		0	5	52
No. of Children		1	2	35
Photograph		2	10	47
Physical Disabilities		8	14	103
Health		4	11	88
Birthplace		2	1	10
Religious Preference		0	0	2
Organizational Membership		9	18	113
Sex		4	4	23
Race		4	2	6
Spouse's Name		0	2	11
Spouse's Occupation		1	1	11
Ages of Children		0	1	7
Number of Dependents		0	0	8
Parent's Name or Maiden Name		1	3	11
Church Membership		0	0	4
Arrests		4	6	38
Nationality		2	1	26
Use of Alcohol		1	2	3
Relatives in School System		8	13	56
Degree of Church Participation		0	0	2
Use of Tobacco		1	1	2
Citizenship		5	9	78
Parent's Occupation		0	0	0
Immorality		4	12	40
Subversive Organization		0	0	0
Belief in Supreme Being		0	0	1
Religion Prevents Working Sat.		0	0	1
Complete Health History		0	2	18
Other		7	15	118

APPENDIX L

PERCENTAGE OF MOST FREQUENTLY USED

DISCRIMINATORY ITEMS ON JOB

APPLICATIONS, BY

SETTING

PERCENTAGE OF MOST FREQUENTLY USED
DISCRIMINATORY ITEMS ON JOB
APPLICATIONS, BY
SETTING

Discriminatory Item	District Setting			
	N=	Urban (18)	Suburban (36)	Rural (228)
Age or Birthdate		33.33	27.78	45.61
Marital Status		33.33	25.00	36.40
Height		0.00	13.89	22.81
Weight		0.00	13.89	22.81
No. of Children		5.56	5.56	15.35
Photograph		11.11	27.78	20.61
Physical Disabilities		44.44	38.89	45.18
Health		22.22	30.56	38.60
Birthplace		11.11	2.78	4.39
Religious Preference		0.00	0.00	.88
Organizational Membership		50.00	50.00	49.56
Sex		22.22	11.11	10.09
Race		22.22	5.56	2.63
Spouse's Name		0.00	5.56	4.82
Spouse's Occupation		5.56	2.78	4.82
Ages of Children		0.00	2.78	3.07
Number of Dependents		0.00	0.00	3.51
Parent's Name or Maiden Name		5.56	8.33	4.82
Church Membership		0.00	0.00	1.75
Arrests		22.22	16.67	16.67
Nationality		11.11	2.78	11.40
Use of Alcohol		5.56	5.56	1.32
Relatives in School System		44.44	36.11	24.56
Degree of Church Participation		0.00	0.00	.88
Use of Tobacco		5.56	2.78	.88
Citizenship		27.78	25.00	34.21
Parent's Occupation		0.00	0.00	0.00
Immorality		22.22	33.33	17.54
Subversive Organization		0.00	0.00	0.00
Belief in Supreme Being		0.00	0.00	.44
Religion Prevents Working Sat.		0.00	0.00	.44
Complete Health History		0.00	5.56	7.89
Other		38.89	41.67	51.75

APPENDIX M

NUMBER OF DISCRIMINATORY ITEMS
MOST FREQUENTLY ASKED DURING
TEACHER INTERVIEWS

NUMBER OF DISCRIMINATORY ITEMS
MOST FREQUENTLY ASKED DURING
TEACHER INTERVIEWS

Discriminatory Item	N=79	Type of Inclusion			Not Applicable
		Direct	Indirect	Volunteered	
Age or Birthdate		12	22	11	34
Marital Status		27	8	23	21
Height		0	2	2	75
Weight		0	3	1	75
No. of Children		14	8	7	50
Photograph		13	1	14	51
Physical Disabilities		6	6	1	66
Health		9	15	7	48
Birthplace		15	5	5	54
Religious Preference		5	5	6	63
Organizational Membership		14	12	16	37
Sex		13	7	9	50
Race		7	5	6	61
Spouse's Name		10	1	10	58
Spouse's Occupation		10	4	7	58
Ages of Children		7	3	5	64
Number of Dependents		8	4	3	64
Parent's Name or Maiden Name		4	5	8	62
Church Membership		4	5	7	63
Arrests		20	5	2	52
Nationality		7	2	2	68
Use of Alcohol		4	10	2	63
Relatives in School System		13	5	6	55
Degree of Church Participation		3	1	7	68
Use of Tobacco		6	8	0	65
Citizenship		5	2	0	72
Parent's Occupation		12	6	12	49
Immorality		7	8	0	64
Subversive Organization		1	2	0	76
Belief in Supreme Being		1	4	4	70
Religion Prevents Working Sat.		0	0	2	77

APPENDIX N

PERCENTAGE OF DISCRIMINATORY ITEMS

MOST FREQUENTLY ASKED DURING

TEACHER INTERVIEWS

PERCENTAGE OF DISCRIMINATORY ITEMS
MOST FREQUENTLY ASKED DURING
TEACHER INTERVIEWS

Discriminatory Item	N=79	Type of Inclusion			Not Applicable
		Direct	Indirect	Volunteered	
Age or Birthdate		15.19	27.85	13.92	43.04
Marital Status		34.18	10.13	29.11	26.58
Height		0.00	2.53	2.53	94.94
Weight		0.00	3.80	1.27	94.94
No. of Children		17.72	10.13	8.86	63.29
Photograph		16.46	1.27	17.72	64.56
Physical Disabilities		7.59	7.59	1.27	83.54
Health		11.39	18.99	8.86	60.76
Birthplace		18.99	6.33	6.33	68.35
Religious Preference		6.33	6.33	7.59	79.75
Organizational Membership		17.72	15.19	20.25	46.84
Sex		16.46	8.86	11.39	63.29
Race		8.86	6.33	7.59	77.22
Spouse's Name		12.66	1.27	12.66	73.42
Spouse's Occupation		12.66	5.06	8.86	73.42
Ages of Children		8.86	3.80	6.33	81.01
Number of Dependents		10.13	5.06	3.80	81.01
Parent's Name or Maiden Name		5.06	6.33	10.13	78.48
Church Membership		5.06	6.33	8.86	79.75
Arrests		25.32	6.33	2.53	65.82
Nationality		8.86	2.53	2.53	86.08
Use of Alcohol		5.06	12.66	2.53	79.75
Relatives in School System		16.46	6.33	7.59	69.62
Degree of Church Participation		3.80	1.27	8.86	86.08
Use of Tobacco		7.59	10.13	0.00	82.28
Citizenship		6.33	2.53	0.00	91.14
Parent's Occupation		15.19	7.59	15.19	62.03
Immorality		8.86	10.13	0.00	81.01
Subversive Organization		1.27	2.53	0.00	96.20
Belief in Supreme Being		1.27	5.06	5.06	88.61
Religion Prevents Working Sat.		0.00	0.00	2.53	97.47

APPENDIX O

ITEMS CATEGORIZED AS "OTHER"

ITEMS CATEGORIZED AS "OTHER"

Items categorized as "Other" were often found on the applications in violation of EEOC guidelines. The applications included "other" questions such as the following:

1. "What is your current salary?"
2. "What is the salary you will accept?"
3. "Have you ever been involuntarily terminated from a school system ?
4. "Do you have any objections to working overtime or traveling?"
5. "Are you willing to work on Saturday morning?"
6. "Have you ever filed to receive worker's compensation?"
7. "Have you ever been denied life insurance?"
8. "Do you have any restrictions on your driver's license?"
9. "What type of discharge did you receive from military service?"
10. "Are you a Vietnam Veteran?"
11. "When do you usually fulfill your military requirements?"
12. "Are you living with your spouse?"
13. "What is the date of your marriage?"
14. "What are the names of your children?"
15. "How many children do you have living at home?"
16. "Are there any domestic responsibilities that would conflict with the time required for this position?"
17. "What color are your eyes and hair?"
18. "What is the date of your photo?"
19. "What percentage of your college expenses

20. "How much time did you spend earning your college degree?"
21. "What types of outdoor and indoor recreation do you engage?"
22. "Would you be willing to live in the school district?"
23. "What are your housing needs?"
24. "Where do you plan to live?"
25. "How long do you plan to teach in this district?"
26. "How long have you lived at the present address?"
27. "Do we have your permission to check your credit history?"
28. "How did you learn of this employment opportunity?"
29. "Are you currently on 'layoff' status?"

VITA 2

Fred Dale Rhodes

Candidate for the Degree of

Doctor of Education

Thesis: AN ANALYSIS OF OKLAHOMA PUBLIC SCHOOL JOB APPLICATIONS AND INTERVIEW QUESTIONS ACCORDING TO EQUAL EMPLOYMENT OPPORTUNITY COMMISSION GUIDELINES

Major Field: Educational Administration

Biographical:

Personal: Born in Altus, Oklahoma, August, 17, 1955

Education: Graduated from Lone Wolf High School, Lone Wolf, Oklahoma, in May, 1973; received Bachelor of Science in Education in Elementary Education from Oklahoma Christian University, Oklahoma City, Oklahoma, in April, 1976; received Master of Education in Counseling Psychology from University of Central Oklahoma, Edmond, Oklahoma, in July, 1980; completed requirements for the Doctor of Education degree at Oklahoma State University in May, 1993.

Professional Experience: Teacher, Wiley Post Elementary School, Putnam City Schools, Oklahoma City, Oklahoma, 1976-80; Assistant Principal, Wiley Post Elementary School, Putnam City Schools, 1980-82; Assistant Principal, James L. Dennis Elementary School, Putnam City Schools, 1982-83; Principal, Will Rogers Elementary, Putnam City Schools, 1983 to present.