

Advancement constraints for females in higher education: Problems and potential solutions

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Introduction

Currently, males and females achieve Ph.D.s at an even rate; however, only 37% of females who earn Ph.D.s pursue fulltime tenure-track positions (AAUW, 2004). Researchers hypothesized that the primary reason females with Ph.D.s turn down full-time higher education employment is because the age females receive their doctorates directly coincides with prime childbearing years (AAUP, 2004). Additionally, this age also coincides with the time when many females are required to care for elderly family members or family members with special needs (AAUP, 2004).

The Feminine Choice

According to recent research, many females in higher education do not pursue promotions and/or tenure-track positions and do not achieve promotion and tenure in institutions of higher education because of issues related to the ages of the females (AAUP, 2004; AAUW, 2004; Williams, 2004). According to a recent survey (AAUP, 2004), the average age for attaining a Ph.D. is 33; the average age females receive Ph.D.s is 34, and males, 33.

Females who decide to pursue full-time careers in institutions of higher education often hit what one author called “the maternal wall” (Williams, 2004, p.1). This phenomenon occurs mostly in male-dominated fields, which include institutions of higher education. The “maternal wall” attempts to explain why many females in these fields may choose to appear physically and behaviorally androgynous to coworkers in order to appear equal to males in their fields or as dedicated to their jobs or fields (Jagacinski, 1987; Lemkau, 1983).

On average, institutions of higher education have a seven-year tenure application process (AAUP, 2004); therefore, the average age females in institutions of higher education earn tenure is 41 years old. Because of this occurrence, more females in higher education who desire to have children choose to do so only after they achieve tenure (Williams, 2004). Conversely, many females put off having children indefinitely for the sake of their careers; approximately 45% of tenured females remain childless (Williams, 2004).

Williams (2004) found that males and females who worked in institutions of higher education and had children at the same age did not achieve tenure at an equal rate. Females often took time off immediately following the birth of their children in order to recover, but also to care for their infants – a responsibility largely assigned to females, in part, because of social norms (AAUW, 2004). Therefore, tenured males dramatically outnumber tenured females in higher education (Mason & Goulden, 2004). In her study, Williams (2004) found that many of the males were able to enjoy successful academic careers and family lives, while many of the females were forced to choose between families and work (AAUW, 2004).

Relevant Case Law

Although gender discrimination is unconstitutional (Kaplin & Lee, 1994), institutions of higher education have proved to be fertile grounds for inequality. Three cases exemplify tenure status inequity and serve to signify that this type of discrimination continues to plague academia. In both *Crystal v. Regents of the University of Michigan* (2003) and *Krause v. Marquette* (1992), the institutions of higher education were sued by or received negative publicity from females who were not given adequate paid maternity leave. In the case of *Kern v. University of Notre Dame* (1996), females were denied a tenure clock extension necessary because of maternity leave. Additionally, in Euben and Thornton's (2002) article answering frequently asked questions about the Family and Medical Leave Act, females interviewed revealed that they were required to perform extra duties because of their maternity or family leave. According to a recent report (Wilson, 2004), the majority of females in higher education who sued their institutions based on sex-discrimination lost their claims and subsequently lost \$20,000 to \$200,000 individually. Many of those females also experienced excommunication from higher education (Wilson, 2004).

Potential Solutions

Currently, three federal statutes are in place and provide insight into how institutions create and implement leave policies (AAUP, 2005). Title VII of the Civil Rights Act of 1964 prohibits discrimination based on gender. The Pregnancy Discrimination Act (PDA) of 1975 amends Title VII to include that no woman may be discriminated against because of pregnancy, childbirth, or related medical conditions. The Family and Medical Leave Act (FMLA) of 1993 enforces minimum leave requirements in reference to childbirth, adoption, family illness or care, and personal health problems (Holland & Hart, 2004, p.2).

Although these statutes are in place, females continue to face gender discrimination. Therefore, in addition to these statutes, the American Association of University Professors (AAUP, 2003) suggested three additional measures for institutions of higher education to make academia more family-friendly. It is important for institutions of higher education to implement these measures as formal policies rather than leaving these decisions up to department chairpersons to be made on an individual basis (AAUP, 2003). The first suggested measure requires that institutions of higher education ensure paid maternity and paternity leave. Federal statutes require that maternity and paternity leave be viewed and treated as similar to other types of sick leave

or short-term disability (Danaher, 2004; Holland & Hart, 2004); therefore, colleges and universities must be willing to temporarily replace instructors who take maternity and paternity leave in classrooms and labs. Additionally, no extra work should be assigned to instructors that request maternity leave, as that is a form of illegal unequal treatment. Researchers suggested placing support staff at all institutions to assist faculty with family-related issues that affect work (Sullivan, Hollenshead, & Smith, 2004). Further, the AAUP suggested “active service with modified duties” or an option of reduced teaching and workloads without any risk of termination or demotion (AAUP, 2003, p.1). Finally, the AAUP suggested allowing faculty members who require maternity, paternity, or family leave the option of extending or stopping the “tenure clock” (AAUP, 2003, p.1). This would allow females who must take maternity leave extra time to work towards tenure – no time taken during an approved leave would be time counted against the average seven year application period.

Implementing these policies as well as complying with the federal statutes will promote the success of female faculty members in institutions of higher education that have or desire to have children before they achieve tenure. Curtis (2004) discussed the implementation of additional measures as an important catalyst to begin to address the structural inequities currently in place in higher education and to attract more qualified female candidates to the professoriate. If these policies are already in place, they are grossly underutilized, as faculty perceive taking advantage of these as professionally damaging (AAUP, 2004) and “fear discrimination in future promotion and tenure decisions,” (American Council on Education, 2005, p.6). These policies need to be made university-wide and should be well publicized, especially when female candidates are interviewed. In addition, these policies should be made available to all faculty members, without any risk of penalty or perceived unprofessional behavior.

Conclusion

Institutions of higher education claim to promote equal opportunity for hiring both genders and often claim equal opportunity for career advancement. However, until institutions of higher education understand the pressures females face regarding balancing family and work, and implement means to provide a more level evaluation base for tenure and promotion, females will continue to face a silent and often hidden prejudice. If institutions of higher education desire to attract and retain quality professionals, promoting the measures described above must be viewed by administration as a vital part of strategic planning efforts. The face of the professorate is changing and academia must accommodate the rising needs of the next generation of tenure-track faculty.

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