

# Attachment VIII

STATE OF WISCONSIN

CIRCUIT COURT  
Branch 7

DANE COUNTY

=====

THERESA DUELLO,

Plaintiff,

vs.

Case No. 94 CV 3785

BOARD OF REGENTS OF THE  
UNIVERSITY OF WISCONSIN - MADISON SYSTEM,

Defendant.

=====

PROCEEDINGS:

Jury Trial  
Testimony of Dolores Buchler

DATE:

April 22, 1997

BEFORE:

HONORABLE MORIA KRUEGER

APPEARANCES:

ROBERT KASIETA &  
TERESA MUELLER:  
Attorneys at Law, appearing  
on behalf of the Plaintiff.

MONICA BURKERT-BRIST &  
DAVID RICE:  
Assistant Attorneys General,  
appearing on behalf of the  
Defendant.

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MR. KASIETA: I'm fine with that.

MS. BURKERT-BRIST: Fine.

THE COURT: I told them at least 15 minutes, so let's us take ten and we'll come back. I don't know, this may be our mid-morning break so make the best of it.

(Recess taken)

THE COURT: Please bring the jury in.

(Jury brought into the courtroom)

THE COURT: Please be seated. In your absence, it was determined that Mr. Kasieta misspoke in his last question so I'm going to ask you to disregard any facts that may have been implied in that last question and Mr. Kasieta will be rephrasing the question. Thank you.

MR. KASIETA:

Q Thank you, Your Honor. We'll come back to that area, Dr. Buchler. I'm going to ask you now, though, about the members of the gender equity, the GEPAC Committee who served with you. The others, as you recall it, were not from the Medical School, right?

A They were not in the clinical division of the Medical Center, no.

Q And they were Ph.D's as you recall it?

A Yes, they were Ph.D's.

1 Q Now, 2.8 percent award to any particular faculty  
2 member was the lowest amount, the lowest level as you  
3 described it, right?

4 A That is correct.

5 Q Let's look, if you will please, at Exhibit No. 46  
6 which is still in front of you up there I think,  
7 that's the one that counsel showed you?

8 A Okay.

9 Q Look at the first page of that document, if you will,  
10 please. It indicates the amounts allocated to each  
11 GEPAC, does it not?

12 A Yes, it does.

13 Q And the indication for the GEPAC No. 5 which was the  
14 one upon which you served and the one which addressed  
15 Professor Duello says that the Department GEPAC  
16 received within allocation of \$22,922, right?

17 A Yes.

18 Q How many women were being addressed with that \$22,922?

19 A If I understand your question, if you're stating to me  
20 that, let's say, \$23,000 came to this committee to  
21 decide on equity of certain people, is that your  
22 question?

23 Q Well, I'm not sure that's the total.

24 A Okay. Well, there were many people, there were about  
25 25 or 30 women as I recall. Does that answer it?

1 Q I think so.

2 A Okay.

3 Q Now, on the next column it says, "Department GEPAC  
4 Received Supplemental" and for GEPAC-5 it's got  
5 \$37,200. Does that mean that the total amount  
6 received by your GEPAC-5 to disburse among those 27 or  
7 28 women was the total of 37 plus 22 or 23?

8 A Oh, I'm sure it would be the total of, but to be  
9 honest with you, I don't know.

10 Q All right.

11 A May I answer why I don't know?

12 Q Sure, go ahead.

13 A The reason I don't know is because I knew as a member  
14 of the committee there was a total sum to work with  
15 and we didn't work with dollars and cents, we worked  
16 with percentages, so I didn't pay, I didn't go in --  
17 and let's say the Chair I'm sure would know -- but I  
18 didn't go in and say what was the total sum we have to  
19 work with, we just worked with percentages of the  
20 value of that individual.

21 Q And you knew from the time you got on the GEPAC that  
22 the total amount of funds available was not sufficient  
23 to close the gender gap?

24 A I knew that it was small; but, on the other hand, I'm  
25 a clinician, I never asked the other members who were

1           Ph.D.'s if they thought it was small. They might not  
2           have thought that was a small amount at all.

3           Q     But you thought it was?

4           A     Yes, because of the total salary I make.

5           Q     All right. Well, the total salary you made then, we  
6           got the documents right here, would have been -- look  
7           at the upper right-hand corner, \$20,577, after the  
8           GEPAC adjustment, \$91,936?

9           A     No, that is not my total salary.

10          Q     That is the compensation that's derived outside of the  
11          pay plan?

12          A     What you're referring to is what came in from the  
13          State.

14          Q     Right.

15          A     Okay. There's a total other amount I got out of the  
16          consultation practice plan that has nothing to do with  
17          this.

18          Q     Yeah.

19          A     And it was a significant sum.

20          Q     Sure. But the amount that came from the State which  
21          is sort of apples to apples, if you will, was \$91,000?

22          A     That's correct, sir.

23          Q     And you recall that it was evident even before you  
24          started your work with the Gender Equity Committee  
25          that there were not adequate funds to bring everyone

1 up to a gender equity level?

2 A I'm going to say I assumed that. I did not know that.  
3 I would have to -- to make that assumption and that  
4 conclusion, I would have to get the payroll from the  
5 Medical School and I'd have to look at all the males  
6 and all the females and all their positions and we  
7 didn't do that.

8 Q I'm going to show you your deposition testimony from  
9 November 22nd of 1996.

10 THE CLERK: Exhibit 200.

11 THE COURT: Excuse me, you're following  
12 the plaintiff's exhibit list. Okay. This is Exhibit  
13 200.

14 A Thank you.

15 MR. KASIETA:

16 Q Now, look if you will please at Page 6 of that  
17 document? Again it's dated the 22nd of November,  
18 1996. Do you recall being under oath at that time?

19 A I was under oath, that's correct.

20 Q And you reviewed that prior to your testimony today,  
21 didn't you?

22 A Yes, I have reviewed that.

23 Q I'm going to have one question for you and that is  
24 whether I've read the question and answer here  
25 correctly. Line 4 at Page 6, please: "Question: And

1 do you recall coming to the conclusion as a committee  
2 member that there were not adequate funds to bring  
3 everyone up to the gender equity level? Answer: That  
4 was evident before we started. The University was  
5 very up front about that, that they would not have  
6 those number of funds in their opinion again and we  
7 have to honor that." Did I correctly read that  
8 question and answer?

9 A And that is a true statement. I would still say that.

10 Q Now, as you did your analysis, you did not separate  
11 out Professor Duello from the other women who were  
12 under consideration, did you?

13 A No.

14 Q And you don't recall any specific sentence, any  
15 specific statement in the GEPAC exercise concerning  
16 Professor Duello's productivity, do you?

17 A No, that's not true. I do remember us coming to a  
18 conclusion that Dr. Duello had low productivity just  
19 like I came to the conclusion with the committee of  
20 Mabel Hokin who was felt to be outstanding and should  
21 be at the opposite end of the bell-shaped curve.

22 Q Look, if you will please, at your sworn deposition  
23 testimony, Page 8, Line 3, please. Tell me when you  
24 have it and once again my question to you is going to  
25 be whether I read the question and answer correctly.



1 "Question: Can you recall any conversation  
2 specifically regarding the issue of productivity  
3 concerning Dr. Duello? Answer: Yes. Question: What  
4 do you remember about that? Answer: That it was low.  
5 That was my opinion. I do not want to express the  
6 other members' opinions. Question: Was there  
7 discussion of her productivity at the committee?  
8 Answer: I'm sure there was. You know, if we  
9 discussed everyone's productivity, we would have  
10 discussed that individual's productivity. Question:  
11 Can you recall, other than just saying that you're  
12 sure there was, can you recall specifically any  
13 conversation concerning Dr. Duello's productivity at  
14 the committee? Answer: No specific sentence, no."

15 MS. BURKERT-BRIST: Objection, Your  
16 Honor, improper impeachment. She just testified as to  
17 the conclusions.

18 THE COURT: I'll let the jury decide.

19 MR. KASIETA: Thank you.

20 Q And, in fact, when it comes to the procedure used by  
21 the GEPAC Committee, it was the fact, was it not,  
22 Dr. Buchler, that the committee got the percentage  
23 that it assigned by looking at the small amount of  
24 money that they had and trying to spread it around  
25 rather than conducting analysis in each case to

1 quantify the gender gap for that individual professor?

2 A I'm really not sure I understand your question. We  
3 knew we had a certain amount, that most likely it was  
4 not going to be a huge amount if you look at the total  
5 University budget. We knew the number of people we  
6 had. Our job was, the best one could in their  
7 opinion, give an amount to these individuals to try to  
8 equal their pay.

9 Q By percentage?

10 A By percentage.

11 Q And you didn't do individual analyses because you  
12 didn't want to sit around and get frustrated?

13 A No, that's incorrect and that's really an unfair  
14 statement, particularly to the Ph.D's on the  
15 committee, because many of these people spent a lot of  
16 time. We were there a good two hours everytime. We  
17 went over the CV's. Things may not be perfect in  
18 life, but it was taken as a serious committee and we  
19 did the best we could.

20 Q Look, if you will please, at Page 14 of your sworn  
21 deposition testimony, Line 13. Do you recall there I  
22 was questioning you about the procedure for the GEPAC  
23 Committee just as I am today?

24 A Yes.

25 Q Line 13: "Question: You said, there's only so much

1 money to go around, you're going to try to spread it  
2 around? Answer: Right. There's no sense in sitting  
3 there being frustrated." Did I correctly read that  
4 question and answer?

5 A Yes.

6 MS. BURKERT-BRIST: Objection, Your  
7 Honor, I would ask that also be read into record the  
8 next question and answer, going to the top of Page 15.

9 THE COURT: Are you willing to do that,  
10 Mr. Kasieta.

11 MR. KASIETA:

12 Q I'll read the next two questions: "You knew if you  
13 went through employee by employee, it would result in  
14 the frustration of realizing that what it would take  
15 to get those people up to appropriate level concerning  
16 gender equity would be more than the money you had,  
17 and so there was no point in doing that exercise?  
18 Answer: Well, let me take you back a little bit.  
19 Question: All right. Answer: Part of your  
20 assumption is right. I mean, if you have a small  
21 amount of money, there's no sense in telling the  
22 University, give a person a million bucks. Okay. The  
23 second thing is, as you extended your statement and  
24 your conversation to more evaluation, okay, in other  
25 words, you said geez, you might have extended much

1 more up because, after all, the earning power of this  
2 individual, inflation, there's no way this committee  
3 is equipped to do that. Two is, that wasn't the  
4 Committee's assignment. In other words, Bascom Hill  
5 didn't look at us and say, hey, you make an analogy as  
6 far as inflation is concerned, base pay. They didn't  
7 ask us to do that, and shouldn't ask us to do it. We  
8 are not economists. Question: So the role of the  
9 committee was to get a lump sum amount of money from  
10 Bascom Hill? Answer: And do the best you could."

11 Did I correctly read that?

12 A That's correct. I think that's a better analogy.

13 Q And you don't recall the committee identifying any  
14 comparators or comparables for Theresa Duello so that  
15 they might compare her to certain male comparables?

16 A No. Let me go back and say we looked at people's  
17 CV's, that meant we looked at the length of time they  
18 were there, the number of publications they had in  
19 reference journals and whether they were primary or  
20 secondary authors.

21 Q So you did not identify any male comparators with  
22 which to compare?

23 A That wasn't our assignment.

24 Q All right.

25 A I mean, we had been there all year. I mean, do you

# Attachment IX

STATE OF WISCONSIN

CIRCUIT COURT  
Branch 7

DANE COUNTY

=====

THERESA DUELLO,

Plaintiff,

vs.

Case No. 94 CV 3785

BOARD OF REGENTS OF THE  
UNIVERSITY OF WISCONSIN - MADISON SYSTEM,

Defendant.

=====

PROCEEDINGS:

Jury Trial  
Testimony of Carla Raatz

DATE:

April 17, 1997

BEFORE:

HONORABLE MORIA KRUEGER

APPEARANCES:

ROBERT KASIETA &  
TERESA MUELLER:  
Attorneys at Law, appearing  
on behalf of the Plaintiff.

MONICA BURKERT-BRIST &  
DAVID RICE:  
Assistant Attorneys General,  
appearing on behalf of the  
Defendant.

1           that. I can't really tell you exactly how it sorts.

2           Q     Okay. Do you know if it sorts by number, by  
3           compensation level?

4           A     There are other ways -- there are other ways to sort  
5           other than using that key.

6           Q     Can you, using whatever key, sort by compensation  
7           level?

8           A     Yes, we can.

9           Q     So when the University of Wisconsin designed its own  
10          IADS system from 1982 to 1990, it built in a function  
11          which would permit you to, with the press of a button  
12          or many buttons, sort all of the employees by salary?

13          A     Yes, we can do that.

14          Q     And I suppose that you could, again pressing certain  
15          buttons, sort by gender, couldn't you?

16          A     Yes, we can.

17          Q     And I suppose that the IAD system has some kind of  
18          calculating potential, doesn't it?

19          A     No, IADS does not.

20          Q     You mean you couldn't use IADS to figure out what, for  
21          example, the total payroll was of all those people who  
22          were included in the system?

23          A     IADS is the appointment system, not the payroll,  
24          payrolling system.

25          Q     So when IADS was created, there was no compensation

1 information included in it? Maybe I misunderstood.

2 A Maybe I should give you a little more information.

3 Integrated Appointment Data System means this  
4 appointment system, this computerized system is  
5 integrated with the budget, the payroll, so the  
6 payroll will look to IADS for the salary and then  
7 that's the salary level that's used for payrolling  
8 purposes.

9 Q So the IADS would be the source of information that  
10 payroll software ties into to get the actual payroll  
11 information?

12 A Yes.

13 Q And the IADS, in fact, includes a rate for each  
14 faculty member, each employee at the University of  
15 Wisconsin?

16 A That's correct.

17 Q And IADS, either by itself or in conjunction with  
18 other software, would have the ability to tell the  
19 University of Wisconsin essentially to push a big  
20 button or multiple buttons what the total compensation  
21 of all employees at the University would be?

22 A Yes.

23 Q And IADS could tell the University of Wisconsin what  
24 the total compensation for men at the University of  
25 Wisconsin is?



1 A Yes.

2 Q And could tell anyone in the budget office authorized  
3 to seek the information what the total compensation  
4 for women would be?

5 A Yes.

6 Q And this has been the fact since 1990?

7 A Yes, it started in February of '89.

8 Q And I suppose it's the fact, isn't it, Ms. Raatz, that  
9 if you wanted to, you could run calculations on an  
10 individual employee's compensation as it compares to  
11 any variety of other employees depending upon how you  
12 sort them if you selected those factors to analyze?

13 A Yes, that's true.

14 Q And you've been able to do that since 1990?

15 A Yes.

16 Q Did you personally participate in running any IADS for  
17 Theresa Duello?

18 A No, I did not.

19 Q Those are all the questions I have.

20 THE COURT: Redirect?

21 MR. RICE: I don't have anything else.

22 THE COURT: Thank you, you may step  
23 down. Lunchtime? Break until about 10:30? Good.

24 (Jury excused for lunch)

25

**Attachment X**

NOTE AFTER: 20 DAYS

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 7

DANE COUNTY

THERESA DUELLO,

Plaintiff

vs.

VERDICT

UNIVERSITY OF WISCONSIN,  
BOARD OF REGENTS,

Case No. 94 CV 3785

Defendant

We, the Jury, having been duly empaneled and sworn to try the issues in the above entitled action, find as follows:

1. Did the Board of Regents of the University of Wisconsin System pay Theresa Duello less than any comparator male employee, on the basis of her gender?

YES

"Yes" or "No"

Answer question numbers 2, 3 and 4, only if you have answered, "yes," to question number 1:

2. What annual salary should Theresa Duello be paid now for her work at the University of Wisconsin?

\$ 67,200

3. What sums of money should Theresa Duello receive for her work at the University of Wisconsin during the years 1992 to the present for:

a. back pay

\$ 34,395

b. loss of retirement benefits

\$ 6,000

4. Was the conduct of the Board of Regents as found in your answer to question number 1 willful?

YES  
"Yes" or "No"

Answer question number 5, only if you answered, "yes," to question number 4.:

5. What sums of money should Theresa Duello receive for her work at the University of Wisconsin during the year 1991?

- a. back pay \$ 8,996
- b. loss of retirement benefits \$ 1,600

Dated at Madison, Wisconsin this 23<sup>rd</sup> day of April, 1997

/s/ VETTER  
Foreperson

Dissenters:

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

As to Question(s):

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

**Attachment XI**

# THE BADGER HERALD

THE UNIVERSITY OF WISCONSIN'S INDEPENDENT STUDENT NEWSPAPER SINCE 1969

## Prof wins her lawsuit demanding equal pay

BY AVIVA SELEKMAN  
FACULTY/ADMINISTRATION REPORTER

A UW-Madison associate professor who accused the university of gender discrimination because her male counterparts had higher salaries won a \$5,700 raise and more than \$50,000 in back pay and lost retirement benefits from a Dane County jury.

Theresa Duello, associate professor of obstetrics and gynecology in the School of Medicine, has been at UW since 1980 and was tenured in 1994. Although the jury did not award her the full amount, she was still satisfied with her victory.

"I am delighted," Duello said of the court's decision. "I would hope that this would send a signal to the university that we have to comply with the equal payment act."

Duello noted that her victory did not solve all gender problems at UW.

"The reason that I did this was for my nieces," she said, "I hope the world will be different when they are my age, but I cannot wake up in the morning and tell them that

"If a white woman with a Ph.D. can't get appropriately paid, then what is any other woman to do?"

**Theresa Duello**  
Associate Professor

they're not going to make as much as men just because they are girls."

Duello said that she was lucky she was able to fight the university and that being able to go all the way to court was a "luxury."

"If a white woman with a Ph.D. can't get appropriately paid, then what is any other woman to do?" she asked.

Executive assistant to the Provost, Casey Nagy, said the verdicts were "difficult to receive" for those who made decisions about Duello's salary.

"This university has made extraordinary efforts over the last few years to determine if there was any gender disparity on campus. And then if there was any disparity, to

**GENDER see page 3**

### GENDER from page 1

find out how extensive it was," he said. "We tried to ... address and eliminate [gender disparity] and we engaged in that process."

Nagy said that Duello's case was unique and could not be generalized to the UW's actions toward its women faculty as a whole.

"This case should only reflect this particular context," he said. "To see this verdict as an indictment of the whole university would be unfortunate. The university is not going to change its views because a jury disagreed."

Nagy stressed that efforts to monitor and eliminate gender disparity on campus are ongoing and will continue as outlined in a study completed in 1995.

**Attachment XII**



UNIVERSITY OF  
WISCONSIN-MADISON  
MEDICAL SCHOOL

December 12, 1997

President Katharine Lyall  
System Administration  
Van Hise Hall

Dear President Lyall:

I would first like to clarify that I am writing you on my own behalf and not as a representative of any department, committee, or group.

As Chair of the Committee on the Academic Affairs of Minority and Disadvantaged Students, I was invited to a meeting of the University Committee to learn of System's plans for campus meetings to address issues of diversity. However, the announcement I was handed indicated there were four listening sessions to be held - students of color, faculty and staff of color, all students, and all faculty and staff. At that point I turned to the University Committee and indicated the first question from the faculty would be "Why are they calling this diversity if it only considers color?"

In addition, at the Campus meetings students also brought up the issue that gay/lesbian issues and women's issues were not included. If System wants to address only issues of color, then the word 'diversity' should not be used. If System wants to address diversity, then all issues must be addressed. Why? Obviously, racism, sexism, homophobia, etc. are all based on intolerance. Nothing will get better for anyone until something gets better for everyone. This is 'the rising tide lifts all ships' argument. I strongly believe this is true. All issues must be worked on simultaneously. Not necessarily collectively, but simultaneously. Alternatively, if System is not addressing the rest of the '-isms' now, when will it? If it is believed the need is not there, I would encourage you to have additional campus meetings to test this theory. I am confident you will find otherwise.

System Administration has a great opportunity here to lead the UW System into an era of tolerance. But it can only do so with a farsighted, cohesive plan. We need to create and innovate. We can not be content to compare ourselves to the rest of the Big Ten and rationalize our own lack of progress with the fact that no one else is doing any better. When we want to be great, we put leadership and money behind it. We just haven't decided to be 'great' on this issue yet. As I stated at the Campus meeting for faculty, in order to be 'great' it will take credibility and money. On the credibility side of the ledger, how can System Administration expect to be credible when 1) there

Department of Obstetrics and Gynecology



President Katharine Lyall  
Page 2

are but two individuals in your office working on 'multicultural' issues and 2) 'multicultural issues' encompass only race and ethnicity. Clearly the Board of Regents and the Governor can be asked the same question.

Proposal: Let's do it right. Have the umbrella be tolerance, acceptance, and appreciation. Not just skin color. And let us promote the idea that being a great graduate research institution alone does not make us 'great'. Not as 'great' as we can be or need to be. At the memorial service for the late Professor Ruth Bleier, it was stated that Ruth wanted this institution "to be better than it wanted to be". That is what many of us want. Please lead the way.

Sincerely,



Theresa M. Duello, PhD  
Associate Professor

xc: The Board of Regents  
Chancellor David Ward  
Associate Vice Chancellor Paul Barrows  
Professor Brent  
University Committee, Chair

**Attachment XIII**



# The University of Wisconsin System

Office of the President  
1720 Van Hise Hall, 1220 Linden Drive  
Madison, Wisconsin 53706-1559  
Tel (608) 262-2321 Fax (608) 262-3985  
E-mail: klyall@ccmail.uwsa.edu

January 22, 1998

Dr. Theresa M. Duello  
Dept. of Obstetrics & Gynecology  
University of Wisconsin-Madison  
5240 Medical Sciences Center  
1300 University Avenue  
Madison, Wisconsin 53706

Dear Professor Duello:

Thank you for your very thoughtful letter of December 12, 1997 concerning the scope of the ongoing discussions on diversity. You summarize succinctly the challenge and the opportunity that lies before us. A decade ago, the UW System was the first higher education system in the country to address racial diversity. In the intervening years, we have learned much about efforts that help move the university forward and those that don't work so well. As we look forward to the next decade, we are committed to continuing this effort, but we are open to new ways we could be more effective in reaching our goals.

To do that, the listening sessions have suggested a focus on three key areas: improving the preparation of students of color by expanding our pre-college programming, (2) finding ways to improve the size and composition of financial assistance packages for needy students of color, and (3) working to improve the campus climate for all students through greater respect, acceptance, and appreciation. To this last point, I would add "civility of discourse," as well.

As you may be aware, we will have some additional listening sessions on the Madison campus in February, and we hope to hear further ideas about how we might pursue these and other areas. A draft document will also be available for public discussion and comment in early February. We will be seeking individual institutional plans with initiatives from all UW campuses that fit within the systemwide goals and respond to each institution's particular history and challenges and expect this process to continue through the 1998-99 academic year. Thus, we are just beginning this dialogue which is so important to the future greatness of our university and the state.

Finally, I'd like to respond to the two specific questions you raise about the organization of responsibilities within my office. (1) UW System Administration is small in relation to the leadership tasks we have--but not as small as you suggest. Our Office of Multicultural Affairs contains 6.5 FTE staff; three and a half in Madison and three assigned to work in Milwaukee at the Multicultural Information Center, which serves all fifteen UW institutions. Their job is to monitor state and national trends; learn and share new ways of increasing multicultural diversity being used throughout the

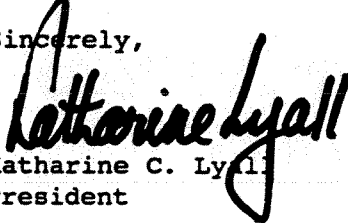
country; maintain liaison with DPI, ACE, The White House, and a multitude of faculty, staff, and students of color organizations throughout the UW System; advise me and the Board of Regents on multicultural issues; support a research agenda on multicultural issues through the Institute for Race and Ethnicity at UW-Milwaukee; and conduct systemwide information and outreach functions through the Multicultural Information Center. Operating responsibilities for recruitment, retention, advising, etc., are decentralized to each institution.

I think this is the appropriate way to do this. Centralizing responsibility for recruiting, retaining, advising, and other functions for all institutions in System Administration would require an enormous expansion of our staff, and I believe the results would not be as good as having these responsibilities rest with the institutions which will ultimately teach, house, advise, encourage, and foster success of their students. One size really does not fit all across the UW System in most things.

(2) With regard to your point that there are other dimensions of diversity in addition to racial and ethnic diversity, I certainly agree. The particular problem we are trying to address in our plan is the gap in academic performance, educational, and employment opportunities between certain racial and ethnic groups and the population as a whole. Thus, the working title of our plan is *Quality Through Racial and Ethnic Diversity in the 21<sup>st</sup> Century*. I understand that there are other kinds of diversity as well, and quite agree that the UW System should espouse a philosophy of "tolerance, acceptance, and appreciation" for all who come to teach and learn in our institutions. We will try to reflect this in our draft document.

Finally, I want to thank you for your continuing commitment to this issue and to making the university "better than it may want to be." I know you have attended each of the listening sessions and have spoken up at each. I look forward to talking with you further about your thoughts on the exposure draft when it is out in a couple of weeks.

Sincerely,

  
Katharine C. Lyall  
President

cc: Board of Regents  
Chancellor Ward  
Associate Vice Chancellor Barrows  
Professor Brent McCown  
Assistant to the President Tess Arenas  
Vice Presidents

**Attachment XIV**



UNIVERSITY OF  
WISCONSIN-MADISON  
MEDICAL SCHOOL

April 10, 1998

Board of Regents  
State of Wisconsin  
1860 Van Hise Hall  
1220 Linden Drive  
Madison, WI 53706

Dear Board Members:

I attended the public hearings on 'Quality Through Diversity' at the State Historical Society on April 2, 1998. Because there was insufficient time for me to present my remarks, I would like to submit a much expanded version of them in writing at this time. I write as a taxpayer, an educator, a biologist and a woman.

- Participation of Minorities in the Sciences

The data on representation of minorities is usually expressed as a percent of students in a specific college or school. When present in this manner, one can not evaluate the participation of minorities by specific discipline. Thus, this presentation masks the even more appalling under-representation of minorities in the sciences, though there is abundant literature documenting the under-representation of minorities in the sciences across the nation. While musicians are in the School of Music and engineers primarily in the College of Engineering, biologists are dispersed throughout a large number of departments across campus. To demonstrate this point, please see the attached spreadsheet which shows the participation of minority graduate students in the biological sciences for the last three years. Note that the number of minorities has remained at 6%. Only 3% of all graduate students are represented by African, Native and Hispanic Americans combined. I recommend a special task force on participation of minorities in mathematics and the sciences be formed and that subcommittees address mathematics, the biological sciences, and physical sciences individually. I am certain such an analysis will shed considerable light on where our efforts are needed.

- Overall Assessment of Campus Pre-College Programs

There was general agreement at the hearings that we need to re-double our efforts at improving minority education in K-12. On this campus, we have a variety of pre-college programs in a number of different colleges and schools. I believe an evaluation of our pre-college efforts by school/college and across campus would be very helpful for the following reasons:

Department of Obstetrics and Gynecology

- 1) We can pinpoint what we are doing right and embellish it.
- 2) We can assess if there are duplication of efforts.
- 2) We can detect the absence of efforts.
- 3) It may become apparent there is a more economical approach to achieving common goals.

- Science Outreach in the Community

Approximately 10 years ago the University of California-San Francisco developed a program whereby a university scientist was assigned to every science teacher in every elementary, middle school, and high school in the entire San Francisco bay area. I am amazed that in the same amount of time we have not accomplished the same for a city as small as Madison. If one were to examine the underlying reasons carefully, I believe it would show (a) what factors are responsible for the lack of this specific type of innovation as well as (b) what it is about our general organization that has precluded this type of farsightedness to date? (What role might the Center for Biology Education play?)

- Assess Advising and Mentoring of Minority Undergraduates in the Sciences/Inclusion of Science Faculty

First, I believe that it would be helpful to determine whether advisor project their own apprehension about the sciences onto students in their Freshman and Sophomore years before they have selected a major. In the past, I have had undergraduate minority students tell me they had been advised to 'stay away from the sciences' because their grade point would go down. (If this prompts the question, "How many students?", my response would be how many does it take to matter?) Second, I believe it is critically important that advising of prospective minority science students in these early years be accomplished by faculty and staff alike. While we have many talented non-science advisors, I strongly believe that only a scientist can emanate the enthusiasm about the subject.

It would be very helpful if Freshman and Sophomore minority undergraduates interested in the sciences, specifically had a faculty member scientist as a mentor. I believe this would give the faculty the opportunity to foster their enthusiasm in these students. In addition, it could help dispense with fear of the sciences and dispense with the notion that 'science is for boys'.

- The Requirement of a Diverse Faculty

The last week of March I spent four days at Florida International University in Miami on behalf of the Endocrine Society's Speakers Bureau. The faculty at FIU are 50% female and approximately 50% faculty of color. The student body resembles the United Nations. I was struck so by the comfort level of both the students and faculty. I would strongly encourage the Regents to walk the hallways and the sidewalks of the Madison campus and look into the eyes of the minority students. I would then recommend each of you visit an institution such as Florida International University to see the contrast to which I refer. You will see the difference. I believe this difference is largely due to fact that a) students see themselves reflected in the makeup of the faculty and b) the faculty see others who resemble themselves. Thus, I believe that our students will not be comfortable,

will not be retained, and will not help us recruit unless we are able to hire a critical mass of minority faculty. My faculty mentor at Florida International University recommended that this is best achieved by hiring 5 or 6 minority faculty in an area at a time. The new faculty member see a diverse faculty and knows they will not be the lone minority member. The students in turn appreciate the diversity of the faculty and see this as a place they would like to be. Thus, our ability to recruit improves.

- Inclusion of Majority Faculty Members on Committees Addressing Diversity

Last Fall, I served as Chair of the Committee on the Academic Affairs of Minority and Disadvantaged Students. In that capacity, I was asked to serve on both the Recruitment Committee and the Retention Committee as well. At the first meeting, I was struck by the fact that I was the only faculty member present and only one of two majority individuals. This is a situation that must be rectified.

- Race, Ethnicity, and Gender

One of the speakers at the hearing commented she felt it was appropriate that 'Quality Through Diversity' had not encompassed the issue of gender because women represented 50% of the population and because in each minority group there are women. While there may be virtue in addressing gender issues concurrently, I do not agree with the stated rationale. First, women may represent 50% of the population, but that is irrelevant. Women do not represent 50% of the faculty or 50% of the student body. Certainly not in the biological sciences or any field not traditionally predominated by women (nursing, home economics, elementary education, women's studies). Second, the fact that a portion of all the minorities are female does not mean the issues specific to them as women will be addressed. If you were to asked any woman of color, I assure you she would tell you that both her color and her gender greatly affects others perception of her, affects the opportunities available to her, and her ability to succeed, regardless of whether or not you can assign relative significance. Therefore, if we are addressing the issues of minorities and presumably minority women on campus without addressing gender at the same time, we will not and can not make headway. To address these issues separately makes me recall the testimony of the individual who indicated he was a student of color and he was an individual with a different ability. He wished there was a plan that addressed him as a whole, not as component parts. In the same way, I am confident many women of color would hope to have all of their issues addresses as a composite.

#### Procedural Issues

At the back of the room were forms which said 'Waiting List'. On that form an attendee was to indicate whether or not they were in favor of the 'Quality Through Diversity' plan as proposed and indicate if they wished to give testimony. This arrangement may have led to the misconception that whether you would be selected to speak could be based on your opinion of the plan. Clearly, this is a situation where the 'perception of fairness' was as important as 'fairness' itself.

I also regretted the manner in which the public hearings ended. While I appreciate the fact that the Regents extended the hearings for a half an hour, I believe it would have gone a long way with the



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students if the Board had emphasized regret at having to end the meeting at noon, if they had invited those who could not speak to write to them, and if they had made available to the attendees the names and the addresses of the members of the Board . Perhaps this is a tact that can be taken in the future. Perhaps it would also be useful to invite everyone to schedule their testimonies in advance so that the Regents could adequately assess exactly how much time was needed.

Question: I would ask that you communicate to me what the Regents plans are to address gender issues. I have shared with you my study indicating that faculty women as a group in the Medical School are underpaid. Certainly this warrants immediate action.

Sincerely,



Theresa M. Duello, Ph.D.  
Associate Professor

TMD/dap

xc: President Katharine Lyall, UW System Administration

Department	Minority Graduate Student Statistics in Biological Sciences															
	1994		1995		1996		Total	1995		1996		Total				
	Nat Am	Afr Amer	Hispanic	Asian Am	Total	Nat Am		Afr Amer	Hispanic	Asian Am	Total		Nat Am	Afr Amer	Hispanic	Asian Am
Agonomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20
Anatomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Astronomy	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	17
Atmospheric Sciences	0	0	0	2	64	0	0	1	3	64	0	0	1	2	0	72
Bacteriology	0	3	5	8	113	0	0	1	5	4	107	0	0	5	3	94
Biochemistry	0	1	0	4	139	0	0	1	0	4	128	0	1	0	4	116
Bionetics	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
Biomolecular Chemistry	1	0	1	0	29	1	1	0	0	0	1	0	0	0	0	32
Biophysics	0	0	0	0	11	0	0	0	0	0	10	0	0	0	0	8
Botany	0	0	0	0	31	0	0	0	1	0	30	0	1	0	1	28
Cellular and Molecular Biology	0	0	4	7	146	0	0	7	8	139	0	0	6	10	143	
Chemistry	0	2	3	9	275	0	1	5	8	271	0	1	3	7	231	
Conservation Biology & Sustainable Dev	0	0	1	0	25	0	0	1	2	22	1	0	1	2	26	
Dairy Science	0	0	1	0	28	0	0	0	0	0	27	0	0	1	0	20
Developmental Biology	0	1	0	1	12	0	1	0	0	9	0	0	0	0	4	4
Endocrinology-Reproductive Physiology	1	0	2	2	31	0	0	1	0	31	0	0	1	1	24	38
Entomology	0	0	1	1	42	0	0	1	1	43	0	0	0	1	1	49
Environmental Toxicology	0	2	1	1	50	0	2	0	0	50	0	0	0	0	0	75
Food Science	0	1	1	1	80	0	1	1	2	76	0	1	1	2	2	48
Forestry	0	1	0	1	44	0	0	0	0	43	0	0	0	0	0	42
Genetics	0	0	3	2	40	0	0	4	0	39	0	0	3	2	2	83
Geography	2	0	6	1	89	2	1	4	2	91	1	1	3	2	0	46
Geology	0	0	0	0	61	0	0	0	0	49	0	0	0	0	0	9
Geophysics	0	0	0	0	13	0	0	0	0	11	0	0	0	0	0	9
Medical Genetics	0	0	0	1	9	0	0	0	2	10	0	0	0	1	1	20
Medical Microbiology & Immunology	0	0	3	2	29	0	0	0	2	24	0	0	0	0	0	45
Medical Physics	0	1	2	2	46	0	0	1	2	41	0	0	2	2	2	27
Neuroscience	0	0	2	1	24	0	0	1	1	25	0	0	1	4	0	2
Neurophysiology	0	0	0	0	4	0	0	0	0	2	0	0	0	0	0	2
Nursing	1	0	4	0	208	1	2	3	0	194	0	2	4	1	0	181
Nutritional Sciences	0	1	4	2	51	1	1	4	2	54	1	1	3	2	2	48
Oceanography & Limnology	1	0	0	0	16	1	0	0	0	9	1	1	0	0	0	7
Oncology	0	0	1	4	37	0	0	1	4	35	0	0	1	4	0	31
Pathology	0	0	0	1	9	0	0	0	0	11	0	0	0	0	0	12
Pharmacology	0	0	1	0	6	0	0	0	1	11	0	0	0	1	1	11
Pharmacy	0	0	0	0	1	0	0	0	0	2	0	0	0	0	0	1
Pharmacology-Pharmacy	0	0	1	0	7	0	0	1	0	7	0	0	1	0	0	6
Physics	1	1	2	7	160	1	0	2	5	146	1	0	0	3	0	132
Physiology	0	0	0	0	18	0	0	0	0	14	0	0	0	0	0	11
Plant Breeding & Plant Genetics	0	0	0	0	46	0	0	0	0	43	0	0	0	0	0	44
Plant Pathology	0	0	0	1	31	0	0	1	0	28	0	0	1	0	0	23
Poultry Science	0	0	0	0	0	0	0	0	0	7	0	0	0	0	0	0
Preventive Medicine-Epidemiology	0	0	3	0	36	0	0	2	2	14	0	0	0	2	2	18
Soil Science	0	0	0	0	8	0	0	2	0	36	0	0	3	0	0	29
Therapeutic Science	0	0	0	0	8	0	0	0	0	11	0	0	0	0	0	9
Veterinary Science	0	0	1	3	73	0	0	1	2	63	0	1	3	1	1	63
Water Chemistry	0	0	0	0	14	0	0	0	0	11	0	0	0	0	0	12
Wildlife Ecology	0	0	0	0	26	0	1	0	0	30	0	1	0	0	0	29
Zoology	1	0	0	0	65	1	0	0	0	62	1	0	1	1	1	54
Total	9	14	54	63	2290	8	13	52	56	2204	8	14	47	60	2051	
African American	14			0.60%		13			0.59%		14			0.68%		
Asian American	63			2.73%		56			2.54%		60			2.93%		
Hispanic American	54			2.36%		52			2.36%		47			2.29%		
Native American	9			0.39%		8			0.36%		14			0.68%		
Total	140			6.11%		129			5.83%		135			6.58%		