Date: November 4, 2026
To: WPI Faculty
From: Committee on Governance (COG) (Prof. Gillian Smith, Chair)
Re: Motion to remove WPI Statement on Affirmative Action from the Faculty Handbook

Motion

The Committee on Governance recommend and I move that the following Faculty Handbook section be struck in its entirety from the WPI Faculty Handbook:

- Chapter 9, "Certain WPI Legal Policies", Section 5 "Statement on Affirmative Action"

The full text of this section is appended to this motion (Appendix A).

Rationale

WPI's Statement on Affirmative Action, last updated on August 15, 2016, rests on a federal regulatory framework that no longer exists. The statement's authority derives from Executive Order 11246, which was revoked on January 21, 2025. Since January 2025, the U.S. Department of Labor has since dismantled the affirmative action requirements that the statement describes. As a result, the current text commits WPI to federal obligations that are no longer in force.

More consequentially, federal agencies responsible for enforcing civil rights laws now take the position that institutional language setting race- or sex-based objectives or goals in employment (whether explicitly in policies or implied) is evidence of unlawful disparate treatment, rather than taken as a good-faith equal opportunity program. The statement also no longer accurately describes how WPI actually conducts faculty hiring. Because the cited authority has been inoperative for more than a year and a half, and the Department of Labor finalized its rule officially rescinding the implementation of the regulations in August 2026, leaving the statement in place exposes WPI to legal risk under current enforcement standards; therefore, COG recommends prompt action.

Beyond legal compliance, the Committee on Governance's review of the existing language finds that the existing language is quite weak, outdated in places, and does not make concrete recommendations regarding how faculty can effectively commit to equal opportunity. Rather than revising a statement built on a defunct framework, COG is proposing in a separate motion to replace it with a new subsection on equal opportunity in faculty hiring in Chapter 2, Section 2.

Removing the statement brings the Faculty Handbook into alignment with current federal requirements. It does not alter WPI's commitment to equal opportunity. WPI remains firmly committed to anti-discrimination, equal opportunity, and hiring processes that welcome a diverse pool of applicants. WPI also continues to affirm its affirmative action obligations with respect to individuals with disabilities and protected veterans, which Talent & Inclusion maintains in alignment with federal policy and has committed to regularly collaborating with Faculty Governance on any significant changes made to the WPI policy.

Implementation

This faculty handbook modification is to be taken effective immediately.

Any following section headings will be renumbered as needed, and any links to impacted sections will be updated.

COG commits to reviewing the outcomes of making this change no later than Spring 2029, and, if necessary, creating recommendations for revisions.

Appendix A: Full Text of Chapter 9, Section 5

5. Statement on Affirmative Action

(Updated by SOF through Human Resources, *August 15, 2016*)

WPI is committed to the principles of equal opportunity for all persons and it is the policy of WPI to affirmatively seek, employ, and promote the best qualified employees, students, and applicants without regard to race, sex, age, color, national origin, religion, genetic identity, disability, gender identity or expression, marital or parental status, sexual orientation, transgender status, veteran status, or any other protected status. This policy applies to the total WPI community and is designed to comply with both the spirit and letter of governing state and federal laws. It is expected that this policy, as well as the WPI Affirmative Action Plan will be effectuated by employees, students and others who act on behalf of WPI.

All supervisors, managers, and administrators are responsible for helping the campus fulfill its equal opportunity responsibilities. This is accomplished by making good faith efforts toward meeting affirmative action goals and ensuring a workplace that is free of discrimination and harassment. WPI's goal is to employ and retain a diverse workforce of the best-qualified individuals.

a. Employment of Minorities and Women

The Institute's Affirmative Action Program is intended to expand our efforts to guarantee equality of opportunity in employment and in education and to reduce underrepresentation and underutilization of minorities and women at WPI. For all Institute categories of employment, our objectives are to achieve a representation of minorities and women that is at least in proportion to their current availability and to provide new opportunities for career development which both stimulate and respond to their changing interests and aspirations. WPI's obligations as a federal contractor under Executive Order 11246 includes the development of an affirmative action program which provides for analysis of utilization of minorities and women in all job groups in each organizational unit.

b. Employment of Disabled Individuals

The Institute's program for the employment of individuals with disabilities is intended to expand WPI's efforts to provide opportunities for employment and advancement for qualified persons with disabilities. The Institute will not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant is qualified.

WPI's obligations as a federal contractor under Section 503 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, include an assessment of all employment practices to assure that any adaptation that permits the employment or advancement of individuals with disabilities is reasonably accommodated, provided it does not cause undue hardship to the employer. Some individuals may require flexible work schedules, worksite accommodations, or auxiliary aids in order to perform the required duties of a job. Reasonable accommodation to needs such as these is the Institute's affirmative action responsibility under the law.

Inquiries regarding this policy may be directed to the Benefits Administrator in the Office of Human Resources

c. Employment of Disabled and Other Covered Veterans

In compliance with the Vietnam-Era Veterans Readjustment Assistance Act of 1974, as amended, and the 2002 Jobs for Veterans Act (JVA), as amended, WPI does not discriminate against any qualified employee or applicant for employment because he or she is a veteran with a disability or other covered veteran. WPI, in this respect, takes affirmative action to employ, advance in employment, and treat without discrimination, veterans with disabilities and other covered veterans.

A covered veteran is a person in one of the following categories:

- Armed Forces Service Medal Veteran: Any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Oder 12985.
- Recently Separated Veteran: Any veteran during the three year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.
- Other Protected Veteran: A person who served on active duty in the U.S. military, ground, naval or air services during a war or in a campaign or expedition for which a campaign badge has been authorized.
- Disabled Veteran: A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs, or a person who was discharged or released from active duty because of a service-connected disability.
    - A disabled individual is defined as any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, or has a record of such impairment, or is regarded as having an impairment. ("Life activities" are those which affect employability; "substantially limits" means the degree that the impairment affects employability.)

As a government contractor, WPI will take affirmative action to ensure that job applicants are employed and that employees are treated during employment without regard to their race, creed, color, national origin, sex, or other protected classifications.

WPI also invites all employees to voluntarily self-identify themselves to the Office of Human Resources. More information can be found on our website.