

Office of the President

TO THE MEMBERS OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE:

DISCUSSION ITEM

For Meeting of November 16, 2022

STATEMENTS DESCRIBING FACULTY CONTRIBUTIONS TO INCLUSIVE EXCELLENCE

EXECUTIVE SUMMARY

Over the past quarter century, there has been a purposeful commitment by the University of California to encourage and recognize faculty contributions to diversity, equity, and inclusion (DEI). Grounded in academic policy (APM - 210-1-d), the DEI or Inclusive Excellence statement aligns with the University's role as a public research university dedicated to educating residents and serving communities throughout the state while reaching across the nation and world. Indeed, the University's reputation as a national leader in inclusive student access and success is critically dependent on the engagement of incumbent and future faculty in various facets of outreach and recruitment as well as degree completion and graduation. The University's policies and practices on DEI statements do not allow for consideration of the faculty member's race or gender. Instead, it is the faculty member's contributions to diversity, equity, and inclusion that are evaluated. In sum, DEI statements underscore the University's institutional commitment to serving the needs of a diverse student body and state.

As an extension of University policy, the adoption and use of DEI or Inclusive Excellence statements are the result of deliberate and extensive consultation with the Academic Senate as faculty have primary responsibility for evaluating applicant DEI statements. Since 2005, the Academic Senate and UC Administration have engaged in an iterative process of refinement and improvement of APM policy and guidance surrounding policy implementation related to these efforts. This iterative process has fortified the policy while mobilizing the insights and experiences from local campuses for continuous improvement.

BACKGROUND

History of DEI Statements at the University of California – Policy and Guidance

APM - 210-1-d and UC Regents Policy 4400

The origin of the diversity, equity, and inclusion (DEI) statement in policy began in 2002, at the initiative of UC President Emeritus Robert C. Atkinson. As part of the Strategic Review Panel, President Emeritus Atkinson called for greater involvement of underrepresented populations in

the research and teaching mission of the University. The Academic Senate took up this challenge. It explored and later proposed a revision to the Academic Personnel Manual. The deliberations of the Senate culminated in the issuance of Section 210-1-d of the Academic Personnel Manual, Review and Appraisal Committees, in July 2005. APM - 210-1-d encourages faculty contributions and appropriate recognition in teaching, research, and service that promote diversity and equal opportunity. It is important to note that the policy did not mandate that incumbent faculty contribute to DEI, but, rather, encouraged appropriate recognition for faculty that chose to engage in research, teaching, and service that contribute to DEI.

Meanwhile, in 2005, President Emeritus Robert Dynes charged a UC Taskforce on Faculty Diversity. The recommendations of the taskforce included the adoption of a public statement in support of diversity as well as the incorporation of contributions to diversity as a consideration in faculty hiring. Its work led to the development by the Academic Senate's University Committee on Affirmative Action and Diversity (UCAAD) of a diversity statement and a recommendation for its adoption by the Academic Senate in 2006. Following adoption by the Senate and President, in September 2007 the UC Regents adopted Regents' Policy 4400: Policy on University of California Diversity Statement. Regents Policy 4400 highlighted diversity as a defining feature of the State of California and renewed the University's commitment to serve all parts of the California community equitably. The statement also aligned diversity with achievement of institutional and academic excellence:

"Diversity should also be integral to the University's achievement of excellence. Diversity can enhance the ability of the University to accomplish its academic mission. Diversity aims to broaden and deepen both the educational experience and the scholarly environment, as students and faculty learn to interact effectively with each other, preparing them to participate in an increasingly complex and pluralistic society. Ideas, and practices based on those ideas, can be made richer by the process of being born and nurtured in a diverse community. The pluralistic university can model a process of proposing and testing ideas through respectful, civil communication. Educational excellence that truly incorporates diversity thus can promote mutual respect and make possible the full, effective use of the talents and abilities of all to foster innovation and train future leadership."

Implementation of APM – 210-1-d: Local Experience in Academic Review and Policy Revision

After 2005, the local campus experience with the implementation of APM - 210-1-d, particularly in the review process for incumbent faculty, highlighted ambiguity in the meaning and/or intent of the policy language. Many of the questions that emerged reflected the unprecedented nature of the recognition of diversity as a valid part of faculty activity in research, teaching, and service. Over several years the UC Administration and the Academic Senate grappled with and discussed a number of these questions based on the intent of the policy. What did contributions to diversity mean for faculty? Did the policy necessarily limit what fields and disciplines could fully benefit from faculty contributions to diversity? How would the DEI contributions by faculty whose primary research did not focus on diversity and equity be assessed? To what extent would

mentoring be considered an activity that promotes the University's commitment to excellence through diversity?

At the direction of former Academic Council Chair Powell in Fall 2012, the University Committee on Academic Personnel (UCAP) and the UCAAD collaborated in an effort to revise policy language and promote consistent implementation across all campuses. The formal policy review process included Management Consultation in early 2014, followed by Systemwide Review in mid-2014, and Final Review in Spring 2015. In July 2015, the revised APM - 210-1-d clarified that faculty DEI contributions should be assessed and credited in the same way as other faculty achievements.

Extension of APM - 210: Use of DEI Statements in the Faculty Search Process

While APM - 210 was undergoing revision, campuses began to pilot and adopt the use of DEI statements in the application process for open faculty searches. UC San Diego was the first campus to adopt DEI statements in the application process in 2009. As part of an effort to increase opportunities for candidates who value diversity and have made contributions to diversity, science, technology, engineering, and mathematics (STEM) departments required all candidates for new positions to submit a separate statement on past experience and leadership in equity, diversity, and inclusion.

Between 2011 and 2015 more campuses began piloting DEI statements in a variety of ways. Some invited applicants to submit statements voluntarily while others required them. Still other campuses piloted the use of DEI statements in a limited number of department searches. Others mandated DEI statements in all searches following their pilot experience. At UC Berkeley, approximately 14 percent of faculty search committees requested a DEI statement as part of the application process during academic year 2014–15. A year later, this practice was adopted by approximately 61 percent of faculty recruitment committees. In consultation with its Divisional Senate, UC Merced added DEI statements as an optional component of Senate faculty searches in academic year 2013–14 and began requiring them as of academic year 2015–16. By 2015, UC Davis, in consultation with its Divisional Senate, required departments to include the “Statement of Contributions to Diversity” as an optional document for candidates to submit with their application materials. In July 2016, all applicants for Senate positions at UC Davis were required to submit a DEI statement. Following Senate consultation, UC Irvine implemented a soft rollout in 2014, when the campus provost asked schools and departments to request that applicants submit a DEI statement. By Fall 2015, the soft rollout transitioned to a mandate. In the same year, UC Riverside adopted the use of DEI statements following discussion with the Executive Council of its Divisional Senate. Other campuses followed suit, with UC Santa Cruz piloting a requirement to include DEI statements in 2017, UCSF implementing the requirement with Divisional Senate consultation in 2018, UCLA adopting mandatory use of the statements in faculty searches in the same year, and UC Santa Barbara adopting DEI statements in 2020. UCSB, UCSC, and UCLA engaged in consultation with their Divisional Senates.

Learning from Experience: UC Administration and Academic Senate Guidance on the Use of DEI Statements in the Faculty Search Process

As campuses incorporated and some began mandating the inclusion of DEI statements in faculty recruitment processes, the UC Office of Academic Personnel and Programs (UCOP APP) and the Academic Senate established general guidance for faculty search and review committees on how to evaluate faculty DEI statements. In February 2017, UCOP APP issued guidance entitled “Evaluating Contributions to Diversity for Faculty Appointment and Promotion Under APM - 210.” The guidance encouraged appropriate consideration, subject to academic judgment, of DEI contributions and offered examples of the form those contributions could take in the domains of teaching, research, professional activity, and service:

- Teaching
 - Contributions to pedagogies addressing different learning styles, for example:
 - Designing courses or curricula that meet the needs of educationally disadvantaged students
 - Developing effective teaching strategies for the educational advancement of students from underrepresented groups
 - Experience teaching students who are underrepresented, for example:
 - Teaching at a minority-serving institution
 - Record of success advising women and minority graduate students
 - Experience teaching students with disabilities
- Research and Other Creative Work
 - Research contributions to understanding the barriers facing women and minorities in academic disciplines, for example:
 - Studying patterns of participation and advancement of women and minorities in fields where they are under-represented
 - Studying socio-cultural issues confronting underrepresented students in college preparation curricula
 - Evaluating programs, curricula, and teaching strategies designed to enhance participation of underrepresented students in higher education
 - Research interests that will contribute to diversity and equal opportunity, for example, research that addresses:
 - Race, ethnicity, gender, multiculturalism, and inclusion
 - Health disparities, educational access and achievement, political engagement, economic justice, social mobility, civil and human rights
 - Questions of interest to communities historically excluded by higher education
 - Artistic expression and cultural production that reflects culturally diverse communities or voices not well represented in the arts and humanities
- Professional activity
 - Engagement in activity designed to remove barriers and to increase participation by groups historically under-represented in higher education:
 - Participation in academic preparation, outreach, or tutoring
 - Participation in recruitment and retention activities

- Service as an advisor to programs such as Women in Science and Engineering
- Exceptional record mentoring students and junior faculty from groups underrepresented in the field
- Promoting welcoming classroom environments for students from culturally diverse groups
- University and public service
 - Participation in service that applies up-to-date knowledge to problems, issues, and concerns of groups historically underrepresented in higher education:
 - Engagement in seminars, conferences, or institutes that address the concerns of women and underrepresented minorities
 - Presentations or performances for underrepresented communities
 - Honors, awards, and other forms of special recognition such as commendations from local or national groups or societies representing underserved communities
 - The application of theory to real-world economic, social, and community development problems
 - Election to office, or undertaking service to professional and learning societies, including editorial work, or peer reviewing for a national or international organization addressing disparities in access to higher education
 - Selection for special public service activities and invitations to give talks within the field that address the needs of underrepresented or culturally diverse groups
 - Participation in professional or scientific associations or meetings, and presentation of papers related to the needs of communities historically excluded from higher education.

Two years later, in 2019, the University Committee on Affirmative Action, Diversity and Equity (UCAADE, formerly UCAAD) and the Systemwide Equal Employment/Affirmative Action Administration Group recommended mandatory inclusion of DEI statements in faculty recruitments across all campuses. In consultation with the University Committee on Faculty Welfare (UCFW) and UCAP, UCAADE further proposed that, by 2021, all campuses incorporate DEI statements in faculty advancement, consistent with local practices regarding research, teaching, and service statements. In its 2019 guidelines, entitled “The Use of Contributions to Diversity, Equity, and Inclusion (DEI) Statements for Academic Positions at the University of California,” UCAADE also recommended providing guidance on how to write DEI statements and developing a rubric, in consultation with the Faculty Equity Advisor or equivalent, to evaluate the statements.

In Spring 2022, the Academic Senate approved and issued a revised version of the 2019 recommendations. The recommendations, put forward by UCAADE in consultation with UCAP and the University Committee on Academic Freedom (UCAF), proposed that:

- DEI statements should focus on actions, not beliefs.

- Each campus should develop guidelines to implement the use of DEI statements in a consistent manner from time of hiring through academic reviews for merit and promotion. This process should include relevant Senate participation.
- Faculty have the primary responsibility for evaluating contributions to diversity, equity, and inclusion within their discipline.

Notably, local campuses have complemented the guidance of the UC Administration and Academic Senate. Local Academic Personnel offices have established dedicated webpages for preparing DEI statements for applicants for open faculty position. The Irvine campus resource page provides a rationale for DEI statements and descriptions for teaching, service and research contributions.

Ensuring Alignment with the State Constitution: Use of DEI Statements in Faculty Search Processes

In addition to the guidance that faculty and the UC administration have issued regarding policy implementation, in 2015 UC Legal – Office of the General Counsel published “Guidelines for Addressing Race and Gender Equity in Academic Programs in Compliance with Proposition 209.” Proposition 209, the voter initiative that was codified as Article I, Section 31 of the California Constitution in 1996, prohibits the University from using race, gender, or ethnicity as a factor in determining who will be admitted or employed.

UC Legal’s Guidelines identified several diversity strategies that the University could legally implement:

- Programs that are targeted by race or gender but do not provide preferences or benefits that are not generally available to all.
- Programs that are not targeted by race or gender but are targeted by factors that support the University’s academic mission and reflect the University’s commitment to diversity and equal opportunity.
- Programs that are about issues relating to race or gender, but open to all.
- Programs that are targeted by race or gender, but are operated and managed by private, non-University organizations.
- Programs that fall under an exception to the requirements of Proposition 209.

In its discussion of the requirement that applicants for faculty positions submit DEI statements, UC Legal’s Guidelines state:

“Requiring such statements sends an important message to candidates and may increase the diversity of the applicant pools.”

Regarding the issue of faculty diversity, UC Legal’s Guidelines state:

“The recruitment and retention of a diverse faculty serves two fundamental academic values of the University of California. First, diverse faculty reflect a wide range of

interests, abilities, life experiences, and worldviews that enhance the University's teaching, research, and public service mission and contribute to its excellence. Second, diverse faculty reflect the University's commitment to equality of opportunity, ensuring that the University can serve the needs of our increasingly diverse society and fully utilize the intellectual resources embedded in that diversity."

More recently, Brian Soucek, Professor of Law and former Chair of the University Committee on Academic Freedom, University of California, Davis, examined arguments made about the use of DEI statements by universities in an article published in the UC Davis Law Review in April 2022¹ and detailed how and why DEI statements came about at the University of California, including the University's recent experiments using DEI statements in new and expanded ways.

Current UC policy on and guidance regarding DEI statements reflect the institution's cumulative efforts to refine and improve both paradigm and practice related to the incorporation and evaluation of faculty DEI contributions. The use of DEI statements supports UC's institutional commitment to serving the needs of a diverse student body and state in a manner that complies with state and federal law.

Mobilizing Faculty-led Projects to Promote Inclusive Excellence: UC Advancing Faculty Diversity Program

The Advancing Faculty Diversity (AFD) Program has emerged as one of the most visible systemwide efforts to promote diversity, equity, and inclusion among faculty. The overall goal of the AFD program is to identify best practices in both faculty recruitment and improving climate and faculty retention that could be scalable beyond the immediate unit or campus where these practices were initiated. An additional goal of the program is to create a systemwide community of practice in which campus Principal Investigators (PIs) are able to connect and engage with one another on their individual project work, create synergies in the work, and facilitate opportunities for learning and sharing ideas.

Since its inception in academic year 2016-17, AFD Recruitment campus pilot projects have implemented APM - 210-1-d in innovative ways. The use of DEI statements is just one of several innovations implemented in AFD searches (in combination with other recruitment interventions) that have contributed to increased diversity in faculty hiring within the pilots the program has funded. The systemwide community of practice continues to explore ways in which DEI statements may be used effectively.

Item A3 of the May 2022 Regents meeting, *Status Report on the Advancing Faculty Diversity Program*, provided an overview of the history and goals of the AFD program, highlighted the most successful strategies deployed in the 20 recruitment pilot projects that spanned years one through five of the program, and explored the challenges that encumbered less successful pilots. The Chancellors Inclusive Excellence Fellows program at UC Irvine was a particularly

¹ Soucek, Brian. "Diversity Statements." *UC Davis Law Review* 55, no. 4 (April 2022).
<https://lawreview.law.ucdavis.edu/issues/55/4/articles/soucek.html>

successful model in which a campus leveraged DEI statements to both yield exceptional faculty and build inclusive excellence. As this item discusses, the campus designed and introduced the initiative in year four of the AFD program. The initiative allowed departments to nominate newly hired faculty for a fellowship that would fund their research and/or teaching in DEI. The program was open to recruited ladder-rank faculty in academic and professional schools. Based on the strength of the applicant diversity statement, each school could nominate a recruited faculty candidate (who had received an offer of appointment) to prepare a proposal about their use of the fellowship and its budget over a two-year period. The school submitted the nomination dossier to a campus-wide selection committee drawn from faculty, graduate student, undergraduate and staff stakeholders. The committee reviewed nominations based on a rubric and made recommendations to the Vice Chancellor for Equity, Diversity, and Inclusion for awards.

An example of a campus AFD initiative not profiled in the May 2022 Regents item is the 2021–22 UC Berkeley AFD pilot program focused on recruitment within the Social Sciences division, the largest and most diverse at the campus. The Advancing Faculty Diversity in the Social Sciences Recruitment Program is designed to increase the diversity of ladder-rank faculty through the implementation of more equitable search practices; to implement strategies that will increase the recruitment of new ladder-rank faculty with an emphasis on identifying candidates who have the capacity to enhance contributions to DEI in their research, teaching, service, and outreach; and to normalize work on DEI as a part of every faculty member’s professional commitment. This project sought to enhance the diversity of candidate pools and introduced additional guidelines to the search process which included stating departmental and divisional commitments to Diversity, Equity, Inclusion, Belonging and Justice (DEIBJ) in job ads, encouraging departments to diversify where job ads were placed, and including DEIBJ interview questions during candidate interviews where both the candidate and the department could share their DEIBJ goals and vision. The project adopted a holistic assessment with a minimum threshold for candidates to advance in the process. Overall, deans, search committee members, and departments were receptive to the new search guidelines and the quality of talent participating departments were able to yield in the search process.

Some campuses have used the DEI statement as the basis for making additional Full-Time Equivalent (FTE) investments. UC Irvine has created a strategic FTE program entitled Faculty Recruitment Inclusive Excellence Supplement. Under this program, the Provost’s office makes available central funding to support commitments to inclusive excellence in faculty hiring. Deans can apply for an “inclusive excellence supplement” to help recruit one additional faculty member, identified through a standard department-based search, when the top two candidates contribute significantly to the goals of inclusive excellence as explained in their DEI statements. Competitive candidates should have held leadership roles and demonstrated sustained participation in one or more inclusive excellence activities, consistent with their career stage. The program description underscores the prohibition of the University from discriminating against or granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin. Units are reminded that the University may not use race or gender as a factor in deciding who will be offered employment. Applications should focus on the

candidates' potential to make a significant contribution to inclusive excellence through teaching, research or service.

The University of California has publicly expressed an institutional commitment to the State to pursue and achieve diversity and equitable outcomes through the hiring of its faculty as well as through its academic preparation programs. This commitment manifests in the academic space through the inclusion of DEI statements in the faculty selection process. Campuses are also experimenting with embedding inclusive excellence in the faculty review and appraisal processes, inviting faculty to submit a DEI statement or address DEI contributions in a section of their self-statement for their academic personnel review file. The success of efforts to promote diversity, equity, and inclusion relies upon the leadership of UC faculty in developing assessment rubrics and participating in the evaluation of DEI contributions in ways that are appropriate for various disciplines and consistent with departmental and campus practices.

KEY TO ACRONYMS

APM	Academic Personnel Manual
APP	UC Office of Academic Personnel and Programs
AFD	Advancing Faculty Diversity
DEI	Diversity, Equity, and Inclusion
DEIBJ	Diversity, Equity, Inclusion, Belonging, and Justice
FTE	Full-Time Equivalent
STEM	Science, Technology, Engineering, and Mathematics
UCAAD	University Committee on Affirmative Action and Diversity
UCAADE	University Committee on Affirmative Action, Diversity and Equity (formerly UCAAD)
UCAF	University Committee on Academic Freedom
UCAP	University Committee on Academic Personnel
UCFW	University Committee on Faculty Welfare
URM	under-represented minority