

UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY (UCAAD) ANNUAL REPORT 2011-12

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Affirmative Action and Diversity (UCAAD) met four times in the 2011-12 academic year. In accordance with its duties as outlined in [Senate Bylaw 140](#), UCAAD considered policies related to staff, faculty, and student diversity, as well as statistical data and other measures for successful implementation of those policies. This year was the fifth year of membership for UCAAD on the Academic Council. In 2007, the Council unanimously approved the addition of UCAAD as a permanent standing member, and in May of that year, the Academic Assembly approved an amendment to [Senate Bylaw 125](#) that codified the addition. A summary of the committee's work follows below:

Analysis of UC Pay Equity by Sex and Among Men, Ethnicity, 2009-10

The committee was previously successful in securing the volunteer services of Emerita Professor and past UCAAD Chair Pauline Yahr to resume work on a Systemwide faculty pay equity analysis first initiated in 2007-08 by UCAAD in conjunction with Academic Advancement. This effort, led by former Vice Provost Nicholas Jewell, was to be the first UC-wide statistical report of pay practices by gender and ethnicity evaluated across divisions, schools, and departments. UCAAD worked with Academic Advancement to develop the best possible evaluative metrics and comparative standards. Difficulties in securing up-to-date and translatable payroll and personnel data, however, coupled with the departure of Vice Provost Jewell in the fall of 2008, had until this year delayed any further work on the project. The final draft study entitled, [Analysis of UC Pay Equity by Sex and Among Men, Ethnicity, 2009-10](#), was transmitted to Academic Council in July 2011. Council voted to circulate the analysis for Systemwide Senate review and revisit the draft study in fall 2011. In a March 2012 memorandum to Council, UCAAD communicated the response of the committee to the compendium of responses to the proposed several subsequent actions to be taken.

Council Response to Salary Equity Study

In June 2012, after having discussed the Council response to the draft UCAAD recommendations on the *Analysis of UC Pay Equity* and what specific actions it might undertake, the committee responded to these comments and presented a preliminary action plan for Council's consideration and approval.

In UCAAD's estimation, there is across-the-board agreement that any situation of pay inequities is of serious concern and should be addressed in a pro-active and even aggressive manner. Several campuses have already anticipated that further action might best take place at the level of the individual campus and/or have proposed specific foci of further research and inquiry. And several others have already initiated their own studies in recent years. Most campuses opined that this study has not convincingly demonstrated that salary inequities and disparities exist due to gender discrimination, although most would agree that, minimally, the study's findings are "troubling". Even those opinions that most strongly doubted the efficacy of the chosen method and/or the results to date add that further attention, study and action are called for. While UCAAD noted that some comments or interpretations are not completely accurate, the committee elected to address these in a separate document primarily for the record. None of these, however, are of such substance to preclude a consideration at this time of the "next steps" that UCAAD had hoped to have in place by the close of this academic year.

UCAAD never anticipated that this particular methodology would be able to capture the complexities of our merit and salary system; no single methodology is likely to do so. Nonetheless, as indicated in the report, this was the method selected by the Chancellors and has been used with varying degrees of success in many other studies. In its response to the Systemwide responses, UCAAD chose to not dwell on the methodology *per se*. Members felt that detailed and back-and-forth discussion of methodology would have only delayed efforts to identify and correct salary inequities and perhaps not fundamentally change

our current understanding that problems exist and that they need to be addressed in a most timely manner. Especially given that UCAAD's core proposal that the individual campuses should develop their own plans for any further study or research that can illuminate more precisely the nature of salary inequities, a methodology debate seems to partially distract us from taking significant steps to engage more deeply with the data and thus processes at work that point to or substantiate that salary inequities exist.

UCAAD developed a list of the core critiques from the campuses, two UC Systemwide committees and from the Office of the President. The response from President Yudof also included an overview of what were considered to be core campus responses. Additionally, the committee crafted a list of what appear to be the major suggestions for "next steps" in research and/or action that have come from reviewers. UCAAD concurred with the suggestion made in one form or another by several sources namely, that each campus develop its own study and action plan in consultation and discussion with the Divisional Senate. Despite our 10-campus unities, personnel histories and processes vary among the 10 campuses and, in many respects, determining root causes is certainly based at the local level, perhaps even in different departments and other personnel units. Salary decision-making also varies by campus and perhaps even by unit within a campus. This effort will necessarily involve administrators at all levels. Some campuses have already begun salary equity reviews and may need to take different steps at this time.

One specific issue that UCAAD felt particularly strongly about is that the responsibility for inquiry into potential salary inequities not rest on individual faculty members. Rather, the committee urged that each campus develop campus-congruent mechanisms that would insure that department chairs, deans and senior level academic administrators address inequities in pro-active ways and with a full grasp of what inequities exist; specify mechanisms to address them; and develop specific plan(s) to "correct" pay inequities. And while the *Analysis of UC Pay Equity* primarily was able to use adequate data on white men, on women (undifferentiated by ethnicity) and some for men from groups often classified as under-represented, UCAAD underscored the overriding need for as broad a set of "group" data as possible that may sort out various dimensions of gender, ethnicity, age/seniority, etc.

Additionally, UCAAD urged that annual pay equity studies are to be undertaken immediately within each unit of each UC campus both to gain basic data and also to monitor the situation, from the level of a department on up. In order to insure that this action does move forward in as timely a manner as possible, UCAAD put forward the request for individual campus plans be presented to relevant Systemwide bodies, such as UCAAD, UCFW, UCAP, and Academic Council, by November 2012. Such plans should include specifics and a timeline, as well as those specifically responsible for each step and part of the proposed process. Council ultimately endorsed this recommendation and the following specified timeline:

- Campus plans of action sent, via Divisional Senate Chairs to UCAAD, UCFW and UCAP by **November 15, 2012**. The plans should include a list of administrators and Senate committees to be involved and a timeline for carrying out associated actions that would allow for reporting of results by June 30, 2013.)
- UCAAD, UCFW and UCAP present comments and evaluation of campus plans to Council for **January 2013** Council meeting discussion.
- Council responses to campus plans returned promptly, and campuses to provide at least some results of inquiry by **June 30, 2013**.

In the coming year, UCAAD will consider the best ways that these data can be collected and, if feasible, be provided for any comparative analyses emphasizing the need for transparent and accessible data. UCAAD will also be discussing what specific actions it will take responsibility for, such as providing, as it is able, Systemwide data if a campus so desires (such as noted by UCSB in a concern for comparative analysis) as well as suggestions from the individual campuses as to what the committee might be able to do in assisting with local plans and actions.

Finally, UCAAD expressed deep appreciation for the detailed and thoughtful attention given to this *Analysis of UC Pay Equity* and that, whatever its methodological challenges and limitations, it has mobilized us all to look deeper and with more analytical scrutiny to what appear to be some persistent salary inequities that are inconsistent with a meritocracy of the sort designed for and by the University of California. The across-the-board commitment to a “deep dive” into our histories and actualities was welcomed, and UCAAD stands ready to assist in making sure that specific action plans are developed and pursued in the immediate future.

Evaluating Contributions to Diversity for Appointment and Promotion (APM 210) Guidelines for all Academic Disciplines

The committee continued to discuss the revision of the guide and input from the campuses with the ultimate goal of creating a new document that is jointly authored by the Administration and the Senate in consultation with Academic Personnel. Members will also discuss current issues associated with Evaluating Contributions to Diversity for Appointment and Promotion (APM 210) guidelines including inquiries to UCAF suggesting that by specifying that credit be given to faculty who do work to better understand inequality and not to those who work on equality diminishes the value of these faculty members and potentially raises academic freedom issues. UCAAD continued to discuss the implementation of the diversity revisions to APM sections 210/240/245 originally proposed by UCAAD in 2004, which took effect in July 2005. The APM policy governing faculty appointment and advancement (APM 210) was amended effective July 2005 so that faculty contributions to diversity would receive recognition and reward in the academic personnel process. Previously, UCAAD identified two recurring issues across the UC system: the apparent lack of will and the evident lack of understanding of how to effectively make use of the policy as significant impediments to the timely implementation of APM 210. The committee discussed next steps and a framework for moving forward including taking the message back to campuses that they need to engage local CAPs and develop a set of common principles, standards, and approach to implementing the guidelines. Members also considered the extent to which a model for monitoring the implementation of *UC Affirmative Action Guidelines for Recruitment and Retention of Faculty*, first developed by UCSF in 2002 could be modified and adopted by UCAAD to serve as the model for the UC system.

Consultation with UCAP and UCAF on Proposed Changes to APM 210-1.d

UCAAD discussed ongoing consultation with UCAF on proposed changes to APM 210-1.d and expressed serious concern about the tenor of the UCAF discussion and the positions expressed by a number of its members.

Report of the Joint Faculty Diversity Faculty Diversity Working Group

The report of the joint Faculty Diversity Faculty Diversity Working Group, one of five groups created by President Yudof to support the President’s Advisory Council on Campus Climate, Culture, and Inclusion recommends 11 “promising practices” for fostering a diverse faculty and makes distinct proposals for Systemwide and local implementation. Rather than prioritizing each of the eleven recommendations as individual practices to develop further or initiate – all of which have their merits and direct relevance to the goals set for the working group and thus for the University – UCAAD felt that it made sense to group them into three different groups that are more or less ranked from highest priority (Group One) to those that are primarily efforts that are already being pursued on one or more UC campus (Group Three). The “top group” of recommendations are those that UCAAD feels are of most inclusive and Systemwide importance.

The President’s Accountability Sub-Report on Diversity

UCAAD continued to discuss with then-Chief of Staff to the Provost Jan Corlett and Interim Diversity Coordinator Jesse Bernal: the need for measureable and easily accessible metrics and specified outcomes for the *President’s Accountability Sub-Report on Diversity*, presented annually to the Regents; the inclusion of the Health Sciences, and updating of the *2008 Faculty Diversity in the Health Sciences Report*; as well as the need for a dedicated survey to measure campus climate for faculty/staff at all UC

locations. UCAAD also provided consultation to the Provost suggestions on specific actions that UC could initiate, at the campus or Systemwide level, to foster diversity and tolerance.

UC Staff Diversity Council Report

UCAAD continued to follow closely implementation of the remediation efforts recommended by the various groups and as contained in UC Staff Diversity Council Report. Last year, the Regents convened several work groups to study diversity at the University, and four of the groups have issued their final reports: faculty diversity; graduate and professional school diversity; undergraduate diversity; staff diversity; and campus climate. The work groups conducted comprehensive assessments of University diversity in order to determine how well UC was meeting the needs of its diverse California constituencies ten years after the passage of Proposition 209. The combined report focuses on a broad range of staff diversity issues, including recruitment, retention and promotion, leadership commitment to staff diversity at each location, and systems for ensuring that best practices in support of staff diversity are woven throughout the fabric of the University.

NSF ADVANCE PAID Grant Program

UCAAD discussed with Vice Provost Susan Carlson the Systemwide NSF ADVANCE PAID Grant Program that aims to leverage the 10-campus structure at UC to enable campuses to recruit, retain, and advance more women and under-represented minority women faculty in the fields of Science, Technology, Engineering, and Mathematics (STEM). The program and its “Recruitment Data Analysis Project” are focused on developing and analyzing a common data bank of information on faculty searches. The purpose of the project is to analyze search activity at key stages of the process to understand more about why women and under-represented minority hires continue to lag Ph.D. availability in the natural and behavioral sciences as well as in engineering and computer and information science. The committee also consulted with Vice Provost Carlson how best to encourage and help facilitate collaboration between the local CAP and Diversity committees on issues of mutual concern. Suggestions included developing a best practices list, e.g., joint CAP/Diversity meetings at least twice a year to discuss observations, trends, and issues related to faculty equity and diversity.

Consultation with BOARS on UCOE Marketing Plan

UCAAD endorsed the BOARS letter and concurred that the targeting of overachievers is problematic and that the marketing plan to non-matriculated students is premature and that the assumptions to be tested. In addition, the committee entreated UCOE to develop plans for data collection and metrics for measuring the efficacy of the program as well as a program review after the completion of year one and give further consideration on how to assist and provide access to low income student. UCAAD also recommended slowing the enrollment of non-matriculated students and prevailed on the Office of the President to allow UCOE more latitude with terms of the loan repayment.

BOARS Recommendation to Allow LGBT Applicants to Self-Identify on the UC Application

UCAAD discussed the BOARS’ recommendations to Council on the recently signed Assembly Bill 620, that includes a request that UC provide the opportunity for its students, staff, and faculty to report their sexual orientation and gender identity on any forms used to collect demographic data. While some UCAAD members agreed with the BOARS’ assessment on the appropriate venue for collecting this information, (i.e., the Statement of Intent to Register (SIR) form and other forms required of *admitted* and *enrolled* students as better alternative venues for collecting these data), other committee members were not convinced by the arguments for not collecting this information on the application for admission. UCAAD members discussed the need to convey a message to LGBT applicants of inclusiveness in a way that acknowledges the fluid nature of gender identity and sexual orientation. In the end, UCAAD voted to: support the recommendation to solicit this information on SIRs and on forms completed by *matriculated* students; and propose that the question of whether to collect the data on the application forms be revisited in a few years. Members were particularly concerned that individuals be afforded as many opportunities as possible, in addition to the SIR form, to self- identify if they so choose; that is, the same opportunities all students have to self-identify according to other more traditional “categories” that appear on forms.

Other Issues and Business

At each meeting, UCAAD devoted a portion of the agenda to reports and updates from its members about issues facing local divisions and committees. These discussions included local faculty search committee practices and hiring data; the role of campus affirmative action officers; equity and career reviews; exit interviews; and campus climate issues and climate surveys. In addition to official communications related to the aforementioned topics, UCAAD submitted formal comments on the following policy review issues:

APM 670 – Health Sciences Compensation Plan. UCAAD discussed changes proposed after a targeted “management consultation” with relevant Senate committees and administrators; they clarify certain principles such as authority levels, and adding language to provide guidelines for the assignment of Academic Programmatic Units and to bring APM – 670 into conformity with APM – 700. UCAAD affirmed its support of the changes with the proviso reminding units sufficiently consider the issue of equity at all junctures in the salary review process and explicitly inform eligible faculty members of how they might benefit from the policy.

APM 668 – Negotiated Salary Plan. UCAAD discussed a proposed new APM that would allow a compensation model for general campus faculty similar to the health sciences compensation plan, which would provide the option for supplementing salary with non-state resources. UCAAD affirmed its support for the proposed APM, with the proviso reminding units sufficiently consider the issue of equity at all junctures in the salary review process and explicitly inform eligible faculty members of the policy.

Acknowledgements

UCAAD is grateful to have had valuable input from and exchange with these UCOP and campus consultants over the past year: Provost Lawrence Pitts; Vice Provost Susan Carlson; Chief of Staff to the Provost Jan Corlett; Interim Diversity Coordinator Jesse Bernal; Academic Policy and Compensation Manager Janet Lockwood; Director of Graduate Studies Pamela Jennings; and Emerita Professor and Past Chair of UCAAD Pauline Yahr. They provided the committee with data, consultation and reports on numerous items and issues, including:

- Graduate and professional student academic preparation educational outreach;
- Legal obligations and responsibilities for faculty and student diversity in relation to both Proposition 209 and federal affirmative action regulations;
- UC programs and fellowships targeting diversity, including the UC-HSBC (Historically Black Colleges and Universities) Initiative and funding of the President’s Postdoctoral Fellowship Program; and
- Local conferences, summits, and symposiums addressing diversity.

The committee also thanks the numerous faculty members who, as alternates, kindly represented their respective campuses at UCAAD meetings throughout the year.

Respectfully submitted:

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