

**University Committee on Affirmative Action, Diversity, and Equity
(UCAADE)
Annual Report 2016-17**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Affirmative Action, Diversity, and Equity (UCAADE) met four times during the 2016-17 academic year. In accordance with its duties as outlined in Senate Bylaw 140, UCAADE consulted on policies bearing on affirmative action, diversity, and equity for academic personnel, students, and academic programs. Highlights of the committee's discussions and actions are described below.

Free Speech and Controversial Speakers on Campus

Meeting in February on the day after violent protests erupted on the UC Berkeley campus in response to a controversial "alt-right" speaker, UCAADE spent some time discussing the balance of free speech with the values of the university. Members wanted to know whether anything can be done to prevent individuals who espouse hateful views from being invited to campuses. The conversation led to a more in-depth discussion in April, when UCAADE invited representatives from the Office of General Counsel, Student Services, Diversity and Engagement, Labor Relations, and Student Government to attend the meeting. The April discussion covered many topics related to controversial speakers on campuses, including:

- ***Hate Speech/free speech***

Hate speech is part of free speech. Incitement to violence, "fighting words" and harassment are prosecutable, but there is a high bar. Committee members learned that, in general, speakers cannot be banned for prior speech and most verbal harassment of students by outside agitators is protected under the first amendment. Responses to incidents might include promotion of alternative points of view and the scheduling of alternative events at the same time. "More speech" is a frequent response to hate speech.

- ***UC Principles of Community, Policies, and Responses***

Members of the university administration who are involved in protests and related issues (UCPD, OGC, Student Affairs, and the Chief Diversity Officers) are working on coordinated guidance. They are aware of the rapidly changing political and cultural environment, including the rise of the "hard-right" and "hard-left," among others, that makes for a more challenging atmosphere.

- ***Legal Resources for Students***

Controversial speakers have been known to approach student groups who may not know how to refuse them. Students may not realize that there are resources and assistance available to them on campus. UCAADE members thought that the university could invest some resources in providing training to student leaders that would include legal rights and cultural competency. Although students are not technically the clients of university counsel, student government leaders are entitled to the use of UC's legal resources when they are making decisions about the use of student funds.

- ***Workplace rules and hostile work environment***

Speakers who are brought to campus by student groups may be contributing to a hostile work environment. Committee members thought that focusing on campus climate might be more effective than invoking “free speech” when dealing with the antagonism often generated by controversial speakers. Many members of the university community would appreciate further guidance from the top levels of campus administration in dealing with these hot-button situations.

Improving Faculty Diversity and Campus Climate

In addition to hate speech/free speech, another big topic for UCAADE this year was how to effectively improve faculty diversity and campus climate without revisiting the same themes and ideas that have been circulating for years. To that end, the committee invited President Napolitano to a meeting in May to discuss potential strategies.

UCAADE talked with President Napolitano for an hour on May 11th about ways to improve diversity at all levels of academic employment. Conversation was wide-ranging, and touched on the efficacy of initiatives for hiring more diverse faculty that were tested during the 2016-17 academic year, as well as ongoing programs and strategies that have been used in the past. The Faculty Equity Advisor (FEA) programs on some campuses have been shown to be successful, and with commitment from chancellors and deans, some campuses have made progress in improving faculty diversity. Unfortunately, there has been little progress for some underrepresented groups. President Napolitano said that she believes very strongly in the value of a diverse university community and is committed to strengthening diversity within UC using methods for hiring and retention. She noted that every university in the country is struggling with how to increase the diversity of its faculty.

Some key takeaways from discussion with the President were:

- UC needs to devote ongoing resources to improving diversity or there will be little change.
- The importance of a diverse faculty needs to be a clear and consistent message from all levels of administration.
- UC should adopt or expand diversity-strengthening practices that are shown to be successful.

UCAADE will continue to work towards increased communication and collaboration with groups such as the campus Chief Diversity Officers, the UCOP Office of Diversity and Engagement, and the EEO/AA/Diversity Administrators systemwide group that are involved in faculty diversity issues.

Letters of Recommendation

UCAADE first discussed letters of recommendation at its October meeting, and agreed that the practice of requesting letters of recommendation from freshman applicants was not a good idea for various reasons, including the additional burden on teachers and advisors, the potential for increasing inequities between districts with more resources and those with fewer resources, and the lack of rationale for doing so. The discussion was in response to a pilot at UC Berkeley that included adding letters among other changes to their admissions process. President Napolitano asked the Academic Senate to develop a single policy with respect to letters of recommendation for freshman applicants that could be used consistently across all campuses. UCAADE’s

preliminary research showed little evidence that letters of recommendation enhance admission of undergraduate students from underrepresented groups. Members noted that letters of recommendation are not suggested practice for staff and faculty hiring. UCAADE continued to discuss letters of recommendation in subsequent meetings during the year, and Chair Amani Nuru-Jeter participated in the Task Force that drafted a new policy on augmented review that was approved by the Academic Assembly and sent to President Napolitano in June (see: <http://senate.universityofcalifornia.edu/files/reports/JC-JN-Assembly-Augmented-Review.pdf>)

Salary Equity Studies

Last year, UCAADE drafted a set of recommendations to encourage more standardization in future studies to facilitate cross campus comparisons and longitudinal analyses. In September, 2016, Academic Council approved UCAADE’s recommendations with the condition that the document’s introduction be modified to reflect concerns about standardization vs. campus autonomy. While Council members were very supportive, they also expressed some concerns about what is feasible given limited resources on campuses and varying availability of data. The recommendations were distributed by Provost Dorr to the campus Executive Vice Chancellors, Vice Provosts for Academic Personnel, and other relevant administrators for review and feedback. Division chairs were also given the opportunity to submit faculty feedback. At the end of the 2016-17 academic year, UCAADE had received comments from eight campuses. UCAADE expects to devote some of its attention to salary equity studies next year.

Faculty Salary Equity Survey Recommendations Responses Received - 4/6/17		
	Senate	Administration
Berkeley		X
Davis		X
Irvine		X
UCLA		X
Merced	X	
Riverside		
UCSD	X	X
UCSF		
UCSB	X	X
UCSC	X	X

Anti-Discrimination Policies

Last year (2015-2016), UCAADE began a review of UC’s anti-discrimination policies, including the APM, Senate Bylaws, Standing Orders of the Regents, and other policy statements and reports. At the same time, President Napolitano convened the Joint Committee of the Administration and Academic Senate to review the investigation and adjudication processes for sexual harassment and sexual violence cases involving faculty. Because the Joint Committee’s work involved the same policies, UCAADE decided that the best course of action was to wait for the outcomes while continuing to examine the policies with a broader lens. At UCAADE’s first meeting of 2016-17, in October, the discussion of the Joint Committee’s proposed revisions to APM 015, 016, and Senate

Bylaw 336 raised UCAADE's ongoing concerns about these policies in relation to broader discrimination and harassment. UCAADE provided specific comments on the proposed revisions in November, and in December submitted to the Academic Council additional suggestions for changes to APM 015, 016, and the related Senate Bylaws. Provost Dorr indicated that current changes would focus on the specific revisions proposed but that they appreciated the additional feedback and would get back to it at a later date. UCAADE continued to raise these additional concerns with Academic Council; and in May, 2017, the Academic Council agreed to establish a joint work group to discuss suggestions for further revisions to APMs 015 and 016 and to Bylaws 334-337.

Other Topics

\$2 million diversity initiative: UCAADE received regular reports from Academic Personnel Vice Provost Susan Carlson on the "Use of One-time Funds to Support Best Practices in Equal Employment Opportunity In Faculty Employment." UC received \$2,000,000 from the state to support equal opportunity in faculty employment, including systemwide training, monitoring and compliance. In planned expenditures on pilot projects at three campuses, UC is supporting new faculty diversity efforts that supplement efforts already underway. UCAADE Chair Nuru-Jeter served on the selection committee for the pilots and continues to serve on the project advisory group that provides continual guidance for the projects.

"Contributions to diversity" statements: UCAADE reviewed information collected by UCAP on how the changes to APM 210-1-d, the "Contributions to Diversity for Faculty Appointment and Promotion," in 2015, are being implemented on the campuses. UCAADE discussed with UCFW and UCAP the challenges in implementing the new policy, and will continue to monitor this area in the coming years.

Faculty Equity Advisors:

Berkeley, Davis, Irvine, UCLA, and San Diego have Faculty Equity Advisor programs, while UCSF and Merced are starting up. Riverside and Santa Cruz do not have programs. Berkeley has a large network of FEAs that are involved with search committees throughout the hiring process. At other campuses, there are only a few people in the role, and they are primarily responsible for providing training and support to search committees. Campuses with faculty equity advisors are encouraged to include them as frequent guests or *ex-officio* members of their CAAD (or campus equivalent). Campuses that report successful communication between faculty and administration make it a common practice to invite administrators to faculty committee meetings. UCAADE intends to work with the EEO/AA/Diversity Officers group to discuss possibilities for information sharing and potential for standardizing FEA program practices.

Faculty Exit Survey: UCAADE also received updates on the Faculty Exit Survey pilot and research partnership with Harvard's Collaborative on Academic Careers in Higher Education (COACHE). Campuses were given the option to participate again, with a portion of the fee paid through UCOP. Some campuses realized in the first round that they did not have sufficient methods for collecting retention data, but seven campuses will participate again (Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, and Santa Barbara).

Collective Excellence: UCAADE was given the opportunity to opine on a document entitled “Pursuit of Collective Excellence in Research at the University of California” that was developed by the Office of Research and Graduate Studies.

President’s Postdoctoral Fellowship Program Initiative (PPFP): UCAADE received a brief update on the President’s Postdoctoral Fellowship Program Initiative (PPFP) at the May meeting. UCAADE expects to follow-up with PPFP next year.

Systemwide issues and campus reports

UCAADE devoted part of each meeting to reports from individual campuses and the discussion of systemwide issues as reported by Academic Senate leadership.

Reports and Recommendations

- Equity for faculty salaries at the University of California: Suggestions for future faculty salary equity analyses (September 28, 2017)
- Proposed revisions to the Presidential Policy on International Activities (November 18, 2016)
- Proposed Revisions to APM 015, APM 016, and Senate Bylaw 336 (November 18, 2016)
- Berkeley’s interim pilot admissions policy to request letters of recommendation from some freshman applicants (November 21, 2016)
- Extended comments on changes to APM 015, 016, and Senate Bylaws 335 and 336 (December 14, 2016).
- Proposed Revised Presidential Nondiscrimination Policy and APM 015 (January 10, 2017)
- Proposed Revised Policy on Professional Degree Supplemental Tuition (PDST) (January 10, 2017)

Representation

UCAADE Chair Amani Nuru-Jeter served on the selection committee and advisory committee for the \$2 million Diversity Initiative. Chair Nuru-Jeter and Vice Chair Tanya Golash-Boza represented UCAADE at monthly BOARS meetings.

Acknowledgements

UCAADE is grateful to have had valuable input from and exchange with the following UCOP and campus consultants and guests over the past year: President Janet Napolitano, Vice Provost Susan Carlson, Vice Provost Yvette Gullatt, Associate Vice Provost Elizabeth Halimah, Diversity, Labor, & Employee Relations Director Amy K. Lee, PPFP Director Mark Lawson, Chief Deputy General Counsel Julia Friedlander, Senior Counsel Elisabeth Yap, UC Berkeley Professor Jesse Rothstein, UCFW Chair Lori Lubin, UCAF Vice Chair Christopher Elmendorf, Director of UC Berkeley’s Office for Faculty Equity and Welfare Karie Frasch, UCLA Equity, Diversity & Inclusion Program Officer Brandi Kirkpatrick, and UC Student Association President Ralph Washington, Jr. The committee also thanks the faculty members who served as alternates during the year.

Respectfully submitted,

UCAADE 2016-17:

Amani Nuru-Jeter, Chair (B)

Tanya Golash-Boza, Vice Chair (M)

Lok Siu (B)

Bruce Haynes (D)
Rufus Edwards (I)
Catia Sternini (LA)
Clarissa Nobile (M)
Manuela Martins-Green (R)
Rommie Amaro (SD)
Katherine Julian (SF)
Beth Gwinn (SB)
Miriam Greenberg (SC)
Sophia Armen, Graduate Student Representative (SD)
James Chalfant, Chair, Academic Senate (*Ex Officio*)
Shane White, Vice Chair, Academic Senate (*Ex Officio*)
Joanne Miller, Committee Analyst