

Minutes of Meeting**April 3, 2008****I. Consent Calendar**

ACTION: The consent calendar was approved as noticed.

II. Chair's Announcements

Pauline Yahr, UCAAD Chair

Chair Yahr distributed a napkin bingo card for gender and a draft napkin bingo card for underrepresented minorities (URMs) which contain common, though perhaps unconscious, double standards used to disqualify minority applicants (see Distributions 1 and 2).

Chair Yahr also updated the committee on recent Academic Council actions: First, the name and bylaw amendment submitted by the committee was approved by the Council for systemwide review. Council will collect and vet the responses and then decide whether to refer the matter back to UCAAD for further consideration or to forward the matter to Assembly. She also reported that faculty welfare committees may prove useful allies in this endeavor as "equity" addresses concerns after hiring, while "affirmative action" connotes concerns only during recruitment.

Second, Chair Yahr noted that her presence on the Council as the voice of UCAAD is already paying dividends, even though this is the first full year of membership on Council. To wit, Council readily acceded to her suggestions that review protocols for both the Division of Agriculture and Natural Resources (DANR) and the next California Institute for Science and Innovation (Cal ISI) to be reviewed, the Center for Information Technology Research in the Interest of Society (CITRIS), should specify evaluation of diversity-related issues.

DISCUSSION: Some members reported that preliminary evaluations of the proposed UCAAD amendments on their campuses were unfavorable: Some think that the retention of "affirmative action" is useful given current federal regulations. Others noted that since both systemwide and campus diversity offices have replaced "affirmative action" with "diversity", as the committee proposes to do, such protests were disingenuous.

III. Campus Updates

Members

Chair Yahr asked members to report on recent developments on their campuses on two issues: underutilization and the revision of academic biographies and bibliographies and graduate applications to include diversity-related activities.

Underutilization:

- Davis: The Davis counterpart committee met with their planning and budget committee recently to analyze more closely their campus's underutilization data and was surprised to learn that as few as 25% of applicants self-report their ethnicity. Nonetheless, such data are available, though not advertised, and it is clear at both the school and departmental level which efforts to redress

- underutilization have been successful. The interim provost is considering publishing the data on the web.
- Berkeley: The Berkeley division plans to centralize and publicize its underutilization data, most likely on its new diversity website: <http://diversity.berkeley.edu/>. Every department has an affirmative action officer, each of whom has recently been renamed Equity Advisor and now reports to the vice chancellor for equity and diversity. Organized meetings of these Advisors are being held for discussion and consistency of information and guidelines. Sheila O'Rourke has also joined Berkeley's equity and diversity office.
 - San Francisco: The San Francisco counterpart committee is inviting department chairs for updates and the sharing of best practices as it has been learned that some have goals absent plans. They are also developing a tool kit to help recruiters better understand and access the pipeline.
 - Riverside: The Riverside counterpart committee is conducting a survey on campus climate during exit interviews and hopes to couple and publish this new data with previously unreleased data.
 - Irvine: The Irvine counterpart committee discussed the Regents' reports and was frustrated by the overall lack of data as well as how the data that were presented were used. Campus recruitments have been hindered by affirmative action plans that are comprised mostly of boilerplate rhetoric rather than concrete and attainable steps.
 - Los Angeles: The Los Angeles counterpart committee has been successful in adding diversity-related language and concerns to other Academic Senate committees' charges and is encouraged by the support of their divisional chair. They are also looking into the composition of their campus CAP, which has recently been limited to professors at Step VI and above, a practice that has had the de facto effect of precluding more women and URMs from sitting on the committee. A Diversity Report with demographic information about all the schools is published yearly, but specific, longitudinal data on underutilization is not available at this time; a newsletter extolling faculty excellence through diversity was sent to all faculty, a second Deans' retreat focusing on diversity issues is coming soon, faculty search committee training workshops are offered on a regular basis, and a half-time Associate Dean position for Academic Diversity at the David Geffen School of Medicine is under recruitment.

Academic Biographies and Bibliographies (bio-bibs) and Graduate Student Applications:

- Davis: First generation biographical information is getting into graduate student applications, which is helping to increase awareness of scholarships and different financial aid options.
- Berkeley: The Berkeley division has revised their bio-bib to include a new category for diversity-related activity. The question facing them, though, is how to preserve the bio-bib as there is a movement to eliminate it as part of streamlining the advancement process. Consequently, the issue becomes how to put diversity-related activities on curricula vitae (CVs). For graduate students, many applicants have interpreted overcoming challenges and hardships only in financial terms.

- San Francisco: The San Francisco division does not use bio-bibs, but there is uncertainty about where to include diversity-related activities on CVs—in a separate section or under teaching and service.
- Riverside: The office of the associate provost is establishing programs with dedicated pools of funding to facilitate more diverse graduate student recruitment.
- Irvine: Diversity-related activities are now included on bio-bibs, but it is unclear how they are weighted. The counterpart committee is exploring how to ask potential graduate students not just how the attainment of a degree will enable them to contribute to diversity in their field but what they have already done regarding diversity.
- Los Angeles: Diversity-related activities are not yet on bio-bibs, but the counterpart committee has submitted a request to CAP that it be added. In terms of listing diversity on CVs, the question is one of avoiding the appearance of “double-dipping”, that is, while many feel diversity-related activities deserve a separate category, many activities overlap with teaching, service, publication, etc. This saturation of diversity-related activities is especially problematic when tokenization becomes overwhelming; when a school or department has only one minority faculty member and service on every committee can jeopardize her/his academic advancement. The medical school interview process includes questions about cultural sensitivity; it is not known whether other schools/departments do likewise.

IV. Systemwide Review Items

- Proposed Revisions to the Health Sciences Code of Conduct
ACTION: The committee elected not to opine on this item.
- ITGC Report “Creating a UC Cyberinfrastructure”
DISCUSSION: Members noted that disparate and non-parallel data systems need redress, in addition to the large-scale projects outlined in the report. For example, the current pay equity study has been delayed due to translational issues and the need to enter some data manually.
ACTION: Chair Yahr will draft a response indicating the committee’s desire to see the inclusion of and support for more basic software upgrades, such as standardized human resources information system software, in the report.
- BOARS Revised Proposal to Reform UC’s Freshman Eligibility Policy
ISSUE: The revised proposal eliminates the SAT II as a requirement for eligibility on the basis that the exam adds no predictive validity to student success projections.
DISCUSSION: While all agreed that the status quo is not capturing an applicant pool reflective of the state’s demography, some members were unconvinced that replacing guaranteed admission with guaranteed review would yield a more diverse applicant pool and, by extension, student body. Further, the data presented failed to convince some members of the academic credentials of the students who would now be considered under the revised proposal. Members also noted that reforming UC’s eligibility policy would not address underlying concerns of college preparatory advising and academic work. Some campuses have reported that the onus of remediating underprepared students has become a

local drain. Members also noted that the revised proposal does not specify reporting guidelines and success metrics.

ACTION: The committee will recommend that the revised proposal be tested for five years and then its impacts, both intended and unintended, be evaluated.

V. Consultation with the Office of the President

Nick Jewell, Vice Provost for Academic Personnel

Susanne Kauer, Coordinator for Graduate Diversity

Coordinator Kauer updated the committee on several issues:

1. The Work Team on Graduate and Professional School Student Diversity Report, part of the Regents Study Group on University Diversity, was presented to a positive response from the Regents, several of whom recommended greater accountability measures and annual data reporting. It was also noted that UC alumni should be enlisted to help improve graduate and professional school diversity. The undergraduate and staff diversity reports will be presented to the Regents in May, and the campus climate report in July. In either September or November, the first annual report will be given.
 2. A team to oversee implementation of the Study Group's recommendations is being formed. It is anticipated that the group will meet several times per annum to aggregate and disseminate best practices and data.
 3. Feedback is welcome on the "Evaluating Contributions to Diversity for Graduate Admissions and Financial Support: Guidelines for Science and Engineering Disciplines" (agenda enclosure 4). A similar document for use more broadly is being developed. The guidelines will be shared with graduate deans at an upcoming conference. Similarly, a tool-kit for graduate diversity is available on the OP website: <http://www.ucop.edu/acadadv/grad-diversity/toolkit.html>
- DISCUSSION:** Members noted that UC is losing graduate students due to cost more than to diversity concerns. Members also queried whether graduate admission committees had been trained in using the guidelines. Coordinator Kauer indicated that the guidelines were still relatively new, but that once the deans are familiarized with the guidelines, they could, in turn, share that knowledge with department chairs.
4. The Alliance for Graduate Education in the Professoriate (AFEP) is an NSF-funded program that focuses on graduate students in STEM fields. It is undergoing drastic reductions: From 10 to 3 centers, and from \$2M to \$1M each in annual funding.
 5. The California Forum for Graduate Diversity in Higher Education will meet on Saturday in Irvine, with a similar meeting on November 8 in Berkeley for northern campus students. Undergraduates are encouraged to attend.

Vice Provost Jewell updated the committee on his office's pay equity study.

DISCUSSION: He confirmed that data reflecting the recent salary scale changes was being entered by hand, but noted that no individual faculty member's private information was being so entered. He also noted that they are still waiting to receive data reflective of the October raises; the January corporate pay run could not provide accurate data due to complications with retroactive increases. Consequently, he must await February data,

which will then require 6-8 weeks to cross-check and validate. He asked the committee whether using the September 2007 pay data for comparison was advisable, or whether he should use the October 2007 data, which are reflective of COLA increases. The committee agreed that the September data would present an accurate picture of the status quo ante.

The committee also inquired about including “academic age” in the data run and cross-tabulation opportunities if ethnicity can be included, as well. Vice Provost Jewell indicated that ethnicity is available for some campuses currently and could be used as a starting point. Collecting “academic age” is slightly more problematic at present, but not insurmountable. Members asked what level would be the focus of analysis—campus, school, or college? VP Jewell noted that initially analysis would focus on schools and colleges, and perhaps later at the departmental level.

Finally, the committee queried about next steps, such as publication and the development of remediation and action plans. VP Jewell indicated that the short term plan is to follow the Irvine/Santa Barbara model, which is to post the analysis online, clearly linked. Prior to that, though, the Senate and other key stakeholders will have the opportunity to review the data and its interpretation. In terms of redress, though, it will fall to the campuses to implement success strategies.

Lastly, VP Jewell noted that the position formerly occupied by Sheila O’Rourke has been posted for recruitment.

VI. Consultation with the Office of General Counsel

David Birnbaum, OGC

ISSUE: California’s Prop 209 disallows the consideration of racial, ethnic, gender, etc., data in hiring decisions in higher education and other areas in the state. Federal regulations, however, require recipients of federal funding to have in place affirmative action plans to ensure equal opportunity in hiring and the like. While Prop 209 includes a provision exempting conflicting federal guidelines, a tension is evident, and the committee seeks more information from University counsel.

DISCUSSION: Counselor Birnbaum noted the Prop 209’s stated goal is to eliminate preferences and hostile discrimination, not to preclude discussion of diversity. Further, the federal funds exception, while not trumping Prop 209, does require efforts to secure a diverse pool of applicants. Unfortunately, diverse pools do not necessarily cause diverse hires.

One avenue of redress may be to explore the use of disparate impact laws which delineate another form of discrimination wherein seemingly objective criteria yield de facto discrimination, such as now-repealed height requirements in police departments. Another option is to update UC policy, which can be done much more nimbly than changing state or federal laws and guidelines. For example, UC has a stated goal of achieving diversity in its faculty, staff, and student body, and while governing laws prohibit directed hiring, they do not prohibit policy revisions requiring new processes for and training of recruiters.

The collection and publication of underutilization data, then, could be used to illustrate a hiring unit’s systemic failure to achieve stated policy goals and thereby facilitate the creation of new processes. Similarly, such longitudinal data could also be

used to demonstrate an empirical preference for non-minority candidates—a clear violation of Prop 209. Immediate steps to redress diversity shortfalls, though, should be to focus on education and policy change, as much of the University’s current diversity status could simply be attributed to ignorance.

VII. Follow-up Discussion and Planning

DISCUSSION: Some members questioned the validity of the Comparison 8 schools when considering URMs. Members also noted that options for gaining accountability in compliance efforts are becoming clearer. Finally, members observed that veterinary and medical schools have unique pipeline issues.

ACTION: Analyst Feer will circulate to the committee UC’s current affirmative action guidelines for recruitment and retention.

ACTION: Analyst Feer will invite Senior Vice President for Audit and Compliance, Sheryl Vacca, to the next UCAAD meeting to discuss further options for strengthening compliance in diversity-related fields.

Adjournment: 3:50 p.m.

Distributions:

1. Diversity Bingo Napkin – Gender Edition
2. Draft Diversity Bingo Napkin – Race/Ethnicity Edition

Appendix: Attendance Record

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: Pauline Yahr, UCAAD Chair