

Increasing Faculty Diversity



Image from European commission on
Diversity

Regents Policy 4400: Policy on University of California Diversity Statement (amended 2010)

- The diversity of the people of California has been the source of innovative ideas and creative accomplishments throughout the state's history into the present. Diversity – a defining feature of California's past, present, and future – refers to the variety of personal experiences, values, and worldviews that arise from differences of culture and circumstance. Such differences include race, ethnicity, gender, age, religion, language, abilities/disabilities, sexual orientation, gender identity, socioeconomic status, and geographic region, and more.



Regents Policy 4400: Policy on University of California Diversity Statement

- Because the core mission of the University of California is to serve the interests of the State of California, it must seek to achieve diversity among its student bodies and among its employees. The State of California has a compelling interest in making sure that people from all backgrounds perceive that access to the University is possible for talented students, staff, and faculty from all groups. The knowledge that the University of California is open to qualified students from all groups, and thus serves all parts of the community equitably, helps sustain the social fabric of the State.



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- 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.

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- Therefore, the University of California renews its commitment to the full realization of its historic promise to recognize and nurture merit, talent, and achievement by supporting diversity and equal opportunity in its education, services, and administration, as well as research and creative activity. **The University particularly acknowledges the acute need to remove barriers to the recruitment, retention, and advancement of talented students, faculty, and staff from historically excluded populations who are currently underrepresented.**



President Janet Napolitano (Fall 2014 budget letter to Chancellors)

- “As we grow, we must also recruit faculty who represent the diversity of the students we seek to enroll, both at the campus level and within individual programs ... Next year, I would like to revisit the profiles of new faculty and the steps [each campus] has taken to meet this need.”
- More dollars were put into the President’s Postdoctoral Program (98% success rate re UC tenure).

This year (16-17) just announced
– 740 applicants for 30 slots



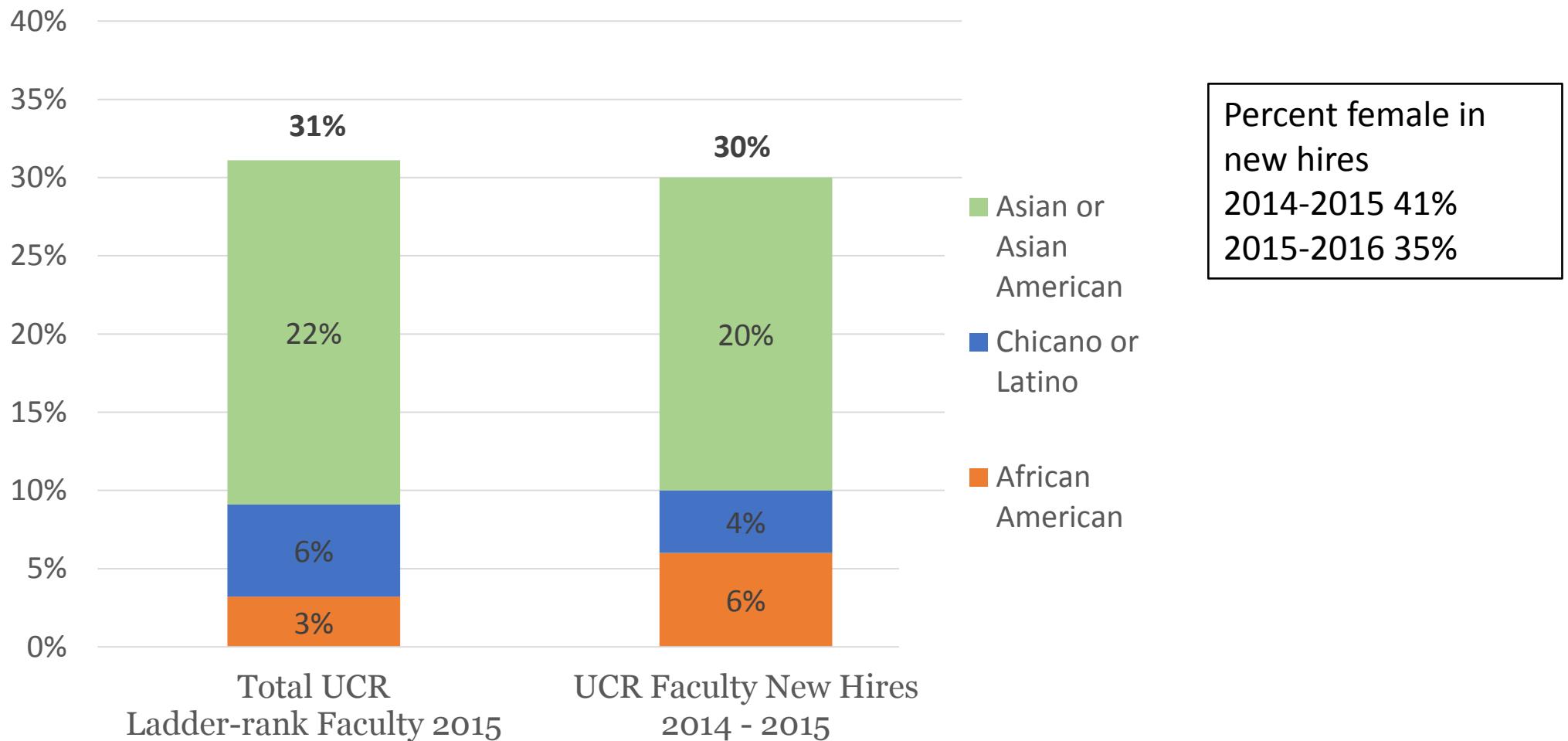
APRecruit

- This is the systemwide faculty applicant processing tool. There is now > 90% compliance by applicants in terms of reporting gender and race/ethnicity.
- This allows UC to track the success of departments, colleges, and campuses.



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How did we do last year?



Source: UCR Chancellor's office calculations.

Proposition 209

- “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting” (except in instances where race-based governmental action is necessary to establish or maintain eligibility for any federal program where ineligibility would result in a loss of federal funds to the State).

What is Permissible? "Green Light Activities"

Holland & Knight, LLP/October 27, 2006 THE CHIEF JUSTICE EARL WARREN INSTITUTE ON RACE, ETHNICITY AND DIVERSITY , UCB

- **Race-Neutral Programs That Do Not Have As Their Primary Purpose Furthering Race-Conscious Objectives.** Proposition 209 leaves intact any program that does not discriminate based on race, sex, color, ethnicity, or national origin, even if these neutral programs disproportionately benefit people of a particular race or ethnicity or sex. Race-neutral programs that prefer low income applicants, students who performed fairly well on tests despite having gone to a low performing school, students who were raised in single-parent households, **or groups defined using any other neutral classification,** are untouched by Proposition 209.

Green light activities

- Additional race-neutral preferences that would likely be permitted include favoring applicants who speak a foreign language that will be useful in the job, or individuals with ties to the geographical area that they are serving.
- **Federal Requirements.** Proposition 209 cannot prohibit race-conscious action where such action would be necessary to comply with federal law (e.g., to remedy discrimination).

http://www.sfbar.org/forms/diversity/prop_209_report_web.pdf

- The California courts have specifically held that the following race- and gender conscious programs do not discriminate or grant preferential treatment within the meaning of Proposition 209:
 - making formal commitments to diversity;
 - collecting and reporting data concerning the participation of women and minorities;
 - using such information to restructure selection processes to ensure that no groups are unfairly excluded; i.e. have your areas of advertised research foci, level of appointment, venues for advertisements etc tended to favor a particular group, and could this be changed?
 - inclusive race- and gender-conscious outreach and school integration programs.

What you can do as part of initial screening

- The position advertisement has a new requirement:
 - 1) UCR is a world-class research university with an exceptionally diverse undergraduate student body. Its mission is explicitly linked to providing routes to educational success for underrepresented and first-generation college students. A commitment to this mission is a preferred qualification.
 - 2) Advancement through the faculty ranks at the University of California is through a series of structured, merit-based evaluations, occurring every 2-3 years, each of which includes substantial peer input.
- In a gender/race/ethnicity etc neutral way (i.e. applied to all candidates) you may favor candidates who conduct research on gender/race/ethnicity etc or want to conduct research on local populations etc. or whose teaching or aspirations includes working with a diverse student population or whose service on campus or in a society has addressed issues of access or success of underrepresented individuals.
- You may post the mission of the department or college and ask all applicants to address how they fit into that mission

Example 1: SOM mission statement

- “The mission of the UCR School of Medicine is to improve the health of the people of California and, especially, to serve Inland Southern California by training a diverse workforce of physicians and by developing innovative research and health care delivery programs that will improve the health of the medically underserved in the region and become models to be emulated throughout the state and nation”

Example 2: CHASS mission statement

- “The college is the ideal place for a conversation about culture and society, insight and expression, history and the future; about the humanities, the social sciences, and the arts. Through these different avenues of study, **our students become familiar with a broad spectrum of the world’s realities and the issues surrounding them.** An education in CHASS at UC Riverside allows a student to be **“at home in the world.”**
- Suggest a department mission statement.



What you can do during interviews

- Ask all interviewees the same question about commitment to diversity. For example, what have you done in the past to foster diversity in the classroom? syllabus? Increase opportunities for diverse students in your institution, etc.
- Have interviewees meet with graduate and undergraduate students to discuss their research, their teaching philosophy, and their commitment to working in an environment where diversity is valued.

What you can and can't ask

<http://affirmativeaction.ucr.edu/ucrinterviewquestions.pdf>

- It is unlawful under the Equal Employment Opportunity laws and regulations to discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, physical or mental disability, medical condition, veteran status, military service, parenthood, and any other characteristic protected by law. As such, **care must be taken to avoid questions that enquire about these characteristics.**
- To ensure non-discrimination during the interviewing process, search committee members may **NOT** ask questions that are not job related; nor should they seek irrelevant, nonessential or discriminatory information. Occasionally, a candidate may volunteer personal information such as age, pregnancy, and family status. Once learned, this information may not be used for evaluating the candidate.
- While it is appropriate to make a candidate feel comfortable right before, during and after an interview, search committee members should avoid making casual conversation that touches on topics that can be potentially discriminatory **or construed as such** in an interview context.

Most likely questions you might innocently ask to make conversation (or be helpful) where provision of answers could be provide the basis for discrimination

- What a nice name. Where does it come from?
- Do you have any children? How old are they?
- What does your spouse/partner do for a living?

What you can and can't ask

<http://affirmativeaction.ucr.edu/ucrinterviewquestions.pdf>

Subject	Appropriate	Inappropriate
Age	None	How old are you? What is your date of birth? When did you graduate from high school?
Citizenship	<i>May ask about legal authorization to work if all candidates are asked</i>	Are you a US citizen? What is your native language? Where were you/your parents born?
Arrest or Detention or conviction	Cannot ask about arrest or detention that did not lead to conviction; generally should not ask about convictions unless there is an issue of security clearance or contact with minors. Then consult with campus counsel	Have you ever been arrested or detained?
Economic Status	None	<i>May not ask questions regarding an applicant's current or past assets, liabilities or credit rating, including bankruptcy or garnishments.</i> Do you own or rent your residence?

What you can and can't ask

<http://affirmativeaction.ucr.edu/ucrinterviewquestions.pdf>

Subject	Appropriate	Inappropriate
Gender/Sex/sexual orientation	None	What is your gender? What is your gender identity? What is your sexual orientation? Is your partner male or female?
Marital/family status	<p><i>May ask whether an applicant can meet the requirements of the position, but have to ask all applicants, regardless of apparent age or gender</i></p> <p>Do you have any responsibilities that may conflict with job attendance (e.g. specific hours) or travel requirement?</p>	<p><i>May not enquire about marital status, children, pregnancy, or child care plans. May give information if applicants ask about dual career couple issues, day care, stop-the-clock programs, or related topic.</i></p> <p>Are you married/have a partner? Do you plan to have a family? What is your spouse's/partner's name? Are you pregnant? Do you have any children? How many children do you have? What are your childcare arrangements?</p>

What you can and can't ask

<http://affirmativeaction.ucr.edu/ucrinterviewquestions.pdf>

Subject	Appropriate	Inappropriate
National origin	Do you have any professional information under a different name? Could be problematic if perceived as a “fish” for marital status	That’s an interesting name. What is its origin? Where were you born? What country are your parents from? What is your native language?
Personal/physical characteristic/race/color/ethnicity	None	<i>May not comment on complexion, skin color, height, weight, personal appearance</i> What is your height/weight/How tall/heavy are you? Do you drink alcoholic beverages? What is your race?
Religion	None	<i>May not ask about religious affiliation or denomination</i> What religious Holidays do you observe? Does your religion prohibit you from working on particular days? What church do you go to?

Subject	Appropriate	Inappropriate
Physical/mental disability	<p><i>May ask about ability of the candidate to perform any and all job functions, as long as all candidates are asked</i></p> <p>Are you able to perform the essential functions of this job without or with reasonable accommodation?</p>	<p>What is the nature/severity of your disability?</p> <p>Have you ever filed a worker's comp. claim?</p> <p>Do you have any disabilities?</p> <p>Do you have any medical conditions?</p> <p>How is your health?</p> <p>Do you need an accommodation to perform this job?</p> <p>How will you get to work?</p> <p>Have you ever undergone psychiatric evaluation?</p>
Veteran status	<p><i>May ask questions about relevant knowledge, skills and abilities acquired during candidate's military service.</i></p> <p>What type of training did you receive in the military?</p>	<p><i>May not ask about military service, such as dates, type of discharge, or service in a foreign military</i></p> <p>Did you receive an honorable or general discharge to ascertain veteran's preference status?</p>