ACADEMIC SENATE
COMMITTEE ON DIVERSITY & EQUITY

September 7, 2016

Submitted to the Faculty Legislature, Santa Barbara Division:

Annual Report 2015-16

Committee Charge
The charge of the Committee on Diversity & Equity (CDE) is to work towards attaining the campus goals of diversity and equity and actively pursue the goals of affirmative action.

Membership
The Committee on Diversity & Equity consists of a Chair and at least five members. The Campus Affirmative Action Officer serves ex-officio on the committee. In addition, there is one non-Senate academic representative, one undergraduate student, and one graduate student representative.

Summary of CDE activities over 2015-16

There were a total of seven meetings of CDE members over the 2015-16 term (three in fall, two in winter, and two in spring). CDE’s primary areas of focus during the term were:

A. UC Systemwide:
   1. Faculty Discipline Report
   2. Retirement Options Task Force Report
   3. Policy on Sexual Violence & Sexual Harassment

B. Campus:
   1. Campus Accessibility
   2. APM 210-1-d
   3. Bylaw 95
   4. Campus Climate Concerns Related to Diversity & Equity
   5. Faculty Equity Study
   6. Guiding Principles for Search Waivers for Academic Appointees

CDE discussed these topics at length and shared its recommendations with Academic Senate Chair Kum-Kum Bhavnani when appropriate. Priority topics and recommendations are briefly described below.

A. Reviews of Systemwide UC Issues:

1) Faculty Discipline Report

CDE reviewed the report of the Joint Committee on Faculty Discipline at its meeting on March 1, 2016. The committee commended the extraordinary amount of labor involved in the review of both policy and practice at the 10 campuses and for the production of a detailed report with accompanying recommendations. CDE supported many of the recommended changes to the procedures including the increased time frame for notification. In addition, CDE supported the strong recommendation that there
be a campus-designated person who is a “confidential resource” for faculty, someone who is not required to report to the Title IX office. Members believed that such a person, most probably a faculty member, must have broad knowledge of faculty personnel procedures, of campus grievance procedures regarding sexual violence, and of sexual harassment and violence policy. CDE understood that this “confidential resource” would be appointed by the Chancellor or Executive Vice Chancellor/Provost. Of particular continued concern and confusion to CDE was the requirement that all faculty and teaching assistants are responsible parties who must report incidents to the Title IX compliance officer. Many believed that the requirement of reporting tends to undermine the trust needed in building and sustaining academic relationships. CDE also strongly supported the recommendation for regular updates on the outcome of cases. Members assumed this aggregated data will be provided by the UC Office of the President (after tabulation of individual campus data), which should be timely and made accessible by publicity to faculty, staff and students.

2) Retirement Options Task Force Report

In January, the committee reviewed the Retirement Options Task Force Report to President Napolitano. CDE noted a frustration about the extent to which the Retirement Options Proposal was part of a budget deal that seemed to be an accomplished fact, one which allowed Senate members little time for discussion. Members were particularly interested in commenting on the possible implications of these plans for new employees in terms of diversity and equity considerations.

3) Policy on Sexual Violence & Sexual Harassment (Final Review)

In October, CDE reviewed the most recent proposed revisions to the Presidential Policy on Sexual Violence & Sexual Harassment. First, the committee recommended a streamlining of the process of resource referrals. Following various online hyperlinks, one is directed to websites of resources that often are links to additional lists of even more websites. This process can be cumbersome and confusing, in particular to someone who is emotionally distraught and seeking help. CDE reiterated its recommendation from last spring (April 14, 2015) in which it suggested developing a clearer way of presenting resource information, for example “in the form of a table or perhaps a flowchart – describing and comparing the various reporting options.”

Second, CDE was unclear about the geographic jurisdiction of the policy and to what extent it would apply beyond campus grounds and to whom. Section V-2-b (Jurisdiction over Reports of Sexual Violence or Sexual Harassment) in the revised draft indicated: “The University has jurisdiction over alleged violations of this Policy by students, staff and other academic appointees that occur on University grounds and facilities such as offices and residence halls, or that occur in connection with University activities, programs, or events.” However, later in that same section, it stated that “For incidents involving student Respondents, the University may exercise jurisdiction over off-campus conduct that would violate other University Policies if it occurred on campus.” The committee was unclear why this latter statement specified “students” when the former statement seems to imply that jurisdiction may extend beyond campus limits for staff and faculty as well. CDE wondered what policy differences – if any – exist between students, faculty, and staff.

Third, and related to the previous point, CDE recommended that the entire document be vetted to clarify if every mention of “student” meant both undergraduate and graduate student. Throughout
the document, graduate students were rarely mentioned, and it was unclear to some if every aspect of the policy was meant to cover the unique status of these differently situated students.

**B. Reviews of Campus Issues**

1) **Campus Accessibility**

The committee spent several meetings examining concerns related to campus accessibility. At the January 11th meeting, the committee met with Marc Fisher, Vice Chancellor for Administrative Services. CDE members heard a report on efforts to improve accessibility for faculty, students, and staff by ensuring compliance with state and federal laws. The committee held a subsequent discussion at its March 1st meeting and sent a follow-up memo to Mr. Fisher on April 25.

The committee commended the Vice Chancellor for efforts to implement projects that increase accessibility of campus buildings: maintenance, upgrades, and renovations of facilities that include upgraded equipment such as improved lighting, sound, A/V equipment (microphones, projectors, etc.), panic buttons, and technological interfaces. The memo also summarized other topics that were discussed and offered several recommendations moving forward. In particular, CDE urged the administration’s continued efforts to upgrade infrastructure that would assist all campus members in their teaching and research endeavors. The committee recommended that the campus undertake a systematic review of the design of lecture halls, many of which are in disrepair and to develop plans for the construction of additional lecture halls to meet the anticipated increase in undergraduate enrollments.

CDE also reiterated its support for the creation and implementation of campus design standards that require gender-neutral and family-friendly restrooms in new buildings. The committee provided a copy of the Office of the President’s “Guidelines for Providing Gender Inclusive Facilities” and urged that they be examined and implemented.

In May the Vice Chancellor responded to the memo and was pleased to announce the hiring of a new Policy & ADA Coordinator, Jennifer Lofthus. He also reported on recent progress creating an elevator renewal master plan and improvements for gender inclusive restroom facilities, including better signage and a link on the UCSB webpage to a campus map of gender-inclusive restrooms.

2) **APM 210**

In April, members of CDE discussed section 210-1-d of the Academic Personnel Manual (APM). As a result, the committee sent a request to Academic Senate Chair Kum-Kum Bhavnani seeking an update on the status of campus efforts to implement this section. In particular, the committee was very interested in seeing data for the 2015-16 academic year, including how many merit and promotion cases included a diversity self-assessment, the recommendations on those cases by the Committee on Academic Personnel (CAP), and the final disposition of those cases. The request was then forwarded (via a memo dated May 10, 2016) to David Marshall, Executive Vice Chancellor and Alison Butler, Associate Vice Chancellor for Academic Personnel. As of this writing, no response has been received.
3) Bylaw 95

At its April meeting, CDE proposed a revision to Bylaw 95 of the UCSB Division of the Academic Senate, which describes the purpose, membership, and duties of the committee. As written, the bylaw allowed for the “Campus Affirmative Action Officer” to serve as an ex-officio member. However, the Office of Equal Opportunity & Sexual Harassment/Title IX Compliance had recently been re-organized into two separate offices: the Equal Opportunity & Discrimination Prevention Office and the Title IX & Sexual Harassment Policy Compliance Office. Given the purpose of CDE to “work towards attaining the campus goals of diversity and equity and actively pursue the goals of affirmative action,” the CDE argued it would be appropriate to add the new Director of Title IX & Sexual Harassment Policy Compliance as an additional ex-officio member of the committee. The committee unanimously agreed to this change and submitted the proposed revision to Bylaw 95 in a memo of May 4th. The proposal was subsequently reviewed and endorsed by the Committee on Rules, Jurisdiction, & Elections before being forwarded to the Faculty Legislature for final approval at their June 2nd meeting.

4) Campus Climate Concerns Related to Diversity & Equity

At its April meeting, CDE discussed recent campus occurrences of intolerance as well as University responses to these incidents. The committee was alarmed and concerned about behaviors that may have a chilling effect on students, faculty, and staff – in particular, those who are underrepresented minorities; women; Muslims; lesbian, gay, bisexual, or transgender; and/or people with disabilities. CDE had been made aware – through media reports and campus correspondence – of chalking/graffiti around campus that has targeted various communities within out campus.

In an April 25th memo to the Academic Senate Divisional Chair, the committee indicated support of a faculty petition which had been circulating. Furthermore, CDE supported efforts by the campus administration as well as student groups to address these concerns. In particular, the committee discussed a correspondence dated April 2, 2016 to students from Margaret Klawunn, Vice Chancellor for Student Affairs regarding campus climate concerns. Several members of the committee also attended a town hall meeting on April 7 which was meant to promote an open a dialog about sexist, racist, homophobic, and transphobic messages written around the campus. CDE expressed support for efforts like these to educate the campus, raise awareness of these issues, and provide an opportunity to discuss and counteract these events.

The committee also expressed support of the rights of free speech and academic freedom of faculty while at the same time valuing the precepts of civility and respect that are fundamental to the mission of our institution. CDE encouraged the Academic Senate and the UCSB Administration to be unyielding in efforts to promote a campus environment in which everyone in our community is a welcomed co-participant in “an educational journey of discovery that stimulates independent thought, critical reasoning, and creativity.”

5) Faculty Equity Study

At its April meeting, CDE discussed the 2014 UCSB Faculty Salary Equity Study from Executive Vice Chancellor David Marshall. The committee compared the UCSB report to similar studies by the Berkeley
and Irvine campuses as well as the University of Texas at Austin. CDE identified several concerns with the UCSB study, and we offered corresponding recommendations to address these concerns. While the UCSB study followed approved methodologies of the American Association of University Professors (AAUP), there are other analyses of the data that could be more enlightening. The committee believed that by adopting our suggestions, future UCSB reports would be made much more robust and would potentially have a greater impact on promoting equitable faculty salaries.

CDE transmitted its concerns and recommendations to the Academic Senate Divisional Chair in a memo of April 25th. CDE also urged the Executive Vice Chancellor (EVC) to consult with the faculty team that produced UCSB’s 2014 study about how best to proceed on future reports. The committee’s recommendations were forwarded to the EVC in a memo dated May 10, 2016. As of this writing, no response has been received.

6) Guiding Principles for Search Waivers for Academic Appointees

CDE reviewed the document, “Guiding Principles: Search Waivers for Academic Appointees at the University of California” at its meeting on March 1, 2016. In general, reaction to the document was overwhelmingly positive. Guidelines allow campuses clear direction while they offer each campus the opportunity to identify further those areas in need of more detailed specification. Members appreciated the clear delineation of categories for waivers, the clarity of the wording for “spousal/partner hires,” and the inclusion of the recipients for the Presidents’ and Chancellors’ Postdoctoral Fellowships. The latter goes a long way to legitimizing the hiring of the outstanding PPF scholars.

The committee noted the difference between the proposed systemwide Guidelines and our campus Policy on Open Recruitment (Red Binder, VII-1), which was the focus of much of the discussion. The committee noted particularly the differences between the Guidelines’ “Targets of Excellence” and the UCSB campus policy, which categorizes this same waiver as “Exceptional Opportunities.” CDE commented that the Guidelines did not specifically mention diversity as a possible justification for a waiver and recommended that considerations of diversity in targets be considered in these hires. The committee also noted that while our campus policy allowed for appointments at the Full professor as well as “lower level,” the Guidelines only mentioned an "individual whose distinctive qualifications and extraordinary promise or accomplishments will contribute to the excellence of the academic mission of the University." CDE noted that this language tends to foreclose the possibility of junior appointments.

Pending Issues for CDE in 2016-2017

The issues of concern that were discussed by CDE and which are recommended for continued discussion by CDE over the next year (2016-17) are:

- Implementation of APM210-1-d, Contributions to Diversity. CDE is awaiting a response to its request for data on the number of merit and promotion cases that have included the optional diversity self-assessment. The committee recommends working with CAP and the Deans to
identify appropriate examples for what constitutes going “above and beyond” on diversity issues in one’s particular field.

- Follow-up on recommendations for the UCSB Salary Equity Study
- Campus Accessibility. The committee recommends scheduling a meeting with the recently-appointed Policy & ADA Coordinator, Jennifer Lofthus.
- Follow-up through a briefing on the work of the Campus Climate Implementation Committee to know what work is being done and what remains to be done in the area of student climate, staff issues, and faculty concerns.
- Consideration with the Academic Senate Council on Faculty Issues & Awards (faculty welfare) about equity issues related to childcare, new housing, and retirement planning for new faculty to campus.

Respectfully submitted,
Members, 2015-16

Beth E. Schneider, Chair & UCAAD Rep
Tamsin C. German, Vice Chair
Ralph J. Armbruster
Anna Everett
Elisabeth G. Gwinn
Kyle Lewis
Martin Moskovits
Sven Spieker
Anna Laura Jansma, Non-Senate Academic Rep

Ricardo A. Alcaíno, Ex Officio
Melina Gooray, GSA Rep
Penelope Monte, AS Rep

Professor, Sociology
Professor, Psychological & Brain Sciences
Associate Professor, Chicana & Chicano Studies
Professor, Film & Media Studies
Professor, Physics
Professor, Technology Management Program
Professor, Chemistry & Biochemistry
Professor, Germanic & Slavic Studies
Lecturer, Communication

Director & Title IX Coordinator, Affirmative Action Office