Executive Board

Moreno Recommendations Implementation Committee Report

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UCLA Academic Senate

April 18, 2022

Walter Allen, Co-Chair, Moreno Recommendations Implementation Committee (MRIC)
Maria Ines Boechat, Co-Chair, MRIC
Mitchell Chang, Member, MRIC
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Josephine Isabel-Jones, Member, MRIC
Tracy Johnson, Member, MRIC
Dion-Cherie Raymond, Member, MRIC
M. Belinda Tucker, Member, MRIC
Scott Waugh, Member, MRIC

Re: **Progress Report on UCLA Academic Senate Response to the 2021 MRIC Report**

Dear Colleagues,

Following up on our March 10, 2021, meeting with many of you and Administration, we are writing to provide a written report about our progress since our May 10, 2021, letter to you. Our presentation and this letter are organized according to committees and councils because we intend the entirety of the UCLA Academic Senate to engage in efforts to improve diversity, equity, and inclusion (DEI). This is a major organizational focus for the Academic Senate, as we move into next year.

Senate Leadership

Academic Senate leadership has made DEI a major thematic focus, moving forward. This year, questions of accessibility in relation to teaching and learning have become pressing, and leadership has been extensively involved. We have advocated for an administrative working group on accessibility and instruction, and our planning process regarding the future of instruction highlights equity and accessibility issues.

Leadership has encouraged committee and council action items and outcomes, and for AY 22-23 each Senate committee will be charged to report to the Executive Board on DEI efforts, as they were in AY 20-21. We will build capacity through a revamped committee chair orientation.

In addition to moving the Senate forward on its response to the MRIC Report, Senate leadership and staff have been translating into practice portions of a former staff member's professional development program report on Senate DEI (see below under Executive Board).

In fall and winter 2022, leadership designed and implemented the Academic Senate pandemic research recovery awards, with $1.5 million awarded to Senate members whose research was significantly impacted by caregiving. In 2021, Vice Chancellor Spain Bradley and Former Academic Senate Chair Shane White charged the creation of the Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes, whose work will help promote non-discrimination and collegial conduct at UCLA. We aim for that task force to complete its charge in spring 2022, and a preliminary report has been issued.

Executive Board

The Executive Board formed a DEI working group, which has met and identified areas for improvement in Senate recruitment, onboarding, training, and overall climate and culture. Recommendations are due in mid-spring.

Graduate Council/Undergraduate Council

Both Councils discussed MRIC action items in the specific context of Program Review. The chairs of the Graduate (GC) and Undergraduate (UgC) Councils and Committee on Diversity, Equity, and Inclusion (CODEI) have met to discuss how to amend and improve the quality of self-review responses to Section H of the Program Review Guidelines with clearer guidelines for how programs can address DEI issues in their review materials. One suggestion is that the Councils in collaboration with CODEI could review cycles of 8-year review materials for a range of programs to see what and how they report, compare with the recommendations made in the final program review reports, and then perhaps assess whether units actually act on the recommendations.

UgC and GC also discussed revising site visit schedule templates to include meetings dedicated specifically to DEI issues (e.g., with faculty equity advisors).

The challenge remains to ensure follow-up and accountability regarding DEI-related recommendations in program reviews. We plan to continue meetings with the EVCP and chief of staff about this matter.

Committee on Diversity, Equity, and Inclusion

CODEI has begun making advances regarding the committee's role within the Senate, and throughout UCLA. In order to further assist in issues facing UCLA, the committee has amended its Bylaws to add the position of a Vice Chair. CODEI is also working UgC and GC to improve Program Reviews in regard to DEI efforts. The chair has drafted a series of recommendations for the Academic Senate and the campus.

Moving forward, the committee is considering expanding its membership in order to assist with more initiatives. The committee aims to begin working more closely with the EDI Office as well as with Faculty Equity Advisors.

Committee on Committees

The Committee on Committees (ConC) remains committed to diversity in the composition of Academic Senate committees to include a broad range of academic disciplines and demographic categories (e.g. gender, race, ethnicity) to reflect the overall faculty. To that end, the ConC Chair and Analyst continue to explore ways to access helpful data in a legal and appropriate way that respective privacy.

We developed the Service History feature in DMS reports on the individual faculty member's Academic Senate service history, gender, ethnicity, rank (when and if the faculty member has granted viewable access to the information associated with their UC Path ID). The Academic Senate service history includes a chronological listing of the faculty member's committee service, committee attendance and travel grant receipt. ConC uses this feature for information about faculty considered for service.

The Academic Senate currently does not track the demographics of members serving on committees. The main challenge is synchronizing the data mapping between the UCLA Enterprise Data Warehouse, UC Path, and the DMS host at UCSB. UCSB is investigating development of an exportable report.

Judicial Committees

The **Privilege and Tenure** and **Charges** committees launched extensively revised and reformatted webpages (see https://www.senate.ucla.edu/conflict-resolution) in March 2022, with more and clearer instructions for judicial processes, frequently asked questions about personnel cases, information about timing of charges cases, and easier links to other resources.

The **Grievance Advisory Committee** is revising its member manual that relevant policies and procedures are more accessible to members. It also plans to hold regular meetings and provide a summary of campus trends to the Executive Board.

Other Committees and Councils

Council on Research (COR) discussed the MRIC Report and Academic Senate Response in AY 2020-21 and again in February 2022. COR continues its efforts to promote and offer research funding opportunities for Senate faculty from every discipline and rank. Given the limited funding, priority was given to junior researchers. COR will likely meet again with the Research Concierge program administrators to resume the discussion on equitable opportunities and access to this program.

Council on Planning and Budget (CPB) discussed the MRIC Report and Academic Senate Response in AY 2020-21 and again in February 2022. CPB and its **Budget Model Working Group (BMWG)** continue their advocacy for greater transparency, equitable distribution, and communication in the budget process and BBM implementation (currently postponed). BMWG is currently assessing how interdisciplinary education may be impacted by the BBM and their long-term sustainability under fiscal changes. There are many questions without concrete answers such as "what is the process for allocation and distribution of the general fund supplement?" and "what are the incentives for change and what are the

consequences of implementation for each department?" These questions are applicable not only to the BBM but to budget models generally, moving forward.

Council on Academic Personnel (CAP) submitted response to Executive Board on 2/10/22. CAP read and discussed the Senate's response to the MRIC Report. CAP remains committed to its charge of maintaining standards and equity across the campus per APM-210.

Committee on International Education (CIE) discussed the Senate's response to the MRIC report at the March 1 meeting and submitted a memo. CIE plans to discuss ways to promote study abroad and outreach to diverse student populations at an upcoming meeting.

Plans

The Chair of the Academic Senate plans to make the Senate's MRIC response and Senate DEI central themes of work across the Academic Senate in AY22-23, and planning is underway. Areas of focus include recruitment, onboarding, and training; program review; and judicial committees and processes.

Sincerely,

Jessica R. Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: Gene Block, Chancellor
Erika Chau, Assistant Vice Chancellor, Academic Personnel
April de Stefano, Executive Director, UCLA Academic Senate
Yolanda Gorman, Senior Advisor to the Chancellor and Chief of Staff
Kathy Komar, Interim Vice Provost for Academic Personnel
Michael Levine, Interim Executive Vice Chancellor/Provost
Louise Nelson, Vice Chancellor, Legal Affairs
Emily Rose, Assistant Provost and Chief of Staff
Anna Spain Bradley, Vice Chancellor, Equity Diversity and Inclusion
Shane White, Immediate Past Chair, UCLA Academic Senate

UCLA Academic Senate

May 10, 2021

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Re: **UCLA Academic Senate Response to the 2021 MRIC Report**

Dear Colleagues,

The Academic Senate is most grateful to the 2021 MRIC Report for calling attention to the need for more institutional progress towards realizing the recommendations of the Moreno Report and Attorney General Kamala Harris' letter, as well as widening the conversation to include Senate involvement. The Academic Senate's response makes recommendations based upon self-reflection called for by the MRIC Report and upon independent review of the Senate.

Sincerely,

Shane White
Chair, UCLA Academic Senate

Encl.

Cc: Gene Block, Chancellor
Emily Carter, Executive Vice Chancellor/Provost
April de Stefano, Executive Director, UCLA Academic Senate
Yolanda Gorman, Senior Advisor to the Chancellor and Chief of Staff

Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Levine, Vice Chancellor, Academic Personnel
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Richard Yarborough, Committee on Diversity, Equity, and Inclusion Chair, UCLA Academic Senate

UCLA Academic Senate

May 10, 2021

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Incidents of racial and ethnic bias and discrimination have long affected the UCLA campus community. In response to faculty concerns, UCLA Chancellor Gene Block authorized an independent review team to conduct an assessment and present recommendations which resulted in the 2013 Moreno Report (see Appendix 1 for a brief history of the Moreno Report). The report made three key sets of recommendations for administrative reform: enhancing process for investigation of incidents of racial bias; implementation of educational and training programs that aim to prevent DEI incidents; and creation of a single Discrimination Officer. The Senate responded to the broader matters raised by the Moreno Report in multiple ways, ranging from appointing the chair of the Committee on Diversity, Equity and Inclusion (CODEI) to the Senate's cabinet, the Executive Board, to mandating curricular changes by creating the

College of Letters and Science's Diversity Requirement. (For the many other initiatives that have been launched, see Appendix 2.) Ongoing work and future plans are described below.

The Committees and Executive Board of the UCLA Division of the Academic Senate have carefully studied and extensively discussed the MRIC Report. The Senate was particularly attentive in thinking through the Report's implications on the importance of diversity at a public university; accountability of the individual, institution, units, and systems; recognition of the respective tools for accountability available to the Senate and the Administration; and the need for greater transparency and reporting, better communication, and better coordination among disparate campus DEI efforts. Senate Leadership encouraged the Committees and Councils to look for short- and long-term ways for the Senate to engage with the issues raised, to integrate changes into Senate functions, and to collaborate more effectively with other campus entities. Although there have been improvements in the Senate's responses, the Senate recognizes that more must be done. For this response, I have relied on reports from individual Senate Committees and Councils as well as on the Executive Board's deliberations (see appended documents).

● Institutional Accountability

In response to calls for social justice and the Black Lives Matter movement, in Fall 2019 the Academic Senate Chair asked each Senate committee and council chair to prioritize equity, diversity and inclusion in its functions and goals for the academic year, not as a once-off, but as a permanent orientation toward their work. Concurrently, an independent report *Promoting Diversity, Equity, and Inclusion at the UCLA Academic Senate* is being produced by Dr. Aileen Liu, a Principal Policy Analyst in the Senate Office, as part of her participation in the UCLA CHR Professional Development Program. Senate leadership plans to bring the resultant document to the Executive Board for consideration of its recommendations.

We recommend the following:

1. The Faculty Salary Equity Study should be conducted on a triannual basis.
2. The Senate, the Discrimination Prevention Office (DPO), and the Academic Personnel Office (APO) should publish annual summaries of DEI processes and their outcomes for complaints made against staff, faculty members, and students.
3. The Senate should work with the Administration to provide academic units with a toolkit for preventing EDI-related climate problems and for addressing such problems holistically and proactively when they arise.
4. Mandated anti-discrimination training should be carefully considered by appropriate campus bodies, including the Senate.

● Disciplinary Processes Involving the Senate

It is important to note that the disciplinary process for faculty members has a bifurcation: a faculty respondent can either agree to administrative sanction through the APO or enter the Senate judicial system and face review by their peers through the Charges and Privilege and Tenure Committees. Both of the routes are ultimately subject to chancellorial decision.

Historically, a large majority of faculty respondents have opted to receive administrative sanction. It is also important to note that the Charges Committee is not duplicative of the Title IX Office, nor duplicative of the Discrimination Prevention Office (DPO). In order to determine whether there is probable cause to warrant a disciplinary proceeding before the Committee on Privilege and Tenure, the Charges Committee conducts investigations into complaints made against members of the faculty. These complaints include those related to sexual harassment, research misconduct, and violations of all other University policies regarding individual conduct. Faculty members are held accountable by multiple regulations made by multiple bodies with different jurisdictions, viewpoints, and prerogatives. In contrast, the DPO is charged with conducting investigations into complaints of discrimination or harassment based on race, ancestry, national origin, religion, age, and other categories protected by law and University policy. The findings of such investigations are then separately adjudicated by the administrative or Senate judicial pathways described above. The separation of investigatory and adjudicative functions is necessary, but dependent upon robust processes and communication. Accordingly, it is not institutionally possible to fold these separate disciplinary mechanisms into a single process.

Nonetheless, the Academic Senate plans to consider implementation of the following improvements to its own processes:

1. Provide more and clearer information and FAQ about judicial processes on the Senate website.
2. Develop and promote educational resources about judicial processes for faculty, students, and staff.
3. Develop on-boarding materials for new Senate judicial committee members to ensure adequate knowledge and understanding of EDI-related issues including, but not limited to, implicit bias, perspective-taking, racial trauma, active listening, and gender stereotypes.
4. Strengthen the roles and responsibilities of the Senate's Grievance Advisory Committee.
5. Set and publish timelines for judicial process milestones so that complainants and respondents have a clearer understanding of the judicial processes.
6. Track, analyze and publish data about the number of cases adjudicated per academic year.
7. Develop stronger collaborations and communication procedures with administrative units—especially the APO and the Office of Equity, Diversity and Inclusion—to clarify roles and to bring greater consistency to these units' respective purviews, policies, and procedures.
8. Maintain the centrality of an independent faculty-led judicial process.
9. Advocate that the Administration's complete investigatory findings in cases of alleged faculty violations be made available to its judicial committees.
10. Provide a forum where Senate judicial bodies can consult regarding their respective processes and their interactions with the DPO and the APO.

● **Program Review**

The evaluation of UCLA's undergraduate and graduate education is a key Senate responsibility. This process consists of three main steps: the academic unit generates a self-review; a site visit occurs; a review report is published. The review identifies areas in need of attention and makes recommendations. The following year, a progress meeting is held; if satisfactory progress has been made, the review is closed. It is worth noting here that over the past several years, the program reviews conducted by the Senate's Graduate and Undergraduate Councils have called attention to persistent EDI problems. Apart from keeping the review open (and the draconian measures of suspending student admissions or program discontinuation), Councils have few tools to ensure that the Chair and the Dean address the recommendations.

The Senate is taking steps to consider implementation of the following improvements to Program Review:

1. Have the Graduate and Undergraduate Councils collaborate more closely with other Senate committees, councils, and administrative units to identify equity- or diversity-related concerns or trends in departments earlier in the review cycle.
2. Hold departments accountable if they provide inadequate or missing EDI-related information in their self-review.
3. In order to bolster accountability and to ensure timely outcomes, convene two meetings per year with the individuals and administrative units responsible for implementing final report recommendations, including the academic units' Chairs and Deans as well as the Executive Vice Chancellor & Provost.
4. Recommend the direct involvement of the Faculty Equity Advisors in the review process.
5. Advocate for a broader range of educational resources and tools to better support departments facing, and responding to, on-going equity and diversity concerns.
6. Advocate for the Administration to develop and deploy tools to hold Deans and department Chairs accountable for unaddressed or inadequately addressed systemic climate or personnel issues that negatively affect the well-being of students, staff, and faculty and that undermine the unit's ability to fulfill its research and teaching mission.
7. Advocate for consistency, transparency, and accountability for all members of the campus community regardless of school, division, or job title.

● **EDI Activities**

Improved coordination and communication among the many separate EDI efforts across our complex and decentralized campus is a recognized need. Many efforts reside separately within our 105 individual departments. The Office of Equity, Diversity and Inclusion appears to be the obvious body to coordinate and advance successful strategies and communications amongst the many separate programs, groups and initiatives across the administrative structures of the campus.

According to Senate bylaws, the Senate's Committee on Diversity, Equity and Inclusion (CODEI) advises the Chancellor and makes recommendations to the divisional Senate concerning

policies and programs to advance faculty diversity. It also participates in academic unit reviews; administers diversity awards given annually to faculty, staff, and students; solicits input from student organizations on DEI issues; and consults with the Vice Chancellor for Equity, Diversity and Inclusion on such topics as campus policing and freedom of speech in the classroom. The MRIC Report recognized the value of CODEI's work, but also pointed out that implementation was insufficient. We note that while the Senate can map policy, it is not empowered to implement policy – this demands partnership with the administration.

The Senate is taking or plans to take the following steps:

1. CODEI will work to improve dialogue with the Chancellor's Office, both directly and through the Executive Board.
2. In conjunction with the Vice Chancellor for Equity, Diversity and Inclusion, CODEI is working to engage the campus' 23 equity advisors and help them share best-practices, coordinate their work, and consider further definition of their role.
3. The Senate is planning to work with the EDI Office to catalogue, guide, and coordinate all DEI efforts in Departments, Schools, and Divisions.
4. The Senate is planning to study CODEI's bylaws in order to clarify and enhance its role in liaising with other Senate bodies and to consider increasing its membership and analytic support.
5. The Senate will consider ways to support CODEI involvement in academic program reviews and to act on CODEI recommendations in this process.

● Faculty Development

The extent to which the current make-up of the UCLA faculty does not come close to reflecting the diversity of the California population is a foundational issue that must be directly addressed. Failing to do so will hamstring attempts to solve the problems identified by the Moreno Report. Even with good intent and enlightened policy, change through normal faculty turnover has been and continues to be agonizingly slow. When considering the role of the Academic Senate in faculty development, it is important to note that the Administration directs the apportionment of FTE and that deans and chairs wield considerable power over the charges given to search committees as well as over the recruitment process. Although the Senate has decision-making authority in the admission of undergraduate students, it paradoxically lacks such authority in the hiring of faculty members to the University. Nonetheless, the Senate's Executive Board has gone on record urging boldness in hiring, and we would take this opportunity to reconfirm our stance. UCLA must take advantage of the current opportunity to build the excellent and diverse faculty body that the future demands.

One potentially productive step in the right direction is an initiative recently launched by Chancellor Gene Block and Executive Vice Chancellor and Provost Emily Carter. Titled Rising to the Challenge, it aims to support and develop the scholarly community on campus devoted to Black life and racial equity through new graduate and postdoctoral fellowships and through ten new tenure-track positions for the recruiting of faculty members whose work addresses aspects of the Black experience, broadly defined. More such targeted initiatives are called for in order

to bring about a truly representative faculty at UCLA. Moreover, the long-term success of such recruitment efforts will depend on the University's wholehearted commitment to DEI goals with regard to promotion, retention, and compensation.

* * *

In conclusion, the Academic Senate is most grateful to the MRIC for highlighting the urgent need for aggressive institutional action in response to issues raised roughly a decade ago in the Moreno Report. The Senate's response makes recommendations based upon self-reflection called for by the MRIC Report and upon independent review of the Senate itself.

Sincerely,

Shane White
Chair
UCLA Academic Senate

Encl.

Cc: Gene Block, Chancellor
Emily Carter, Executive Vice Chancellor/Provost
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Richard Yarborough, Committee on Diversity, Equity, and Inclusion Chair, UCLA Academic Senate

Appendix 1. Summary of the History of the Moreno and MRIC Reports

The UCLA campus community has long been impacted by high-profile incidents of racial and ethnic bias and discrimination as well as pervasive systemic shortcomings. In response to faculty concerns, UCLA Chancellor Gene Block authorized Executive Vice Chancellor & Provost Scott Waugh in 2012 to appoint an independent review team to conduct an assessment and present recommendations to address issues discovered. Chaired by the Hon. Carlos Moreno, the team presented their *Independent Investigative Report on Acts of Bias and Discrimination Involving Faculty at the University of California, Los Angeles* in October 2013; this document is known as the "Moreno Report."

The Moreno Report concluded "*that UCLA's policies and procedures for responding to incidents of perceived bias, discrimination and intolerance involving faculty are inadequate. The university administration must work to find solutions to this problem. The formation of the Review Team is an encouraging first step, but the UCLA leadership must take more action to reform and give teeth to its enforcement of existing nondiscrimination policies. Our recommendations for reform include:*

● *Enhancing procedures to provide a standardized process for investigation of incidents of perceived bias, discrimination, and intolerance, and for referral of the matter, if necessary, to the appropriate local disciplinary regime.*

● *Implementation of educational and training programs that aim to prevent such incidents from occurring in the first place, and provide for record-keeping in order to monitor the problem moving forward.*

● *Creation of a single Discrimination Officer who, assuming that the university provides adequate resources, can fulfill these important functions of education and training, informal and formal investigation and fact-finding, and record-keeping*."

In November 2013, Chancellor Gene Block established the Moreno Report Recommendations and Implementation Committee (MRIC) with a charge to assess the University's progress towards implementation of these recommendations.

In August 2014, then California Attorney General Kamala Harris responded to a petition calling for a Civil Rights investigation of UCLA by making an agreement with Chancellor Gene Block that included 14 actionable commitments to be made by the UCLA Administration.

Issued in January 2021, the MRIC Report contained many important observations that spoke to the wider issues raised by the Moreno Report and Kamala Harris. The following were key recommendations of the MRIC Report:

A) Investigate racial and ethnic discrimination, mandate anti-discrimination training, and enforce accountability.

B) Achieve equity, diversity and inclusion in recruitment, retention, and compensation of Faculty of Color.

C) Establish a faculty advisory committee to the Chancellor on campus equity, diversity, and inclusion.

D) Assess on a regular basis campus DEI to determine status, progress, and challenges.
E) Improve collaboration, communication and coordination among campus equity, diversity, and inclusion offices, programs, and initiatives.
F) Increase UCLA faculty/Academic Senate commitment, engagement, and leadership on DEI issues.

Appendix 2. Academic Senate Actions Regarding DEI Issues, 2012-2020

These results represent a brief search of Academic Senate digital records. There is a high likelihood that the below findings do not constitute a comprehensive list of relevant items.

Documents collected at: https://ucla.box.com/s/25qcief7k6d2kqtw8vcd50lr683g0l5o

2012

- Senate faculty responded to Daily Bruin articles challenging the new holistic review process
- LGBT Task Force formed
- Undergraduate Council coordinates with Student Affairs, Dean of Students, and Office for Students with Disabilities to develop strategies and polices around inclusive processes for disabled students

2013

- Charges Committee works with the Vice Chancellor for Academic Personnel (VCAP) on changes to workflow in response to Moreno Report
- Senate develops charges/grievance flowcharts and guides
- Senate review of Moreno Report

2014

- Senate review of After Moreno Task Force Report
- First Analysis Campus Climate Survey reviewed by Senate
- College Diversity Requirement proposed
- Diversity Initiative Implementation Committee report published (Sept 2014)
- Undergraduate Council integrates UC Undergraduate Experience Survey data into program review process
- Undergraduate Council works with CAPS and USAC to improve inclusive mental health resources for students
- Graduate Council/Undergraduate Council program reviews find diversity issues persist among faculty and students

2015

- LGBT Task Force report delivered and discussed by Senate
- UCLA Affirmative Action Plan published
- Development of the College Diversity requirement (Approved April 2015)
- APM-210 revised to include DEI in academic personnel activity and recognition of service work in the personnel process (Senate advocated strongly)
- Senate reviews *Progress on UCLA Faculty Salary Equity* Study (2006)
- CODEO increases involvement with Program Reviews
- Graduate Council/Undergraduate Council program reviews find diversity issues persist among faculty and students

2016

- Faculty Salary Equity Study Task Force report published

- CODEO and Councils develop “Section H: Diversity” of the program review self-review requirements
- Faculty Concerns raised around the proposed Principles Against Intolerance report
- Graduate Council/Undergraduate Council program reviews find diversity issues persist among faculty and students
- Executive Board adds *ex officio* seats for the Faculty Welfare Committee and the CODEO
- Diversity Requirement established in School of Arts and Architecture (November 2016)
- Diversity Requirement established in the Herb Alpert School of Music (May 2016)

2017

- CODEI name changes (from CODEO) in recognition of increasing role of Inclusion issues in Senate discussions
- Undergraduate Council worked with Center for Accessible Education on increasing access to inclusive resources
- Undergraduate Council/Graduate Council formalize CODEI’s increased involvement with Program Reviews, including in self-review and site-visit stages of the review process
- Graduate Council re-convenes Subcommittee on Graduate Student and Postdoctoral Scholar Well-being to address climate issues for graduate students
- Graduate Council discussed issues of climate for graduate students
- Graduate Council/Undergraduate Council program reviews find diversity issues persist among faculty and students
- Diversity Requirement established in the Luskin School of Public Affairs (February 2018)

2018

- Contributions to Promoting Diversity (Diversity Statements) requirement added to personnel reviews
- CODEI collaboration with VC EDI on Diversity Statement FAQ
- Undergraduate Council Establishes Diversity Education Governance Committee to oversee diversity education
- Undergraduate Council reviews Priority Enrollment policies, including discussions of diversity and equal opportunity issues with enrollment appointments
- Graduate Council/Undergraduate Council program reviews find diversity issues persist among faculty and students

2019

- CODEI consults on VCAP’s procedures for Diversity Requirements
- Council review of WSCUC accreditation, including diversity concerns
- Undergraduate Council revises Course Syllabus Recommendations substantially to address EDI concerns with syllabus implementation
- Graduate Council/Undergraduate Council program reviews find diversity and climate issues persist among faculty and students.
- Graduate Council publishes *Recommendation to promote Graduate Student Well-being*
- In consultation with the Senate, Vice Chancellor for EDI publishes Senate Faculty Workforce Diversity Dashboards
- Graduate Council develops Graduate Council Diversity Fellowship
- Diversity Requirement established in the School of Education and Information Studies (March 2019)

2020

- Committee on Library and Scholarly Communication reviews UCLA Library Anti-Racism Initiative
- Graduate Council/Undergraduate Council program reviews find diversity and climate issues persist among faculty and students
- Senate reviews Moreno Recommendations Implementation Committee report
- All divisional Senate committees charged with evaluating role with regards to diversity issues
- Graduate Council begins awarding the Graduate Council Diversity Fellowship

UCLA

Final Report

Moreno Recommendations Implementation Committee

University of California, Los Angeles

January 4, 2021

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Moreno Recommendations Implementation Committee Report

I) Executive Summary

In 2012, a group of concerned faculty contacted the UCLA Chancellor and Executive Vice Chancellor and Provost (EVC/P) regarding persistent racial bias, discrimination and intolerance at the university. Racist actions, targeting Dr. Christian Head, Professor of Medicine, highlighted a negative campus climate, bias, and discrimination against Faculty of Color[1] at UCLA. In response to these grave concerns expressed by faculty, Chancellor Gene Block authorized EVC/P Scott L. Waugh to establish an independent, Blue-Ribbon Committee to investigate "ongoing diversity challenges."

The Moreno Committee, chaired by retired California Supreme Court Justice, the Honorable Carlos Moreno, conducted interviews and gathered information on UCLA policies and procedures to investigate the UCLA campus racial climate. The Moreno Report was submitted October 2013 and offered recommendations to address bias and discrimination against Faculty of Color. California Attorney General Kamala Harris met with UCLA Chancellor Gene Block on January 10, 2014 to discuss the University's plans to implement the Moreno Report recommendations.

The Moreno Recommendations Implementation Committee (MRIC) was created to monitor and assess UCLA's activities, progress, and challenges regarding implementation of the Moreno Committee recommendations. MRIC provided detailed information to assist the Chancellor, the EVC/P, Senior Leadership and the wider community develop a comprehensive approach to faculty equity, diversity and inclusion at UCLA.

The MRIC Report documents areas of success and challenge, offers ideas for consideration, evidence of "Promising Practices and Initiatives," and recommendations for continued progress towards achieving *Inclusive Excellence* at UCLA. Our recommendations are based on analysis of the University faculty landscape, institutional practices, and the narratives of Black and Latina Faculty. This report represents both a record and an assessment. Our committee hopes it will also provide a reflection on and roadmap to achieving UCLA's core values.

Since the scope, detail, and span of this MRIC Report are restricted due to limited time and resources, we urge the University to institute regular, rigorous, transparent assessments of campus Equity, Diversity and Inclusion.

We conclude that while some progress has been made, and the foundations for a number of the recommendations described in the Moreno Report have been laid, there remains much work to do to improve the campus climate for diversity and to eliminate bias, harassment, and discrimination against UCLA Faculty of Color.

UCLA has designed an elaborate system meant to improve campus climate for diversity and eliminate racial bias and discrimination. The critical "next step" in University transformation is to achieve efficient and effective connections, communication, coordination and accountability between all units. Success requires that the values, procedures, and outcomes associated with Equity, Diversity and Inclusion be embedded throughout UCLA. Achieving this goal will depend

[1] We utilize the term Faculty of Color in alignment with the Moreno Report. Additionally, the University of California collects data on race and ethnicity categories in accordance with Integrated Postsecondary Education Data System (IPEDS) which is based on the classifications of race and ethnicity issued by the Office of Management and Budget (OMB). https://ucnet.universityofcalifornia.edu/tools-and-services/administrators/docs/frequently-asked-questions.pdf

on long term, cohesive, committed, adequately resourced and rigorously evaluated efforts across the University. MRIC key recommendations include:

A) Investigate racial and ethnic discrimination, mandate anti-discrimination training, and enforce accountability
B) Achieve equity, diversity and inclusion in recruitment, retention, and compensation of Faculty of Color
C) Establish a faculty advisory committee to the Chancellor on campus equity, diversity, and inclusion
D) Assess on a regular basis campus EDI to determine status, progress and challenges
E) Improve collaboration, communication and coordination between campus equity, diversity, and inclusion offices, programs and initiatives
F) Increase UCLA faculty/Academic Senate commitment, engagement and leadership

We are confident that positive changes are possible with leadership from faculty and senior administration and full engagement of the campus community. As UCLA turns 100 years old, Chancellor Block correctly frames the central issue before us: *"How should our society acknowledge, counter and make amends for long - standing racism targeting Black Americans and other people of color?"* Towards the end of improving campus Equity, Diversity and Inclusion, he promises *"...to take a hard look at how UCLA can better fulfill its commitment to welcoming, supporting and protecting all members of our community. We will continue to champion the change that is needed to move the campus to a place of true equity, where we honor our deepest values and fulfill our highest aspirations as a public university."* (Chancellor Gene Block, "True Equity," *UCLA Magazine*, October 2020).

II) California Attorney General Kamala Harris and UCLA Chancellor Block Agreement

Following release of the Moreno Report, California Attorney General Kamala Harris received a public petition with over 60,000 signatures requesting a Civil Rights investigation of UCLA "to determine if any state laws were violated or university policies relative to claims of discrimination and retaliation."[2] The California NAACP passed a resolution in support of this investigation and reform of UCLA's campus racial climate. This resulted in two meetings between Former California Attorney General and Vice President Kamala Harris and UCLA Chancellor Gene Block to discuss UCLA's campus racial climate. In a letter dated August 12, 2014 Attorney General Harris confirmed her understanding of the following commitments by UCLA:

- Hire two Discrimination Officers
- Modify current faculty and staff anti-discrimination/harassment policies to clearly define bias, discrimination, harassment, and related matters
- Provide procedures consistent with the Moreno Report's recommendations for responding to the incidents of perceived bias, discrimination, and harassment
- Post faculty, staff and student policies prohibiting harassment and discrimination and outline complaint procedures
- Mandate and commence training on anti-harassment and anti-discrimination policies, reporting requirements and complaint procedures for students and staff
- Update, enhance and streamline "Diversity@UCLA" website so it is fully functional and easier to navigate for all members of the campus community (faculty, staff, students)
- Appoint a Vice-Chancellor for Equity, Diversity and Inclusion (EDI) and provide a $3,000,000 budget for the Office of EDI
- Appoint Diversity Specialists and Diversity Committees at every school, unit, and department of the University to act as liaisons with the VC EDI and serve the Deans and their faculty as advisors on diversity matters
- Review UC Climate Survey results with each school, unit, and department to develop additional policies to address climate concerns
- Conduct diversity training and workshops at every school, unit, and department.
- Increase the four-year graduation rates for underrepresented minorities, particularly African American and Latino males
- Study recruitment and outreach programs charged with enhancing student diversity to identify program effectiveness
- Enhanced education of disadvantaged communities about UCLA's application process, with focus on the life challenges/hardship application
- All UCLA Police Department officers should complete cultural diversity and sensitivity training

[2] https://www.change.org/p/ca-attorney-general-kamala-harris-investigate-ucla-for-ignoring-discrimination-and-retaliation-complaints-by-faculty-members

A) Background and Context: Dr. Christian Head Discrimination Case

On April 17, 2012[3], Dr. Christian Head, the first Black tenured head and neck surgeon at UCLA Medical Center, filed a discrimination, harassment, and retaliation lawsuit against UCLA and the University of California Board of Regents. For years dating back to 2003, Dr. Head reported experiencing ongoing, daily racial discrimination. He alleged that the university failed to investigate the incidents and take appropriate action. The lawsuit detailed various incidents of harassment by his supervisor, other colleagues and student residents.[4] In February 2006, Dr. Head wrote to then Vice Provost for Faculty Diversity and Development, Dr. Rosina Becerra, about the harassment he experienced from his supervisors at UCLA. Additionally, in a viral You Tube video,[5] Dr. Head, the only tenured Black faculty member in the department and one of two tenured teaching surgeons in the entire Medical School, stated that in June 2006 a racist incident occurred at an annual closing ceremony for the UCLA Department of Head and Neck Surgery.

Dr. Head described a slide in the video show presented during the graduation ceremony for Residents:

> *the final slide was a photo … of a gorilla on all fours, with my head photoshopped onto the gorilla, with a smile on my face, and a Caucasian man completely naked sodomizing me from behind, and my boss's head photoshopped on the person, smiling.*

Further Dr. Head's complaint describes how he was advised by university leadership that to continue to call for the investigation of racial harassment and discrimination, or to seek remedies, would endanger his prospects for tenure and promotion.

These, and similar events detailed in the lawsuit, exposed UCLA's negligence in responding to instances of racial discrimination, bias, and retaliation experienced by Dr. Head. A petition to UCLA Chancellor Gene Block, initiated by NAACP member Willis Edwards, "Stop Discriminating and Retaliating Against Dr. Christian Head,"[6] garnered 117,000 signatories. Over a year later,[7] on July 18, 2013, the UC Regents and Dr. Christian Head eventually agreed to a settlement of $4.5 million dollars (although the University did not admit liability).[8] Dr. Head's high-profile case received widespread attention, especially among Faculty of Color at UCLA, many of whom had also experienced racial bias, harassment and discrimination.

III) Moreno Committee Investigation

In Summer 2012, the growing concern about UCLA's increasingly hostile campus racial climate, and Dr. Head's case in particular, resulted in a meeting coordinated by the Ralph J.

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[3] Nicole Chiang, "UCLA Surgeon Dr. Christian Head's Lawsuit Against UC Regents Gains Support Through Petition," *Daily Bruin*, May 24, 2012. https://dailybruin.com/2012/05/24/ucla_surgeon_dr-_christian_heads_lawsuit_against_uc_regents_gains_support_through_petition

[4] Christian Head, "Christian Head, M.D. Testimony," *House Committee on Veterans' Affairs*, July 9, 2014. https://archives-veterans.house.gov/witness-testimony/christian-head-md

[5] ShamefulHonestTruth, *African American Depicted as Gorilla at UCLA Event* (May 10, 2012), YouTube. https://www.youtube.com/watch?v=9eMwYtycb_I&feature=player_embedded

[6] Willis Edwards, "Stop Discriminating and Retaliating Against Dr. Christian Head." *Change.org*. (2011), https://www.change.org/p/ucla-chancellor-gene-block-stop-discriminating-and-retaliating-against-dr-christian-head

[7] UCLA, "Statement Addressing Settlement of litigation by Dr. Christian Head," *UCLA Newsroom*, July 18, 2013. https://newsroom.ucla.edu/releases/statement-addressing-settlement-247501

[8] Amanda Schallert, "UCLA Takes Steps to Address Reports of Racial Discrimination Among Faculty," *Daily Bruin*, Oct. 25, 2013. https://dailybruin.com/2013/10/25/ucla-takes-steps-to-address-reports-of-racial-discrimination-among-faculty

Bunche Center between EVC/P Waugh and faculty[9]. The Chancellor's letter dated May 2012 dismissing Dr. Head's case as unsubstantiated added to the outrage[10]. The faculty requested the establishment of an independent committee to evaluate campus racial climate and policies[11]. In response, Chancellor Block and EVC/P Waugh asked former California Supreme Court Justice Carlos Moreno to chair an independent committee to investigate reports of racial and ethnic bias, discrimination and intolerance experienced by faculty at UCLA. The panel interviewed 30 administrators and faculty members and found that UCLA's policies and procedures around racial discrimination and bias towards Faculty of Color were inadequate.

The Moreno Report concludes (p. 2):

*…We found widespread concern among faculty members that the racial climate at UCLA had deteriorated over time, and that the university's policies and procedures are inadequate to respond to reports of incidents of bias and discrimination. Our investigation found that the relevant university policies were vague, the remedial procedures difficult to access, and from a practical standpoint, essentially nonexisten*t.

On October 15, 2013, the Moreno Committee presented a report and recommendations to the UCLA administration. The key recommendations (p. 3):

- *Enhancing procedures to provide a standardized process for investigation of incidents of perceived bias, discrimination, and intolerance, and for referral of the matter, if necessary, to the appropriate local disciplinary regime.*
- *Implementation of educational and training programs that aim to prevent such incidents from occurring in the first place and provide for record-keeping in order to monitor the problem moving forward.*
- *Creation of a single Discrimination Officer who, assuming that the university provides adequate resources, can fulfill these important functions of education and training, informal and formal investigation and fact-finding, and record-keeping*.

IV) Moreno Report Recommendations and Implementation Committee

Chancellor Block established the MRIC on November 8, 2013,[12] and invited EVC/P Waugh and ten UCLA professors to serve on the committee and undertake the following:

- *Review and comment on the priority order of the recommendations.*
- *Establish a timetable for the implementation of each priority, along with specific steps that should be taken for each recommendation.*
- *Propose additional actions that may be taken.*
- *Consider the feasibility, costs, and resources needed to effectively carry out each recommendation.*
- *Identify existing resources which might be repurposed, realigned or otherwise utilized.*

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[9] Letter from faculty to UC President Mark Yudof. Re: In the matter of Chancellor Block's Five-Year Stewardship Review. Dated June 15, 2012. Appendix 2.
[10] Chancellor Block letter to the Campus Community Re: Dr. Christian Head case. Dated May 2012. Appendix 3.
[11] Letter from faculty to campus leadership Re: Request for independent review of racial/ethnic climate at UCLA. Dated June 2012. Appendix 4.
[12] Chancellor Block announces the Moreno Report Implementation Committee. Dated November 8, 2013. https://www.evc.ucla.edu/announcements/moreno-report-implementation-committee

This letter also tasked the committee with assessing the University's progress towards implementation of these recommendations by the end of the academic year. This Report is the sole assessment issued by the MRIC.

On December 11, 2014, a year after MRIC establishment, the UCLA Office of the EVC/P released a progress report[13] detailing the campus-wide initiatives informed by the MRIC.[14] Informed by the recommendations of the joint Senate-Administration working group established in response to the Moreno Report[15], President Janet Napolitano sent a letter to University of California Chancellors on January 24, 2014 requesting systemwide implementation of several measures.[16]

V) Campus Immediate Response to Moreno Recommendations: Status Updates

Figure 1 presents a visual summary of UCLA's progress towards Implementation of the Moreno Committee Recommendations (see Moreno Report pp. 21-25). Green signifies recommendations that are mostly accomplished; yellow refers to recommendations that have been partially accomplished; and red identifies largely unaccomplished recommendations. Blue represents key initiatives implemented by UCLA that are related to Moreno Report findings and recommendations. The following section provides a brief overview of the Moreno Report recommendations and updates on the status and actions taken.

A) Recommendation: Chancellor's Policy Statement

A search of the Office of the Chancellor website for "Moreno", "Moreno Report" or "discrimination" did not yield results. However, a letter dated October 18, 2013, three days after the Moreno Report, from Chancellor Block is posted by the UCLA Community Programs Office.[17] The letter announces plans that EVC/P Waugh will work to implement recommendations including hiring a discrimination prevention officer, policy changes to definitions of bias, discrimination and reporting, as well as "working with the Academic Senate to make sure complaints are properly and thoroughly adjudicated and that disciplinary action is taken when necessary" (para. 5). Additionally, the Moreno Report is not readily accessible on UCLA's website (the Report and additional information is more readily available on the UCOP website).[18]

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[13] Executive Vice Chancellor and Provost Scott Waugh Letter to Vice Chancellors, Vice Provosts, Deans, Chief Administrative Officers, Directors, and Faculty Re: Progress report on diversity, inclusion and academic excellence. Dated December 11, 2014. https://www.evc.ucla.edu/announcements/progress-report-diversity-inclusion-and-academic-excellence

[14] University of California Office of the President Campus Climate Study for system wide and campus studies. https://campusclimate.ucop.edu/results/

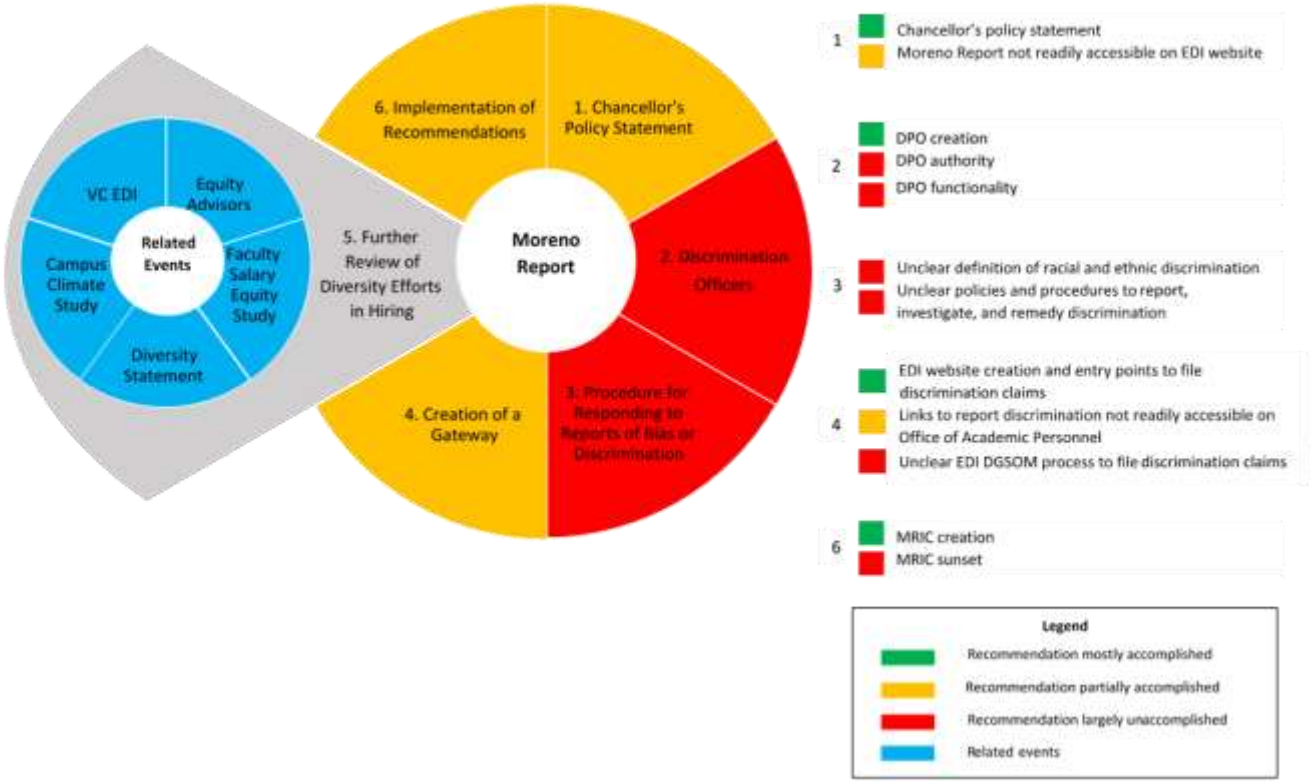
[15] Senate-Administration Work Group on the Moreno Report, "Report to the President, Academic Council, and Chancellors," Dec. 23, 2013. https://www.ucop.edu/moreno-report/moreno-senate-admin-work-group-12-23-13.pdf

[16] President Napolitano to UC Chancellors Re: UC Response to Moreno Report. Dated January 24, 2014. https://www.ucop.edu/moreno-report/

[17] Chancellor Block response to Moreno Report. Dated October 18, 2013. http://www.cpo.ucla.edu/important-message-from-chancellor-block/

[18] The report is linked in a memo from Executive Vice Chancellor Carter announcing the formation of the Moreno Report implementation Committee in 2013,https://www.evc.ucla.edu/announcements/moreno-report-implementation-committee. The report is also mentioned on the Discrimination Prevention Office page, see: https://equity.ucla.edu/about-us/our-teams/civil-rights-office/discrimination-prevention/#:~:text=The%20Discrimination%20Prevention%20Office%20(DPO,by%20law%20and%20University%20policy.

FIGURE 1: Status of Moreno Report Recommendations - Visual Summary 2013 - Present



B) Recommendation: Creation of Discrimination Officer Position(s)

On December 5, 2013, the MRIC established a Discrimination Officer Subcommittee (DOS) to develop policies and the job description for the Discrimination Officer position. In a January 22, 2014 memo to EVC/P Scott Waugh and the MRIC, the subcommittee offered recommendations, including *hiring two discrimination officers "co-equal" to the Title IX Officer* reporting to the newly created VC EDI. The goal was to protect the discrimination officers from undue influence from offices "with related, though different interests." [19] The memo also states "based on its investigations, the subcommittee endorses the elimination of the Academic Senate's Charges Committee. We have found that the Charges Committee is largely superfluous (given the work conducted now by the Title IX officer and to be conducted by the two new discrimination officers). We believe, moreover, that a streamlined process will be both more efficient to complainants and signal the University's commitment to fulfilling the letter and spirit of the Moreno Report."

The Discrimination Officer Subcommittee developed the Discrimination Officer Job Description in alignment with Moreno Report recommendations.[20] In summary, primary work

[19] Memo to Executive Vice Chancellor and Provost Scott Waugh, Chair, Members of the Moreno Report Implementation Committee from the Discrimination Officer Subcommittee Re: Recommendations and Job Description for Discrimination Officer Positions. Dated January 22, 2014. Appendix 5.
[20] Addendum to Report of the Discrimination Officer Subcommittee of the Moreno Report Implementation Committee Re: Discrimination Officer, Job Description. Dated January 22, 2014. Appendix 6.

includes investigating and resolving complaints of discrimination and/or harassment, conducting anti-discrimination and anti-racism training for administrators, collecting and reporting data on complaints, investigations, and resolutions of alleged discrimination, and working with designated anti-discrimination officials across each college/school. Ms. Dion Raymond, J.D., and Ms. Lillie Hsu, J.D., were hired as Discrimination Prevention Officers beginning September 2014.

C) Recommendation: UCLA Procedures for Responding to Reports of Incidents of Bias or Discrimination

The UCLA EDI website (https://equity.ucla.edu/) is the starting point for information on discrimination policy and reporting. On the home page, users can select "Report an Incident." The link takes the user to the "Report an Incident" page which begins with "Discrimination based on" and goes on to lists categories with "race, ethnicity, ancestry, color" as the first bullet point. However, definitions of racial and ethnic discrimination are unclear, as are the policies to report, investigate, and remedy discrimination. *There is extensive discussion of sexual harassment and Title IX and reporting mechanisms yet, there does not appear to be a specific mention for reporting discrimination based on race or a single point of contact for such resources.* The web page lists contact information for reporting gender-based and disability discrimination with a third option labeled "All other discrimination claims" listed by status of the offender[21] (as of September 2020, the page is in the process of reconstruction with new additions and changes). In reference to former Attorney General Harris's understanding of UCLA's commitment to address unclear anti-discrimination/harassment policies, current UC/UCLA nondiscrimination policies do not clearly define discrimination nor clearly prohibit retaliation across all contexts[22].

D) Recommendation: Creation of Campus Diversity Gateway

i) Equity, Diversity and Inclusion

The UCLA EDI website serves as a gateway for information and reporting discrimination complaints. On the top right-hand corner of the website is a yellow hyperlink button labeled "Report an Incident".[23]

- See Recommendation 3: Status.

A link to the EDI website appears on the Office of Academic Personnel landing page.[24] However, it is not a prominent link, rather listed under "Additional Resources" for faculty. The EDI website can be found on the "Conflict Resolution" page of the Faculty Career Development

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[21] https://equity.ucla.edu/report-an-incident/

[22] A definition of harassment is more readily available in the *Discrimination Prevention Office & Title IX Office Procedures for Handling Allegations of Discrimination, Harassment, or Retaliation* (page 6):

> Harassment is unwelcome conduct—including verbal, nonverbal, or physical conduct—based on any of the protected categories set forth in the definition of Discrimination above. Harassment is prohibited when it is sufficiently severe, pervasive, or persistent that it adversely affects a person's employment or education or creates an environment that a reasonable person would find to be intimidating, hostile, abusive, or offensive.

For further definitions including discrimination, sexual harassment, sexual violence, and retaliation: https://ucla.app.box.com/s/hi4pbuzjch8a0aiaafj2pxix7bu36e85

[23] https://equity.ucla.edu/

[24] https://www.apo.ucla.edu/

page of the Office of Academic Personnel.[25]

The EDI website also has a section called *Public Accountability,* a webpage dedicated to "data, reports, statements designed to hold all of us accountable" and issues an annual Public Accountability Report.[26] The report "provides anonymized descriptive statistics about complaints, investigations, and sanctions" over the previous year.[27] The data in the report is compiled from Title IX and DPO and does not provide the nature of complaint or investigative process.

The EDI website is home to the BruinX Dashboard which is an "interactive visualization" of staff and faculty diversity.[28] Users can access and develop demographic charts of UCLA community and download graphic representations.

ii) Equity and Diversity Inclusion David Geffen School of Medicine (EDI DGSOM)[29]

- The DGSOM has its own office for Equity and Diversity that serves the student and faculty of the school. The School of Medicine landing page has a top navigation button, "EDI Student Resources", which directs the user to a page that lists diversity offices for students. The Department of Medicine Office of Equity and, Diversity and Inclusion in DGSOM also has a separate office and landing page. *The reporting relationships between and responsibilities of these two, distinct EDI offices in DGSOM is unclear, as is their relationship with the UCLA VC EDI office.*
- *The EDI DGSOM website does not have an easily identifiable resource for filing complaints.* Outside of calling the office directly, the website does not contain information on the process and relevant office for filing discrimination claims.
- The EDI DGSOM *website is significantly underdeveloped compared with the UCLA EDI main campus website.* Further, having separate EDI websites for UCLA main campus and DGSOM is contrary to the goal and value of a campus-wide "Diversity Gateway." *The current organizational structure, where the VC EDI office and the EDI DGSOM offices operate in separate silos also undercuts coordinated, effective efforts.*

E) Recommendation: Further Review of Diversity Efforts in Admissions and Hiring[30]

See: *Moreno Report Implementation Committee Recommendations*

F) Recommendation: Implementation of Recommendations

In a November 8, 2013 letter, Chancellor Block created the MRIC.[31]

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[25] https://www.apo.ucla.edu/faculty-resources/career-development
[26] https://equity.ucla.edu/public_accountability/
[27] https://equity.ucla.edu/public_accountability/public_accountability_reports/
[28] See Faculty data https://equity.ucla.edu/data-hub/senate-faculty-diversity/ and Staff data https://equity.ucla.edu/data-hub/staff-diversity/
[29] https://medschool.ucla.edu/diversityaffairs
[30] Although Moreno report includes language "admissions and hiring" the implementing committee was focused on faculty hiring. Admissions is governed by a set of separate policies and diversity initiatives that is not within the scope of the faculty committee.
[31] Chancellor Block announces the Moreno Report Implementation Committee. Dated November 8, 2013. https://www.evc.ucla.edu/announcements/moreno-report-implementation-committee

G) Recommendation: Implementation of Recommendations

The Moreno Committee investigation primarily focused on issues related to UCLA Faculty of Color, so the Moreno Report Recommendations mostly addressed faculty concerns. Chancellor Block and Attorney General Harris also highlighted chronic problems associated with the chronic under-representation of Black and Latino students. On this point, UCLA committed to: 1) "Increase four-year graduation rates for underrepresented minorities, particularly African American Males and Latino males;" and 2) "Study recruitment and outreach programs charged with enhancing student diversity to identify program effectiveness." (see page 8)

Considerable research, scholarly, legal and public discourse surrounds inequities faced by Black students at UCLA in particular, and in U.S. higher education more broadly.[32] As charged debates raged nationally over Affirmative Action in the Courts, media, politics, and public opinion, California's Proposition 209 banned "race conscious" admissions. From 1996 to 1998, UCLA first-time freshman student enrollment dropped precipitously for Black (-17 percent) and Latino/a (-9 percent) students.[33] By 2012, there were only 75 Black males in UCLA's freshman class of 5,600 students (15 of whom were Black male athletes).[34]

During academic year 2018-19 the enrollment of Asian, White and Latino/a students at UCLA was near plurality (respectively 28.8, 28 and 22.1 percent). However, Black, Native American and Pacific Islander students continued to be severely under-represented. Since 2005, Black students have been stuck at roughly three percent of total UCLA undergraduates.[35] Native American and Pacific Islander students were below one percent of total enrollment for the entire period.[36]

Black students have an enduring relationship with UCLA. At one-point UCLA's oldest living alum was Aurora Slater Hoskins, a Black woman.[37] The annuals of notable Black UCLA alums are legion, including: Ralph Bunche, Nobel Peace Prize winner; Tom Bradley, Mayor of Los Angeles; James Ellis LuValle, Olympic medalist and Cal Tech Chemistry Ph.D.; Jackie Robinson, Civil Rights pioneer who broke baseball's color barrier; and Yvonne Braithwaite Burke, U.S. Congress and L.A. Board of Supervisors. Yet, this stellar history is routinely obscured by "anti-Black racism," which systematically stigmatizes and disadvantages Black faculty, staff and students at UCLA.[38] It is therefore imperative that efforts to improve campus

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[32] Walter Allen, Chantal Jones, Channel McLewis, and Daniel Harris, "From Bakke to Fisher: African American students in U. S. higher education over forty years," The Russell Sage Foundation Journal of the Social Sciences 4, no. 6 (2018): 41. https://doi.org/10.7758/RSF.2018.4.6.03 and Harper & Simmons (2019) https://www.luminafoundation.org/wp-content/uploads/2018/09/black-students-at-public-colleges-and-universities.pdf

[33] Ray Franke, *Till the Victory is Won: The African American Struggle for Higher Education in California* (Los Angeles: University of California Los Angeles, 2009). https://www.researchgate.net/publication/249644840_Till_the_Victory_is_Won_The_African_American_Struggle_for_Higher_Education_in_California

[34] Akane Otani, "Black UCLA students decry lack of diversity in video," USA Today, Nov. 14, 2013. https://www.usatoday.com/story/news/nation/2013/11/14/youtube-ucla-lack-diversity/3518373/

[35] UCLA Academic Planning and Budget Enrollment Data https://www.apb.ucla.edu/campus-statistics/enrollment

[36] Yuxuan Xie, "CSU and UC freshmen enrollment by race and ethnicity," *EdSource*, Oct. 29, 2020. https://edsource.org/2020/freshmen-enrollment-csu-and-uc-by-race-and-ethnicity/642182

[37] UCLA Black Alumni Association (2010) http://archive.constantcontact.com/fs039/1101073741462/archive/1103972751060.html

[38] Michael J. Dumas, "Against the Dark: Antiblackness in Education Policy and Discourse," *Theory Into Practice* 55, no. 1 (2016): 11.

racial climate address systemic – and group-specific – racial bias and discrimination in attitudes, practices, policies, and outcomes.[39]

In response to the chronically low Black student enrollment and national protest of anti-Black violence, Black undergraduate and graduate student organizations and academic departments delivered a letter[40] to the administration demanding prioritization of the recruitment and retainment of Black students. The letter also urged a multi-pronged approach to increase enrollment and improve the lives of UCLA Black students through expansion of admission recruiting efforts in community schools and HBCUs, funding for Black students and post-doctoral fellows, and redefining the relationship with UCPD.[41]

VI) Moreno Report Implementation Committee: Related Initiatives

In the following section we overview key UCLA and UC Office of the President initiatives related to the Moreno Report findings and recommendations. These extensive actions were outlined in the letter from former California Attorney General Kamala Harris. The blue circle in Figure 1 summarizes this impressive set of actions and initiatives. *We underscore the Moreno Report recommendation for "further review of the effectiveness of the university's ongoing efforts to achieve diversity in its student population and faculty" (p. 24).*

A) Vice Chancellor for Equity, Diversity and Inclusion

The MRIC advised the EVC/P on duties and responsibilities of the newly created position of Vice Chancellor for Equity, Diversity and Inclusion, as the Chief Diversity Officer for UCLA. In a report dated February 18, 2014, MRIC Subcommittee on the creation of the position outlines the rationale, timeline, structure, and process along with three-point recommendation (e.g. consideration of the relationship between the VC EDI and the Discrimination Officer), and estimated budget[42]. *Apart from the information posted on the EDI website, we were unable to identify or obtain a VC EDI Report summarizing the work, accomplishments or challenges of this vitally important office. An annual report would help tremendously to inform and guide UCLA's efforts in Equity, Diversity and Inclusion.*

B) Equity Advisors

EVC/P Waugh's letter to faculty and administrative leaders describes the Equity Advisors position: "The function of the equity advisor/diversity specialist is to serve as a focal point for strategy, policy and practice related to increasing diversity and enabling a climate of inclusion within the school or division. The advisors/specialists will assist in developing strategic plans related to diversifying the faculty, staff and student body; oversee and report on the faculty

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[39] Ibram X. Kendi, *Stamped from the Beginning: The Definitive History of Racist Ideas in America* (New York: Bold Type Books, 2016).

[40] UCLA Department of European Languages and Transcultural Studies Statement in support of Black Lives Matter https://scandinavian.ucla.edu/statement-in-support-of-black-lives-matter/, Bunche Center for African American Studies An Open Letter to UCLA Chancellor Gene Block and Executive Vice Chancellor Emily Carter https://bunchecenter.ucla.edu/wp-content/uploads/sites/97/2020/06/An-Open-Letter-to-UCLA-Chancellor-Gene-Block-and-Executive-Vice-Chancellor-Emily-Carter.pdf

[41] DIVEST/INVEST: Organizing the Abolition University https://challengeinequality.luskin.ucla.edu/abolition-repository/#toggle-id-2

[42] Professors Cheryl I. Harris, Tyrone Howard, and Sylvia Hurtado letter to EVC/P Scott Waugh Re: Report of the Subcommittee on the position of VC for Equity, Diversity and Inclusion. Dated February 18, 2014. Appendix 7.

and graduate student recruitment processes; foster an inclusive, respectful environment for the academic unit; and act as a resource and strategic liaison to the Discrimination Prevention Officers and the new Vice Chancellor for Equity, Diversity and Inclusion".[43] The number of required Equity Advisors in the DGSOM should be evaluated, so there is a balance with the number of faculty members (including Clinical Faculty) and graduate students (medical students, residents and fellows). Increased resources would allow them to better fulfill their assigned functions. *Regular, detailed reports documenting challenges and changes within departments, and the perspectives of Equity Advisors, would represent a valuable resource, particularly as units develop climate assessments, promising practices, and strategic plans.*

C) Faculty Salary Equity Study

In February 2017, the Joint Senate-Administration Faculty Salary Equity Study Committee released a series of recommendations for the College and non-HSCP professional schools[44]. These recommendations include conducting departmental and division equity assessments to remedy salary and progression inequities, and to produce an accountability report to supplement Equity Advisor assessments of the unit's diversity climate. Faculty Salary Equity Studies for the Schools of Medicine and Dentistry support the Joint Committee's recommendations and identify several supplemental actions, such as appointing a departmental salary equity advisor.[45] It has been historically difficult to obtain accurate data on faculty salaries in the Health Sciences, particularly in the DGSOM. *Follow up studies should be conducted to determine whether faculty salary inequities have been reduced or eliminated.* A Faculty Salary Equity Report for the 2018-19 academic year is expected.

D) Diversity Statement Requirements for Regular Rank Faculty Searches

The May 24, 2018 memo from EVC/P Scott Waugh announced the new EDI statement requirement for regular rank faculty searches. Beginning in the 2018-2019 academic year, "regular rank faculty searches must require candidates to submit an 'EDI Statement' that describes the candidate's past, present, and future (planned) contributions to equity, diversity, and inclusion" (para. 1).[46] This requirement was to apply to all Ladder rank faculty promotions beginning in the 2019-2020 academic year. *Periodic, analyses are necessary to assess the value and impact of Faculty Diversity Statements in the reduction of racial bias and harassment.*

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[43] Executive Vice Chancellor and Provost Waugh Letter to Vice Chancellors, Vice Provosts, Deans, Chief Administrative Officers, Directors, and Faculty Re: Progress report on diversity, inclusion and academic excellence. Dated November 19, 2014.

[44] Joint Senate-Administration Faculty Equity Study Committee memo to Executive Vice Chancellor and Provost Scott Waugh re: Senate Faculty Salary Equity Study Recommendations. https://www.apo.ucla.edu/compensation/ucla-faculty-salary-equity-studies

[45] Joint Senate-Administration Faculty Equity Study Committee Supplemental Recommendations for Salary Equity Study for the Schools of Medicine and Dentistry. https://www.apo.ucla.edu/compensation/ucla-faculty-salary-equity-studies

[46] Executive Vice Chancellor and Provost Waugh memo to Deans, the University Librarian, Department Chairs, and Equity Advisors Re: New EDI Statement Requirement for Regular Rank Faculty Searches. Dated May 24, 2018. https://equity.ucla.edu/news-and-events/new-edi-statement-requirement-for-regular-rank-faculty-searches/. also Equity, Diversity and Inclusion Statement FAQs https://ucla.app.box.com/v/edi-statement-faqs

E) Campus Climate Study

Several key findings from the UC Campus Climate Assessment Project UCLA Final Report, released in March 2014, further illuminate the hostile campus climate and underscore the Moreno Report's October 2013 call to action. For example, "twenty-four percent of respondents (n = 3,946) believed that they had personally experienced exclusionary (e.g., shunned, ignored), intimidating, offensive and/or hostile conduct at UCLA within the past year." (p. 68)[47]. Among the highest reported reasons, this behavior was "very often"/"often" due to the respondent's ethnicity (21%), position status (21%), race (18%), ancestry (14%), and discipline of study (13%). Further, 25% of respondents observed these types of conduct, the majority "based on race (32%), ethnicity (30%), gender identity (16%), and country of origin (15%) or position (15%)" (p. 86). The Moreno Report was a response to discrimination complaints from faculty at DGSOM; special attention should be made to the progress, or lack thereof, in climate improvements. *Campus Climate Surveys, including the Health Sciences, should be conducted regularly to assess progress.*

VII) Moreno Report Implementation Committee Recommendations

The Moreno Committee investigation identified the absence of comprehensive, effective, and credible policies against racial discrimination at UCLA and offered recommendations to address this problem. The Moreno Report concluded "UCLA has failed to clearly communicate that consequences will ensue for those engaging in biased, discriminatory, or intolerant behavior or conduct" (p. 16). For example, we could not find an unequivocal denouncement by the University of the racial bias and harassment directed at Dr. Head. This is problematic for UCLA's image, reputation and standing.[48] Liberal notions (both inside and outside the University) refused to believe that racism existed at UCLA and therefore dismissed Dr. Head's reality. However, the system in place failed to monitor and enforce UCLA's policies against racial discrimination. As a result, egregious acts of racial bias, harassment and discrimination went unchecked.

The Moreno Report Implementation Committee was convened to monitor implementation of the recommendations, identify areas of progress, and provide a candid evaluation of where challenges remain. It is clear that there has been some progress, as highlighted in Figure 2. Nonetheless, MRIC offers several priority recommendations for consideration by the Chancellor, EVC/P, Vice Chancellor for Equity, Diversity and Inclusion, Senior Leadership and the Academic Senate. Going forward, these recommendations will help UCLA to bridge the disconnect between concerted efforts to achieve institutional change and entrenched practices and personnel that undermine progress. Essentially, these recommendations

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[47] The University of California Los Angeles Campus Climate Project Final Report by Rankin & Associates, Consulting. Dated March 2014. https://campusclimate.ucop.edu/_common/files/pdf-climate/ucla-full-report.pdf. Also, the University of California Summary of Plans in Response to Climate Survey Results by Location. Dated September 2015. https://campusclimate.ucop.edu/_common/files/pdf-climate/location-climate-plans-2015.pdf

[48] Public comments from Dr. Christian Head petition: *1- That such prejudice is practiced or even tolerated at such a prestigious institution that shapes the minds of future professionals and leaders is appalling and completely unacceptable. 2- As a UCLA alumnus, this is an embarrassment to the university and those accountable need to step up and take responsibility for their actions. I am a UCLA alum and I am ashamed of this situation. I hoped UCLA was way beyond such despicable behavior. 3- I am shocked that the Leaders at UCLA would allow this. I am shocked that the Governor of California would allow this. This is a National shame, not just a UCLA shame.* https://www.change.org/p/ucla-chancellor-gene-block-stop-discriminating-and-retaliating-against-dr-christian-head

focus attention on areas, attitudes, dynamics, practices, and procedures through which status quo inequities are created and perpetuated. Our recommendations, illustrated in Figure 2, pertain to three major areas of continuing challenge:

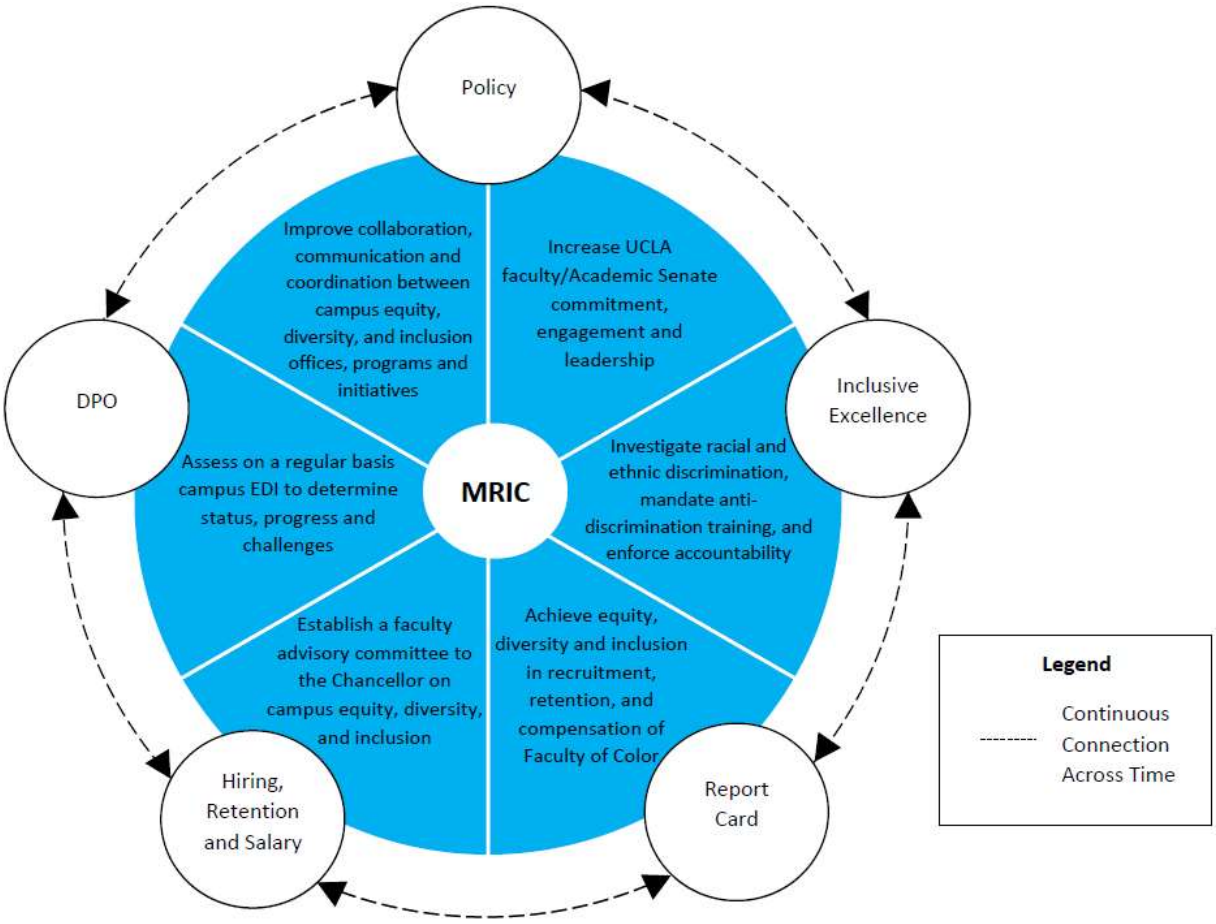
A) Investigate racial and ethnic discrimination, mandate anti-discrimination training, and enforce accountability
B) Achieve equity, diversity and inclusion in recruitment, retention, and compensation of Faculty of Color
C) Establish a faculty advisory committee to the Chancellor on campus equity, diversity, and inclusion
D) Assess on a regular basis campus EDI to determine status, progress and challenges
E) Improve collaboration, communication and coordination between campus equity, diversity, and inclusion offices, programs and initiatives
F) Increase UCLA faculty/Academic Senate commitment, engagement and leadership

We believe these recommendations will address important challenges as UCLA continues to strive toward the goal of "Inclusive Excellence." These six recommendations build on the foundation laid by the response to the Moreno Report's recommendations (see Figure 1). In most cases, the first steps have been initiated and it is important to recognize the efforts of change agents across campus. In order to realize systemic change and impact, there is a critical need for increased resources, transparency, communication and coordination between EDI units, accompanied by greater accountability.

A) Investigate Racial and Ethnic Discrimination, Mandate Anti-Discrimination Training and Enforce Accountability

The Moreno Committee examined Faculty of Color experiences with campus racial climate, practices and policies related to the inequities revealed above. In particular, the Moreno investigation and recommendations highlight the absence of clear, systematic, definitive institutional responses to incidents of racial discrimination, especially anti-Black racism, directed at faculty. This recognizes that personal bias, arbitrary, capricious judgments and status quo gatekeeping thrive when the system of appeals, or "checks and balances," is ineffective or non-existent. *Official policy, and presumably shared values, prescribe equitable, objective, rational, and transparent standards and acceptable "rules of conduct," but absent oversight and accountability there is risk the treatment and evaluation of Faculty of Color will veer off course.* This happened in the Dr. Head case, with detrimental and damaging consequences not only for him, but for the University as a whole. In this connection, we highlight the sheer volume of discrimination claims to be investigated by only two Discrimination Prevention Officers and a small staff, as well as the issue of DPO access and authority. The Moreno Report concluded "UCLA lacks a mechanism for the impartial investigation of [bias and discrimination]" and also "has failed to clearly communicate that consequences will ensue for those engaging in biased, discriminatory, or intolerant behavior or conduct" (p. 16).

FIGURE 8: Moreno Report Implementation Committee Recommendations



A central recommendation of the Moreno committee was the creation of a Discrimination Prevention Office (DPO), with emphasis on "independence" to conduct investigations free from "the potential conflict of interest that exists between any investigatory function…[and] mission to advance diversity," existing "concurrently" with Committee on Academic Personnel (CAP) investigations similar to Title IX (pp. 22-23). Before an in-depth discussion of MRIC's findings regarding the DPO, it is vital to outline our findings:

- Lack of adequate staffing and resources to effectively carry out mandate, particularly given ever-increasing caseload of complaints and added responsibility outside DPO's founding mandate and expertise.
- Limited investigative authority complicated by a lack of communication and coordination with departments and administration, as well as an underdeveloped relationship with relevant Academic Senate committees.
- Limited accountability structure to correct problems and to enforce meaningful consequences for violation of policy.

- Diminished communication with Academic Senate committees who have authority to investigate and/or evaluate discrimination accusations, but then decide to reject findings and/or recommendations from DPO investigations.

i) Discrimination investigations

The creation of the DPO provided an opportunity to investigate and help to remedy race-ethnic-gender[49] discrimination against UCLA faculty. Therefore, the DPO was tasked with not only investigating incidents, but also recommending remedies. Post-Moreno Report, UCLA continues to fall short in that area, as illustrated by interference with DPO investigations from various units and the inability to resolve incidents.

The data reveal that racial bias and discrimination against Faculty of Color, particularly Black women, continues to be prevalent and persistent. Our assessment of the DPO highlights the post-Moreno Report status of campus racial climate, practices and policies. It also underscores the drawbacks associated with the inadequate implementation of Moreno recommendations. Among the findings from the DPO database:

- In AY 2019-2020, there was a 30% increase in complaints compared to AY 2018-2019 AY. In AY 2020-21 (beginning July 1, 2020), there was a total of 57 complaints filed in July and the first half of August.
- Between May 2018 and April 2020, DPO received a total of 421 claims, consisting of 410 complaints and 11 incidents.
- The School of Medicine, site of the Dr. Head case, is the unit with the highest number of complaints. This represents almost half of all complaints originating with campus academic units.[50]
- There appears to be propensity to reoffend. Of all respondents with one or more complaints, 84% are White (50% female).
- Based on 63 completed investigations over the last two years, consisting of 73 complainants and 86 respondents[51]
    - Black women (27%) faculty, staff, and students were the most frequent targets of race-based discrimination. Of the total Black female complainants 45% were students, 45% were staff, and 10% were faculty members.
    - 33% of complainants were Black, 16% Hispanic, 15% East Asian, and 15% was unknown. White complainants account for 8% with South Asian, Middle Eastern, American Indian, and Multi-Racial accounting for 13% of complainants.
    - 68% of respondents were White, 14% East Asian, 4% other and 14% were unknown.
    - 63% of complainants were women while 36% were respondents.
    - 25% of complainants were men while 59% were respondents. 5% of all respondents were unknown or other.

[49] Gender discrimination is handled by the Title IX Office, but DPO also investigates gender discrimination when it is combined with discrimination on other bases such as race or ethnicity.
[50] Excluding unknown academic units.
[51] Some complaints list multiple complainants and respondents

ii) DPO capacity and independence

DPO has a staff of five (two Discrimination Prevention Officers now titled Co-Directors, one administrative assistant/case manager and two investigators) compared to eight staff each for Title IX and Staff Diversity & Compliance. There are 10 staff in the BruinX data collection office.[52] In 2019 and 2020, DPO lost its two most senior staff members, who have not been replaced. In light of the number of complaints DPO receives, over 400 since 2018 - an annual increase of 30% - the staffing is woefully insufficient and does not reflect the extensiveness or severity of race-based discrimination incidents on campus. Considerable staff time is devoted to handling incoming matters, of which only 10-15% can be referred within a week. The limited capacity of DPO impairs operations, thoroughness of investigations, and meeting the office's training and planning mandates.

Since its inception, DPO has been asked to take on responsibilities well beyond what was contemplated when DPO was originally established, and when the Discrimination Prevention Officers were initially hired. At the same time, DPO's resources have not grown proportionally. These circumstances detract from DPO's primary mission and have overwhelmed DPO's resources. For example, the scope of DPO's jurisdiction was increased to include complaints related to disability (which represents a large category of complaints), non-faculty academic employees, and clinical faculty in the Health Systems. Regarding the last category, DPO has recently begun receiving complaints from the Health Systems that involve, or arise out of, patient care. These incidents are said to fall within DPO's jurisdiction because they involve faculty, even though some faculty involved only have courtesy or incidental faculty appointments. In point of fact, these complaints are primarily related to the practice of medicine or patient care. Investigating such matters often requires expertise that DPO does not have – e.g., assessing the appropriateness of patient care. Given the large number of courtesy/incidental medical faculty, DPO can expect to receive a growing number of such complaints in the future.

The increase in DPO's caseload is also due to several additional factors. For example:

1. DPO has increased its visibility through trainings to senior leadership (the DPO Leadership Briefing[53]), department faculty, and outreach to staff and students (e.g., through New Student Orientation presentations). Faculty and administrators are now much more aware of DPO and reporting obligations, and DPO is now receiving many referrals from department administrators.
2. The ongoing racial justice protests have created greater awareness of discrimination and harassment issues and many feel more compelled to address them. Also, because of high visibility of racial issues, faculty/departments are more afraid of acting alone, so they contact DPO early in the process, often before full information is available.

The Moreno Report strongly stressed the need for DPO independence and authority and for "credibility and deterrent power" of the process. However, in the implementation of the recommendations, DPO was situated to report to an office with a "mission to advance diversity" (p. 23). The Moreno Report strongly discouraged this type of organizational arrangement given the potential for conflict of interest.

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[52] EDI Staff Roster June 26, 2020

[53] The DPO "Leadership Briefing," described on the EDI website. https://equity.ucla.edu/programs-resources/leadership-briefing-by-dpo/

The MRIC strongly recommends closer collaboration and consultation between UCLA Academic Senate Committees and DPO in deliberations concerning charges of discrimination. In the event of a substantiated claim against a faculty member, if a charge is filed, the DPO undertakes investigation and authors a report which is then forwarded to the relevant Academic Senate committee. The MRIC strongly recommends that the committees collaborate with DPO in the process and deliberation. This standard would be similar to how Title IX investigations are handled by Academic Senate committees[54]. Although Title IX is directed by federal law, UC policy on Discrimination, Harassment, and Affirmative Action in the Workplace (last updated January 17, 2018) reiterates UC's "[commitment] to providing a workplace free of discrimination and harassment" (p. 2) which aligns with DPO's mission.[55]

As it stands, the "Charges" Academic Senate committee has the authority to independently review discrimination claims, using a "probable cause standard," which is a lower threshold than the "preponderance of the evidence" standard used by DPO. Despite the lower standard, this independent review can lead to a finding of no violation, or outright dismissal of DPO findings, without interviewing or consulting DPO or the Investigator. Examination of the findings and outcomes of DPO investigations revealed numerous instances of structural compromise, where DPO was hampered in discharging its stated duties. For instance:

- Of the 63 investigations examined for this report (86 respondents and 73 complainants):
    - 48% of respondents were found to have not violated policy
    - 37% of respondents were found to have violated policy
    - 10% of respondents' cases were in progress
    - 5% of respondents' cases were transferred to other units and DPO has not been informed of the findings
- Of the 86 respondents, 32 (37%) of respondents were found to have violated policy, of that:
    - 72% resulted in no discipline or sanction
    - 16% of discipline action is unknown to DPO
    - 12% faced discipline, e.g., recommended training, removal from administrative duties, termination

iii) Recent examples of incidents

- The only Black faculty member in a department filed a complaint against the Chair, Dean, and CAP, alleging discrimination in promotion. DPO investigated and substantiated the complaints against the Chair and Dean. The unit was accused of providing misleading information in a letter to the Committee on Academic Personnel

[54] Appendix XII - Faculty Code of Conduct Implementing Procedures, Section 5. Role of the Charges Committee. https://www.senate.ucla.edu/bylaws/appendices/app12

[55] "The University prohibits discrimination against any person employed; seeking employment; or applying for or engaged in a paid or unpaid internship or training program leading to employment with the University of California on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veterans. This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation." (p. 3) https://policy.ucop.edu/doc/4000376/DiscHarassAffirmAction

(CAP) in a letter which contributed to CAP rejecting the recommendation for promotion. The VC EDI overruled initial findings regarding one of the parties. The outcome of this case resulted in discussion of the matter between the EVC/P and the Dean (respondent).[56] We found no evidence that subsequent action was taken to compensate, grant the promotion, or to make the faculty member whole. Since this case, numerous other similar complaints have been filed against this particular unit.

- Several Black and Latino/a students allege that faculty members engaged in systematic bias through discriminatory remarks and unfair grading. The investigation revealed a recurring pattern. The issue was previously flagged by the Graduate Division, with no resulting action. DPO found violations and submitted recommendations for action to the EVC/Provost, who requested that the Vice Chancellor for Academic Personnel (VC AP) respond to DPO findings. We found no evidence of a response from the VC AP regarding this case. In the years since, DPO has received additional complaints regarding the department.[57]
- After multiple charges of racial discrimination against School of Medicine faculty were substantiated in the Dr. Head case, one of these faculty members was again accused of discriminatory practices in a different lawsuit. We found no evidence that faculty respondents were required to complete diversity training or received any formal disciplinary actions. Moreover, faculty and administrators named as respondents in the Dr. Christian Head case continued to be employed by UCLA and were promoted to higher positions and salaries.

As presently constituted and functioning, the DPO position falls well short of the Moreno Report recommendations to: create an office responsible for addressing racial discrimination "analogous to the responsibilities of the university's Sexual Harassment Officer." (p. 21) DPO lacks independent authority "vital to giving the position the credibility and authority needed to respond adequately to reports of incidents of bias and discrimination." (p. 22) The DPO findings and report are processed/approved through the VC EDI office which the Moreno investigation cautioned against due to a "potential conflict of interest [that] exists between any investigatory function" … and EDI's "mission to advance diversity among UCLA faculty." (p. 23) DPO is challenged as demonstrated in the examples above where continuous resistance and interference hinders, neutralizes or even reverses the work of the DPO. Title IX avoids these problems through the rules under which it operates.[58]

UCLA recently announced the reorganization of campus discrimination offices under a Civil Rights Office headed by an Assistant Vice Chancellor for Civil Rights.[59] However, this reorganization does not seem to address DPO's structural challenges. The continued curbing of DPO's independence and authority falls short of both Moreno Report and MRIC recommendations. The reorganization still leaves DPO in a reporting position where its investigations and findings can be modified, discounted or overruled.

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[56] DPO case files.
[57] DPO case files.
[58] Appendix XII - Faculty Code of Conduct Implementing Procedures, Section 5. Role of the Charges Committee. https://www.senate.ucla.edu/bylaws/appendices/app12
[59] Memo from Executive Vice Chancellor and Provost, Emily A. Carter, Administrative Vice Chancellor, Michael J. Beck, and Vice Chancellor for Equity, Diversity, and Inclusion Jerry Kang *June 4, 2020*

iv) Mandate Anti-Discrimination Training and Documentation

The Moreno Committee recommended a "centralized database of incidents of bias and discrimination - at least those involved in faculty hiring and advancement decisions." (p. 23) This includes maintaining records of incidents of "perceived bias and discrimination experienced by faculty… [including] records of investigations, resolutions, and disciplinary action." (p. 23)

The Moreno Report found that "UCLA has failed to adequately train UCLA employees, including faculty, in what constitutes discriminatory, biased, or intolerant behavior" (p. 16). The Report recommended that the DPO create and manage "education and training programs," including disseminating UC and UCLA nondiscrimination policies to the campus community, and designing and implementing "educational measures to illustrate what conduct would constitute a violation of those policies" and to "inform faculty members of reporting procedures" for incidents of discrimination and harassment. The Moreno Report found it "crucial that such training include leadership diversity training for campus leaders, in particular department chairs and deans." (p. 22; see also p. 3.)

In short, the Moreno Report contemplated that all faculty must receive adequate training on University policy and what conduct constitutes discrimination and harassment based on race and other protected categories. While some progress has been made, this recommendation still remains substantially unfulfilled.

DPO created a training workshop for senior leadership, which covers: laws and policies concerning discrimination and harassment; reporting obligations; definitions of discrimination, harassment and retaliation; and case studies illustrating conduct that may violate University policy. DPO has also provided trainings to faculty through departments. These trainings have been provided ad hoc, in response to a departments' request or as a remedial measure following an investigation. Attendance at these trainings is voluntary.[60]

MRIC recommends UCLA fulfill DPO's original mandate to deliver education beyond the current limited scope, to all faculty. Since the Moreno investigation, UCLA has paid over $137 million in settling lawsuits of which 4% are racial discrimination, 10% Title IX, 73% medical malpractice, and 13% data security/policy (see Figure 4, Appendix 9A).[61] Instituting a zero-tolerance policy on race-ethnic based discrimination begins with creating awareness, followed by holding individuals who violate the policy accountable with meaningful deterrents. Key to the implementation of a policy is certifying that individuals are aware of policy, what constitutes compliance and a breach, how to report violations, and the consequences of non-compliance. Enforcement of sexual harassment and cybersecurity policy was advanced through mandatory education and training, thereby allowing action for policy violations.

B) Achieve Equity, Diversity and Inclusion in Recruitment, Retention, and Compensation of Faculty of Color

Eight years after the Moreno Report, it is important to evaluate the status and experiences of Faculty of Color at UCLA. To that end, MRIC offers an assessment of the implementation of Moreno Committee recommendations, areas of success, and continuing challenges in terms of faculty diversity and equity at UCLA. We analyzed faculty data from the VC EDI to assess

[60] DPO has also done a number of trainings for teaching assistants, staff, and students, as well as brief outreach presentations during orientations for incoming freshmen and transfer students.

[61] This is based on publicly available settlement information located by the authors and is not meant to be an exhaustive list.

faculty status and make recommendations on how best to improve hiring, retention, and quality of experiences for all UCLA Faculty of Color.

i) Faculty of Color Equity, Status and Experiences

It is revealing to examine faculty diversity and change at UCLA generally and related to specific divisions and departments. White males continue to be disproportionate among UCLA faculty (67.5%) (Figure 3). However, some divisions and departments have made notable progress in the diversification of faculty. Case studies of units with a "critical mass" of Faculty of Color could yield valuable lessons about promising practices, leadership, resources, networking, and support mechanisms that increase faculty diversity.

ii) Faculty Demographic Diversity

Between 2012 and 2017, UCLA lost 15 White faculty (1,419 vs 1,434); while the total increase of Black, Asian, Latino/a and American Indian/Alaskan Native faculty over these years was 11, 66, 21, and 6, respectively (65 faculty were classified as "Unknown").

Figure 5 (Appendix 9B) shows the *most diverse* academic divisions in 2017 had fewer than 60 percent White faculty: Dentistry, Education, Engineering, and Public Policy. The *least diverse* academic divisions had much higher percentages of White faculty.

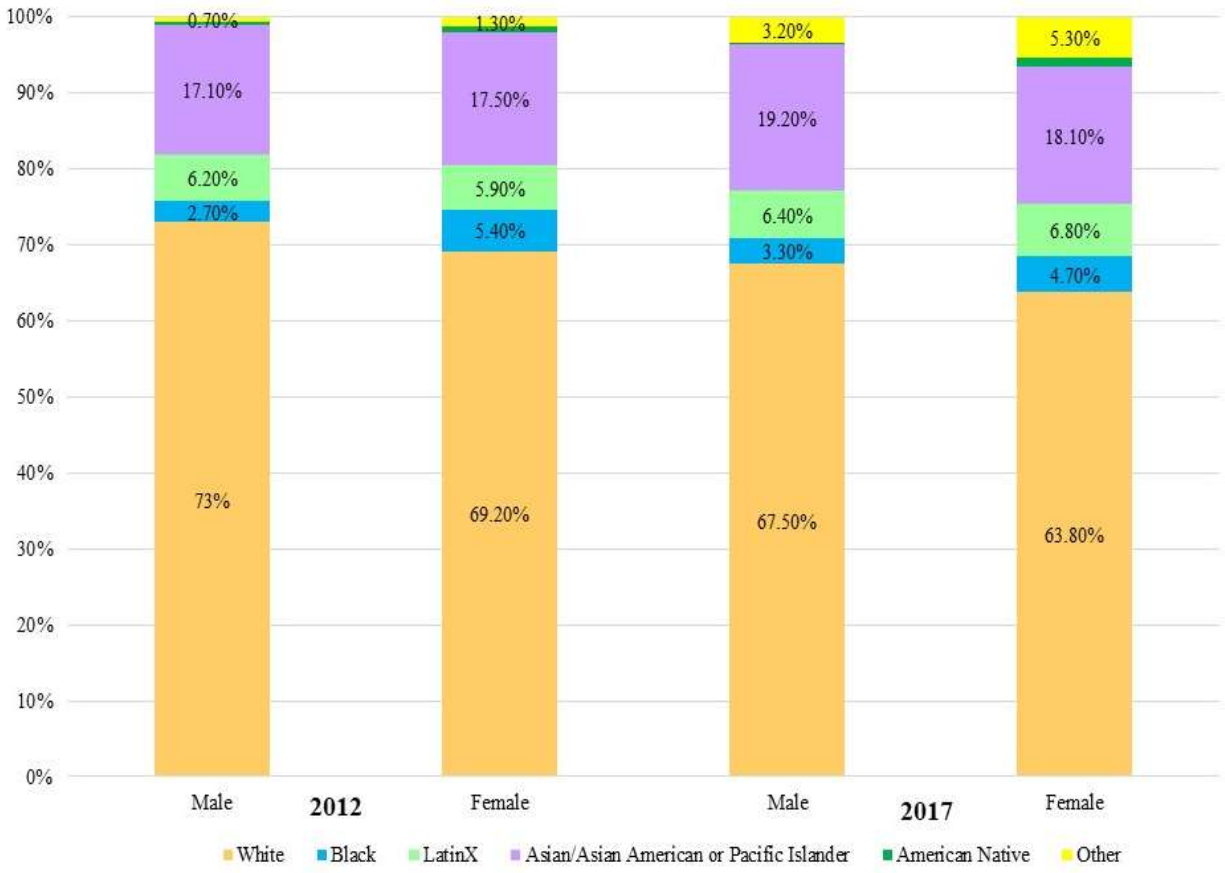
In 2017, the departments with the lowest White faculty fraction were: Gender Studies, Ethnomusicology, Education, and Civil/ Environmental Engineering (Figure 5, Appendix 9B). The departments with the highest percent White faculty, were: Classics, Communication Studies, Art, and Architecture/Urban Design. The Divisions with more Black faculty were: GSE&IS, Public Policy, and Music (Figure 5, Appendix 9B). The Divisions with the fewest Black faculty members were: Business, Dentistry, Physical Sciences, Arts/Architecture, and Humanities.

There were striking variations by departments within Divisions (Figure 5, Appendix 9B). UCLA Departments with the highest representation Black faculty in 2017 included: Ethnomusicology, Education, and Social Welfare. Many departments had only one Black faculty member: Music, Art History, Geography, Information Studies, Political Science, Public Policy and Mathematics. Notably, some UCLA departments have *never* had a Black faculty member. American Indian/Alaskan Native were consistently and woefully underrepresented at less than one percent of UCLA faculty. The vast majority of UCLA Departments have never had faculty who were American Indians or Alaskan Natives.

Over this same period, Asian/Asian American/Pacific Islander faculty experienced modest growth as a percentage of total UCLA faculty. Granular analyses across divisions are revealing. From 2012 to 2017, White faculty in GSE&IS declined and the fraction Black faculty in GSE&IS remained essentially steady.

The percent White faculty in the department of Civil and Environmental Engineering (CEE) decreased and by 2017, the percent Asian/Asian American/Pacific Islander faculty increased. The percent Black faculty in Civil and Environmental Engineering increased from zero to 7.3%. On the other hand, there were no Black faculty in the department of Electrical and Computer Engineering (ECE).

FIGURE 3: Faculty Gender/Race/Ethnicity Demographics (2017)



Further analysis reveals other important race/gender inequities among UCLA faculty. In 2017 UCLA's faculty was largely White and male, as was true in 2012 (see Figure 3). The predominance of White males at the top Full Professor rank, increased over the period (72.6% vs 77.4%). White men continued as the majority among Assistant Professors, the entry rung of the academic ladder (59.4% vs 61.4%). The White advantage persisted across gender, where in 2017 White women were 72.7% of all UCLA female Full Professors (vs 78.1% in 2012).

Faculty salaries are a significant, reliable, and measurable indicator of inequality. To the extent Faculty of Color, Women, or Women of Color Faculty earn less than White male faculty with comparable (or less) qualifications, experience and assignments, there is evidence of inequity or differential treatment. *Assessment of faculty salaries by race, ethnicity, gender, and race/ethnicity/gender categories will help greatly to address faculty disparities at UCLA. Assessments of faculty salary equity in the University of California system require detailed consideration of related factors: Professorial Rank, Step within Ranks, Rank/Step of initial appointments, and time in Rank/Step.* Unfortunately, we did not have access to the data necessary to complete these critical analyses. We urge the University to publish periodic follow ups to the UCLA Senate Faculty Salary Equity Study. It would also be instructive to include items that assess disparities in faculty workload, e.g., "diversity obligations," service, teaching, student advising, etc.

iii) David Geffen School of Medicine Faculty Race-Ethnicity Demographics

The UCLA David Geffen School of Medicine was the flash point of the Moreno Report investigation and continues to be, as seen in the DPO data, a major source of complaints. *While the Moreno Report recommendations were intended for the entire campus, including DGSOM, it is difficult to decipher the structure and functionality of EDI DGSOM. It is also unclear how EDI DGSOM is related to the larger UCLA EDI or the office of the VC EDI.*

Limited availability of data for the UCLA David Geffen School of Medicine did not allow us to conduct analyses of Faculty of Color equity like those completed for main Campus. Therefore, we used the best data available to compare faculty status and rank across race, ethnicity and gender in the School of Medicine.[62] Also, consistent with our main campus analyses, we take White faculty as the baseline for comparison with other race-ethnic faculty. This decision departs from the School of Medicine approach which groups White and Asian faculty into the "non-minority" category.

In 2018, the School of Medicine had 274 full professors in the regular academic series. Of this total, 6 were Black (2 females, 4 males); 16 were Latino/a (1 female, 15 male); 42 were

Asian (15 females, 31 male) and there were no Native American professors. Whites represent 76 percent of regular series full professors (208 of 274) and White males are 58 percent of full professors (160 of 274) (Figure 6, Appendix 9C). While women are over 60 percent of faculty in Obstetrics/Gynecology and Pediatrics, males are 58 percent of the total SOM faculty (2,122 of 3,659).

It is important to disaggregate Asian faculty in the SOM from the generic "non-minority" category (which includes Whites) to better understand the dynamics of race, ethnicity and gender. As noted, 22 of 274 professors in the regular series are Black and Latino/a. Moreover, Whites are the overwhelming majority among "non-minority" professors (208 White, 42 Asian). Similar "disparities within the disparity" persist for professors in the other status categories: Professor - In-Residence (59 Asian, 188 White); Professor - Clinical X (17 Asian, 88 White), Professor - Health Sciences Clinical X (98 Asian, 243 White) and Professor - Adjunct (27 Asian, 76 White).

iv) Racial Climate, Bias, Harassment and Discrimination: Timeline and Testimonies

The timeline for media reports about racial incidents and climate at UCLA, since the release of the Moreno Report, reveals a regularly occurring pattern (Figure 7, Appendix 9D; see also Appendix 8). This media coverage reinforces negative portrayals of Equity, Diversity and Inclusion on the campus. *The image emerges of UCLA as an institution that struggles to reconcile the lofty goals of inclusive excellence with routine examples of racial bias, harassment and discrimination.*

The Christian Head incident substantially undermined campus equity, diversity and inclusion. The Chancellor and EVC/P's "Rising to the Challenge" Initiative (June 2020) responds to the Black Lives Matter movement for racial justice spreading across the nation and around the world. This Initiative affirmed the University's commitment "to make UCLA a

[62] Studies on salary equity including the 2007 *Faculty Diversity in the University of California Health Sciences Schools* offer context of the patterns that exist in DGSOM. https://www.ucop.edu/academic-personnel-programs/programs-and-initiatives/hsfaculty-equity-project/Appendix%20A-school-of-med.pdf

community where all will know that Black lives, Black intellects, Black aspirations and Black experiences matter." Senior leadership stated publicly that "Every sector of UCLA should be combatting racism and promoting racial justice." UCLA outlined concrete plans and dedicated resources - fiscal and human - to accomplish this goal. It was also encouraging to see the University move forward on several related fronts: Seek designation as an "Hispanic Serving Institution," collaborate closely with UCLA Ethnic Studies Centers/Departments, fundraising targeted for EDI, support for UCLA staff and policy changes for public safety and policing. However, it should be clear that greater investment, over a longer period, will be necessary to substantially grow UCLA's Black faculty. Frankly, the ten Black faculty positions across the entire university over five years designated in the "Rising to the Challenge Initiative" represents little more than replacement level. Roughly eight to ten Black faculty have separated from UCLA since 2017, due to retirements, resignations, and other losses.

Paradoxically, the "Rising to the Challenge Initiative" will require that Black faculty (especially Black women) carry heavy burdens and play demanding roles to support UCLA's efforts to improve the quality of Black life on campus. Negative campus racial climate, racial bias, harassment and discrimination exact unique personal and professional tolls on Faculty of Color. *Due to a boomerang effect, under-represented faculty are required to assume a disproportionate share of UCLA's "diversity work", intended to address problems related to equity, diversity and inclusion. These unacknowledged, unrewarded, unappreciated obligations detract from the time, energy and resources available to Black and other Faculty of Color for their "regular" professional obligations. Added to this is the constant psychological, social and physical drain from regularly confronting racial (and for Women of Color, raced and gendered) bias, harassment and discrimination.* The "racial incidents media timeline" (see Figure 7, Appendix 9D) details the difficult environment where Faculty of Color and Women Faculty of Color, must carve out spaces for success in their professional and personal lives. The personal narratives below help to place the "lived experiences" of Faculty of Color and Women Faculty of Color in UCLA's larger racial and race/gender contexts.

Beyond a general timeline of campus racial incidents, Faculty voices convey the complex ways these challenges are experienced across their professional and personal lives. Personal testimonies, excerpted from faculty letters to the Moreno Committee, and from letters to University Administration, go beyond cold, abstract statistics to share the human story, impact, and consequences of negative race and race/ gender climates. Faculty of Color personal testimonies reveal that the issues of hostile racial climate, bias, and discrimination revealed by the Moreno Report are prevalent and persistent.

(a) <u>Black Male Distinguished Professor Letter to Moreno Committee (April 2013)</u>

"Even where blatant racist incidents directed at Blacks are avoided or minimized, the scarcity of Black faculty and students at UCLA sends a chilling message. This situation can only be explained in one of two ways, either the conclusion is Blacks are not qualified to be at UCLA, i.e., Black people are innately inferior in intelligence, work ethic, cultural values and qualifications. OR, the opposite conclusion has to be, there are structures, policies and personal attitudes at UCLA that systematically discriminate against Black opportunity and access. Too often, the first premise is uncritically accepted. This requires that the token Blacks present be

discounted as "exceptions to the rule." "Blacks can't cut the mustard here, but she is different from the rest of them." Interestingly, personal and institutional memory somehow discounts the many, many Black faculty and students who have over the years excelled at UCLA."

"I have witnessed firsthand, instances where incredibly talented Black faculty suffer a racially hostile program or department at UCLA, are not valued and/or are forced out. [withheld]. Such cases make me feel personally disrespected and play to false notions of unqualified, Black affirmative action hires."

(b) Black Female Full Professor Letter to Moreno Committee (April 2013)

"As many others have observed, we receive regular training on the nature and handling of sexual harassment and gender bias. We are required to report instances of sexual harassment and gender bias and must pursue action against perpetrators. The office established to investigate such matters is obliged to operate independently of local administrations. No such vehicles exist for race/ethnic harassment or bias. Even the Ombudsperson recently admitted to me that she is often uncertain about where to direct persons with bias complaints. Furthermore, in recent years (certainly since the passage of Proposition 209), there is growing intolerance here for the mere mention of race/ethnic bias. Faculty members who raise such concerns have been accused of "playing the race card" and have, at times (according to recent reports to me), even been accused of practicing "reverse racism." This reluctance to consider allegations of racial/ethnic bias is reported to me often enough that I believe this constitutes a new and formidable barrier to efforts to ferret out and address racism and bias in this workplace."

"The next six months became a daily nightmare as he displayed what for me was an ordeal of unprofessional, incompetent, and hostile administrative behavior. Some of this was confirmed through an internal administrative analysis performed by Human Resources.

"The issues above are what I believe to be some of the critical structural barriers to the advancement of underrepresented faculty at UCLA. Over my 35 years at UCLA, I have had a number of personal experiences with racial dimensions. One especially memorable event took place some years ago when I encountered a faculty member in the hallway, who had requested my assistance in a matter merely weeks earlier. As he approached, I anticipated greeting him with a query about whether or not the matter had been resolved. But before I could do so, he said to me, "we need some more toilet paper in the restroom." I suppose that for him, African American women were most likely to have another more specific function on this campus."

(c) Letter to Administration from Latina Full Professor Emerita (January 2014)

"I apologize for not sending this correspondence soon after the release of the Moreno Report, but I have found it extremely difficult to once again deal with the painful experiences of discrimination in my department. I provided most of the information (verbally and in binders filled with documentation) to the Moreno Committee that was cited in their report in reference to our department. However, I was quite disturbed by their describing my decision to retire simply as a choice I made. This made it quite clear that they did not understand the workings of discrimination that, in fact, did not give me or others who departed from the department a choice. I, and numbers of colleagues of color, left the department because it was clear that the group of White males who perpetrated the discrimination could, by their voting power, control of

appointments of ad hoc committee members, and the Chair, permanently block anyone they wished from promotion or tenure."

"As indicated in the above instances, what is needed is some agency within the university that oversees the tenure and promotion processes with the specific intent of being a "watchdog" for any sign of bias or discrimination. Because of the secret nature of the deliberations, the victim may be unaware of the discriminatory nature of the evaluation of the dossier."

(d) <u>Letter to VC Academic Personnel from Black Male Professor (December 2019)</u>
"The recommendation from CAP clearly relied on systematic and thorough, evidence-based review of my record. This is consistent with the UCLA Call, which establishes guidelines to ensure fair, equitable and objective review in academic appointments and promotions. However, you did not detail the basis for your extraordinary decision to overrule CAP's recommendation. Absent clear statement of the evidence, protocol and authority guiding your negative decision, this decision can only be seen as arbitrary and capricious."

(e) <u>Letter to Dean and DPO from Black Male Professor who resigned (June 2020)</u>
"Fighting with CAP made it easy to go – UCLA's personnel procedures. This is why I had put off my review for Professor IV -- to avoid dealing with department animosity – although voting is anonymous, there are certain faculty who always vote against me. In contrast, however, I got an offer for a position that's more prestigious than a step increase – although I'm better known than most in my department and more productive. So the conditions at UCLA and the offer created "the perfect storm" to leave UCLA."

"There was nothing UCLA could offer me to stay except to end discrimination and (that) UCLA is not invested in ending discrimination, in spite of the university statements saying that black lives matter in response to the George Floyd's murder."

C) Establish a faculty advisory committee to the Chancellor on campus Equity, Diversity, and Inclusion

The MRIC was established to advise the EVC/P concerning UCLA's progress towards implementation of the Moreno Committee Recommendations. Based upon the implementation of several Moreno Committee recommendations and the creation of related initiatives, this committee is clearly crucial. MRIC has been a critical source of advice on anti-racial bias, harassment and discrimination policies and practices. However, MRIC's value and effectiveness was limited to the extent that UCLA EDI offices, programs and initiatives did not engage with MRIC in comprehensive ways or reliably share information. For instance, MRIC did not routinely meet with EDI entities on campus to discuss their annual reports, accomplishments, challenges and plans. Of course, this would assume that key EDI officers, programs, and initiatives produced regular self-assessments or reports that were made available to the larger campus community (which is absolutely necessary for progress and assessment). UCLA senior leadership would benefit from the advice of diverse, independent faculty members who are familiar with and directly affected by campus racial climate, bias, and discrimination. We strongly recommend continuation and expansion of this "Partnership" at the Chancellor's level- either through the MRIC or a Faculty Advisory Committee on Campus Equity, Diversity and Inclusion. This Committee should meet once quarterly, or more frequently as the need arises.

The Committee should also assist with the production of an annual campus assessment, or an Equity, Diversity and Inclusion "Report Card." This faculty advisory committee to the Chancellor could also advise:

D) Assess on a regular basis campus EDI to determine status, progress and challenges

We recommend that UCLA periodically conduct comprehensive, systematic diagnostic assessment of Equity, Diversity and Inclusion offices, programs, policies, progress and challenges. Results from such assessments would help to guide the development and implementation of "evidence- based" strategic plans for improving EDI at UCLA. Given evolving EDI issues and goals, periodic assessment; reorganization and reevaluation of resource allocation; and transparent engagement with the campus community will enhance functionality and maximize cost-effectiveness. An excellent model is provided by the Academic Senate's system of regular internal and external reviews to ensure the quality of academic departments and programs.[6364] The Moreno Committee Report was an example of the value to be gained from reviews by external, independent bodies.

E) Improve Collaboration, Communication and Coordination between Campus Equity, Diversity and Inclusion Offices, Programs and Initiatives

UCLA has an extensive set of campus equity, diversity and inclusion mechanisms that could represent a model for other universities to emulate. The key components of the UCLA EDI Initiative include: Academic Senate, Chancellor, EVC/P, senior administrative leadership, VC EDI, EDI DGSOM, DPO, MRIC, Equity Advisors, Faculty Equity Survey, Campus and Climate Survey. *However, the effectiveness of the UCLA EDI model has been diminished due to wavering commitments by faculty and senior leadership; limited resources; faulty organization; lack of accountability; uneven communication; and poor coordination. Too often the various actors seemed to operate as separate "silos," rather than as a well- organized, inter-connected, synchronized, mutually informed, sufficiently resourced and fully committed whole.* A case in point is the underdeveloped, and at times unclear, relationship of the various EDI DGSOM units to each other and to the VC EDI. Another example is the lack of clarity about the role and function of Equity Advisors, as well as their limited connections to their academic units, MRIC and the VC EDI. There is also a problematic lack of clarity over how key offices directly related to Equity, Diversity and Inclusion for Faculty of Color have (or will) implement recommendations from the Moreno Report, e.g., VC Academic Personnel, Charges Academic Senate Committee, EDI DGSOM Office.

To improve efficiency and effectiveness and to continue progress towards "Inclusive Excellence," the information flow and coordination of activities between EDI mechanisms needs to be routinely assessed. Each mechanism should produce and share annual reports. Further, representatives from the various units should meet regularly to evaluate areas of strength and challenge and to set goals and assess progress. These activities should communicate with and have advice from the Chancellor's Faculty EDI Advisory Committee. Such an information flow

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[63] UCLA Academic Senate Policy and Procedures for Program Review. https://www.senate.ucla.edu/program-review/procedures

[64] Undergraduate Council and Graduate Council. http://senate.uclasf1.acsitefactory.com/bylaws/chapter4/section43#bootstrap-fieldgroup-accordion-item--673teaching-10

would position the Committee to more usefully advise the Chancellor. *A repository cataloging the work, accomplishments and challenges of achieving institutional change in EDI at UCLA should be established and be made widely available.*

In particular, regular reporting and accountability *specific to EDI and experiences and outcomes for Faculty of Color* should be required from:

- **Chancellor's Faculty EDI Advisory Committee:** We recommend the Chancellor establish a Faculty EDI Advisory Committee which would provide consultation and advice from diverse independent, senior faculty on matters related to Equity, Diversity and Inclusion at UCLA. The MRIC advised the EVC/P in a similar role.
- **Vice Chancellor, Equity, Diversity and Inclusion:** The VC EDI is UCLA's Chief Diversity Officer with primary responsibility for oversight, design, direction and assessment of University efforts to improve Equity, Diversity and Inclusion. Annual reports from the VC EDI will provide public summaries of the University's overall status regarding Equity, Diversity and Inclusion and lay out the agenda for continued progress. Feedback on reports from different campus constituencies should help to guide the priority areas for concern and assessment.
- **DGSOM**: The "Dr. Christian Head Case" at DGSOM was the original spark for the Moreno investigation. However, DGSOM has seriously lagged in addressing issues of Equity, Diversity and Inclusion. The EDI DGSOM processes were unclear, underdeveloped, and poorly coordinated, with a problematic lack of transparency and publicly available information. In order to make campus-wide progress towards "Inclusive Excellence," EDI DGSOM needs to operate in closer collaboration and coordination with - rather than separate from - the UCLA VC EDI. Moreover, to represent a serious effort, there must be improved communication, coordination, resource allocation and clarity of responsibilities among the EDI offices, programs and initiatives within DGSOM.
- **Equity Advisors**: In 2001, UC Irvine initiated the Faculty Equity Advisor (FEA) program that has now been implemented by eight UC campuses. Although their roles and responsibilities may vary, UCLA has appointed FEA's in each department, except Arts & Architecture, and auxiliary departments (e.g., UCPD, Athletics, UCLA Extension). Annual reports should communicate to the campus community challenges and the role of Equity Advisors' in advancing equity, diversity, and inclusion.
- **Auxiliary Units**: Although the original Moreno Report recommendations cover several campus initiatives, much remains to be investigated about other campus services whose policies and practices can also negatively impact Faculty of Color and other vulnerable campus communities. UCPD, UCLA Extension, Residential Life and UCLA Athletics are major auxiliary campus services that should be systematically included in campus wide efforts to improve Equity, Diversity and Inclusion. We recommend that more attention be given to these campus services as they support and impact a large portion of the UCLA campus community.

  University of California Police Department (UCPD) has been scrutinized following multiple national incidents of police violence and brutality against Black people. Two

hundred UCLA faculty members (in solidarity with Black and other student organizations) joined widespread calls for UCPD to fully embrace campus norms and values in all aspects of daily operations. In a letter[65] addressed to Chancellor Block on June 11, 2020, faculty members listed specific concerns, chief among these being the need to examine the University's role in the detention of peaceful protesters at Jackie Robinson Stadium.[66] More broadly, UCLA faculty called for UCPD to re-imagine ideas and approaches to public safety. This point has particular salience given the commitments by UCLA outlined in the letter from former Attorney General Harris, specifically "All UCLA Police Department officers should complete cultural diversity and sensitivity training." We were not able to determine whether UCPD has implemented this recommendation.

UCLA Residential Life is another campus service that has been at the center of Black activism in recent years due to their inadequate response to racial profiling in their community. University residences have long histories of bias and harassment against Black students, faculty, staff, and visitors. Incidents include anti-Black racial slurs, heavy-handed policing of Black residents, and endangerment via racial profiling. See the campus response. On October 8, 2018[67], senior Residential Life leaders set forth five broad commitments (communications, training, policy and practice, management, and direct engagement) to address racism experienced by Black students in the residential communities. As campus leadership is moving forward in implementing these commitments (see Progress Dashboard[68]), continued monitoring of this progress and its effectiveness is needed.

UCLA Extension is one of the oldest continuing and professional studies providers in the U.S. We expect that many of the issues of negative campus racial climate, bias and harassment, evident on the larger campus, are also present here. Importantly, we found no clear indication that UCLA Extension has been systematically engaged with campus initiatives to improve Diversity, Equity and Inclusion.

UCLA Athletics has outsized national and international recognition (and the largest symbolic Black presence), however this unit has been mostly left outside University conversations around race, equity, diversity and inclusion. Recently, UCLA Black

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[65] Editorial Board. "Editorial: UCLA Must Divest from UCPD, LAPD to Stop Perpetuating Problematic Systems," *Daily Bruin,* July 6, 2020. https://dailybruin.com/2020/07/06/editorial-ucla-must-divest-from-ucpd-lapd-to-stop-perpetuating-problematic-systems

[66] Concerned Faculty Letter to Chancellor and EVC/P on UCLA LAPD Collaboration. Dated June 2, 2020. https://ucla.app.box.com/s/8q008x846dk501ejfs45bq7xxuljxt3v

[67] Letter from Residential Life leadership to the University Apartments South Community. Dated October 16, 2020. See: https://equity.ucla.edu/public_accountability/transparent-progress/incidents-at-university-apartments-south/

[68] The EDI Public Accountability Report https://equity.ucla.edu/public_accountability/transparent-progress/incidents-at-university-apartments-south/

student athletes voiced their experiences as the "minority of the minority".[69] They created the UCLA Black-Student Athlete Alliance (BSAA)[70] to provide a safe space for Black student-athletes and to educate the campus community on issues around race and college athletics. On the administrative level, the Department of Intercollegiate Athletics established an Equity, Diversity and Inclusion Committee made up of coaches and administrators who recently released a committee statement.[71]

F) Increase UCLA Faculty/Academic Senate Commitment, Engagement and Leadership:

Faculty are the lifeblood of this institution. Therefore, the success of any efforts to improve campus equity, diversity and inclusion ultimately depends on the commitment, engagement and leadership of UCLA faculty. UCLA Academic Senate committees play critical roles in the determination of Faculty of Color experiences and outcomes: *The Council on Academic Personnel* (CAP) reviews all significant academic personnel actions, e.g., appointments, promotions; *The Charges Committee* investigates violations of the "Faculty Code of Conduct"; and *The Committee on Diversity, Equity, and Inclusion* (CODEI) advises the University Administration on policies/programs to advance faculty diversity, including recruitment and retention of women and underrepresented minorities.[72] It is therefore imperative that Academic Senate committees assume more prominent leadership roles in UCLA's equity, diversity and inclusion activities through more effective collaboration with academic units and the administration (e.g. Undergraduate Council's approval of the Diversity Course requirement).[73]

CODEI annual reports provide useful examples of collaborations between the UCLA Academic Senate and Administration that are meant to improve Faculty of Color experiences and outcomes. CODEI "…developed several ideas to increase diversity on campus,"[74] including regular reports from key offices such as Chair, Academic Senate; VC EDI; Chair, CAP; and Equity Advisors. Other strategies urged: diversity as a factor in program reviews; diversity training for faculty search committees; collection of detailed data to evaluate progress; and fund innovation and leadership to support inclusive excellence. CODEI's minutes revealed no shortage of rich ideas for improving UCLA's climate for diversity. However, there were too few instances where promising ideas or programs were implemented, e.g., "Consider Diversity contributions in faculty promotion reviews."[75] Fewer still were the examples where promising proposals were sustained over an extended period with adequate funding.

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[69] Thuc Nhi Nguyen, "Discussions 'need to be had.' How UCLA's Black Student-Athlete Alliance Seeks Change," *Los Angeles Times*, Sept. 8, 2020. https://www.latimes.com/sports/ucla/story/2020-09-08/ucla-black-student-athlete-alliance-seeks-change-on-campus

[70] Michael Waldman, "Black Student-Athlete Alliance to Provide Space for Player-Driven Activism," *Daily Bruin*, Sept. 22, 2020. https://dailybruin.com/2020/09/22/black-student-athlete-alliance-to-provide-space-for-player-driven-activism

[71] Department of Intercollegiate Athletics Equity, Diversity and Inclusion Committee letter. https://uclabruins.com/sports/2019/4/17/ucla-athletics-equity-diversity-inclusion.aspx

[72] https://www.senate.ucla.edu/committee

[73] Jeong Park, "UCLA Faculty Approves Diversity Requirement," *Daily Bruin*, April 10, 2015. https://dailybruin.com/2015/04/10/ucla-faculty-approves-diversity-requirement

[74] Committee on Diversity, Equity, and Inclusion annual reports.

[75] Committee on Diversity, Equity, and Inclusion annual reports.

The University Committee on Affirmative Action, Diversity, and Equity (UCAADE) of the University of California System Academic Senate provides another promising example of proactive faculty engagement and leadership in EDI. UCAADE considers general policies concerning affirmative action for academic personnel and academic programs. The committee also reviews campus annual affirmative action reports that present data and analyses for women and ethnic minorities concerning working conditions, salaries, advancement, and separation.[76] The Report reveals a wide range of EDI consultations and partnerships.

For example, UCAADE met with the UC Office of Diversity and Engagement to express concern "about the lack of consistency in the roles and responsibilities of campus 'Chief Diversity Officers'… and to discuss… how the CDO can play a role in advancing faculty diversity and retention." (p. 1) UCAADE also suggested changes to the system wide Equal Opportunity Officers/Affirmative Action/Diversity Administrators Group that would give *Equity Advisors* "…additional accountability, authority, reporting and senate involvement." (p. 1) Towards advancing faculty diversity, the Committee advised the UC Provost, "… coordination between faculty diversity committees, [Councils on Academic Personnel], and campus academic personnel offices will be key in fostering a shared understanding of the uses for diversity statements and developing guidelines for assessment." (p. 1) In addition, UCAADE advised UC President Janet Napolitano on expansion of the President's Postdoctoral Fellowship Program to increase UC faculty diversity and consulted with the UC Provost on campus climate, recruitment and retention of diverse faculty.[77] [78]

These examples represent the range of ways UCLA and UC System Academic Senate Committees could productively collaborate with the Chancellor, EVC/P, VC Academic Personnel, VC EDI, Deans and other key offices to advance campus equity, diversity and inclusion generally, and especially with reference to Faculty of Color.[79] The committees proposed plenty of good ideas, strategies and polices, however at key points follow through, coordination, and communication seemed to be lacking. This resulted in unclear lines of authority, communication, delegation of responsibility and accountability. In the simplest case of organizational breakdown, there was no clear evidence of consistent coordination between what are essentially equivalent faculty Academic Senate committees at the University level—UCLA CODEI and the UC system level—UCAADE.

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[76] Memo from UC Academic Council Chair Powel to Vice Provost Carlson May 2013 on faculty salary equity studies https://senate.universityofcalifornia.edu/_files/reports/RLP_Carlson_salaryequityplans_FINAL.pdf

[77] University Committee on Affirmative Action, Diversity, and Equity (UCAADE), Annual Report 2018-19 https://senate.universityofcalifornia.edu/_files/committees/ucaade/ar/ucaade-annual-report-2018-19.pdf

[78] Memo from UC Academic Council Chair, Dan Hare to Provost January 2016 on "Diversifying the faculty at the University of California: Standardization of the appointment process for faculty hires via the UC President's Postdoctoral Fellows and Campus Chancellor's Fellows Programs". https://senate.universityofcalifornia.edu/_files/reports/documents/DH_AD_DiversityHiringBestPractices.pdf

[79] Memo from UC Academic Council Chair, Powell to UC President Yudof July 2013 on UC Academic Council Support for Chancellor's and UC President's Postdoctoral Fellowships program for recruitment of URM faculty. https://senate.universityofcalifornia.edu/_files/reports/RLP_MGY_FacultyDiversityWorkingGrouprecs_FINAL.pdf

VIII) Summary and Conclusions

This report was written in the midst of the COVID-19 pandemic. This global crisis has changed the higher education landscape[80] and further intensified issues of inequity. Higher education is a microcosm of society, therefore the long simmering issues of racism, inequality, police violence,[81] and the status of student athletes have taken center stage.[82] [83] [84] In the immediate post-pandemic period, UCLA will need to honestly and constructively address issues raised in this report. These issues reflect the widespread calls for equity and justice spotlighted by the season of protest.

The MRIC advises the Chancellor, EVC/P and the Vice Chancellor of Equity, Diversity and Inclusion on the implementation of recommendations from the Moreno Committee's systematic investigation of UCLA's campus racial climate and faculty equity, diversity and inclusion. This is our report on the MRIC's work to date, assessment of UCLA's progress towards implementation of the Moreno Committee's recommendations and MRIC recommendations for the future.

We conclude that while the foundations for a number of the recommendations described in the Moreno Report have been laid, there remains much work to do to improve the campus climate for diversity and to eliminate racism against Faculty of Color.

This Report offers key recommendations toward the goal of institutional change, based on the assessment of University initiatives taken in response to the Moreno Report. We examined faculty disparities by race, ethnicity, and gender. We also assessed the institutional barriers encountered by DPO when investigating claims of racial bias, harassment, and discrimination against Faculty of Color. Typically, individuals found to have discriminated were not held accountable for violations. At the institutional level, UCLA's extensive efforts to achieve Equity, Diversity and Inclusion were hampered by insufficient accountability, resources, coordination, collaboration, and communication.

The MRIC Report and Recommendations are expressions of support and confidence as UCLA continues its journey towards campus equity, diversity and inclusion. We believe in the University's promise, even as we acknowledge the many challenges ahead. Our core recommendations emphasize key issues in this process. We call on UCLA to:

A) Investigate racial and ethnic discrimination, mandate anti-discrimination training, and enforce accountability
B) Achieve equity, diversity and inclusion in recruitment, retention, and compensation of Faculty of Color
C) Establish a faculty advisory committee to the Chancellor on campus equity, diversity, and inclusion

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[80] Lilah Burke, "The Long Haul," *Inside Higher Ed*, Oct. 30, 2020. https://www.insidehighered.com/news/2020/10/30/long-term-covid-19-symptoms-have-implications-colleges

[81] Julia Barajas, "At Some U.S. Universities, a Time to Rethink Cops on Campus," *Los Angeles Times*, July 9, 2020. https://www.latimes.com/world-nation/story/2020-07-09/amid-nationwide-calls-to-defund-the-police-universities-rethink-ties-to-police-dept

[82] Billy Witz, "Bill Offers New College Sports Model: Give Athletes a Cut of the Profits," *New York Times*, Dec. 17, 2020. https://www.nytimes.com/2020/12/17/sports/ncaafootball/college-athlete-bill-of-rights.html?auth=login-email&login=email

[83] Alan Blinder, "N.C.A.A. Athletes Could Be Paid Under New California Law," *New York Times*, Sept. 30, 2019. https://www.nytimes.com/2019/09/30/sports/college-athletes-paid-california.html

[84] Lee Romney and David Wharton, "Ex-UCLA Star Ed O'Bannon Takes Stand in Antitrust Suit Against NCAA," *Los Angeles Times*, June 9, 2014. https://www.latimes.com/local/la-me-obannon-trial-20140610-story.html

D) Assess on a regular basis campus EDI to determine status, progress and challenges
E) Improve collaboration, communication and coordination between campus equity, diversity, and inclusion offices, programs and initiatives
F) Increase UCLA faculty/Academic Senate commitment, engagement and leadership

Chancellor Block and California Attorney General Kamala Harris agreed the Moreno Committee Recommendations outlined a "road map" to successfully address UCLA's ongoing Diversity challenges. These recommendations point to a series of continuous and connected processes that require committed leadership for organized, sustained, dedicated efforts. In order to achieve the admirable, but elusive, goal of "Inclusive Excellence," UCLA senior leadership and faculty must continue to embrace, fund, implement, improve, and extend the Moreno Report recommendations.

"Like other organizations, universities produce the results they do by design…what they want—as largely manifested by the activities they measure and reward—largely determines what they get, for better or for worse" (p. 30).

-Clayton Christensen and Henry Eyring[85]

The Innovative University: Changing the DNA of Higher Education from the Inside Out

[85] Clayton Christensen and Henry J. Eyring, *The Innovative University: Changing the DNA of Higher Education from the Inside Out* (San Francisco: Jossey-Bass, 2011).

UCLA

Final Report

APPENDIX

University of California, Los Angeles

January 4, 2021

DMS 56

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Notes: Appendix does not include information readily available online including media articles and publications. Please see the footnotes for hyperlinks and citation information.

Methodology

Data Sources and Sample

The analyses completed in this report take shape in three major categories: A) a document analysis of materials collected across the lifespan of the MRIC; B) a descriptive analysis of the UCLA faculty landscape; and C) aggregate and anonymized reports from the Discrimination Prevention Office.

The document analysis largely includes publicly available information, such as announcements on the Chancellor's website, as well as internal MRIC memos, such as the job description for the Vice Chancellor for Equity, Diversity and Inclusion (EDI). These documents, read for relationship to the Moreno Report and recommendations, are key in establishing a timeline of events leading up to and after the Moreno Report. These materials are footnoted and comprise the appendix.

Our descriptive analysis of faculty demographic information includes rank, race, ethnicity, gender across UCLA for full-time ladder rank faculty. We utilize data from the BruinX Dashboard Faculty Workforce Diversity (no DGSOM) for years 2012 through 2017, and from the David Geffen School of Medicine EDI, for 2018.

Limitations

The falsely neutral application of racial and ethnic categories must be contextualized and problematized; racial categorization practices are "informed by historical, social, political, and economic contexts" (p. 15).[1] The continued application of outdated categories perpetuates a system that does not reflect the complexity of individual identity. The arbitrary conceptualization in data gathering and management obscures understanding the racial and ethnic make-up of higher education institutions.

In the report we faced several notable hurdles including data accessibility and challenges resulting from the data presentation platform. For example, we were largely unable to access data in a workable format. We underscore this point given UCLA's status as the number one public higher education institution and because the EDI website functions as the gateway recommended by the Moreno Report. Given these limitations, we utilized the best data available.

We also call for greater transparency in university decision making processes about demographic data. The racial and ethnic categories as created in the datasets utilized in this report (and across the university) may not accurately reflect how faculty self-identify. The notable increase in faculty categorized as "unknown" in recent years is a prime area for greater transparency.

Race and ethnicity data are based on self-identification. UCLA utilizes a two-step process. First, individuals are asked to identify their ethnicity by identifying as Hispanic/Latino, identified as a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race, or not Hispanic or Latino. Second, respondents are asked to identify one or more of the following racial and ethnic categories: American Indian or Alaska

[1] Walter Allen, Chantal Jones and Channel McLewis, "The Problematic Nature of Racial and Ethnic Categories in Higher Education," in *Race and Ethnicity in Higher Education: A Status Report*, ed. Lorelle L. Espinosa, Jonathan M. Turk, Morgan Taylor and Hollie M. Chessman (Washington, D.C.: American Council on Education, 2019), 13-19). https://www.equityinhighered.org/resources/report-downloads/race-and-ethnicity-in-higher-education-a-status-report/

Native, Asian/Asian-American, Black/African-American, Latina(o)/Chicana(o)/Hispanic, Two or More Races, White, and Unknown. Individuals are placed in broader categories as follows[2]:

- American Indian or Alaskan Native is not defined by Bruin X (See section: Indigenous, Indigenous Peoples, Native American, or American Indian)
- Asian/Asian-American self-identified into one of the following groups: Asian, Chinese/Chinese-American, Filipino/Pilipino, Japanese/Japanese-American, Korean/Korean-American, Native Hawaiian or Other Pacific Islander, Pakistani/East Indian, Other Asian
- Black/African-American self-identified into one of the following groups: Black/African-American (Not of Hispanic Origin), Black/African American
- Latina(o)/Chicana(o)/Hispanic self-identified into one of the following groups: Hispanic, Latin American/Latino, Mexican/Mexican-American/Chicano, Other Spanish/Spanish-American
- White self-identified as one of the following groups: European, Middle Eastern, North African, White (Not of Hispanic Origin), White

We also recognize the gender binary present in the available data and the relationship to broader societal structures and institutional decision making. Transparency, not limited to these areas, is critical as the university strives for equity.

Terminology: Indigenous, Indigenous Peoples, Native American, or American Indian

Per the UCLA EDI office, Resources on Native American and Indigenous Affairs webpage:[3]

> **Who are Indigenous peoples?**
>
> Indigenous peoples are the descendants of the peoples who inhabited the Americas, the Pacific, and parts of Asia and Africa prior to European colonization. Indigenous peoples continue to thrive throughout the world today.[4]

[2] BruinX Dashboard https://equity.ucla.edu/data-hub/bruinx-dashboards/faculty-diversity/

[3] "Native American and Indigenous Peoples FAQs," *UCLA Diversity, Equity and Inclusion*, April 4, 2014, https://equity.ucla.edu/know/resources-on-native-american-and-indigenous-affairs/native-american-and-indigenous-peoples-faqs/#term.

[4] For further information: Mishuana Goeman, *Mark My Words: Native Women Mapping Our Nations* (Minneapolis: University of Minnesota Press, 2013).

June 15, 2012

University of California President Mark Yudof
1111 Franklin Street
Oakland, California

Re: In the matter of Chancellor Block's Five Year Stewardship Review

As members of UCLA faculty whose experience and service to the university span many departments and disciplines as well as many years, we would like to offer our perspective on a critical aspect of the Chancellor's responsibilities- leadership in addressing and responding to racism. We note and applaud the fact that Chancellor Block has consistently advocated for diversity and insisted that in order for UCLA to be a premier research university, it must be racially and ethnically diverse. We worry, however, that the Chancellor's admirable aspirations for UCLA in this regard have overdetermined his descriptions of UCLA as an institution and conveyed a view of the school as one in which there are few, if any, racial tensions or problems.

We are well aware that incidents involving racial hostility and discrimination predated Chancellor Block's tenure, and that no one person, however talented or well-meaning, could successfully eradicate these problems. Racism has been and remains an endemic part of American society and experience. While we all might hope and aspire that students, staff and faculty at UCLA would not be burdened by this reality, the fact remains that UCLA does not stand outside of these broader social forces and dynamics.

For these reasons, we respectfully disagree with the implication of the Chancellor's statement that experiences recently alleged by a UCLA faculty member could not happen at UCLA or are outside the purview of the UCLA we know. Without regard to whether the particular allegations in any case are accurate or provable in a court of law, it is our experience that UCLA as an institution and community is not immune from even grotesque forms of racial discrimination and insensitivity. Indeed, only last year, the university had to address the vulgar racialized stereotypes invoked in the "Asians in the library" episode, and this spring in yet another incident, racist graffiti was scrawled on students' living quarters. These episodes, among many others, suggest that while we might wish that UCLA were free of racism, this desire should not blind us to reality or create institutional amnesia.

Beyond the crisis of the moment lies a long festering set of problems and issues produced by several factors, including the paucity of underrepresented minority students and faculty of color, particularly in certain departments. Social science research, including some produced by respected scholars on this campus, supports the assessment that overt racialized incidents as well as subtle and invidious forms of bias are predictably produced by these conditions. Additionally, attention afforded these issues in the past has been woefully inadequate, highlighting the need for improved mechanisms and procedures to report and resolve trouble cases. Consequently, we urge that leadership on these issues must begin at a different starting point: The concerns raised by students, faculty and staff regarding hostile racial dynamics are real and cannot be addressed by simply invoking norms of civility or diversity. No problem can be successfully tackled unless one recognizes that there is a problem.

Submitted by (alphabetical listing)

Walter Allen, Allan Murray Cartter Professor of Higher Education
Cesar Ayala, Professor of Sociology
Eraka Bath, Assistant Professor of Psychiatry & Biobehavioral Sciences
Scot D. Brown, Associate Professor of History
Devon Carbado, Professor of Law
Robert Cooper, Associate Professor of Education
Kimberle Williams Crenshaw, Professor of Law
Jacqueline DjeDje, Professor of Ethnomusicology
Allyson Field, Assistant Professor of Film, TV and Digital Media
Aisha Finch, Assistant Professor of Women's Studies
Charles Flippen, II, Associate Clinical Professor of Neurology
Philip Atiba Goff, Assistant Professor of Psychology
Cheryl I. Harris, Professor of Law
Kelly Lytle Hernandez, Associate Professor of History
Edmond Hewlett, Professor of Dentistry
Tyrone Howard, Professor of Education
Darnell Hunt, Professor of Sociology
Aurora Jackson, Professor of Social Welfare
Robin D. G. Kelley, Gary B. Nash Professor of History
Cheryl Keyes, Professor of Ethnomusicology
Francois Lionnet, Professor of French and Francophone Studies/African Studies
Kathleen McHugh, Professor of English
Vickie M. Mays, Professor of Psychology
Claudia Mitchell-Kernan, Professor of Anthropology
Mignon Moore, Associate Professor of Sociology
Hector Myers, Professor of Psychology
Chon Noriega, Professor of Film & TV and Chicano Studies
Mark Sawyer, Professor of Political Science
Jenny Sharpe, Professor of Comparative Literature
M. Belinda Tucker, Professor of Psychiatry & Biobehavioral Sciences
Gail Wyatt, Professor of Psychiatry & Biobehavioral Sciences
Richard Yarborough, Professor of English
David Yoo, Professor of Asian American Studies

Chancellor Gene D. Block **<chancellor@ucla.edu>** Tue, May 22, 2012, 12:14 PM

to allemployees

Office of the Chancellor

To the Campus Community:

Many of you have either seen or heard about the recent allegations of racial discrimination and retaliation made by one of our faculty members at the David Geffen School of Medicine. Since a lawsuit was filed, the facts will emerge through the legal system, and I cannot comment on such matters while the case is in litigation.

I do want to assure you, however, of the commitment made by me — and by UCLA as a whole — to create and maintain a diverse and welcoming environment for research, teaching and learning. The allegations, which stem from an incident that occurred six years ago, are now being spread through a YouTube video circulated online, but they do not accurately describe the UCLA that I have the honor of leading. The UCLA you and I know is a place based on the concepts of diversity and respect — as they relate to our ideas, our backgrounds and our cultures. This is a core value at UCLA, a philosophy that helps guide how we manage one of the greatest universities and medical enterprises in the world.

Part of that commitment means having internal procedures for addressing allegations of discrimination and for remedying situations found to involve violations of UCLA policy. When these allegations were brought to my attention, the university conducted a review of the charges and was unable to substantiate them. At that time, the person making these allegations was given all the information necessary to decide whether to make full use of those internal procedures or to bypass them in favor of the legal system. That is a choice any faculty member, or indeed any student or staff member, can make. Such a choice does not mean that UCLA administrators failed to act on this person's behalf or that UCLA failed to respond.

We have been, are now and will in the future be ready to assist any faculty member, staff member or student who believes they have been subjected to any form of discrimination. If you have concerns about the treatment you have received, I urge you to contact one or more of the following campus resources, which are specifically designed to address these issues:

Office of Ombuds Services
(informal and confidential mediation)
www.ombuds.ucla.edu

Office of the Vice Provost for Diversity and Faculty Development
(information, referrals and assistance with informal or formal concerns)
www.faculty.diversity.ucla.edu

Academic Senate Grievance Advisory Committee
(information and assistance with formal charge and grievance procedures)
www.senate.ucla.edu/committees/gac/

True Bruin Respect reporting website
www.reportincidents.ucla.edu

Sincerely,

Gene D. Block
Chancellor

ReplyReply allForward

REQUEST FOR INDEPENDENT REVIEW OF RACIAL/ETHNIC CLIMATE AT UCLA

We, the undersigned members of the UCLA faculty, are requesting an external review of reports of racial/ethnic bias against faculty, students, and staff and the adequacy of current systems to address such incidents. This review is predicated on the following:

- Underrepresented minorities in the UCLA community have lost faith in the ability of existing institutional mechanisms and procedures to adequately investigate, prevent, or put a stop to acts and/or situations of bias on this campus.
- The public perception of UCLA's commitment to diversity and fairness have been very seriously damaged following Dr. Christian Head's allegations of racist treatment. This damage stems not just from the allegations themselves, but also from the University responses issued by Chancellor Block and by the Office of Media Relations and Public Outreach. These responses reference an environment ("welcoming, respectful and inclusive") that is at odds with that experienced by many persons of color (both those on the campus as well as others commenting on social media). Further, it is also at odds with the accusatory and dismissive language of the University's responses.
- Chancellor Block's statements on diversity as a core part of the University priorities have become increasingly hollow. What has been missing is a concurrent commitment to more vigorously confront the conditions and factors that enable and permit acts and conditions of bias, and to support campus-wide programs and appointments that counteract such a climate for faculty and students.
- Though Dr. Christian Head is African American, individuals from a range of ethnic backgrounds, races, and ancestries have experienced bias on this campus and are committed to changing the structures and policies that allow these situations to continue.
- Though a small group on this campus was tapped by the administration for consultation on this issue, this response is the product of a much larger, more representative group. We feel strongly that this university—based in what is arguably the most diverse city in this nation—must make a commitment to diversity, inclusiveness, and fairness that is substantive and functional. Quite simply, these values must be woven into the fabric of university life.

Committee Charge:

1. Document, retrospectively over a five-year period, incidents perceived by UCLA faculty, students, and staff as acts of racial/ethnic bias or discrimination and the aggrieved party's attempts at redress (i.e., what happened, who were the perpetrators, was event reported and to whom, results, etc.).

2. Assess how UCLA's existing systems address such incident reports, including an examination of records indicating how reports have been processed, investigated, and resolved in the past.
3. Recommend the necessary additional reviews that would enable the institution to achieve a more holistic perspective on the issues of concern, such as review and assessment of hiring and advancement processes for faculty and staff, the use of waivers of search, and admissions.

We note that an additional goal of this process is the development of a mechanism for providing regular reports to the campus on racial climate and steps being taken to address intolerance, racism, and bias.

Nominees (alphabetical listing)

We recommend consideration of the following individuals for service on the special committee that would conduct this review.

1. Troy Duster, Silver Professor, Professor of Sociology, New York University & Chancellor's Professor of Sociology, University of California, Berkeley

http://sociology.fas.nyu.edu/object/troyduster

Sociology professor and author Troy Duster was born on July 11, 1936, in Chicago, Illinois. The son of Alfreda Duster, a community organizer, he was raised on the south side of Chicago. His extraordinary grandmother, Ida B. Wells, was born a slave in 1862 in Mississippi, months before the signing of the Emancipation Proclamation. She became an editor and co-owner of *The Free Speech and Headlight*, a local African American newspaper in Memphis, Tennessee, and was among the first generation of writers to invent investigative journalism. She continued her tireless crusade for equal rights for African Americans until her death in 1931. Duster's father died when he was nine, leaving behind his mother, sister, and two older brothers. Becoming editor of his high school newspaper and graduating first in his class, Duster attended Northwestern University where he studied journalism and sociology. Earning his B.S. degree in journalism in 1957, he continued his studies at the University of California, Los Angeles, where he earned his M.A. degree in sociology in 1959. In 1962, he was awarded his PhD in sociology from Northwestern University.

In 1999, Duster became professor of sociology and director of the Institute for the History of the Production of Knowledge at New York University. He is also the Chancellor's Professor of Sociology at the University of California, Berkeley, where he has taught since 1970. In 2004, he served a one-year term as president of the American Sociological Association. Duster's research and writing have ranged across a variety of subject areas: the sociology of law, science, deviance, inequality, race and education. In 1970, his first book, *The Legislation of Morality: Drugs, Crime,*

and Law became a classic in the drug field.

Duster is co-author of *Whitewashing Race: The Myth of a Color-Blind Society* (2003), which won the Benjamin Hooks Award and was a finalist for the C. Wright Mills Award in 2004. Among his other awards are a Guggenheim Fellowship at the London School of Economics; an honorary Doctor of Letters from Williams College; and the Dubois-Johnson-Frazier Award from the American Sociological Association. With his siblings, Duster established the Ida B. Wells Foundation, which gives awards to journalists and researchers working in Wells' tradition of writing and speaking out for civil rights, civil liberties and social justice.

2. Kevin Johnson, Dean, UC Davis School of Law

http://www.law.ucdavis.edu/faculty/johnson/

Dean Johnson has published extensively on immigration law and policy, racial identity, and civil rights. Published in 1999, his book *How Did You Get to Be Mexican? A White/Brown Man's Search for Identity* was nominated for the 2000 Robert F. Kennedy Book Award. *Opening the Floodgates: Why America Needs to Rethink its Borders and Immigration Laws* (2007), one of his most recent books, has influenced the national debate over immigration reform.

A magna cum laude graduate of Harvard Law School, where he served as an editor of the Harvard Law Review, Dean Johnson earned an A.B. in economics from UC Berkeley. After law school, he clerked for the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit and worked as an attorney at the international law firm of Heller Ehrman White & McAuliffe. Dean Johnson has served on the board of directors of Legal Services of Northern California since 1996; after serving as Vice President, he currently is President of the board of directors. In 2006, he was elected to the board of directors of the Mexican American Legal Defense and Education Fund, the leading Mexican-American civil rights organization in the United States. He served on the MALDEF board until 2011.

Dean Johnson joined the UC Davis law faculty in 1989 and was named Associate Dean for Academic Affairs in 1998 and Dean in 2008. He has taught a wide array of classes, including immigration law, civil procedure, complex litigation, Latinos and Latinas and the law, refugee law, and Critical Race Theory. In 1993, he was the recipient of the law school's Distinguished Teaching Award.

A regular participant in national and international conferences, Dean Johnson has also held many leadership positions in the Association of American Law Schools and is the recipient of many honors and awards. The Minority Groups Section of the Association of American Law Schools honored him with the Clyde Ferguson Award in

2004. In 2006, the Hispanic National Bar Association named him the Law Professor of the Year. He was named the National Association of Chicana and Chicano Studies 2008 Scholar of the Year. In 2003, Dean Johnson was elected to the American Law Institute.

3. Earl Lewis, Provost and Executive Vice President for Academic Affairs, Emory University

http://provost.emory.edu/about_us/bios/ELewis.html

Earl Lewis is Provost and Executive Vice President for Academic Affairs and the Asa Griggs Candler Professor of History and African American Studies. Before joining the Emory faculty in July 2004, Lewis served as dean of the Horace H. Rackham School of Graduate Studies and vice provost for academic affairs/graduate studies at the University of Michigan. He was the Elsa Barkley Brown and Robin D.G. Kelley Collegiate Professor of History and African American and African Studies and formerly director of the Center for Afro-American and African Studies. From 1984 to 1989 he was on the faculty in the department of African American Studies at the University of California, Berkeley.

Lewis, who holds degrees in history and psychology, is author and co-editor of seven books, among them *In Their Own Interests: Race, Class and Power in 20th Century Norfolk* (University of California Press, 1993) and the award-winning *To Make Our World Anew: A History of African Americans* (Oxford University Press, 2000). Between 1997 and 2000 he co-edited the eleven-volume *The Young Oxford History of African Americans*. Lewis co-authored the widely acclaimed *Love on Trial: An American Scandal in Black and White*, published in 2001 by WW Norton. His most recent books are *The African American Urban Experience: Perspectives from the Colonial Period to the Present*, co-edited and published with Palgrave (2004), and the co-written *Defending Diversity: Affirmative Action at the University of Michigan*, published by the University of Michigan Press (2004).

Dr. Lewis has also written numerous essays, articles, and reviews on different aspects of American and African American history that have appeared in many academic journals. He is a current or past member of a number of editorial boards and boards of directors. And he is co-editor of the award-winning book series American Crossroads (University of California Press).

In 1999, Lewis was a recipient of Michigan's Harold R. Johnson Diversity Service Award. He received the 2001 University of Minnesota's Outstanding Achievement Award given to a distinguished graduate. And Concordia College, whose board of regents he joined in 2008, honored him with an honorary degree in 2002. He was named a fellow of the American Academy of Arts and Sciences in 2008.

4. Cruz Reynoso, Professor of Law Emeritus, University of California, Davis

http://www.law.ucdavis.edu/faculty/reynoso/

Cruz Reynoso is a Professor of Law Emeritus and was the inaugural holder of the Law School's Boochever and Bird Chair for the Study and Teaching of Freedom and Equality. The chair recognizes outstanding scholarship and teaching, along with a commitment to preserving and expanding the understanding of "the virtues necessary of a great republic."

A former Associate Justice of the California Supreme Court, Reynoso is recognized for his leadership in civil rights, immigration and refugee policy, government reform, the administration of justice, legal services for the indigent and education.

Reynoso has served as Vice Chair of the U.S. Commission on Civil Rights, as well as a member of the Select Commission on Immigration and Human Rights.

In 2000, President Bill Clinton honored Cruz Reynoso with a Presidential Medal of Freedom, the country's highest civilian honor, for his lifelong devotion to public service. Reynoso has also been honored with the Hispanic Heritage Foundation's Hispanic Heritage Award in Education and the American Bar Association's Robert J. Kutak and Spirit of Excellence Awards, for his significant contributions toward increased cooperation between legal education, the practicing bar, and the judiciary. He has been awarded the UC Davis Medal, the university's highest honor. He is the recipient of the Hispanic National Bar Association's (HNBA) highest honor; the Lincoln-Juarez Award is named after Abraham Lincoln and Benito Juarez, the presidents of the United States and Mexico, contemporaries, both lawyers who fought injustice.

UC Davis School of Law has established the Cruz & Jeannene Reynoso Scholarship for Legal Access in his name to help students with financial needs.

5. Theodore M. Shaw, Professor of Professional Practice in Law, Columbia Law School (former President of NAACP Legal Defense Fund)

http://www.law.columbia.edu/fac/Theodore_Shaw

Theodore M. Shaw, director-counsel and president of the NAACP Legal Defense and Educational Fund (LDF) from 2004-08, is one of the nation's leading voices in civil rights. Shaw joined LDF in 1982 and in 2004 became the fifth person to lead the organization. While at LDF, he was lead counsel in a coalition that represented African-American and Latino students in the University of Michigan undergraduate

affirmative action admissions case. That case, *Gratz v. Bollinger,* went before the United States Supreme Court in 2003, along with *Grutter v. Bollinger,* which challenged the use of affirmative action at The University of Michigan Law School. Shaw worked as a trial attorney in the Civil Rights Division of the U.S. Department of Justice from 1979-82, where he litigated civil rights cases at the trial and appellate levels and at the U.S. Supreme Court. He currently serves on the Legal Advisory Network of the European Roma Rights Council based in Budapest, Hungary. Shaw previously has taught at Columbia, University of Michigan, Temple and CUNY law schools. He is the recipient of the Wien Prize for Social Responsibility from Columbia Law School; the A. Leon Higginbotham, Jr., Memorial Award from the National Bar Association Young Lawyers Division; and the Baldwin Medal from the Wesleyan University alumni body.

6. Ruth Simmons. President, Brown University (term ends 6/12)

http://brown.edu/about/administration/president/biography

Ruth J. Simmons was sworn in as the 18th president of Brown University on July 3, 2001. She also holds an appointment as professor in the Department of Comparative Literature and the Department of Africana Studies. She was president of Smith College from 1995 until the time of her appointment at Brown.

A native of Texas and a 1967 graduate of Dillard University in New Orleans, Simmons received her Ph.D. in Romance languages and literatures from Harvard University in 1973. She is fluent in French and has written on the works of David Diop and Aime Cesaire.

In 1983, after serving as associate dean of the graduate school at the University of Southern California, Simmons joined the Princeton University administration. She remained at Princeton for seven years, leaving in 1990 for two years to serve as provost at Spelman College. Returning to Princeton in 1992 as vice provost, she remained at the university until June 30, 1995. As vice provost she was deputy to the provost and executive secretary of the Priorities Committee, the university's budget committee. In 1993, invited by the president to review the state of race relations on the Princeton campus, Simmons wrote a report that resulted in a number of initiatives that received widespread attention. In 1995 she became president of Smith College, the largest women's college in the United States, where she launched a number of strategic initiatives to strengthen the college's academic programs and inaugurated the first engineering program at a U.S. women's college.

Simmons is a Fellow of the American Academy of Arts and Sciences, and a member of

the American Philosophical Society, and the Council on Foreign Relations. She is a current officer and past President of the New England Association of Schools and Colleges, an Honorary Fellow at Selwyn College at Cambridge University, and she serves on a number of boards, including the Howard University Board of Trustees and the Board of Directors of Texas Instruments. She was recently appointed by President Obama as a member of the President's Commission on White House Fellowships.

Simmons is the recipient of a number of prizes and fellowships, including the German DAAD and a Fulbright Fellowship to France. In 1997 she was awarded the Centennial Medal from Harvard University, in 1999 the Teachers College Medal for Distinguished Service from Columbia University, and in 2001 the President's Award from the United Negro College Fund. She has been honored with the 2002 Fulbright Lifetime Achievement Medal and the 2002 "Drum Major for Justice" education award from Southern Christian Leadership Conference/WOMEN. In 2004 she received the ROBIE Humanitarian Award, given by the Jackie Robinson Foundation; the Eleanor Roosevelt Val-Kill Medal; and the chairman's award of the Congressional Black Caucus Foundation. She was selected as a Newsweek "person to watch" and as a Ms. Woman of the Year in 2002. In 2001 Time magazine named her America's best college president. In 2007, she was named one of U. S. News & World Report's top

7. Julie Su, Labor Commissioner, State of California

MacArthur Fellow, former head of Asian American Pacific Law Center

http://www.women.ca.gov/index.php?option=com_content&view=article&id=137&Itemid=59

Julie A. Su is a nationally recognized expert on workers' rights and civil rights who has dedicated her distinguished legal career to advancing justice on behalf of poor and disenfranchised communities. A MacArthur Foundation "Genius," Su is known for pioneering a multi-strategy approach that combines successful impact litigation with multiracial organizing, community education, policy reform, coalition building, and media work.

She is a Phi Beta Kappa graduate of Stanford University and received her law degree cum laude from Harvard Law School, where she was Editor-in-Chief of the Harvard Civil Rights-Civil Liberties Law Review. In 1994, she began her legal career at the Asian Pacific American Legal Center (APALC) after receiving a prestigious Skadden Fellowship from the law firm Skadden, Arps, Slate, Meagher & Flom.

Prior to her appointment as Labor Commissioner for the State of California, Su served as the Litigation Director at APALC, the nation's largest non-profit civil rights organization devoted to issues affecting the Asian American community. In her 17 years as a civil rights lawyer, Su has brought landmark lawsuits on behalf of low-wage

workers in California and initiated grassroots campaigns against sweatshop abuses. Her cases have resulted in judgments and settlements of millions of dollars for workers and effected policy changes in California and the United States. In 1995, Julie Su was the lead attorney for Thai garment workers who were trafficked into the U.S. and forced to sew behind barbed wire and under armed guard in an apartment complex in El Monte, California. Su represented the Thai workers and the Latino workers who labored at a front shop for the slave labor compound in the first federal lawsuit of its kind. The case resulted in over $4 million in settlements with garment manufacturers and retailers and two published decisions that opened the courtroom doors for workers in the underground economy to hold companies responsible for exploitation, even when they subcontract for labor. Su also succeeded in getting visas for the Thai workers, which paved the way for federal legislation protecting survivors of trafficking. Su has litigated numerous other cases on behalf of low-wage workers and has become a leader in what is now a broad-based national and international campaign that includes workers, activists and good corporate citizens against sweatshop abuses throughout the world.

Su has also litigated extensively to end discrimination and segregation in education and the workplace, and to protect vulnerable and elderly immigrants against consumer fraud. She has represented African Americans, Latinos, and Asian Americans in a wide range of cases, including challenges to UC Berkeley's admissions policy, Abercrombie & Fitch's discriminatory hiring practices, English-only policies in the workplace, and Arizona's racial profiling law, SB 1070.

Throughout her career, Su has been honored by community groups, elected officials, business associations, major foundations, professional organizations, and educational institutions for her extraordinary leadership and groundbreaking work. Her numerous awards include the Reebok International Human Rights Award (1996); one of four "Pioneers in Women's History" in an official proclamation by President William Jefferson Clinton (1997); and the Gruber Foundation International Women's Rights Prize (2006). Frequently named to top-lawyer lists such as the Daily Journal's "Top 75 Women Litigators" in California and California Lawyer's "Super Lawyers," she has also been named one of the 50 most noteworthy women alumni of Harvard Law School and one of the 100 most "Influential" people in Los Angeles in Los Angeles Magazine. Julie Su has been featured in Ms., Working Woman, Redbook, and Biography magazine. Her life and work have been profiled by the Lifetime network on its program "Final Justice" and the PBS show "Personal Best." Su has taught at UCLA Law School and Northeastern Law School and is a regular participant in scholarly conferences and a guest lecturer in law school classes across the country.

Su, who is the daughter of Chinese immigrants, was raised in Southern California. She is married to Hernán D. Vera, the President and CEO of Public Counsel, the largest pro bono law office in the nation. They have two daughters. Julie Su speaks Mandarin and Spanish.

8. Kimberly West-Faulcon, Professor of Law, William M. Rains Fellow and James P. Bradley Chair in Constitutional Law, Loyola Marymount

http://www.lls.edu/academics/faculty/west-faulcon.html

Professor Kimberly West-Faulcon teaches *Constitutional Law I, Constitutional Law II, Intelligence, Testing and the Law and Employment Discrimination Law.*She researches the legal implications of theories of intelligence and fair and proper use of standardized tests, antidiscrimination and constitutional law. Her work seeks to expose the theoretical and legal implications of modern research from the fields of psychology, statistics and psychometrics and bridge science and law to offer new insights into the study of intelligence. Her academic articles, which have been the subject of scholarly responses, news articles and opinion commentary, appear in highly regarded law journals, including the *Journal of Constitutional Law, University of Pennsylvania Law Review*, *UCLA Law Review*, *Wake Forest Law Review* and the *Yale Law Journal*.

Professor West-Faulcon graduated from Yale Law School where she was a senior editor of the *Yale Law Journal*. After law school, she clerked for the Honorable Stephen R. Reinhardt on the Ninth Circuit U.S. Court of Appeals and was one of twenty-five law students selected annually from across the nation by the law firm Skadden, Arps, Slate, Meagher & Flom, LLP to pursue a social justice legal project in the organization of her choice. Beginning as a Skadden Fellow in the New York office of the NAACP Legal Defense and Educational Fund, Inc ("LDF") in 1996, she went on to direct the Los Angeles office of the LDF from 1998 until 2005 as Western Regional Counsel and Director. Professor West-Faulcon obtained her undergraduate degree Phi Beta Kappa from Duke University, where she graduated *summa cum* laude, receiving numerous academic honors including the Duke University Faculty Scholar Award and the University Rankin Award for Constitutional Law. While an undergraduate, she studied the Political Economy and Economic History of Great Britain at Oxford University in Oxford, England.

Professor West-Faulcon's scholarship and teaching are grounded in her cutting edge career as a civil rights attorney and litigator, where her work focused on the legal standard for proper use of standardized tests in elementary, secondary and higher education. Her cases include representation of African-American, Latino and Caucasian elementary and high school students in a legal challenge to a high stakes testing policy in Johnston County, North Carolina and African-American and Latino students asserting their interest in the test-based admissions policy of selective examination high schools in Boston, Massachusetts. On the higher education level, Professor West-Faulcon sued UC Berkeley for discrimination in admissions on behalf of African-American, Latino and Filipino students after the elimination of race-based affirmative action on the theory that the institution's overreliance on the SAT violated the U.S. Constitution and federal civil rights law. In addition to these testing-related education cases, she also litigated employment discrimination issues. Professor West-Faulcon challenged discriminatory hiring and promotional practices as lead

counsel for the African-American plaintiff classes in a successful multi-million dollar lawsuit against the clothing retailer Abercrombie & Fitch and represented African-American police officers in enforcement of the terms of a consent decree addressing race discrimination claims by African-American, Latino and Asian-American police officers challenging the promotion practices of the Los Angeles Police Department.

Featured in a 2011 exhibit at the Simon Wiesenthal Museum of Tolerance in Los Angeles as a "Southern California Freedom's Sister," Professor West-Faulcon's significant accomplishments have also been praised in the company of other successful lawyers and professionals. In addition to her selection as a "Southern California Super Lawyer" in 2004, 2005, and 2006 and a "Rising Star Lawyer Under 40" in 2004 by *Los Angeles Magazine*, she was recognized In 1999 by the *Los Angeles Daily Journal* as one of the top lawyers under the age of 40 "making their mark in the legal world" and in the 1999 millennial issue of Ebony magazine as one of Ebony's "Ten for Tomorrow" (along with Jesse Jackson, Jr., Lauryn Hill, Serena Williams, and Sean Combs) "who will almost certainly redefine their fields in the next millennium." Professor West-Faulcon has also been featured, quoted and interviewed extensively by national media such as CNN, The New York Times, The Los Angeles Times, The Chronicle of Higher Education and NPR and provided legal commentary in national media publications across the nation.

9. Susan Westerberg Praeger, Executive Director, Association of American Law Schools

http://www.aals.org/about_prager.php

Former UCLA Law School Dean Susan Westerberg Prager has been named Executive Director and CEO of the Association of American Law Schools (AALS), the nation's principal representative of America's law schools and the scholarly society of the law teaching profession. Her appointment, effective September 1, 2008, was announced by AALS President John Garvey following a unanimous vote of the AALS Executive Committee. Garvey is Dean of the Boston College Law School.

Prager will become the sixth Executive Director of the AALS since its founding in 1900. The AALS created the Executive Director role in 1963. Prager will succeed Carl Monk, who last year announced plans to resign after sixteen years as AALS Executive Director.

Professor Prager is a graduate of Stanford University and the UCLA School of Law, where she served as editor-in-chief of the UCLA Law Review. She joined the UCLA faculty in 1972, became Dean a decade later, and served as dean from 1982-1998 – the longest tenure of any dean in UCLA law school history. At the time Prager became Dean she was one of two female law Deans in the country. Prager was a trustee of Stanford University for 14 years. She chaired the board's Academic Policy Committee and was a Vice President of the Board. She left UCLA in 1999 to become Provost at

Dartmouth College, and recently was President of Occidental College in Los Angeles. Prager is a longtime Director of the Pacific Mutual Holding Company, which owns Pacific Life Insurance Company. Over the years she has been engaged in the national legal education community in a wide variety of ways, serving as AALS President in 1986. She is Professor of History at Occidental College and the Arjay and Frances Fearing Miller Professor of Law Emeritus at UCLA. Her research has focused on marital property law, and on California legal history.

10. Joan C. Williams, Dinstinguished Professor of Law, UC Hastings Foundation Chair and Director of the Center for Worklife Law

http://www.uchastings.edu/faculty-administration/faculty/williams/

Professor Joan C. Williams is Distinguished Professor of Law, UC Hastings Foundation Chair, Founding Director of the Center for WorkLife Law at the University of California, Hastings College of the Law. According to *The New York Times*, "she has something approaching rock-star status" among work/life advocates. She won the Gustavus Myers Outstanding Book Award for *Unbending Gender: Why Family and Work Conflict and What to Do About It* (Oxford University Press, 2000). She has authored or co-authored seventy academic articles and chapters and five books, most recently *Reshaping The Work-Family Debate: Men and Class Matter* (Harvard Univ. Press, 2010). Her project on work-life balance and gender bias in academia is at www.genderbiasbingo.com. In 2006, Williams received the American Bar Association's Margaret Brent Award for Women Lawyers of Achievement. In 2008, she gave the Massey Lectures in American Civilization at Harvard University. Follow her on her Huffington Post blog; the WorkLife Law website is www.worklifelaw.org.

11. Frank H. Wu, Chancellor and Dean, Hastings School of Law, William B. Lockhart Professor of Law

http://www.uchastings.edu/faculty-administration/faculty/wu/index.html

Chancellor & Dean Frank H. Wu is the William B. Lockhart Professor of Law. The first Asian American to serve as dean at UC Hastings, Dean Wu previously taught for a decade at Howard University. He also has taught at the law schools of George Washington University, University of Maryland, Columbia University, University of Michigan, Peking University, as well as in the undergraduate programs of Johns Hopkins University and Deep Springs College. He served as dean of Wayne State University Law School in his hometown of Detroit.

Active in the community, Dean Wu served as a Trustee of Gallaudet University, the only university in the world serving primarily deaf and hard of hearing individuals; he served for four years as Vice-Chair of its Board. He also has been a member of the Board of Directors of the Leadership Conference on Civil Rights, a member of the

Board on Professional Responsibility in Washington, D.C. (which adjudicates attorney discipline matters), and Chair of the Human Rights Commission of Washington, D.C. Currently he is a member of the U.S. Department of Education's National Advisory Committee on Institutional Quality and Integrity (NACIQI) to advise the Secretary of Education on matters of accreditation. He was a member of the U.S. Defense Department's Military Leadership Diversity Commission that made recommendations to Congress and the President on policies to provide leadership opportunities in the Armed Forces.

Dean Wu's research and writing emphasizes issues of diversity and civic engagement. His works include *Yellow: Race in America Beyond Black and White*, which was immediately reprinted in its hardcover edition, and *Race, Rights and Reparation: Law and the Japanese American Internment*, which he co-authored under a grant from the Civil Liberties Public Education Fund. He has written on a professional basis for magazines and newspapers, including *The Washington Post, National Law Journal,* and *Chronicle of Higher Education*.

Prior to his academic career, Dean Wu clerked for the late U.S. District Judge Frank Battisti in Cleveland and practiced law with Morrison & Foerster in San Francisco. As an attorney, he devoted a quarter of his time to the representation of indigent clients, primarily in landlord-tenant matters. He received his BA from the Johns Hopkins University and JD from the University of Michigan. He also completed the Management Development Program at the Harvard Graduate School of Education. He received a 2008 Chang-Lin Tien Education Leadership Award from the Asian Pacific Fund.

Submitted by (alphabetical listing)

Walter Allen, Cartter Professor of Education
Cesar Ayala, Professor of Sociology
Eraka Bath, Assistant Professor of Psychiatry & Biobehavioral Sciences
Scot D. Brown, Associate Professor of History
Devon Carbado, Professor of Law
Kimberle Crenshaw, Professor of Law
Jacqueline DjeDje, Professor of Ethnomusicology
Allyson Field, Assistant Professor of Film, TV and Digital Media
Aisha Finch, Assistant Professor of Women's Studies
Charles Flippen, II, Associate Clinical Professor of Neurology
Phillip Atiba Goff, Assistant Professor of Psychology
Cheryl Harris, Professor of Law
Edmond Hewlett, Professor of Dentistry
Tyrone Howard, Professor of Education
Darnell Hunt, Professor of Sociology
Aurora Jackson, Professor of Social Welfare

Robin D. G. Kelley, Gary B. Nash Professor of History
Cheryl Keyes, Professor of Ethnomusicology
Francois Lionnet, Professor of French and Francophone Studies/African Studies
Claudia Mitchell-Kernan, Professor of Anthropology
Mignon Moore, Associate Professor of Sociology
Hector Myers, Professor of Psychology
Chon Noriega, Professor of Film & TV and Chicano Studies
Mark Sawyer, Professor of Political Science
M. Belinda Tucker, Professor of Psychiatry & Biobehavioral Sciences
Gail Wyatt, Professor of Psychiatry & Biobehavioral Sciences
Richard Yarborough, Professor of English
David Yoo, Professor of Asian American Studies

memo

UCLA Moreno Report Implementation Committee—Discrimination Officer Subcommittee

To:	Executive Vice Chancellor & Provost Scott Waugh, Chair, Members of Moreno Report Implementation Committee
From:	Discrimination Officer Subcommittee--Walter Allen, School of Education;Laura Gómez, Vice Dean, School of Law, Chair;Jo Isabel-Jones, School of Medicine;M. Belinda Tucker, IAC Vice Provost
CC:	Margaret Leal-Sotelo, Assistant Provost
Date:	1/22/2014
Re:	Recommendations & Job Description for Discrimination Officer Positions

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Background: On December 5, 2013, the Moreno Report Implementation Committee (hereafter "the Committee") met for the first time. The Chancellor charged us with assisting the UCLA administration in implementing the recommendations made by the Independent Investigative Report on Acts of Bias and Discrimination Involving Faculty at the University of California, Los Angeles (hereafter "the Moreno Report"). One of the Moreno Report's chief recommendations is that UCLA hire a discrimination officer who would have four duties (as outlined in the Moreno Report, p. 21-23): (i) "review and investigate complaints of alleged bias, discrimination, or intolerance…"; (2) "plan and manage education and training programs" regarding nondiscrimination and diversity; (3) "maintain records of perceived bias and discrimination experienced by faculty"; and (4) "be the primary referral for all faculty members seeking to report incidents of perceived bias, discrimination or intolerance, as well as for advice regarding pursuing redress through the formal Academic Senate processes." At the close of the Dec. 5th meeting, EVC Scott Waugh asked us to serve as a subcommittee to develop policies for the discrimination officer position and a job description.

This report constitutes our response and recommendations. Between Dec. 17, 2013 and January 17, 2014, we held two in-person subcommittee meetings and conducted numerous conversations via e-mail. Members of our subcommittee also have met with Waugh, Vice Chancellor for Academic Personnel Carole Goldberg, Vice Chancellor for Legal Affairs Kevin Reed, and Pamela Thomason (Title IX Officer for UCLA). We have also conducted research on how the other UC campuses and about ten other peer universities structure discrimination offices and their work, and we have interviewed the head of the UC Irvine Office of Equal Opportunity and Diversity (perhaps the most expansive of the UC discrimination units). We are pleased to make the following unanimous recommendations.

Recommendations Related to Discrimination Officer Position:

(1) We urge the Chancellor to immediately advertise for the position of Discrimination Officer, as recommended by the Moreno Report, and a job description for that position follows these recommendations.
(2) We further urge that the Chancellor use the applications solicited for this position to hire <u>two</u> discrimination officers, who would be of co-equal status to the Title IX Officer, currently the sole person at UCLA conducting discrimination investigations brought by or against Academic Senate members. Given that many UC campuses have an entire team of investigators (some as many as half a dozen serving a smaller campus population), given the crisis caused by recent events that led the Chancellor to appoint the committee chaired by Former Chief Justice Carlos Moreno, and given the need to move quickly to restore the public's faith in this University, we strongly believe that a minimum of two discrimination officers should be hired immediately.

(3) In addition, we do not believe these discrimination officers will be effective without adequate staffing. So we strongly endorse the appointment of at least one full-time administrative assistant to support the work of the two new discrimination officers.
(4) We recommend that the new positions eventually report to the newly announced Vice Chancellor for Diversity, Equity & Inclusion and, in the meantime (assuming these incumbents start their jobs before the Vice Chancellor is appointed and begins at UCLA), that they report directly to the Executive Vice Chancellor. Our research and investigation strongly support the view that discrimination officers must be protected from undue influence of offices with related, though different interests, and that an effective discrimination office should not be housed in any of the following university offices: legal affairs, academic personnel, human resources.
(5) We recommend the following time-line for implementation of our recommendations related to the discrimination officer job search:
    a. January 24-31, 2014: finalize job description with UCLA Human Resources, other administrative hurdles; seek expedited process;
    b. Feb. 1- March 15, 2014: post job description and seek a diverse applicant pool;
    c. March 1-March 30, 2014: hiring committee reviews applications, selects finalists;
    d. April 1-15, 2014: two discrimination officers are hired and begin work as soon as possible.
    e. June 1, 2014: discrimination officers issue progress report to Waugh and Chancellor Block, and do so every two months during first year of employment.

Other Recommendations:

(1) The subcommittee urges Chancellor Block and EVC Waugh to consult with the Moreno Report Implementation Committee as they move forward with drafting the job description and conducting the search for the new Vice Chancellor position.
(2) Based on its investigations, the subcommittee endorses the elimination of the Academic Senate's Charges Committee. We have found that the Charges Committee is largely superfluous (given the work conducted now by the Title IX officer and to be conducted by the two new discrimination officers). We believe, moreover, that a streamlined process will be both more efficient to complainants and signal the University's commitment to fulfilling the letter and spirit of the Moreno Report.

Discrimination Officer, Job Description
1/22/14
Addendum to Report of the Discrimination Officer Subcommittee of the Moreno Report Implementation Committee (Walter Allen, School of Education; Laura Gómez, Vice Dean, School of Law, Chair; Jo Isabel-Jones, School of Medicine; M. Belinda Tucker IAC Vice Provost)

Title: Discrimination Officer—two positions to be filled.
Department: Office of the (new) Vice Chancellor for Diversity, Equity & Inclusion; if the discrimination officers begin their work prior to the VC, then they will report directly to the Executive Vice Chancellor.
Effective Date: February 1, 2014
Start of Employment: April 15, 2014
Required education: J.D. or equivalent.
Minimum experience: Preferred candidates will have at least ten years experience in the legal field.
Probationary period: There should be a probationary period of 2 years with provision that the terms of the job description are met.

UCLA seeks to hire two discrimination officers, each of whom will be responsible for several activities related to combating harassment and discrimination—especially discrimination on the basis of membership in a racial, ethnic, national origin group, or citizenship status--and improving the University climate with respect to discrimination.

The discrimination officer's primary work includes (but is not limited to) the following four tasks:

- investigating and resolving complaints of discrimination and/or harassment, including working closely with Academic Senate, Academic Personnel, and other University offices having responsibility for responding to such charges, and including advising heads of campus departments, units or schools, other key administrators, and key Academic Senate leaders about potential complaints and resolution after investigations (estimated 50%);
- conducting anti-discrimination and anti-racism training and educational programs for administrators, including department chairs, deans, the Chancellor's office, and staff in the Academic Senate and Academic Personnel offices (estimated 25%);
- collecting and reporting (with support from a statistician), on an quarterly and annual basis, summary data about complaints, investigations, and resolutions of alleged discrimination (estimated 15%); and,
- serving as a liaison to a designated anti-discrimination official in each College or school of the University (estimated 10%).

One of the central activities of the discrimination officer will be working autonomously--accountable only to the Vice Chancellor for Diversity, Equity and Inclusion--to address

complaints by academic personnel who believe they have experienced discrimination and/or harassment and/or academic personnel accused of committing discrimination under the UCLA Academic Senate's Code of Faculty Conduct (see http://www.senate.ucla.edu/SenateLinks/UCAppendixIV.pdf), under University of California policy, and/or under city, county, state or federal law. Complaints from or against other members of the UCLA community—including staff, students, and administrators—will also be part of the officer's portfolio.

Although, as noted above, proactive anti-discrimination training and education will be a major focus of this job, a special focus will be to develop training and related interventions for departments, other units, colleges or schools that have experienced repeated and ongoing discrimination allegations.

The discrimination officer will have the following duties related to the two largest components of the job, investigating complaints and education/training programming:

Related to complaint investigation and resolution:

- Exercise independent judgment in the intake, investigation, and resolution of discrimination and/or harassment complaints;
- Provide impartial consultation, dispute resolution, and problem solving for complainants;
- Advise complainants and respondents of the possible consequences of their conduct, actions, choices, rights, and responsibilities under University policy, Academic Senate procedures, and the law;
- Perform fair, impartial, and thorough investigations of discrimination and harassment complaints.
- Write credible reports based on clearly articulated findings from investigations;
- Be perceived by complainants and respondents as an impartial party;
- Listen empathetically to complainants, respondents, and witnesses;
- Collaborate with other campus offices as needed (e.g., Legal Affairs, Human Resources, Academic Personnel, Academic Senate, Student Affairs, and schools, colleges, department and units);

Related to education and training programming:

- Coordinate, develop and implement mandatory education programs related to anti-discrimination, anti-harassment, and anti-racism directed at campus units and upper level administrators, including Academic Senate Committees
- Research, evaluate and recommend effective instructional materials
- Seek innovative instructional materials targeted as diverse constituencies within the university community and aimed at diverse learning styles;
- Network with and otherwise serve as liaison to departments, units, colleges, and schools to develop diversity, anti-discrimination, and anti-racism training and education programming.

Skills, knowledge, abilities, and competencies (SKAC) for this position:

Demonstrated skill in communicating empathetically with discrimination complainants and respondents;
Demonstrated skill in negotiating, exchanging ideas, information and opinions with others;
Demonstrated skill in collaborating with others in diverse statuses, including university leaders, administrators, academic personnel, staff, and students;
Demonstrated skill in interacting with persons from diverse backgrounds and cultural orientations including those related to membership in historically under-represented racial, ethnic, and national origin groups;
Demonstrated ability to establish rapport and professional credibility and to gain the trust of persons in diverse statuses, including university leaders, administrators, academic personnel, staff, and students;
Demonstrated ability to work independently with only general direction and to accept equivocal circumstances;
Demonstrated ability in conflict resolution;
Demonstrated ability to mediate effectively between and among all levels of academic, managerial, staff, student levels and between individuals;
Demonstrated ability to investigate complaints;
Demonstrated ability to make oral presentations to individuals and groups of various sizes;
Demonstrated ability to write detailed, well-organized, clear, publishable memos, reports, and/or procedures;
Demonstrated, exceptional skill in developing and delivering training and education programs about discrimination and harassment, especially related to membership in racial, ethnic or national origin groups;
Demonstrated skill in program development including delineating goals, determining implementation steps, designing evaluation measures;
Demonstrated basic statistical knowledge related to analysis and interpretation of basic statistical data;
Demonstrated experience in the preparation of basic statistical reports.
Knowledge of research, literature and information systems on harassment and discrimination based on race, ethnicity or national origin;
Knowledge of state and federal laws related to discrimination, employment and or harassment;
Knowledge of university and higher education settings more generally as an institutional context for understanding, addressing, and discouraging discrimination and harassment;
Demonstrated skill in dealing effectively with people who have a variety of personalities, working styles, and statuses, including tenured faculty members and senior administrators.

TO: EVC Scott Waugh
Moreno Report Implementation Committee

FROM: Cheryl I. Harris
Tyrone Howard
Sylvia Hurtado

DATE: February 18, 2014

RE: Report of Subcommittee on the position of VC for Equity, Diversity and Inclusion

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At our last Implementation Committee meeting, we discussed the need to move forward on the search for the newly created position, Vice Chancellor for Equity, Diversity and Inclusion ("VC-EDI"). To that end a draft job description for the position was circulated and briefly reviewed. As it was clear that there were substantial questions to be considered, our subcommittee offered to assist in reviewing the description and gathering information. EVC Waugh also undertook efforts to contact EVCs or Provosts at other comparable institutions to better understand resource and operational considerations.

We were aided by the fact that one of our members, Sylvia Hurtado, is a leading researcher and expert in the evaluation of diversity initiatives in higher education and is thus very familiar with the literature as well as the salient issues in the field. One important source that she identified is a book written by the former Chief Diversity Officer at Wisconsin. The book, THE CHIEF DIVERSITY OFFICER: STRATEGY STRUCTURE, AND CHANGE MANAGEMENT, by Damon A. Williams, Katrina C. Wade-Golden and Mark A. Emmert (May 2013), proved to be an important resource in identifying some key issues and information. A copy was made available to Scott, and we have all been reading it, so in one sense, we are literally on the same page. We also made direct contact with other CDOs at other institutions to get a sense of the on-the-ground operational issues.

To say that the issues are complex grossly understates the matter. Nevertheless, we think there are at least three important areas to consider going forward:

TIMING: The literature suggests that the creation of the position, conducting a search and successful recruitment takes approximately a year. The thinking is that this time frame is needed in order to assess current efforts and resources, identify institutional priorities, and help set the stage for the CDO. However, there are acute needs here and now, rendering that timing problematic. Nevertheless, there should be some thought given to the essential components of the process and the anticipated time frame so that there can be clear expectations and communication around these issues. EVC Waugh has begun the process of conducting an audit of

the current diversity related initiatives on campus, so we can have some sense of what is presently in place. Beyond that, we are presumably in the process of identifying priorities and there is a search firm contemplated. We briefly looked at a target last time, but it would also be good to think about whether there are other things that might be done. For example, would it be advisable to reconstitute a Diversity Advisory Council who would be an identified resource for the CDO from the outset? While such a council currently exists, it has had limited impact. This might be an opportunity however to reinvigorate it and give it some clear tasks relative to the work of the CDO.

STRUCTURE: Williams, et. al. identify several models, or what they call "archetypes" of the CDO. They are the Collaborative Officer Model, the Unit Based Model, and the Portfolio Divisional Model. Attached to this memorandum is a chart wherein the characteristics, strengths and weaknesses of each are compared. The basic difference among them relates to the degree of dedicated infrastructure and the degree of integration into the existing campus organizational structure. Thus, on one end, in the Collaborative Model the CDO is a high ranking officer but, apart from administrative support, has no staff or direct reporting units, and does not change the existing organizational arrangements. Compliance relies on collaboration and leveraging existing infrastructure. In the Unit Based Model, the CDO has a staff including programming and research, and is "integrated moderately" into the campus structure. Under the Portfolio Divisional Model the CDO has several direct reporting units under her. This consolidates resources and authority in one location.

Obviously, these are pure "types" and one can imagine some tinkering that would make the distinctions among them less stark. However, consideration of these models facilitates identifying important costs, benefits and trade-offs as well as resource implications.

- Decentralized v. more centralized structure: As the title suggests, under the Collaborative Model, the CDO is tasked with collaborating with other units, and personnel to coordinate, leverage and heighten diversity efforts. This has the least disruptive impact on the institution's existing organizational structure, and could be seen to underscore the message that the responsibility for equity and inclusion is institution-wide. However, under this model, while everyone is theoretically accountable, without more, the CDO may find it difficult to be effective, particularly when unlike other VC positions, this one has no direct reporting units. The Portfolio Unit is the most resource intensive, and because it contemplates some change in the reporting lines of the organizational structure, in this model, the CDO can generate conflict with other units. Centralizing responsibility in this way can also risk creating the impression that the issue has been consigned to a particular unit and is not the responsibility of the institution at large.
- Experience under Collaborative Model: Some of the institutions contacted operated under a collaborative model and the assessment of efficacy was mixed. On the one hand, the cases presented some issues mentioned above

concerning the challenge of maintaining a strong institutional profile in the absence of staff and confusion over lines of authority (e.g. Did the CDO have the capacity to initiate new projects?). On the other hand, other institutions favored the collaborative model precisely because responsibility for these issues was more diffuse.

RECOMMENDATION: On balance, we favored the Portfolio Model, notwithstanding the potential for creating organizational friction. One way of reading the current crisis is that in an environment where everyone is equally responsible, no one is able to demand accountability. Credibility and legitimacy have taken a hit as a result and there will likely be heightened sensitivity to the issue of whether the VC-EDI represents substantive change or the insertion of another position without real authority and power. We also think that the kind of deep-rooted change that is necessary may require some fundamental rethinking about the institutional structure as a whole and this kind of approach could well provoke that. We have attached a draft of a Portfolio Model that is somewhat tailored to UCLA. Three issues are not delineated on the draft chart but are worthy of consideration:

1) Should the Discrimination Officer report or be in a reporting line to the CDO? The draft job description contemplates this, but on one view, if the CDO has an advocacy role, this may compromise the legitimacy of the Discrimination Officer whose fairness and neutrality may be questioned. On the other hand, reporting to Legal Counsel also could raise concerns given that the university might not be perceived as a neutral arbiter in these matters. We would like to hear the thoughts of the subcommittee on the Discrimination Officer on this issue.
2) Are there some tasks assigned to some of the current senior officers that might be reallocated or better assigned to others? For example, should academic support be given its own title disaggregated from diversity and inclusion?
3) What should the major priorities be for the CDO? The job description is quite expansive and even includes initiatives like fundraising. Given this very broad scope, it would be helpful if thought was given to prioritizing the areas of work. Our view is that strategic planning, and addressing climate issues are at the top of the list.

BUDGET: Williams et. al., conducted a survey of budgets, and categorized them based on the size of the institution. A copy is attached. Roughly one-third of comparably sized institutions (more than 20,000 students) had a budget greater than $1 million; another 20% were in the $500,000- 1 million range.

We look forward to further conversation.

must define the formal power and authority vested in the role. That is, what formal resources and policy-m aking capacity does the CDO have? What financial, staff, and unit resources are under his or her direct authority? And what new initiatives can he or she conceive and implement without supervision or assistance? Can the CDO host a campus diversity symposium? Authorize a campus climate study in a particularly problematic school or college? Author a campus-wide e-mail about a particular issue? Develop a new strategic relationship with a local nonprofit agency doing parallel work to expand access into higher education? Fund a new pilot initiative in the office of multicultural affairs?

Establishing the annual operating budget for the CDO is a critical decision that must be balanced against several institutional factors. They include che institu tion's overall budget, current strategic priorities, parameters of the strategic diversity agenda, and current diversity investments. Although this CDODF cannot account for all of these factors exhaustively, we suggest that institutional designers consult Table 3.5, which summarizes our analysis of 104 institutions, contrasting institutional size and CDO annual operational budgets, not including salaries and grant money.

We offer this table as a way to help institutional leaders determine how their budget allocation decisions compare with the budgets of institutions of similar size as defined by their undergraduate populations. The decision to create a $25,000 or $1 million budget must ultimately reflect the strategic diversity platform of the institu tion and the degree to which the institution desires to empower the CDO to have the material capacity to advance and encourage its strategic diversity agenda.

TABLE 3.5
Chief Diversity Officer Institutional Size and Budget Control

Und„.graduate Siu	*Description*	*Lesr than $50.000*	*$50,000-$150,000*	*$150,001-$500,000*	*$500,001-$1 million*	*Over $1 million*	*Total*
Small institution (n: 26)	Fewer th an 5, 000 srudems	61%	19%	4%	4%	12%	100%
Medium institution *(n* : 22)	5,000 ID I0,000 srudents	41%	32%	14%	4%	9%	JOO%
large institution (n: 24)	!Q,QQQ ID 20,000 srudenrs	29%	17%	25%	17%	12%	100%
Very large institution *(n* "' 32)	More than 20,000 studen ts	9%	16%	25%	19%	31%	100%

N I04 institutions.

TABLE 4.1
Archetypes of Chief Diversity Officer Vertical Structure

Archetype	*Key Characteristics*	*Strengths*	*Weaknmes*
Co Uaborative Officer Model	Limited human resources characterize this model as officers may *only* have administrative and srudenr support in their immediate span of control. In the absence of a staff, a high-ranking title, personal leadership, and the ability co negotiate with limi ted financial resources are essential.	Maintains the current campus organizational structure. Is low cost. Is characterized by flexibility io changing and redefining the role. Establishes a dedicated role to advise on matters of diversity. Creates a symbolic expression of commianent.	Is more symbolic than materi l commitment to CDO role design. Renders the CDO asa thougl t leader-with little ability to **activate new initiatives.** Limits ability co collaborate with others. Does not create economies o scale. Creates unequal footing between the CDO and comparable senior administrative roles.
Unit-Based Model	This model requires the same type of leadership as the Co lla borative Officer Model bur is rustioguished *by* the presence of a central CDO staff of administrative support professionals, programmiog and research professionals, and other diversity officers.	Is integrated moderately into the campus organjzational structure. Establishes a dedicated role to advise on matters of ruversity. Creates a symbolic expression of commitment. Enhances capacity to create new ruvm ity deliverables in terms of ioitiatives, projects, and events. Enhances capacity co engage in collaborative relationships with others and seed new possibilities. *Is* a more structured and professional archetype for engaging diversity issues as a strategic priori ty.	Potential organizational conflict with diversity units not io the CDO portfolio. Potential organizational conflict with general campus-wide units not io the COO portfolio. More cost-intensive modd than the CoUaborative Offim Model in terms of staff and hosting a dedicated unit on campus .

TABLE 4.1 (Continued)

Archetype	Kry Characteristics	Strengths	Weaknesses
Portfolio Divisional Model	This model is characterized by aspects of both the Collaborative Officer and Unit-Based models. It is distinguished by collaboration and the presence of several direct reporting units in a venically integrated portfolio, creating a dedicated divisional infrastructure.	Establishes a dedicated role to advise on matters of diversity. Enhances capacity to create new diversity deliverables in terms of new initiatives, projects, and events. Enhances capacity to engage in collaborative relationships with others and seed new possibilities. Has ability to leverage current diversity infrastructure. Creates COO /dedicated diversity capacity and economies of scale. Sends powerful symbolic message of commitment to the campus clivcrsity agenda, Mirrors the divisional structure of comparably titled roles, Is most vencally structured and professional archetype for engaging diversity issues as a strategic priority.	Integrated into the traditional campus structure and may generate organizational conflict on campus. Potential organizational clissonance with dedicated diversity units not in the CDO portfolio. Most cost-intensive model, requiring more resources for sraff and other expenses related to hosting another division at the institution. Alignment of campus diversity units in a common portfolio may be perceiv<ed as "ghetto izing diversity."

the ability to effect change through personal leadership, and the capacity to offer financial resources to broker new alliances.

Our research found that these officers repon being stretched thin because of understaffing and the numerous requests they field to participate in initiatives, committees, social gatherings, position searches, and conferences. In response to these environmental pressures, some CDOs attempt to focus their span of attention on a particular issue, like faculty diversification. Box 4.4 explores a specific instance of faculty leadership in the Collaborative Officer Model.

Although many officers operating in the Collaborative Officer Model discussed areas in which they have influence, they also noted the paradox of being high-ranking officers with no staff or direct reporting units. When the

Appendix 8

UCLA Racial Incidents in Media Coverage Timeline 2013-2020: Reference List

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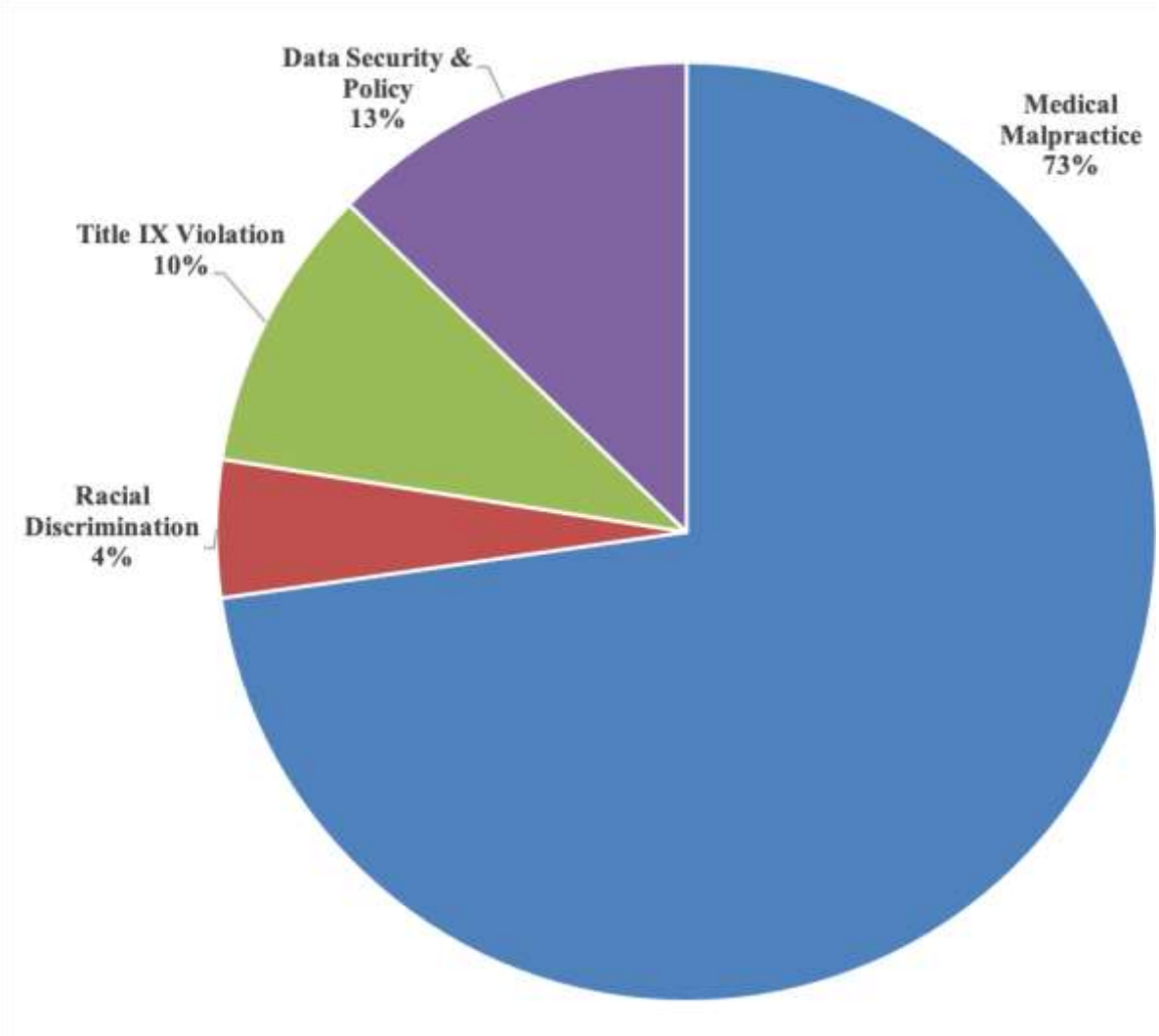
FIGURE 4: UCLA Public Settlements since 2013



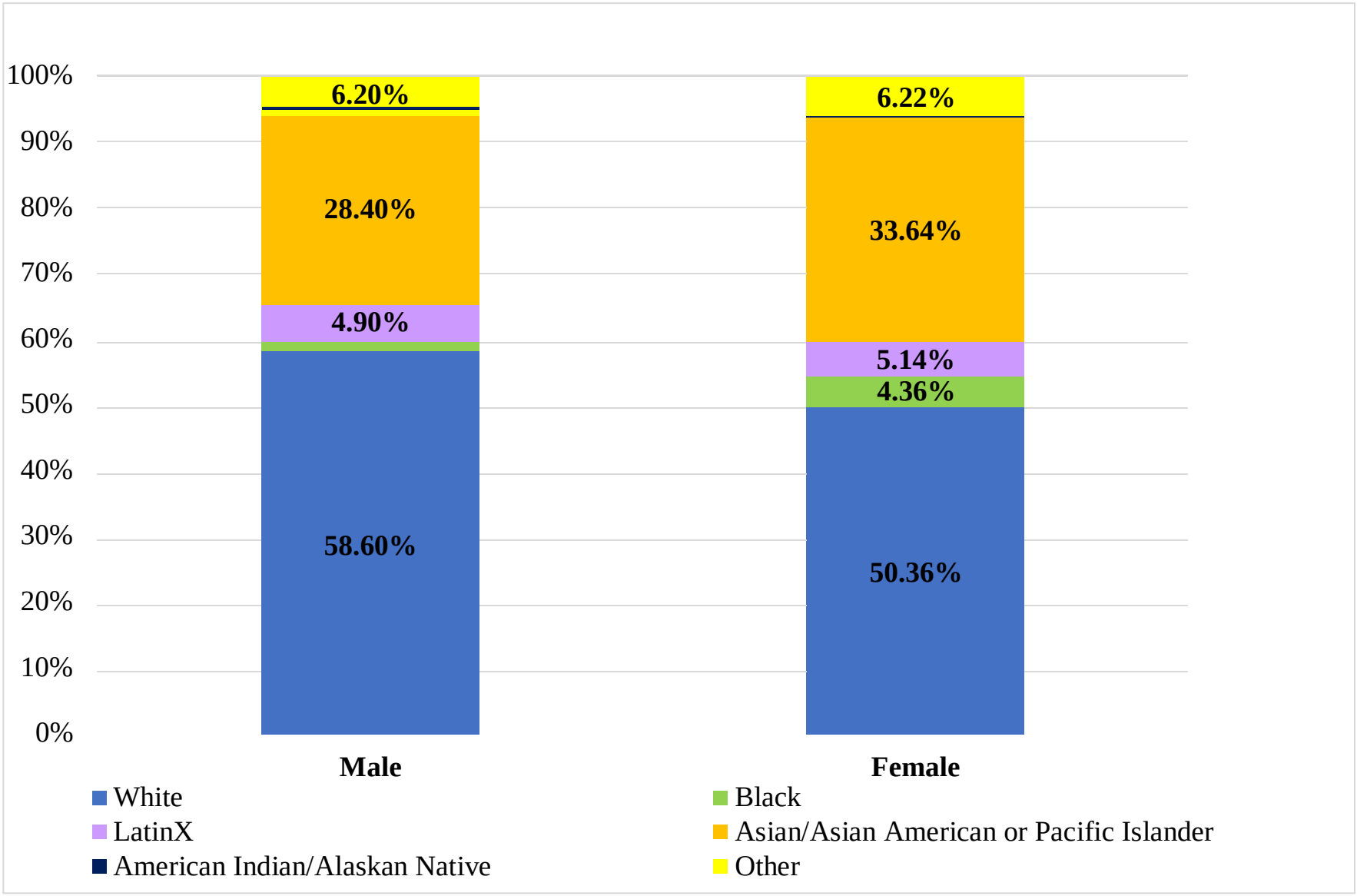
Appendix 9B

FIGURE 5: 2017 Diversity Across Divisions by Percentage (FTE)

	School Division	Department	% White Faculty	% Black Faculty	% LatinX	% Asian/Asian American or Pacific Islander	% American Indian or Alaskan Native	% Other
MOST DIVERSE	GSE&IS		55(46.3)	13.2(11.1)	14.9(12.5)	13.0(11)	0	3.9(3.3)
		Education	48.1(33)	14.7(10.1)	17.8(12.2)	14.6(10)	0	4.8(3.3)
		Informational Studies	84.3(12.5)	6.7(1)	2.2(.3)	6.7((1)	0	0
	ENGINEERING		56.4 (110.3)	1 (2)	1.4 (2.8)	37.3 (72.9)	.2 (.4)	3.6 (7)
		Civil Engineering	50.8 (13.9)	7.3 (2)	1.4 (.4)	28 (7.6)	0	12.5 (3.4)
	LUSKIN PUBLIC POLICY		59 (30.2)	7.8 (4)	4.5 (2.3)	14 (7.2)	4.9 (2.5)	9.8 (5)
		Public Policy	58.5 (6.8)	8.6 (1)	0	14.3 (1.7)	18.6 (2.2)	0
		Social Welfare	63.2 (11.3)	11.2 (2)	7.4 (1.3)	5.6 (1)	1.8 (.3)	10.8 (1.9)
	SOCIAL SCIENCES		63.7 (208.3)	6.6 (21.8)	9.9 (32.3)	13.0 (42.6)	2.0 (6.5)	4.8 (15.8)
		Gender Studies	36 (4.5)	8 (1)	4 (.5)	24 (3)	12 (1.5)	16 (2)
		Communication Studies	85.6 (15.9)	0	0	8.1 (1.5)	0	6.3 (1.2)
	MUSIC		66.7 (47.2)	9.7 (6.9)	6.2 (4.4)	9.9 (7)	1.4 (1)	6.1 (4.3)
		Ethnomusicology	44. 2(9.6)	24.8 (5.4)	13.2 (2.9)	11.6 (2.5)	4.6 (1)	1.6 (.3)
		Music	74.4 (27.1)	1.4 (.5)	4.1 (1.5)	9.4 (3.4)	0	10.7 (3.9)
LEAST DIVERSE	HUMANITIES		68.6 (229.2)	2.8 (9.3)	7.7 (25.7)	14.7 (49.1)	0	6.2 (20.7)
		Classics	95.6 (12.3)	0	0	0	0	4.4 (.6)
	PHYSICAL SCIENCES		69 (198.6)	1 (3)	2.4 (7)	22.3 (64.2)	0	5.2 (15)
	ARTS & ARCHITECTURE		73.2 (61.8)	3 (2.5)	6.7 (5.7)	14.7 (12.4)	0	2.4 (2)
		Art	78.4 (13.3)	5.9 (1)	7.8 (1.3)	7.8 (1.3)	0	0
		Arch & Urban Design	75.9 (23.3)	0	6.5 (2)	14.3 (4.4)	0	3.3 (1)
	LIFE SCIENCES		73.9 (120.9)	3.1 (5)	7.2 (11.8)	15 (24.5)	0	0.9 (1.5)
	LAW		76.8 (62.7)	5.5 (4.5)	4.2 (3.4)	9.3 (7.6)	1.2 (1)	3 (2.5)
	ANDERSON		77.6 (92.4)	0.8 (1)	8.4 (10)	12.9 (15.4)	0	0.3 (.3)

Appendix 9C

FIGURE 6: DGSOM Race/Ethnicity Demographics



Appendix 9D

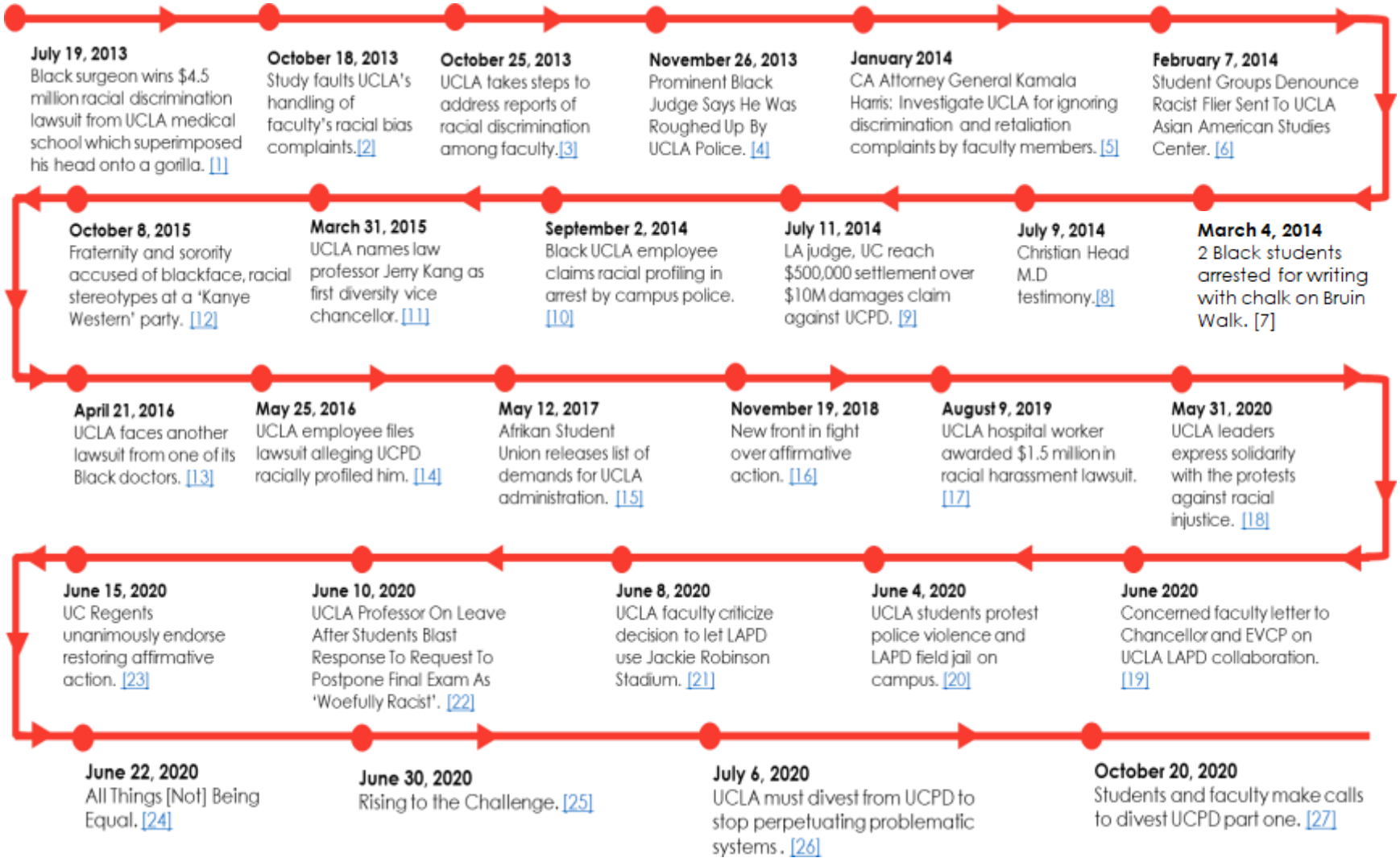



FIGURE 7: UCLA Racial Incidents in Media Coverage Timeline 2013-2020