

University of Washington ADVANCE Workshop

Recruiting and Hiring for Inclusive Excellence— Context and Process

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Why Are We Here?

- Opportunity for UW to increase & diversify the faculty, building on what is already in place
- Useful to see the national picture & consider competitive advantage
- Help you examine search (recruitment, interview, hiring) procedures & develop more effective strategies
- Pose dilemmas, avoid pitfalls, and improve faculty yield

Your Role as Leaders & Decisionmakers

- Set an overall tone
- Make University's expectations explicit
- Be transparent
- Ensure fairness in processes
- Create a mix of talent
- Stir the mix to maximize individual & group contributions
- Recognize exemplary practices

The Context Has Changed

- Alarming Global & Domestic Economy
- U.S. Workforce Concerns—Emphasis on STEM, but Participation Gaps are Campus-wide:
 - Women—a mixed bag
 - Students of color—earning of bachelor's degrees has slowed, but increased at proprietary institutions
 - Foreign students—stay or go post-degree
- Heightened:
 - Consciousness about demographics & financial access to college
 - Sensitivity about higher education-career opportunity link
 - Accountability for all sources of funding
 - Legal opposition to programs seen to favor any one group

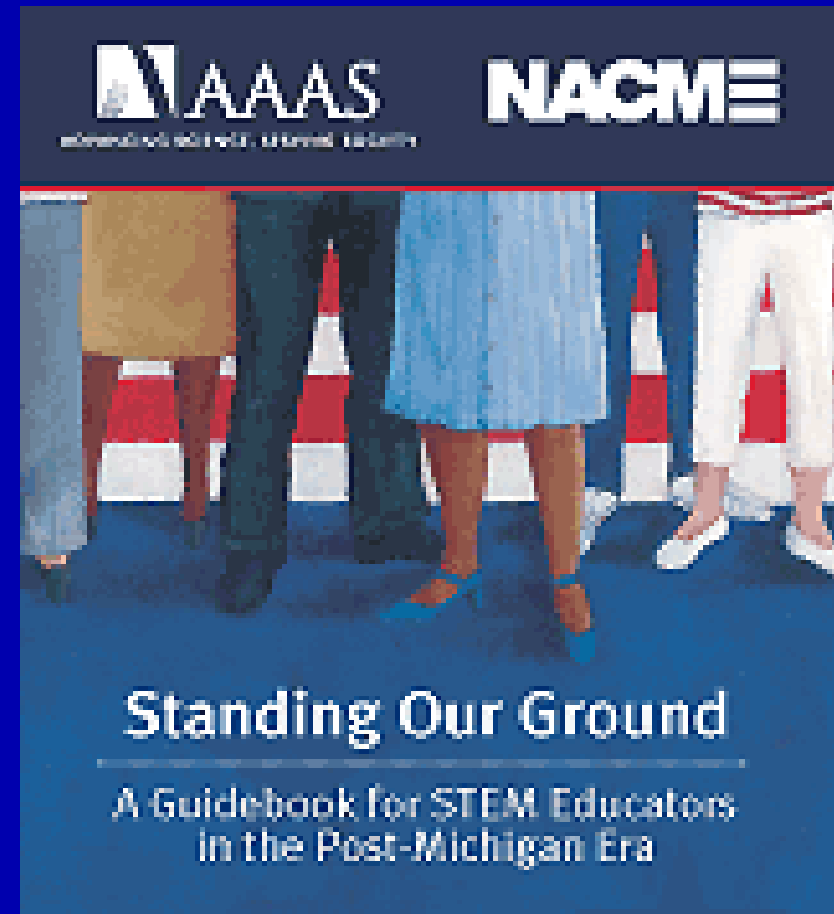
What Critics of Affirmative Action See and Say

- Taking race, ethnicity, and gender into consideration in any competition requires the use of quotas, preferences, and reverse discrimination
- Collect no data—counting and classification are unnecessary
- Excellence and equity are incompatible goals—serving one dilutes the other (implicit/unconscious bias)
- Because discrimination is now illegal, affirmative action is unnecessary

Big Lesson: Operate on the Context, not just the Content

2004: To help guide program staff & university counsels in interpreting the Grutter and Gratz rulings . . .

2008: Sloan- and NSF-funded pilot project (AAAS/AAU) to identify effective STEM programs & practices for students and faculty, making them legally sustainable



See http://www.aaas.org/publications/books_reports/standingourground/

***Handbook on Diversity and the Law—
Navigating A Complex Landscape to Foster
Greater Faculty and Student Diversity in
Higher Education***

The Law Governing Effective Faculty and Student Body Diversity Programs in STEM and Related Disciplines . . . and Its Implications for Institutional Policy

AAAS-AAU, April 2010

<http://php.aaas.org/programs/centers/capacity/publications/complexlandscape/>

Summary and Highlights

http://php.aaas.org/programs/centers/capacity/documents/LawDiversity_SUMMARY.pdf

January 2011



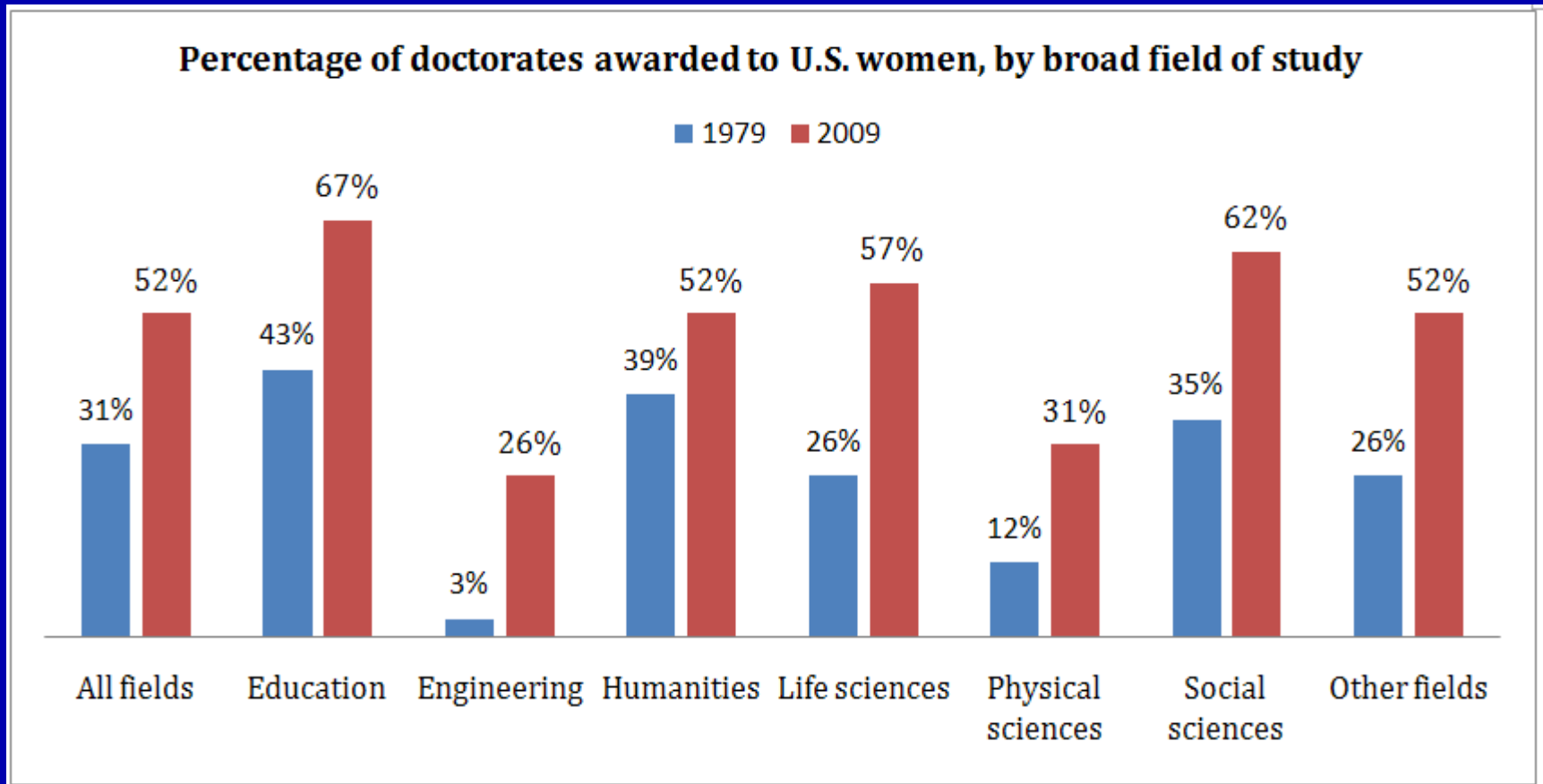
**Handbook on Diversity
and the Law**

Navigating a Complex Landscape
to Foster Greater Faculty and Student
Diversity in Higher Education

Percentage Changes in all Doctorates Awarded , by Race/Ethnicity and Broad STEM Fields, 1989 to 2009

	American Indian		Asian		Black		Hispanic	
	1989	2009	1989	2009	1989	2009	1989	2009
Engineering	0.3	0.4	16.1	16.3	1.5	4.3	2.1	5.0
Life Sciences	0.2	0.4	5.1	10.3	2.2	5.4	2.1	5.0
Phys Sciences	0.5	0.2	7.3	9.9	1.2	3.1	2.4	4.2
All Fields	0.4	0.5	5.0	8.3	3.8	6.9	2.8	5.8

Note: Percentages are based on the total of all doctorates awarded to U.S. citizens and permanent residents only, not to foreign students studying on temporary visas. People of Hispanic ethnicity may be of any race and are excluded from the categories of race shown. Life sciences include agricultural sciences/natural resources, biological/biomedical sciences, and health sciences. Physical sciences include mathematics and computer and information sciences. Data from Survey of Earned Doctorates



source: Diversity in Academe, Sept. 25, 2011, *The Chronicle of Higher Education* (data from Survey of Earned Doctorates)

Different Dynamics in Underrepresentation

US Minorities:

- Early Disadvantages (e.g., preparation deficits, reduced opportunity/access, lack of role models/career info)
 - “Pipeline problem” (not enough)

Women:

- Later Disadvantages (e.g., credentials but . . . limited sponsorship/advancement, chilly climate, work-life imbalance)
 - “Under-utilization” (where ample supply, not hired)
 - “Unintentional Biases” (males rated more competent & hireable)

Lessons on Losing Talent:

- *Advantages accumulate; so do disadvantages*
- *Minorities leave STEM early, women late (post-PhD)*
- *Analytical needs—examine numbers/trends (how many?), composition (who?), quality/creativity (what?)*

The Compelling Interest: Linking Evidence to Legal Standards and Policy Goals



- National data *aid* an institution to establish policies that will conform to key legal and policy principles.
- Institutional action should be, at core:
 - ***Mission-Driven***
 - Framed in core educational terms (aims associated with education, workforce & citizenship preparation, national security, research, etc.)
 - ***Numbers-Informed, but NOT Exclusively Numbers-Focused***
 - Informed by relevant data associated with the institution's service area and goals; data provide vital context.
- Goals such as racial balancing and remedying societal discrimination are *unconstitutional*—at least when any (arguable) race-, ethnicity-, or gender-related preference is exercised.

Effecting a Better Process—Strategies

- Distinguish “under-utilization” (can’t find, but they exist) v. a “pipeline problem” (there is a shortage)
- Abandon the “I know quality when I see it” approach v. recognition that quality comes in different packages
- Mainstream efforts v. creation of “special” (search, position, etc.) that marginalizes the effort & stigmatizes the result
- If in doubt about legality, do *not* “just say no” and abandon program—get legal advice!

Beware . . .

- **In “target of opportunity” faculty hiring . . .**

the Provost establishes a central fund for faculty hiring that especially advances priorities in the institutional mission. This is commonly seen in many NSF-ADVANCE projects, as well as in medicine, law, and business schools.

- **The key is to reward the unit’s behavior without punishing or benefitting the new hire. . .**

If he/she enters under a cloud of suspicion, i.e., that the position was not “earned” or diminishes faculty quality, then the good intention may have a lingering negative effect on individual performance as well as unit “climate” and morale.

Prerequisites for Faculty Searches

Create job descriptions that:

- A. allow for “holistic review” of research accomplishments, teaching philosophy, mentoring experience, multi-cultural skills & experiences
- B. are supportive of high quality in disciplinary and collaborative ventures, e.g., communication & K-12 or community outreach
- C. convey expectations of how success in A & B above relates to promotion & tenure
- D. make clear the value the University places on diversity & inclusion
- E. tie qualifications to actual needs of the position and discipline.

Be cautious if assigning numbers and scores as part of candidate assessment.

Fisher v. University of Texas at Austin— What's It About?

- Top 10% of Texas high school seniors automatically admitted
- All other Texas residents are reviewed based on a formula based on Academic and Personal Achievement Indices. The latter includes “special circumstances.” Race is one of many factors that may be considered under “special circumstances.”
- Two applicants denied admission claim racial discrimination.
- The U.S. Court of Appeals concluded the Texas approach was permissible, consistent with the Supreme Court’s 2003 University of Michigan decision in *Grutter* (i.e., consideration of race is “permissible,” but not “compelled”)

What Might Happen—The Court Could . . .

- Limit its decision to Texas' policies and rule that they simply violate the guidelines set forth in its past rulings.
 - Bad news for UT-Austin, but given its distinctive admissions policy, probably little effect on other colleges.
- Further refine its earlier decisions
 - What must occur before race may be considered:
 - Documentation and finding regarding need for program
 - Use or review of race-neutral alternatives
- Strike down all race-conscious admissions policies of US colleges, rejecting its own precedents that such policies may serve a compelling government interest.
- Dismiss the case on procedural grounds

Effect of Court's Decision

- No direct effect on employment. Probably only affects admissions decisions, but could impact other student programs.
- Could give greater guidance about when colleges may consider race in admissions or other programs.
- Could impact UW because Washington Supreme Court permits consideration of race that is neutral, neither harms nor benefits an individual based on race.
- Could limit efforts to expand the pipeline (the source of future faculty). Student composition implicates the workforce.
- Psychological effect is nontrivial. Perceptions of access can have a substantial effect on whether students of color see higher education as a realistic option.

6th Circuit Court of Appeals Overturns Michigan's Ban on Race-Conscious Admissions—What's It Mean?

- In a nutshell: Voters overwhelmingly approved the ban in 2006 called Proposal 2 that, among other things, prohibited any consideration of race in admissions. The Court struck down the law.
- A law that burdens a group disproportionately in its ability to influence government or that changes the governing process may be unconstitutional even if the underlying goal is not.
- The ban was found to burden those who could seek changes to admissions criteria that affected them only by seeking a state constitutional amendment when others could petition the University Board. The difference violates 14th amendment right requirement for equal protection under the law.
- This opinion does not authorize or prohibit affirmative action; it affects ballot measures that do so.

***Back to Campus*—UW at Cutting Edge of Self-Examination & on Cusp of Institution-wide Action**

- *Diversity Blueprint* provides diagnosis + plan of action
- Infrastructure created for measurement, responsibility & accountability
- Clear expectations stated in 2y2d themes, 6 diversity goals, dashboard metrics (which include both baselines & targets)
- Institutionally tailored to meet UW's specific needs & culture

Implementation Barriers (from *Diversity Blueprint*)

- **Achieving Goal 4 (Attract & Retain a Diverse Faculty)**
 - Uneven unit buy-in (Metric 1d)
 - Magnitude of Gap in UR faculty (URM v. Female, Metrics 4a & b)
 - Need to disaggregate by unit/field to identify hotspots
- **Achieving Goal 5 (Encourage and Support Diverse Research)**
 - Create community among those engaged in diversity research
 - Publicize diversity research both internally and externally
- **Climate** (gap in URM v. Non-URM faculty, Metric 6c)
 - Need to disaggregate by UR group (if possible)
- **Phase 2: Initiation of Unit Plans**
 - On schedule?

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Some Possible “Do’s”: *Chairs*

- List peer institutions by department/discipline.
- Benchmark your unit against these departments and all institutions nationally regardless of type.
- Establish a timeline for diversifying your faculty (baseline + interim goals) and monitor progress.
- Assess your unit’s “climate”—survey faculty and grad students. If possible, disaggregate results by gender, race/ethnicity, rank, etc. (without disclosing individual identities).
- Help those involved in employment decisions to question the status quo and think creatively

Prerequisites

- In the review, interview, and hiring process, questions should focus on how the candidate's skills and experiences influences his/her research, teaching, mentoring, and service as criteria for hiring.
- Minorities and women often have different skills and experiences in a society where race and gender still lead to different treatment or foreclosed opportunities.
- This approach results in hiring more minorities and women, as well as non-minorities and men who are highly supportive of racial and gender diversity as an asset in the classroom and the workplace.
- Be aware of our own unintentionally biases. Deal with them and encourage others to do the same.

Prerequisites (cont.)

- The **dean or department head** must be personally engaged in the hiring process to ensure the greatest opportunities to achieve diversity by:
 - focusing on the *adequacy of the outreach process*, and
 - examining the resulting *diversity of the candidate pool*
- **If you have not done all possible outreach and the pool is not diverse, the *outreach*, not the pool, is inadequate.**
- **Make sure your stated priorities align with your allocation of time and resources.**
- **Terminating a search *is* an option.**

The Search Process—What's under your control?

- Institutional commitment (mission, diversity plan)
 - Discussing internally & externally
- Departmental commitment (procedures, climate)
 - Keeping sight of position and qualifications
 - Overcoming our own unintentional biases
- Dual career (more than talk of work-life balance)
- Location (university & city as competitive advantage)
- Package (salary, space, equipment, etc.)

The Devil Is In The Details

- Developing the position, the description and the announcements
 - What do you need and want?
 - How do you communicate that?
- Composition of the search committee
 - Balancing tradition, other commitments and diversity
 - Who chairs the committee?
 - Training committee members
- Using procedures to promote diversity
 - Outreach and pool retention
 - Assessing candidates to develop a diverse short list
- Finishing the job
 - Developing and communicating the offer

Thank you. To continue . . .

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