External Review of Equity, Diversity and Inclusion at UC Merced

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External Review Team

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EXECUTIVE SUMMARY

In 2019, UC Merced created its inaugural office of equity, diversity and inclusion and appointed its first Associate Chancellor for EDI. With a student body totaling more than 8,500 undergraduate and graduate students, UC Merced has long enjoyed a reputation as a diverse and progressive campus and has received recognition for the transformational educational experience it offers for its students. The campus is ranked first in the nation by *U.S. News and World Repo*rt for student outcomes, 7th in the nation for social mobility and 13th in the nation for teaching. First-generation students comprise the majority (73 percent) of its undergraduate population.

The campus articulates its values for equity, diversity and inclusion in multiple ways: with Principles of Community and a campus-specific Diversity Statement, and through systemwide and campus policies for diversity, conduct, academic freedom and expressive activities and assembly.

The UC Merced Office of Equity, Diversity and Inclusion (OEDI) serves the whole campus, with a particular focus on EDI for staff and faculty. The office works in collaboration with offices for academic personnel, student affairs, human resources and other campus organizations to ensure an equitable campus environment. The Associate Chancellor is a member of the Chancellor's cabinet. The office is staffed with six career staff at varying levels, as well as part-time graduate assistants.

The OEDI is in its early days of formation, which offers the opportunity for creating and cultivating an integrated and robust vision of what equity, diversity and inclusion mean for the campus. There is, moreover, opportunity to tackle challenges — some nascent, and others embedded in a growing campus's fast-paced and relationship-oriented culture — that, if not addressed intentionally and strategically, can undermine the campus's growth and evolution as an inclusive community. In other words, OEDI must be recast to align with institutional aspirations and goals as well as with systemwide norms and professional practices.

<u>Review Method</u>

In December 2019, the Interim Chancellor requested that the UC Office of the President conduct a review of UC Merced's existing equity, diversity and inclusion strategy and develop a set of recommendations to help UC Merced in its missions of access, opportunity, diversity, inclusion and fairness.

This review of equity, diversity and inclusion at UC Merced was conducted in two phases. The first phase consisted of a review of documents provided to the review team by colleges, divisions and other campus offices. Documents reviewed included unit/college/division plans and EDI activities, program descriptions, outcomes of various academic initiatives, organizational charts, accountability and compliance processes and procedures, and outcomes of campus climate and

staff engagement surveys. The second phase consisted of in-person interviews (with some review team members participating remotely) conducted over two days with campus academic and administrative leaders, the Academic Senate, students, staff and leaders of campus affinity groups.

Summary of Findings and Recommendations

The stakeholders consulted included senior administrators and employees (staff and faculty), as well as students. The employees interviewed represented individuals who have served the campus since its inception, as well as others who have come on board since then. Interviewed stakeholders echoed a number of common refrains, including the shared belief of the campus as a young organization, one that is fast paced (with everyone holding any number of roles), and one that relies heavily on relationships to accomplish its goals. This culture has enabled the campus to be nimble out of necessity early on, but its persistence has tended to promote a climate that is orthogonal to the vision of UC Merced. Individual preferences and personal relationships — rather than institutional policies, processes and professional practices — have contributed to a perceived insular culture of decision-making and problematic microclimates.

This is the organizational context into which the OEDI is slotted. Rather than leading with tools and resources in place, the OEDI is expected to coordinate existing disparate diversity efforts. This expectation is based on the assumption that everyone on campus shares responsibility for EDI outcomes. But in the absence of credible authority and a campus EDI strategy plan, the attention to EDI is diffuse at best. Stakeholders define equity, diversity and inclusion for their respective offices in a number of different ways, suggesting that there is opportunity for clarity and direction in how leaders can and should articulate and operationalize EDI for a coherent, shared vision and consistent messaging.

Given the isolation of the campus in the region, the campus' insular culture helps to account for concerns about the climate, especially for employees and students from underrepresented groups. Despite a diverse student body, stakeholders raised concerns about support for faculty and staff of color in light of the relative isolation of the campus and, in particular, of the campus climate, which is not perceived to be supportive and inclusive.

Among the stakeholders interviewed, almost all of them discussed in depth the campus climate and shared their concerns for what they perceived to be a toxic environment rife with bullying, misbehavior and favoritism that is exacerbated by the absence of local policy and procedures, management training and manager/supervisor accountability. The themes were repeated across constituency groups. These climate issues impede progress toward an equitable and inclusive campus environment. Stakeholders were quite specific in noting that climate issues are often categorized as individual behavior and addressed as such (when addressed at all) rather than addressed as systemic issues. As a result, campus climate is the animating theme of the recommendations that follow.

Many expressed support for the OEDI and appreciation for the efforts to date of the Associate Chancellor, while also conveying skepticism about the ability of the OEDI and the Associate Chancellor to effect meaningful change in the absence of a campuswide commitment to more systemic reform. As multiple stakeholders observed, the Associate Chancellor is not well positioned for success. The absence of a true budget and of meaningful and comprehensive staffing at the appropriate levels of authority for the office supports this assertion. As currently organized and defined, the intention is that OEDI operate through shared responsibility, but the absence of budget, staff, accountability oversight and clearly articulated goals limit the efficacy of the current approach, resulting in its sub-optimization.

Our findings and recommendations are therefore provided in the spirit of supporting a positive evolution in UC Merced's campus climate, with strong leadership and campus collaboration supported by a robust, innovative and well-positioned Office of Equity, Diversity and Inclusion.

The review team found opportunities for UC Merced to improve equity, diversity and inclusion in three areas:

Campus climate, to address underlying issues that impact student retention and completion, faculty recruitment and retention, and employee engagement and morale.

Leadership and collaboration, to advance the campus toward equity-centered leadership at all levels.

Organizational structure, to optimize the role of the Office of Equity, Diversity and Inclusion for the entire campus.

Now that OEDI is established, there is opportunity for investment in an **EDI strategic plan** for the campus that focuses on transforming the campus climate. A campuswide EDI strategic plan is essential for implementing a campus climate strategy within a structure of shared responsibility that includes the Chancellor's cabinet, academic personnel, student affairs, human resources and student/staff/faculty organizations and affinity groups, with goals articulated and the roles and responsibilities of the various offices delineated.

Within a new strategic framework, serious attention should be paid to how **campus climate initiatives** are identified, structured, staffed and operationalized across faculty, staff and student domains. Stakeholders expressed concern that the current individual and behavioral approach to misbehavior (regardless of its intent) is an insufficient and inappropriate response to what are systemic issues.

Placing equity, diversity and inclusion within a larger "**people strategy**" for the campus is also essential for success. This requires that the campus make decisions about organizational structure that are driven by organizational needs and not based on existing relationships.

A new people strategy will require structured and accountable collaboration across OEDI, human resources, academic personnel and student affairs so that everyone on campus feels valued, respected and included. While the campus benefits from UC systemwide policies, the absence of local implementation procedures means that systemwide policies are not uniformly interpreted or implemented. The campus's outcomes on the most recent staff engagement survey support stakeholder assertions. Many stakeholders observed that UC Merced has the potential to transform the culture of the Central Valley, but not without explicitly addressing its climate and culture.

Finally, there exists an opportunity to increase the value-add of the Office of Equity, Diversity and Inclusion by **elevating the leadership role of the now-Associate Chancellor so that it is a peer position to others on the Chancellor's Cabinet**, **expanding its organizational capacity, and providing sufficient ongoing annual budget.** Doing so will allow OEDI to better collaborate with academic personnel, human resources and student affairs, with which the EDI office should share responsibility and strategy development.

CAMPUS CLIMATE

Campus divisions and colleges offer an array of programs, services and initiatives aimed at fostering greater inclusion, supporting student success and promoting faculty retention. The OEDI has initiated a series of structured listening sessions to better understand the climate issues, and the campus offers a Diversity Awareness Certificate Program (DACP) for faculty and staff. Ombuds services are available. Services for special populations (e.g., undocumented students) are also available to promote inclusion. Student-led social justice programs foster community and social development in support of inclusion. The UC Merced division of the Academic Senate has a Diversity and Equity Committee aligned with the systemwide Senate's University Committee on Affirmative Action, Diversity and Equity (UCAADE). The campus participates in the Advancing Faculty Diversity initiative to improve faculty recruitment, hiring and retention.

Despite the availability of resources, campus climate survey results match stakeholders' perceptions that staff and students of color feel less respected than others on campus. Moreover, when compared to other campuses, UC Merced's outcomes in UCUES and on the Staff Engagement Survey are among the lowest in the system. This is surprising given that, at least among undergraduates, there is a critical mass of students from underrepresented groups. The outcomes reflect the extent that climate, combined with the compositional diversity of leadership, must be a significant driver for future efforts.

Constituents all consistently insisted on the need for more conflict management training by all supervisors, managers, department chairs, deans and beyond to address ongoing fears of retaliation for speaking up and staff and of faculty feeling unsafe in their work environments. While the lack of expertise by new managers may account for some of these weaknesses, respondents all felt that there was a "passing of the buck" at every turn between different authorities and offices that are supposed to handle such situations, so that nothing is addressed meaningfully or effectively.

A UC Merced strategic plan for equity, inclusion and diversity must have clear metrics and goals with respect to campus climate. These could include goals such as: semi-annual improvements in UCUES and staff engagement survey results; sustainable sources of funding for campus climate initiatives; formal employee resource/affinity groups; well-developed and visible mechanisms to report on and resolve bias, hate and intolerance incidents; and diversity or anti-bias training programs for students, faculty and staff. UC campuses and other colleges and universities have excellent campus climate programs that could be adapted. But it does take time, effort and intention to explore the kinds of programming that will work best for UC Merced, and it requires an organizational structure within OEDI that supports comprehensive implementation and accountability.

LEADERSHIP AND COLLABORATION

Equity and inclusion starts at the top; leadership sets the tone and reinforces the values to which the institution aspires, and a diverse leadership fosters the alignment of culture, values and goals with the needs of the students themselves. It did not go unnoticed by the review team and campus stakeholders that, with the exception of the Associate Chancellor, the Chancellor's Cabinet is white and predominantly male. At a campus like UC Merced, such alignment is critical if the campus is to not only achieve its diversity aspirations, but advance its student completion goals.

The lack of representation of underrepresented groups among senior leadership signals a lack of genuine commitment and action toward achieving diversity goals and aspirations. Moreover, while the Cabinet seems to share a general commitment to diversity and inclusion, it is not clear that there is consensus regarding the financial investment and leadership strategies required to achieve that commitment.

Equity and inclusion as a theory of action, while important to leaders interviewed by the review team, appears to take a back seat to other urgent concerns. The fast-paced growth of the campus, combined with the accolades that the campus receives for the composition of its student population and its social mobility outcomes, mask the underlying issues. Continuing apace will continue to push EDI to a "side-of-desk" issue for campus leadership, as something addressed in addition to other matters (or reacted to, when a crisis hits), rather than integrated into all leadership and organizational efforts. Evolving toward a true equity-centered campus-level leadership team requires developing among all campus leaders a deeper understanding and broader agreement about issues, strategies, accountability and data-driven goals and metrics. This is a key role that a strong and comprehensively organized OEDI, with a CDO who is an organizational peer within the Cabinet, can play for all campus leaders.

Among the faculty, there were concerns raised about patterns of misbehavior where misbehavior is reported as being rewarded. There was deep concern that there is a lack of full transparency among leadership, where there are few penalties for misbehavior, or lack of enforcement of penalties that exist. Further concern was that there was a perceived willingness by those in leadership positions (e.g., deans) to ignore or deny reports of a toxic climate without attempts to address the claims, to accept the toxicity of the climate without action to improve it or to contribute to the toxicity without penalty.

For these reasons, the review team recommends that a new UC Merced EDI strategic planning process be commissioned by the Chancellor, with adequate planning resources and including leaders from the Cabinet, faculty, undergraduate and graduate students, and employee groups. Such a planning structure does two things: it signals that the highest levels of campus leadership are committed to investing the time and resources to improving EDI, and it engages all forms of

leadership in that process so that they can buy in to the process and, ideally, become ambassadors and influencers for EDI to move forward.

Three particular areas where more clearly defined intentional leadership collaboration would contribute greatly to climate and EDI goals across campus:

a.) Deans, HR, EDI, Compliance, Campus Counsel and Academic Personnel Office (APO): This area recognizes the need for coherent and conclusive triaging of all complaints, both formal and informal, so that there is no longer an appearance of apathy, dismissiveness and stagnation by faculty, staff and administrators. This group needs mechanisms for archiving and tracking the status of all cases, point/leads on each case and periodic — monthly recommended — updates on resolution/outcomes. Deans, department chairs, and unit supervisors need to know which unit or office is handling a particular case in order to follow up, affirm mediation decision-making and ensure accountability. HR and OEDI should be consulted in APO cases that involve Title IX, Title VII and other climate-related content.

b.) HR and EDI: As both the Associate Chancellor and CHRO (Chief Human Resources Officer – AVC of HR) are relatively new to campus, with consistently observed goodwill directed their way from all constituents, this partnership represents one of the strongest positive potential areas for development and improved campus communications. Together, they can rebuild confidence in administrative processes and improve campus climate, with clear infrastructural implementations to assure no further conflicts of interest, perceptions of nepotism and favoritism, and/or inattention to bullying and other misconduct. They can also partner in the facilitation and promotion of employee resource groups and affinity groups, which often contribute to the greatest improvements in staff and faculty morale. Healthy teamwork between these two offices can ensure huge strides in campus climate, but they must be given direct access to the chancellor and EVC/ provost. This will ensure that any resistance they may meet is handled appropriately, so that their work does not become further handicapped.

c.) APO and EDI: By all accounts, the partnership between Academic Personnel and EDI has grown slowly and incrementally, almost hesitantly, due to miscommunications from senior leaders about the occasional overlapping roles and functions of the two offices and due to misassumptions about the role of the OEDI itself by all parties involved. For example, the Review Team heard that because the Associate Chancellor and Chief Diversity Office were on the Chancellor's "side of the house," the role would not be "handling the academic side of the house." This misperception can lead to misplaced territoriality about who can/should "handle" or have important input into many diverse aspects of faculty recruitment, retention, misbehavior, mentoring, support, grant writing, and conflicts, etc. Senior leadership needs to clarify to all parties and to the campus as a whole that the role of the CDO is to partner with and advise both the Chancellor and

EVC/P on all matters related to EDI and climate, thereby effectively partnering with all units in their portfolios.

ORGANIZATIONAL STRUCTURE

The Office of Equity, Diversity and Inclusion was formed in 2019 in response to campus climate issues and aligned to recommendations from a campus committee on equity, diversity and inclusion. In so doing, Merced joined the other UC campuses in having a cabinet-level position for EDI.

Stakeholders provided an overview of the catalysts and actions leading to the formation of the new office. Prior to forming the OEDI, campus leadership consulted extensively with campus stakeholders and conducted a number of focus groups to determine the type of position that would meet the campus' needs. After initial resistance from some parts of the campus to a cabinet-level EDI position, the campus created and recruited for a director of campus climate instead; that position is now housed within the OEDI.

Subsequently, the campus decided to move forward with creating an office focused on equity, diversity and inclusion, to include responsibility for campus climate. In forming the OEDI, the campus recruited and selected an Associate Chancellor to lead the office and reassigned functions from other parts of the campus to the new office. In addition to the campus climate director, staffing includes CARE services and affirmative action compliance. Beyond the addition of one FTE for administrative support, the campus does not appear to have created additional capacity other than the Associate Chancellor position.

The review team observed several areas of opportunity in the organizational structure of OEDI, summarized below.

Stakeholders discussed efforts to identify needs and engage in extensive consultation prior to recruiting an Associate Chancellor. While these are necessary and laudable actions, subsequent decisions about leadership level (associate chancellor instead of vice chancellor), and the functions, focus and roles assigned to the new office do not match the collective recommendations from prior consultations and appear to result instead from resistance to changes in existing offices rather than from the desire for a new comprehensive and impactful direction for the campus. As a result, the Associate Chancellor is positioned in an executive-level chancellor support role rather than as an executive leadership position and is provided with very little in the way of programmatic, budgetary or administrative oversight.

Positions within the office itself seem haphazardly placed, and some functions, like affirmative action compliance, exist only partly within OEDI. The work of other positions, such as that of the director of campus climate, appears redundant with the work of the Associate Chancellor/ Chief Diversity Officer, professional staff in Student Affairs, and the Ombuds Office. The presence of two Graduate Student Research Assistantships — on temporary funding that can be cut at any time — gives the perception of superficial and short-lived investment in the OEDI as a whole. While in some ways this organizational structure may speak to the campus ethos that EDI

is a shared responsibility, the general perception among stakeholders is that the office's responsibilities result from moving to OEDI what other offices no longer wanted (or could be convinced to give up) rather than intentionally added to implement a campus vision and long-range plan. Many respondents from all constituency groups stated overtly that, based on the current structure of OEDI and unchecked territoriality from other units hindering the OEDI's potential, they felt like the Associate Chancellor position was set up to fail.

Several key EDI responsibilities are spread across multiple offices, and, as a result, decision authority is unclear. Such confusion leads to inaction and/or unsatisfactory remedial address. As one example, OEDI staffing includes an affirmative action analyst, but responsibility for the campus's AA/EEO plan resides with the Associate Chancellor/Chief Ethics and Compliance Officer (AC/CECO). Similarly, the director of campus climate is housed in OEDI yet spends a significant amount of time on Title IX, whistleblower complaints and other informal individual behavioral interventions, which are the purview of the AC/CECO.

RECOMMENDATIONS

The review committee offers the following five recommendations for the benefit of equity, diversity and inclusion at UC Merced.

1.) **Develop a campus strategic plan** that aligns the OEDI with goals and delineates cross-organizational responsibilities. As noted above, the UC Merced Chancellor should call for a campuswide strategic planning process and form a planning task force, co-led by faculty and administrative leaders (e.g., the Provost) and comprised of leaders (not just members) among the faculty, undergraduate and graduate students, and employees. The Associate Chancellor for EDI's office should staff the task force by setting agendas, forming membership, collecting and analyzing data and information, guiding the final task force deliverables, and developing and implementing a communications plan.

UC Merced should consider a strategic planning process similar to one adopted in 2016 by the University of Michigan (U-M), where every division/college/school developed a divisional EDI plan that then rolled up into a campuswide plan. Most importantly, when the U-M plan was released, it was accompanied by financial and programmatic commitments by the university president. There is executive-level (VP/VC) leadership of the EDI efforts. Progress is documented every year in an annual progress report and in departmental outcome and accomplishment reports, and best practices are shared at U-M's Diversity Summit. The University of Oregon and Penn State University have similar models that could also be adapted for the UC Merced context.

The majority of University of California campuses also deploy this collective work with their Faculty Equity Advisors programs, with each campus employing a different model to serve its specific needs for campus climate, recruitment and retention, etc. UC Merced's strategic planning task force can look to the other UC campus models for concrete ideas to (re)shape its own vision for design and implementation. That redesign should involve all stakeholders and not be left to one unit alone.

This plan should also consider clear EDI-driven search and hiring processes for all leadership positions on campus to reverse the erosion of trust in the personnel management process from the recent senior hires from deans to director positions. Short-list candidates cannot continue to be so limited in quantity and quality that the campus community believes the administration has already preselected their internal candidate of choice in every search.

2.) **Invest in campus climate.** Despite the diversity of its student body, UC Merced has a significant campus climate challenge. Stakeholders describe an administrative environment that functions as an "old-boy" network full of "founding" gatekeepers of all genders who often use their longevity to justify obstinate resistance to any change. Others believe that reliance on the

rhetoric of UC Merced as a new campus still growing quickly is used to justify hasty decision-making that is uncoordinated and applies only temporary fixes to enduring problems.

Meanwhile, staff and faculty worry about retention losses, morale is low for lack of corrective actions, tensions in poorly managed departments and units continue with no end in sight, the appearance of conflicts of interest across managerial positions abounds, and faith is waning that climate surveys and consultation feedback sessions — in the absence of follow-up or subsequent communications and commitments — lead to any change whatsoever. The optics are that the administration is going through the motions as lip service, but that there is no accountability built into the evolving infrastructure to ensure meaningful change. As UC Merced undergoes its EDI strategic planning process, it can make budget-friendly, yet important, investments in shifting these perceptions of the campus climate.

We recommend that campus climate changes include both "stick" and "carrot" approaches. The *sticks* involve clearly documented policies and processes for personnel management distributed to all unit heads, with expectations of annual accounting by all vice chancellors, vice provosts and deans, with outcomes and accomplishments considered in annual performance management discussions with the chancellor and provost. Leadership needs to model the behavior expected from all others across the campus, new and longtime staff alike. The annual accounting can also include data on all recruitment and retention analytics from all colleges and divisions for people from underrepresented groups.

Carrots could include campus climate innovation grants or awards, such as the kind adopted by UC Berkeley or UC San Diego's inclusive excellence awards. These proposals often pinpoint creative solutions from the frontlines that senior leadership may not recognize as significant opportunities and strategies for improvement. Carrots can also include shared visible programming across Student Affairs (graduate and undergraduate), Graduate Division, OEDI, HR and AP offices in various combinations to demonstrate that a healthy campus climate cannot exist in undergraduate student demographics alone, but must be nurtured across the entire campus community and shared by all constituency groups.

3.) **Increase the leadership and collaborative capacity of the OEDI so that it can better support transformative practice at UC Merced.** As the campus undergoes its EDI strategic planning process, the current capacity of the OEDI should be increased through mechanisms such as elevating the Associate Chancellor to a Vice Chancellor role so that it is similar in size and scope to other cabinet positions; adding additional leadership positions with responsibility for the full range of EDI matters; adding additional policy analyst or project manager positions to support implementation and accountability; clarifying the roles and responsibilities of campus compliance officers; and conducting internal reorganizations within OEDI to improve morale and operational efficiency.

4.) **Shift responsibility for the Affirmative Action/Equal Employment Opportunity (AA/EEO) plan from the AC/CECO to either Human Resources or OEDI.** Transitioning responsibility for AA/EEO to either Human Resources or OEDI, with the associated resources, would ensure that the campus is compliant with producing its annual plan and that such a strategic planning document is shared widely across campus stakeholders and key leaders and actors. The AA/EEO plan then becomes a living document that guides the entire campus in comprehensive implementations across divisions, rather than a compliance afterthought not given much-deserved attention. Similarly, redesigning support for campus climate to better support institutional climate goals, rather than individual behavioral issues associated with Title IX and whistleblower complaints, would allow the campus to make more progress on one of its most enduring challenges. In turn, Title IX issues and whistleblower complaints should continue to be handled by the office of the Associate Chancellor/Chief Ethics and Compliance Officer, and not by OEDI.

5.) **Develop and implement a people strategy.** The review team supports the preliminary plans of the AVC-Human Resources to accelerate the development of a campuswide "people strategy." This would include codification of campus implementation plans for UC staff and academic personnel policies; standardized practices for recruitment and promotion/reclassification; and ongoing trainings in anti-bias and discrimination. By codifying policy and practices, UC Merced will chip away at the notions that an "old-boy network" and favoritism are allowable at a major public university. All those whom we consulted repeatedly and insistently asked for more transparency and better communication from leadership. A more transparent and tangible human resources development plan — in collaboration with OEDI and APO — and measures for managerial accountability will ensure improved two-way communications and will inspire renewed confidence in UC Merced.