Diversity Statements

Brian Soucek
Guidelines for Writing a Statement of Contributions to Diversity, Equity, and Inclusion

As part of the application process, applicants seeking faculty positions at UC Davis are required to submit a statement about their past, present, and future contributions to promoting equity, inclusion, and diversity in their professional careers. You may have worked, for example, with members of communities or local organizations, in politics, or with university constituents such as students, staff, or faculty to further the goals of equity and inclusion. We respect and recognize such activities as consonant with our mission at UC Davis: to advance the human condition through improving the quality of life for all, using a framework that connects its land-grant history to a transformative vision for the 21st century.
Opinion: Higher education’s mandatory political participation

The University’s New Loyalty Oath

Required ‘diversity and inclusion’ statements amount to a political litmus test for hiring.

Opinion: Students Have Their Say On SAT ‘Adversity Scores’

The College Board is planning to assign a SOCIOECONOMIC INDEX to students who take the SAT test. So what is an "adversity score" and what do young people think of the idea? Image: Getty
• What are diversity statements and how are they actually used?
• What are the criticisms and where have they come from?
• How strong are the criticisms?
• What does this tell us about how diversity statements should be framed and used?
As you mentioned to Council in January, APM 210.1.d has become a national model for universities seeking to recognize and credit meritorious contributions that work to reconcile inequalities. I am confident that the new revision represents the Senate’s best effort to clarify the intent of the language and strengthen a key principle shared by faculty and administrators – that diversity functions as a vital component in the continued excellence of the University of California and the quality of its faculty.

Sincerely,

Mary Gilly, Chair
Academic Council
On May 24, 2018, UCLA Executive Vice Chancellor and Provost Scott Waugh issued the following memo to Deans, the University Librarian, Department Chairs, and Equity Advisors announcing a new EDI Statement Requirement for Regular Rank Faculty Searches starting in the 2018-2019 academic year.

Dear Colleagues:

In recent years, UCLA has taken important steps to promote more equitable and inclusive faculty hiring. In the spirit of continuous improvement, I am announcing a new initiative: starting in the 2018-19 academic year, all 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. This policy will extend to both standard searches and those employing search waivers. Also, please note that UCLA will implement a similar practice in the context of ladder rank faculty promotions beginning in the 2019-20 academic year.

As you are aware, the Academic Personnel Manual, which governs faculty hiring and promotion, already requires that “due recognition” be given to “[c]ontributions in all areas of faculty achievement that promote equal opportunity and diversity.” See APM § 210-1.d. That said, UCLA has not consistently collected the necessary information. Some units have long required such submissions; others make it optional; still others defer to the respective hiring committee.
Regents Policy 4400: Policy on University of California Diversity Statement

Adopted September 20, 2007
Amended September 16, 2010

RECOMMENDED TO THE UNIVERSITY OF CALIFORNIA BY
THE ACADEMIC SENATE OF THE UNIVERSITY OF
CALIFORNIA

Adopted by the Assembly of the Academic Senate May 10, 2006
Endorsed by the President of the University of California June 30, 2006
Adopted as Amended by the Assembly of the Academic Senate
April 22, 2009
Endorsed as Amended by the President of the University of California August 17, 2010

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

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

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

Diversity should also be integral to the University’s achievement of excellence. Diversity can enhance the ability of the University to accomplish its academic mission. Diversity
The University of California is committed to excellence and equity in every facet of its mission. Contributions in all areas of faculty achievement that promote equal opportunity and diversity should be given due recognition in the academic personnel process, and they should be evaluated and credited in the same way as other faculty achievements. These contributions to diversity and equal opportunity can take a variety of forms including efforts to advance equitable access to education, public service that addresses the needs of California’s diverse population, or research in a scholar’s area of expertise that highlights inequalities. Mentoring and advising of students and faculty members, particularly from underrepresented and underserved populations, should be given due recognition in the teaching or service categories of the academic personnel process.
The University of California is committed to excellence and equity in every facet of its mission. **Contributions in all areas of faculty achievement that promote equal opportunity and diversity should be given due recognition in the academic personnel process**, and they should be evaluated and credited in the same way as other faculty achievements. These contributions to diversity and equal opportunity can take a variety of forms including efforts to advance equitable access to education, public service that addresses the needs of California’s diverse population, or research in a scholar’s area of expertise that highlights inequalities. Mentoring and advising of students and faculty members, particularly from underrepresented and underserved populations, should be given due recognition in the teaching or service categories of the academic personnel process.

APM 210-1-d
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APM 210-1-d
After a competition among the campuses, UC selected four units to serve as pilots in academic year 2018-19: UC Berkeley, Life Sciences; UC Davis, eight schools and colleges; UC Merced, Schools of Natural Sciences and Engineering; and UC Riverside, Department of Mathematics. All four pilot units proposed innovative interventions to advance faculty diversity and presented evidence of the following:

- innovation, commitment, and progress in meeting faculty diversity goals;
- the importance of a diverse faculty to UC’s diverse student body;
- strong support for diversity from leadership and evidence of previous efforts to build an understanding of climate and inclusion issues;
- campus-wide support for efforts to recruit and retain diverse faculty and to build a more inclusive campus climate;
- sufficient hiring for the year, such that their enhanced recruitment efforts were more likely to produce a diverse set of new faculty members;
- the use of cross-unit committees and advisory groups to assess candidates, in an effort to avoid possible bias in evaluation; and
- adaptation of successful interventions from the 2016-17 and 2017-18 equal employment opportunity funds from the State.
As part of a campus-wide initiative to hire leading research faculty with a strong commitment to teaching, research and service that will promote the success of underrepresented minority students (African-American, Latino (a)/Chicano (a)/Hispanic, and Native American) and address the needs of our increasingly diverse state, UC Davis announces the following positions:

- **Assistant Professor in Agricultural and Environmental Sciences** - Apply by 2/18/2019
  https://recruit.ucdavis.edu/JPF02608
  Applications are encouraged from candidates with a strong disciplinary background in agricultural, environmental, and/or health/social sciences, or in any current or emerging area that will fit within one of our departments: Agriculture & Resource Economics, Animal Science, Biological & Agricultural Engineering, Entomology & Nematology, Environmental Science & Policy, Environmental Toxicology, Food Science & Technology, Human Ecology, Land, Air & Water Resources, Nutrition, Plant Pathology, Plant Sciences, Viticulture & Enology, and Wildlife, Fish & Conservation Biology.
  *Appointment will be as an academic year (9-month) tenure-track Assistant Professor.*

- **Assistant Professor in Quantitative Biological Sciences** - Apply by 2/28/2019
  https://recruit.ucdavis.edu/JPF02600
  Applications are encouraged from candidates with a strong disciplinary background in computational biology, bioinformatics, and disciplines that interface with the sciences, or in any current or emerging area that will fit within the School of Veterinary Medicine at UC Davis.
What Do Applicants Need to Know When Applying?

In addition to a strong record of research and teaching excellence, successful candidates will also have an accomplished track record (calibrated to their career stage) of teaching, research or service activities addressing the needs of African-American, Latino(a)/Chicano(a)/Hispanic, and Native American students or communities. Successful candidates will have a clearly articulated vision of how their work at UC Davis will continue to contribute to the University’s mission of serving the needs of our diverse state and student population and an understanding of the barriers preventing full participation of underrepresented minorities in higher education. Applicants’ track record of engagement and activity related to diversity, equal opportunity, and inclusion as well as their plans for future engagement will be a significant part of the overall evaluation of the candidate’s qualifications for a faculty appointment.

*The initial screening of candidates will be based on the evaluation of the candidates’ Statement of Contributions to Diversity.*
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<th>Component</th>
<th>Scoring System 0 - 5</th>
<th>Candidate 1</th>
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<td>(such as mentoring, teaching or outreach) that aim to reduce barriers</td>
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Examples: (5 = EXCELLENT) (1 = STATEMENT ONLY)
CRITERIA FOR SCORING

URM = AFRICAN-AMERICANS, LATIN(X)/HISPANICS, AND NATIVE AMERICANS

- Little expressed knowledge of, or experience with, dimensions of diversity that result from different identities, especially URM. Defines diversity only in terms of different areas of study or different nationalities, but doesn’t discuss gender or ethnicity/race. Discusses diversity in vague terms or platitudes. Does not provide any evidence of having informed themselves about diversity. May discount the importance of diversity.
- Little demonstrated understanding of demographic data related to diversity in higher education or in their discipline. May use vague statements like “diversity is critical to the mission of the university.”
- Seems uncomfortable discussing diversity-related issues. May state that they haven’t given them much consideration.
- Seems to be unaware of or does not understand personal challenges that URM face at academic research institutions, similar to UC Davis, or feel any personal responsibility for helping to eliminate barriers. May provide reasons for not considering diversity in hiring, or sees it as antithetical to academic freedom or the university’s research mission.
- Diversity statements/experiences are written as a third-party experience.
3
MODERATE OR GOOD

- Individuals receiving a rating of “3” in this dimension will likely show aspects of both “1” and “2” and “4” and “5” ratings. For example, they may express little understanding of demographic data related to URM diversity, and have less experience and interest in dimensions of URM diversity, but show a strong understanding of challenges faced by individuals who are underrepresented and the need to eliminate barriers, and be comfortable discussing diversity-related issues.

4
VERY GOOD

- Clear knowledge of experience with, and interest in dimensions of diversity that result from having URM identities. This understanding can result from personal experiences as well as an investment in learning about the URM experiences of those with identities different from their own.
- Is aware of demographic data related to URM diversity in higher education. Discusses the underrepresentation of URMs and the consequences for higher education or for the discipline.
- Comfort discussing diversity-related issues (including distinctions and connections between diversity, equity, and inclusion), both in writing, and in a job talk session and one-on-one meetings with students, staff, and faculty.
- Understands the challenges faced by URMs, and the need for all students and faculty to work to identify and eliminate barriers to their full and equitable participation and advancement.
- Discusses diversity, equity, and inclusion as core values that every faculty member should actively contribute to advancing.

5
EXCELLENT
Rubric to Assess Candidate Contributions to Diversity, Equity, and Inclusion

Knowledge about Diversity, Equity, and Inclusion

1-2
- Little expressed knowledge of, or experience with, dimensions of diversity that result from different identities. Defines diversity only in terms of different areas of study or different nationalities, but doesn’t discuss gender or ethnicity/race. Discusses diversity in vague terms, such as “diversity is important for science.” May state having had little experience with these issues because of lack of exposure, but then not provide any evidence of having informed themselves. Or may discuss the importance of diversity.
- Little demonstrated understanding of demographic data related to diversity in higher education or in their discipline. May use vague statements such as “the field of History definitely needs more women.”
- Seems uncomfortable discussing diversity-related issues. May state that he or she “just hasn’t had much of a chance to think about these issues yet.”
- Seems not to be aware of, or understand the personal challenges that underrepresented individuals face in academia, or feel any personal responsibility for helping to eliminate barriers. For example, may state that it’s better not to have outreach or affinity groups aimed at underrepresented individuals because it keeps them separate from everyone else, or will make them feel less valued.

3
- Individuals receiving a rating of “3” in the “Knowledge” dimension will likely show aspects of both “1-2” and “4-5” ratings. For example, they may express little understanding of demographic data related to diversity, and have less experience and interest in dimensions of diversity, but show a strong understanding of challenges faced by individuals who are underrepresented and the need to eliminate barriers, and be comfortable discussing diversity-related issues.

4-5
- Clear knowledge of, experience with, and interest in dimensions of diversity that result from different identities, such as ethnic, socioeconomic, racial, gender, sexual orientation, disability, and cultural differences. This understanding can result from personal experiences as well as an investment in learning about the experiences of those with identities different from their own.
- Is aware of demographic data related to diversity in higher education. Discusses the underrepresentation of many groups and the consequences for higher education or for the discipline.
- Comfort discussing diversity-related issues (including distinctions and connections between diversity, equity, and inclusion), both in writing, and in a job talk session and one-on-one mentoring with students, staff, and faculty.
- Understands the challenges faced by underrepresented individuals, and the need for all students and faculty to work to identify and eliminate barriers to their full and equitable participation and advancement.
- Discusses diversity, equity, and inclusion as core values that every faculty member should actively contribute to advancing.

Track Record in Advancing Diversity, Equity, and Inclusion

1-2
- Participated in no specific activities, or only one or two limited activities (limited in terms of time, investment, or role).
- Only mentions activities that are already the expectation of faculty as evidence of commitment and involvement (for example, “always invite and welcome students from all backgrounds to participate in my research lab, and in fact have mentored several women.” Mentoring women scientists may be an important part of an excellent track record but it would be less significant if it were one of the only activities undertaken and it wasn’t clear that the candidate actively conducted outreach to encourage women to join the lab.
- Descriptions of activities are brief, vague, or describe being involved only peripherally. Or the only activities were oriented toward informing oneself (for example, attended a workshop at a conference).

3
- May have participated extensively in a single activity. Less clear that there is an established track record.
- Limited participation at the periphery in numerous activities, or participation in only one area, such as their research to the exclusion of teaching and service.
- In describing mentoring of underrepresented students, mentions specific strategies used for effective mentoring, or awareness of the barriers underrepresented students face and how to incorporate the ideas into their mentoring.
- Membership in a student or professional organization that supports underrepresented individuals.

Plans for Advancing Diversity, Equity, and Inclusion

1-2
- Vague or no statements about what they would do at Berkeley if hired. May even feel doing so would be the responsibility of someone else.
- Describes only activities that are already the expectation of Berkeley faculty (mentoring, treating all students the same regardless of background, etc).
- States that would be happy to “help out” but seems to expect the University or department to invite or assign them to activities.

3
- Mentions plans or ideas but more is expected for their career stage. Plans or ideas lacking in detail or clear purpose (for example, “if outreach is proposed, who is the specific target, what is the type of engagement, and what are the expected outcomes? What are the specific roles and responsibilities of the faculty member?”)

4-5
- Clear and detailed ideas for what existing programs they would get involved with and what new ideas they have for advancing equity and inclusion at Berkeley and within their field, through their research, teaching, and service. Level of proposed involvement commensurate with career level. For example, a new assistant professor with career level for example may plan to undertake one major activity within the department over the first couple of years, conduct outreach to a diverse group of students to work in their lab, seek to mentor several underrepresented students, and co-chair a subcommittee or lead a workshop for a national conference. A new tenured faculty member would be expected to have more department, campus-wide, and national impact, including leadership.
- Intends to be a strong advocate for diversity, equity and inclusion within the department/school/college and also their field.
- References activities already taking place at Berkeley and in the field, and how additional or new activities would advance equity and inclusion.
- Addresses multiple areas of need (for example, classroom climate, the laboratory, conferences).
As a dean of a major academic institution, I could not have said this. But I will now. Requiring such statements in applications for appointments and promotions is an affront to academic freedom, and diminishes the true value of diversity, equity of inclusion by trivializing it.

[UCLA threatens academic freedom and public trust in higher education with its new requirement that all applications for tenure-track positions and promotions include a "Equity, Diversity, and Inclusion" statement.](thefire.org/ucla-diversity)
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@TheFIREorg · Nov 9, 2018
UCLA threatens academic freedom and public trust in higher education with its new requirement that all applications for tenure-track positions and promotions include a "Equity, Diversity, and Inclusion" statement.

thefire.org/ucla-diversity...

3:28 PM · Nov 10, 2018 · Twitter for iPad

982 Retweets 390 Quote Tweets 4,016 Likes
Op-Ed: UCLA’s infatuation is a costly diversion from

The University’s New Loyalty Oath

Required ‘diversity and inclusion’ statements amount to a political

Opinion: Higher education’s mandatory political participation

By Abigail Thompson
Dec. 19, 2019 6:55 pm ET

The College Board is planning to assign a SOCIOECONOMIC INDEX to students who take the SAT.

Evan Brown-Ton, 19, and Seljal Rajamani, go over homework in the main hall of the School of Law building at Washington University in St. Louis. (Nick Schnelle/For The Washington Post)

Opinion by George F. Will
Columnist
March 11, 2020 at 5:00 a.m. PDT
ORTNER: Don’t Expect Diversity Of Thought At University Of California

Leiter Reports: A Philosophy Blog

Have you been rejected in a search requiring a mandatory "diversity statement"?

I've received permission from the lawyer (alluded to here) to share his information, which he also posted at Professor Coyne's blog. Here it is:

If anyone was rejected for a position in such a search or any other search requiring a mandatory diversity statement, please reach out to me. I am an attorney at the Pacific Legal Foundation, a public interest law firm that offers pro bono representation and am looking to challenge the University of California Policy.

Daniel Ortner
Pacific Legal Foundation
dortner@pacificlegal.org
Resolution

Resolution Language
We, the undersigned members of the UC Davis Academic Senate, petition for a ballot on the following resolution, according to the procedure described in Davis Division Bylaw IV.17:

Resolved: 'Diversity, Equity and Inclusion Statements shall not be mandatory for the appointment or for the advancement of faculty.'
The Legal Problem With Diversity Statements

Public universities can’t make hiring decisions based on political viewpoints

By Brian Leiter | MARCH 13, 2020

The University’s New Loyalty Oath

Required ‘diversity and inclusion’ statements amount to a political litmus test for hiring.

By Abigail Thompson
Dec. 19, 2019 6:55 pm ET
Viewpoint Discrimination

Do diversity statements ask about viewpoints?

Is viewpoint discrimination allowed?
... at public universities, viewpoint discrimination in hiring violates the First Amendment.

“GOOD ORTHODOXY” AND THE LEGACY OF BARNETTE

Erica Goldberg

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   B. Public Universities and Diversity Statements ................................. 649
III. Approaching Modern Applications of Barnette ............................. 656
   A. Defining Speech ................................................................. 657
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Viewpoint Discrimination

“...a chemistry department awards research grants only to students who oppose abortion rights. Although we might be tempted to say ... the department’s criteria for awarding grants are outrageously viewpoint discriminatory, what we would actually mean is that the criteria are completely irrelevant to any legitimate educational objective of the department.”

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Viewpoint Discrimination

- professors as government employees
- “certification cases” about student speech
- university admissions requirements
- government exerting editorial control / administering competitive funding programs
- viewpoint discrimination on government contracts
- political patronage
Courts give deference to decisions that

• reflect the faculty’s professional judgment
• made according to academic norms
• on matters directly relevant to the program in question
• leaving space for speech as citizens outside the bounds of the job or program.
Viewpoint Discrimination: **TAKEAWAYS**

“...a chemistry department awards research grants only to students who oppose abortion rights. Although we might be tempted to say ... the department’s criteria for awarding grants are outrageously viewpoint discriminatory, what we would actually mean is that the criteria are completely irrelevant to any legitimate educational objective of the department.”

Viewpoint Discrimination: **TAKEAWAYS**

IF VIEWPOINT DISCRIMINATION REALLY MEANS CONSIDERING VIEWS NOT RELEVANT TO THE JOB, THEN...

1. What is permissible will potentially vary by job and by discipline.

2. Who gets to decide what’s relevant to a job or discipline?
   
   Experts in that discipline.
Academic Freedom

CRITICISM:

• mandates come from administration, not faculty
• cluster hires lessen the importance of disciplinary norms and expertise
• punish extramural speech
• lock in viewpoints: judging DEI statements before the rest of an application makes some views self-perpetuating
• public perception that academic work is ideologically driven

Academic Freedom

The University of California is committed to upholding and preserving principles of academic freedom. These principles reflect the University’s fundamental mission, which is to discover knowledge and to disseminate it to its students and to society at large. The principles of academic freedom protect freedom of inquiry and research, freedom of teaching, and freedom of expression and publication. These freedoms enable the University to advance knowledge and to transmit it effectively to its students and to the public. The University also seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students and faculty are free within the classroom to express the widest range of viewpoints in accord with the standards of scholarly inquiry and professional ethics. The exercise of academic freedom entails correlative duties of professional care when teaching, conducting research, or otherwise acting as a member of the faculty. These duties are set forth in the Faculty Code of Conduct [APM - 015]

Academic freedom requires that teaching and scholarship be assessed by reference to the professional standards that sustain the University’s pursuit and achievement of knowledge. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. The competence of the faculty to apply these standards of assessment is recognized in the Standing Orders of The Regents, which establish a system of shared governance between the Administration and the Academic Senate. Academic freedom requires that the Academic Senate be given primary responsibility for applying academic standards, subject to appropriate review by the Administration, and that the Academic Senate exercise its responsibility in full compliance with applicable standards of professional care.*
Academic Freedom: TAKEAWAYS

• rubrics cannot be imposed from above by administrators

• think of diversity statements analogously to other reports faculty file: e.g. teaching and research reports
Loyalty Oaths/Political Tests

- Regents Standing Order 101.1(d): “no political test shall ever be considered in the appointment or promotion of any faculty member or employee”
Loyalty Oaths/Political Tests

• Regents Standing Order 101.1(d): “no political test shall ever be considered in the appointment or promotion of any faculty member or employee”

• 1967: California Supreme Court struck down state’s loyalty oath for violating freedom of association

• other cases say oaths are void for vagueness

• political litmus test

• everyone knows what UC really means when it talks about diversity
Steve Bainbridge
@PrawfBainbridge

Yes.

Brian Soucek @BRSoucek · 9h

I'm writing about UC's use of diversity statements right now, and I've found that this post from 2019 gets a lot of play among UC's critics. But @PrawfBainbridge never came through on his promise to tell us: did he get the raise??

professorbainbridge.com/professorbainb...

I'll let you know if I get the raise.

3. Senator Hubert Humphrey sought to defend the passage of the Civil Rights Act by minimizing its impact, insisting that “the meaning of racial or religious discrimination is perfectly clear. . . . It means a distinction in treatment given to different individuals because of their race, religion, or national origin.” 110 Cong. Rec. 5,423 (1964).
Loyalty Oaths/Political Tests: **TAKEAWAYS**

- no guilt by association: judge people by what they do, not what parties they join

- leave space for dissent outside the job (as citizen) or, for faculty, through institutional governance
To: Faculty
From: Provost
Re: Diversity Statements

After consultation with the President, I am requiring all future applicants for faculty positions, tenure, and promotions to submit a statement detailing their demonstrated belief that diversity is a compelling governmental interest, as Justice Powell correctly explained in *Regents of the University of California v. Bakke*. 
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But this is what Berkeley has done by conditioning employment on professing a belief that racial and gender diversity are more important, for example, than diversity of intellectual methodology or political viewpoint; indeed, by conditioning employment, in effect, on believing that Bakke was correctly decided, and that diversity is the most important reason for affirmative action. I support affirmative action for remedial reasons, and so categorically reject Bakke. Others reject affirmative action altogether. The state should not be able to make agreement with any of these positions a condition of employment. If we discard that principle here, imagine what other “statements” faculty candidates may need to submit during a second term of a Trump presidency.
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**PROBLEMS**

- top-down
- not developed by faculty
- university-wide, not discipline-specific
- applies to all jobs
- thick conception of diversity
- focused on views, not actions
- no room for outside dissent
Diversity Statements
Brian Soucek

For a copy of the complete article, email me at bsoucek@ucdavis.edu