

National Association for Diversity Officers in Higher Education (NADOHE)

2015 Annual Conference

March 16-18, 2015

Washington Hilton and Towers

Washington, DC

Practical Application of Professional Standards of Practice for CDOs:

Preconference Institute II

10:45 AM-12:00 PM

Facilitators: William T. Lewis, Virginia Tech; Christine A. Stanley, Texas A&M University; and Roger L. Worthington, University of Maryland, College Park.

Session Description:

Through research-based and interactive exchanges, participants will be able to respond to institution-specific scenarios and gather critical insights about authentic CDO responsibilities in higher education. Breakout sessions featuring discussions with colleagues from community colleges, as well as two- and four-year, public, private, and liberal arts, and research institutions will be arranged for CDOs to advance their implementation of the standards.

Scenario Discussion Guidelines:

The following case scenarios were contributed by colleagues and have been edited and adapted for length and alignment with the Standards of Professional Practice. Please read the scenarios carefully, discuss with colleagues at your table, and ask someone to take notes, as you respond to the question(s) that follow. Following the discussion, you will be asked to share key points of counsel with the entire group.

Scenario 1: “The Diversity and Inclusion Plan”

Standard One. *Has the ability to envision and conceptualize the diversity mission of an institution through a broad and inclusive definition of diversity.*

The Chair of the economics department invites you to attend a departmental faculty meeting. The faculty want to share and discuss the focus of their Diversity and Inclusion Plan. Senior faculty are convinced that diversity and inclusion are exclusively about race and ethnicity, and insist that other categories of marginalization dilute the efforts to achieve greater racial and ethnic diversity. They are convinced that diversity and inclusion are codes for increasing only the number of African Americans. Most faculty are unclear about their perspectives on diversity and inclusion. The CDO is asked to discuss the case for diversity and inclusion on their campus.

Questions: What key points would you emphasize to the faculty? How would you respond to deeply opinionated positions about what diversity and inclusion should be?

Scenario 2: “Deliberations of a Faculty Search Committee”

Standard Ten. *Broadly understands the potential barriers that faculty face in the promotion and/or tenure process in the context of diversity-related professional activities (e.g., teaching, research, service).*

A department has two tenure-track faculty positions it hopes to fill this year (one assistant professor and another at the associate or full professor rank). There is a candidate, “Dr. T.” that everyone on the search committee agrees would be an excellent candidate for the associate professor position. During search committee deliberations, the conversation focuses on what would it take to attract her to the department, college, and university. Some faculty members are unsure if she qualifies for tenure on arrival at the institution with a few expressing concern for her scholarly productivity. “Dr. T.” has expressed an interest in the position based on the job posting, but has yet to submit her application. The dean consults with you, the CDO, and asks if you would meet with the search committee.

Question: What questions would you raise with the search committee to help them recruit “Dr. T?”

Scenario 3a: “Bias Incident or Not?”

Standard Seven. *Has an understanding of the procedural knowledge for responding to bias incidents when they occur on college or university campuses.*

A White female student arrives to the classroom wearing a T-shirt that reads: “Zimmerman... Shoot Every Target.” An African-American student complains to the Bias Incident Department. During the investigation, it is revealed that the student’s last name is Zimmerman and she was the captain of her high school rifle team. The African-American student insists the shirt is inappropriate and should not be worn on campus. The White student claims she is being harassed. This case was referred to the CDO.

Question: How would you respond to this referral?

Scenario 3b: “Bias Incident or Not?” (Continued)

Standard Seven. *Has an understanding of the procedural knowledge for responding to bias incidents when they occur on college or university campuses.*

A student walks into her Spanish literature class wearing a T-shirt with a large Chicago Blackhawks logo. A Native American student complains to the Teaching Assistant (TA) that she feels the classroom is a hostile environment. The TA does not know what to do. The student makes an appointment with the CDO for advice.

Question: How would you advise this student?

Scenario 4: “Classroom Innovations and Regulations”

Standard Eleven. *Has current and historical knowledge related to issues of nondiscrimination, access, and equity in higher education institutions.*

Standard Twelve. *Has awareness and understanding of the various laws, regulations, and policies related to equity and diversity in higher education.*

Dr. Charles, an associate professor in the College of X, has been responsive to the department’s call for innovations in the classroom. Dr. Charles developed online instructional videos of lectures for a new course offered in a “flipped” science classroom. A student with a hearing disability approached Dr. Charles to let him know that she could not access the online lectures without them being captioned, and since this is not a traditional classroom, an interpreter is not an option. Dr. Charles tried automated software to produce a transcript, and unfortunately, for the technical material presented the transcript was unacceptable. This situation presents a serious difficulty for the many faculty engaged in using online instructional videos where there is evidence of improved student learning outcomes. It is not the practice in STEM classes to caption or develop a transcript of a lecture(s) when creating online videos. Dr. Charles invested substantial time and effort in developing the online material, and has argued that if he cannot provide an easy to use procedure for them to make this material accessible, he is prevented from adopting these proven successful teaching techniques. The Provost is very concerned that innovations in the classroom are being unreasonably hampered by a blanket requirement that online learning be accessible and insists that there must be a more reasonable way to address accommodations and asks that you present her with options.

Question: What options would you propose to address this concern, now, and into the future?

Scenario Contributors:

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Practical Application of Professional Standards of Practice for CDOs:

Preconference Institute III

1:30 PM-2:45 PM

Facilitators: William T. Lewis, Virginia Tech; Christine A. Stanley, Texas A&M University; and Roger L. Worthington, University of Maryland, College Park.

Session Description:

Through research-based and interactive exchanges, participants will be able to respond to institution-specific scenarios and gather critical insights about authentic CDO responsibilities in higher education. Breakout sessions featuring discussions with colleagues from community colleges, as well as two- and four-year, public, private, and liberal arts, and research institutions will be arranged for CDOs to advance their implementation of the standards.

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Scenario 1: “Listening In On the Initial Stage of A Faculty Search”

Standard Three. *Understands the contexts, cultures, and politics within institutions that impact the implementation and management of effective diversity change efforts.*

Standard Four. *Has knowledge and understanding of, and is able to articulate in verbal and written form, the range of evidence for the educational benefits that accrue to students through diversity, inclusion, and equity in higher education.*

Standard Ten. *Broadly understands the potential barriers that faculty face in the promotion and/or tenure process in the context of diversity-related professional activities (e.g., teaching, research, service).*

Standard Eleven. *Has current and historical knowledge related to issues of nondiscrimination, access, and equity in higher education institutions.*

Professor A: As much as I appreciate providing service to the department, a search process can take up a lot of time. And, now with this NSF ADVANCE grant and the expectations they have, including making sure we hire more women and minorities, I’m beginning to resent the pressure. Our department operates on merit, with high standards and that’s what we expect of ourselves and anyone else that we hire—they must be a good fit. I absolutely refuse to lower our standards in order to satisfy anyone else! That’s how I feel and I’m sure that’s what is expected of us by our colleagues in the department—and I’m sure that’s what the college wants, if they were being honest!

Committee Chair: I want to get us off to the right start. As I understand the ADVANCE grant, we are not being asked to lower our standards. We are being asked to make sure that we have a search process that is fair and in a meeting with the college’s Faculty Affirmative Action Advocate (FEA), I understand they want us to be sure that what we do is in line with the job description that we have in front of us.

Professor B: Saying that we operate on the basis of merit, doesn’t make it so. We don’t have any minorities in the department and only 2 women now since Dr. McGhee left. And, I heard the chair of the

department say in our last faculty meeting, we should hire someone who satisfies the department's standards and programmatic needs. He didn't say anything about lowering our standards.

Professor A: can guarantee you it's going to be difficult, if not impossible to identify qualified minority candidates unless we go outside the U.S. Here's what I'm advocating: Anyone who is worth their salt, will be at the national conference. We can interview those who respond to the posting after we determine if they're qualified, and I'm not interested in inviting anyone to apply. Those who are interested in our position will read the ad. I think the law is clear that we can't reach out to any special populations.

Committee Chair: Professor A, I'd like us to move on and....

Professor B: Before we move on, I don't agree with Prof B. We do special outreach all the time, and it's not illegal. We call our colleagues all over the country. And don't tell me we don't consult with our individual networks to find out who is a promising young scholar... Give me a break! We reach out all the time-- it's just a question of whom we're reaching out to!

Committee Chair: Before we get too far ahead of ourselves, one of the things I know we're being asked to do is make sure our search process is more structured. I understand that to mean we're being asked to develop standardized criteria that we use to evaluate the candidates against for interviews and that we use a similar criteria when we're reviewing the C.V. and when we invite them to campus for an interview. I think we need to spend time talking about a few housekeeping items before we start working on the criteria. We need someone to volunteer to draft the job posting. Mary is the support person for the committee and she'll make sure it gets in final form, but we need someone on the search committee to do the first draft, and if we can have it for full committee review by the start of next week that would be great.

Professor C: Okay, I'll volunteer... the only thing I have is this job description, is there something else we should include in the posting?

Professor B: Listen, I've already called a few of my colleagues across the country. I've identified four strong candidates for us who are women and from underrepresented minority groups. Can I summarize their qualifications and show you their C.V.s?

Professor A: Wait a minute. Isn't it illegal to do that? Shouldn't we look at their C.V.s when we look at all the rest?

Committee Chair: All Professor B is saying is that these four individuals might not apply and if we see any promise in them, we invite them to apply. I don't see a problem with that—we'll evaluate them like we would anyone else.... Does anyone see a problem with this as an approach? Okay, I just remembered, when I was talking with our FEA, she said we should consider including questions regarding the ways in which the candidate has valued diversity in or outside the classroom or in their work as faculty. I'm going to need help on this one since quite frankly, I don't have any experience with this as a criteria?

Professor A: Oh, jeez, give me a break. What does that have to do with the needs of the program and where we're trying to take it?

Question(s): What are the various issues raised in this discussion, including things going well, and not so well? What would you recommend to Professor C to make sure that the job posting reflects the needs of the department and attract a diverse and viable pool of applicants?

Scenario 2: "Committee Selection for a Task Force"

Standard Three. *Understands the contexts, cultures, and politics within institutions that impact the implementation and management of effective diversity change efforts.*

Standard Five. *Has an understanding of how curriculum development efforts may be used to advance the diversity mission of higher education institutions.*

The Vice President for Academic Affairs has been charged with organizing a task force for developing a first-year course on diversity and inclusion. The task force is comprised of faculty and staff who have introduced creative approaches to teaching and learning about diversity and inclusion in higher education. The Vice President requested that the CDO serve as co-chair of the committee. The co-chairs must

identify members for the task force who will populate three sub-committees: curriculum sub-committee, curriculum implementation sub-committee and the research sub-committee.

Question: What are some factors that would influence your recommendations for Task Force member selection?

Scenario 3: “Diversity Training and Religious Beliefs”

Standard One. *Has the ability to envision and conceptualize the diversity mission of an institution through a broad and inclusive definition of diversity.*

Standard Three. *Understands the contexts, cultures, and politics within institutions that impact the implementation and management of effective diversity change efforts.*

Standard Four. *Has knowledge and understanding of, and is able to articulate in verbal and written form, the range of evidence for the educational benefits that accrue to students through diversity, inclusion, and equity in higher education.*

Standard Six. *Has an understanding of how institutional programming can be used to enhance the diversity mission of higher education institutions for faculty, students, staff, and administrators.*

Standard Nine. *Has an understanding of the application of campus climate research in the development and advancement of a positive and inclusive campus climate for diversity.*

Richard Macklin, an Avery University student earning his doctorate there, has told his supervisor he objects to the school’s mandated diversity training for teaching assistants (TAs) because he– and the entire group of attendees–were called a bunch of racists. All new TAs in the university’s limnology department are required to attend one orientation session, two training sessions, and two diversity sessions. One of the sessions, entitled “How to support transgender students” is something Macklin said he couldn’t support, as it runs in direct contradiction to his religious beliefs. To express his frustration with the process, Macklin pens an open letter to his superiors and the chair of his department as well as sending copies of the letter to various news outlets. Interestingly enough, one of his faculty advisors is gay, though Macklin seems to be unaware of this fact. The CDO has been consulted on this issue.

Question: What are the issues, and how would you help the department respond to Mr. Macklin?

Scenario 4: “The Campus Bike Incident”

Standard Seven. *Has an understanding of the procedural knowledge for responding to bias incidents when they occur on college or university campuses.*

June, 2005: All campus police officers at Stellar Michigan University (SMU) received one day diversity training. The training covered issues of race, class and gender as it related to their jobs. It also touched on sensitivity subjects such as racial profiling and affirmative action. According to internal training plans, diversity training is an annual requirement.

September, 2005: The SMU Police Department issued a written directive to its officers prohibiting bias based profiling.

September, 2007: Dr. Santos, Director of SMU’s Latin American Studies Program and faculty master at Smithers Dormitory, sent an email to students in her dorm. In it she mentioned owning three bicycles and asked if students would like to borrow them. Due to the positive response she received, Dr. Santos had the bikes repaired.

THE INCIDENT: October 11, 2007

When the bikes were ready, Cal Mesa (Dr. Santos husband) and his friend Juan (both of whom are of African/Hispanic descent) picked them up in Juan’s truck and returned to campus. Mesa had two of the bikes (one up on his shoulders) while Juan pushed the third one along the sidewalk in front of the Smithers dorm. It was a Saturday afternoon. As the men were walking, a SME Police cruiser pulled up alongside. According to Pam Wilson’s (Vice President, Public Safety, white female) account, the officer tried to get the men’s attention; they did not respond or identify themselves, but continued to walk towards the entrance to the dormitory courtyard. The officer (white female) pulled her car up to the

entrance, got out and asked them to stop. When they did not, she told them to stop, put the bikes down and stand against the wall. Mesa's friend complied but Mesa didn't put the bikes down, Wilson said. She said that although Mesa might have tried to explain himself, the officer, trying to watch both men, was unable to understand him and was concerned that the bicycle could be used as a weapon. The officer warned that she would use pepper spray if Mesa did not comply. When he did not, she sprayed and handcuffed him. He was then taken to the hospital to have his eye washed and was cited for disorderly conduct. The charge was later dropped. Cal Mesa and his friend Juan tell a different story. Mesa states that he saw the SMU Police car, but did not think the officer was speaking to him. After the officer got his attention, Cal responded with something like, "Is there a problem?" The officer said something close to, "The problem is you have two bikes." When the officer told the two men to put their hands on the wall, Mesa again said, "Is there a problem?" but the officer then warned she would use pepper spray. Mesa said, "Before you pepper spray me, I can explain" but the officer pepper sprayed him anyway. Mesa insists that it is not the case that he refused to stop. As soon as he heard the officer, he stopped and faced her, remaining in one place. It is true that he did not drop the bicycles, which were his property, to stand spread-eagle against the wall when ordered to do so. More than once he instead, said "I can explain." In discussing the incident later Cal remarked, "Please remember that I was a man holding my own property and standing at the entrance to my residence."

THE AFTERMATH

Word that an SMU professor's husband was pepper sprayed and arrested by campus police spread quickly throughout the community. The chairman of the Faculty Senate said that the faculty asked for a review because the incident, "did raise questions of possible racial profiling" and because the versions told by the police officer and Cal Mesa were "quite different." The incident led to dueling letters being published in the student newspaper between Mesa and Pam Wilson. A heated debate erupted among students and others on the student newspaper website. Many of the statements used inflammatory language and were unsigned. The city newspaper also picked up the story.

Ten days after the incident, when the Division of Public Safety was referring all comments to Julie Clark (white female), Vice President University Communications, she stated to the student newspaper that she was "99 percent sure Cal had resisted arrest." Mesa quickly stated that he wanted an apology from Clark for that statement. The SMU Police Department's internal investigation of the incident concluded that the officer followed proper procedures.

Question(s): What are the steps the university could take to effectively address this issue? If you were in the CDO role at SMU, how would you contribute towards an effective resolution?

Scenario 5: "What Data To Do...?"

Standard Eight. *Has basic knowledge of how various forms of institutional data can be used to benchmark and promote accountability for the diversity mission of higher education institutions.*

Your division was created in 2011. It is the first Division for Diversity and Inclusion and you are the first Vice President for Diversity and Inclusion since the university was created in 1905. Upon taking the job, you are faced immediately with demonstrating the *real* value of having a division of your kind. While probing for historical nuggets, you learn that data available to benchmark accountability for the diversity mission is both sporadic and piece-meal. You also found that (1) your university had a stagnant retention rate over the past 5 years for underrepresented students from the freshman to the sophomore year, and (2) the average freshman to sophomore year retention rate is 71.1%. Furthermore, the State will award additional appropriations if the rate reaches 76%. You realize that you will be a need to justify any outpour of resources spent to help you build your division and/or help improve statistics like retention (which contributes to the university bottom line) in the face of reductions in faculty lines and pay raises.

Question: How and what forms of data would your division use data to help the university address lagging retention rates?

Scenario Contributors:

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