

## Report of the Diversity, Equity, and Inclusion Advisory Group

Submitted to:

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## Summary

In the midst of University of Kansas student protests in the late fall of 2015, the offices of the Provost and Chancellor conceptualized and constituted a campus Diversity, Equity, and Inclusion Advisory Group to develop recommendations regarding curriculum, education and training; recruitment, retention and graduation for underrepresented students; and recruitment, retention and professional advancement for underrepresented faculty and staff. Although reporting to the Office of the Provost, the Advisory Group received a great deal of autonomy to discuss and determine how to frame and focus its efforts. Through our deliberations, Advisory Group members concluded that the lack of diversity, equity and inclusion at KU is not the result of a lack of information and knowledge about existing concerns and grievances, or misperceptions on the part of students and personnel with grievances. Rather, the challenges stem from errors of commission and omission, and longstanding institutional inequities that have been documented previous to this group. We believe that the discourse of diversity is too often reduced to matters of interpersonal relations, being heard, or feeling welcomed. This trivializes what are in fact structural issues related to the equitable distribution of resources and opportunities. The narrative of diversity on campus has functioned primarily as “happy talk” of human differences or, when conflict arises, learning how to get along. Absent from this narrative is conceptual clarity about what diversity is (more than only race, for example) and what diversity is not (synonymous with attention to [in]equality or social [in]justice).

We contend that concrete reforms are necessary in University policies, procedures and practices. Below we offer recommendations toward this end, though we recognize that these are by no means exhaustive or comprehensive. We also recognize that many students, faculty, staff, and other campus citizens already are doing the work of expanding and enhancing diversity, equity and inclusion at KU. Further, we argue for reframing how we conceive of diversity, equity and inclusion work, envision their significance to the broader functions of higher education, and discuss why achieving diversity, equity and inclusion has been a persistent challenge to KU and public higher education generally. Our summary of recommendations is as follows:

### *Student Centered:*

- Provide greater clarity on overall cost and fees by improving the depth and range of frequently asked questions, help sheets, and advising.
- Expand hardship funds through Endowment for first-generation, low socioeconomic status students.
- Improve the visibility and intentionality of support for transfer students.
- Establish formal pipelines with minority-serving institutions in the region, with particular emphasis on improving connections between KU and Haskell Indian Nations University and enhancing KU’s Indigenous Studies Program.
- Recognize Indigenous People’s Day in honor of Native American contributions to the community.
- Facilitate more formal and sustained collaborations between faculty and staff around the goal of ensuring the successful recruitment, retention, progression, and graduation of racially underrepresented and first-generation students.
- Supplement needs-based models of recruitment for students of color and all first-generation students with active efforts to recruit high achieving students of color.

- Increase support for, and expand, the International Student Services office, and designate an international student member to the Tuition Advisory Committee.
- Enhance efforts to provide gender-neutral or all-gender restroom options campus-wide.
- Increase support for the Center for Sexuality and Gender Diversity.
- Ensure University Honors Program opportunities are distributed in a more participatory and equitable manner.
- Ensure greater representation by faculty and staff from racial and ethnic minority groups in the University Honors Program.
- Recognize and support the effort to create the Multicultural Student Government.
- Place Student Senate under immediate review, and restructure student governance so that it functions in a more participatory, inclusive, and representative manner.
- Actively include courses related to social justice, inclusion, equity, and diversity in KU CORE goals beyond Goal 4.
- Strengthen the commitment to targeted fellowships, tuition waivers, and similar support packages to recruit and successfully retain underrepresented groups in graduate programs.

*Faculty Centered:*

- Shift away from a deficit centered discussion regarding hiring faculty from underrepresented groups.
- Develop a comprehensive plan related to hiring faculty from underrepresented groups.
- Revive the Dean's Scholar Program as a pipeline for developing faculty of color.
- Hold academic departments and deans accountable for making progress towards hiring and retaining more faculty from underrepresented groups.
- More carefully and explicitly disaggregate how faculty members of color are counted and where they are located in faculty ranks and University departments.
- Foster opportunities for mid-career faculty of color in the areas of professional skills building, advancement, pathways to promotion, and opportunities for leadership at the department, school/college, and University levels.
- Develop a more robust and formalized mentoring program for all faculty, including mid-career scholars.
- As an alternative to outsourcing diversity, equity, and inclusion work to paid consultants, make fuller use of campus expertise among faculty and staff, by identifying creative ways to recognize and compensate additional service work.

*Staff Centered:*

- Intentionally engage with diverse local networks when recruiting staff.
- Provide additional resources for Diversity and Equity staff, particularly the Office of Multicultural Affairs, in accordance with their increased workload since the University Town Hall on Race, Respect, and Responsibility.
- Conduct exit interviews for staff and faculty.
- Provide immediate cultural competency training for all staff and administrators with responsibility for official University social media accounts.

- Provide financial support for the Asian and Asian-American Faculty Staff Council, Black Faculty and Staff Council, Latino Faculty and Staff Council, Native Faculty and Staff Council and the Sexuality and Gender Diversity Consortium.
- Hold an annual meeting between the above named faculty and staff councils and the Provost and Chancellor.

*Campus-Wide:*

- Constitute the Diversity, Equity, and Inclusion Advisory Council as an ongoing body, independent from, but directly advising the Chancellor and Provost.
- Develop and disseminate a comprehensive, and accessible, guide for where faculty, staff, and students can go with formal and informal grievances related to issues of inclusion in our University community.
- Establish a comprehensive policy to manage firearms and gun safety on campus, and adopt a campus safety plan for students and personnel in the event of an active shooter.
- As part of campus protocols regarding guns on campus, monitor and record Public Safety Office contact with visitors, students and personnel of color stemming from emergency calls.

To lend fuller context and meaning to our recommendations, and establish a broad view of the current climate, this advisory report provides an interpretation of the current local, regional and national crises that we face as an academic community. We also discuss the specific chain of recent events at KU that have brought our campus to this current crossroads. We offer this narrative context primarily as a means of preserving historical memory, which we hope will make it more difficult for our peers, colleagues and senior leaders to claim innocence or a lack of knowledge about the state of diversity, equity and inclusion work at KU in the future. The pronounced narrative tone of this advisory report is also a means of highlighting the difficulties and possibilities of diversity work in making public higher education a space for both learning and social justice.

### **Why Diversity, Equity, Inclusion, and Social Justice Work Matter in Higher Education**

In a recent essay published in *Boston Review*, historian Robin D.G. Kelley expresses deep skepticism about the university's capacity to change. "The fully racialized social and epistemological architecture upon which the modern university is built cannot be radically transformed by 'simply' adding darker faces, safer spaces, better training, and a curriculum that acknowledges historical and contemporary oppressions," he writes. The members of the Advisory Group concur, though we contend that diversity is an essential precondition to the more fundamental transformations that Kelley envisions. As events at KU in late 2015 demonstrated, much of the work necessary to achieve these aims is likely to occur in "unauthorized" spaces at the margins of formal university leadership.

In the meantime, we believe that there is an important value in dramatically altering how we conceptualize diversity, equity and inclusion work. Conversations about campus "diversity" too often restrict the discussion to fostering better cross-cultural recognition, communication, and relations. However well meaning, this approach removes considerations of diversity, equity and inclusion from the context of institutional resources and power. "Good intentions" count more

than effectiveness, “management” is valued over “leadership,” and the appearance of harmony takes priority over actual parity. Students, staff and faculty from dominant groups are conditioned to be more “tolerant,” or at least more “polite” in their habits of exclusion, while the signal to students, staff and faculty from minoritized groups is that they are to avoid “making a scene,” even if this means burying legitimate grievances.

This approach can prevail in the university setting because we live in a society that often ignores how exclusion, rooted in politics of difference, shape U.S. social policies and practices more broadly. Meaningful citizenship cannot thrive where people are denied access to a quality education, let alone other more basic components of a humane social contract like livable pay, health care protections, voting rights, and safe water. Racism and other forms of exclusion perpetuate inequalities in these areas, denying minoritized groups opportunities for development, self-actualization, and full participation in their society. Marginalization and exclusion not only limit citizenship, but they also fuel social upheaval, civil conflict, and crises of institutional legitimacy. We see evidence of this in the civil disturbances in Ferguson and Baltimore, recent clashes at national political campaign events in Chicago and Kansas City, and protests in New York City and Phoenix, Arizona.

From this standpoint, the work of diversity, equity and inclusion is not only about moral decency, or simply an issue of perspective-taking, empathy, “tolerance” and representation. Rather, it is a matter of policy and practice essential to institutional health and stability, scholarly innovation, better preparation for the responsibilities and challenges of senior-level leadership, and more fully rounded decision-making at the departmental, school/college, and University levels. “Diversity” necessitates the same expertise and standing that applies to other core University concerns like budgets, student credit hours, curricular redesign, and the construction of KU’s Central District. The current moment provides KU a renewed occasion to discover new meanings of “Jayhawk pride” by actively promoting a social justice imagination – one that measures “progress” not by the accomplishments we can claim but instead by our discontent with the pace of extending access and participation to all. This is the public university at its best.

### **KU and the National Context of Public Higher Education**

The public university ideally is a cornerstone of a humane social contract. Public institutions of higher education can (1) allow a society to ponder, discuss and explore the diversity and complexities of the human condition; (2) promote the flowering of individual capacities and potential (self-actualization); (3) provide pathways to economic opportunity and professional mobility; (4) foster a well-rounded, critically thinking citizenry of lifelong learners who are prepared to creatively address the social problems of the day; (5) engage in cultural, scholarly, pedagogical, and technological innovation; and (6) demonstrate the possibilities of perspective-taking and empathy, democratic decision-making, forward-looking institutional reform, and social justice. With the increasing global circulations of people, resources and ideas, and a vital “rising American electorate” of single women, people of color, and openly lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) voters, the imagined functions of higher education are not only an ideal but also a grave necessity.

Over the past decade or more, however, public universities have experienced numerous challenges to achieving these goals. These obstacles reflect the fact that the university does not exist apart from conditions in the broader society. Nationally, public institutions of higher learning have been directly affected by such variables as regressive tax policies, the scaling back of social welfare protections for the middle class and poor, pronounced economic and racial inequalities, televised spectacles of anti-black violence committed by law enforcement, a racialized fear of immigrant “others,” political polarization, the debasement of the U.S. electoral system, a crisis of governmental legitimacy, a belief that public institutions are ill equipped to solve social problems, and the rejection of an ethos of shared civic responsibility.

Foremost, state financing for higher education has declined, leading to rescissions and budget cuts. This has been a result of state-level fiscal difficulties; but to be clear, the crisis of public funding for higher education is more than an outcome of “impersonal” economic forces. In Kansas, for instance, the crisis has been created by extensive tax cuts – not to mention a simmering hostility toward the idea of the public university as a valuable social good. Rising tuition costs and student loan debt are transforming higher education into a private, marketable, scarce commodity necessary for basic success in the competitive job markets of the twenty-first century. In turn, this has contributed to the perception of postsecondary education as a zero-sum game. Given the pervasive assumptions about people of color and their capability for “merit,” “excellence” and “achievement,” the competition for educational access has influenced recent U.S. Supreme Court decisions enforcing stricter judicial scrutiny of – and even prohibitions against – race-conscious guidelines in public university admissions: *Grutter v. Bollinger*, 539 U.S. 306(2003), *Fisher v. University of Texas*, 133 S.Ct. 2411 (2013) [*Fisher I*], and *Schuette v. Coalition to Defend Affirmative Action*, 134 S.Ct. 1623 (2014).

While hearing new arguments in the *Fisher* case [*Fisher II*] in late 2015, the late Supreme Court Justice Antonin Scalia commented that race-oriented affirmative action policies send black students to colleges and universities that are too academically demanding for them, and pondered that they might fare better at “lesser” schools. While 4.3 percent of Kansas’s state university enrollees were black in the 2014-2015 year, 9.4 percent of students enrolled in community colleges and 7.5 percent of students enrolled in technical colleges were black. At KU, we recently have shifted from *retention* programs aimed at keeping high-potential students from traditionally underrepresented groups to *recruitment* efforts targeted to expanding incoming classes of underrepresented students. Simultaneously, efforts to grow the University Honors Program maintain a focus on students with high-standardized test scores from the most financially advantaged areas of the state and nation, and the least diverse local school districts. While the efforts to develop both strategies are admirable, they reflect a two-tiered approach to recruitment that perpetuates racial and class stratification. High-achieving students are largely seen as white and provided access to resources via the Honors Program. Students of color are largely placed in a deficit mold and tracked to remedial resources. In the meantime, no clear avenues exist for recruiting high-achieving students of color.

The fact that athletes often make up a huge percentage of the black student body at major universities also buttresses the view that their presence is academically unearned, notwithstanding their actual scholastic performance (In Division 1 sports nationally, African American males are 13 times more likely than white males to be on football or basketball

scholarship. Across the Division, 1 out of every 168 white male is a scholarship football or basketball player; at schools like Wisconsin and Kansas, the ratio for black men is 1 in 7.) Such “deficit” perspectives of people of color heavily shape their undergraduate and graduate school experiences. In the fall of 2015, 69.7 percent of students were white; 4 percent and 6.2 percent were black and Hispanic, respectively. Less than 1 percent was American Indian/Alaska Native in the 2014-2015 year, and in fall 2015 the figure was .5 percent. In contrast, nearly 10 percent of the students (9.6 percent) were classified as “nonresident alien,” which is a demographic that can conceal the lack of educational access and equity on the part of domestically underrepresented racial minorities, as well as blur the significant distinctions between, for example, Asians and Asian-Americans.

This issue is aggravated by KU’s partnership with Shorelight Education to recruit international students to the University. Through the Academic Accelerator Program, these students take several semesters of freshman-level courses to acclimate to Kansas, as well as supplementary English language instruction. Upon successful completion of this program, Academic Accelerator students are given sophomore status and continue their coursework. The active recruitment of international students, and the auxiliary services that are provided to make them successful at KU, address a need to generate revenue by attracting populations able to pay “full freight,” yet it places in sharp relief to gaps in recruiting and retaining our most marginally represented domestic populations.

According to the KU Student Senate Task Force on the Status of Minorities’ May 7, 2014 report, for first-time, full-time freshman students entering KU in the fall of 2012, the retention rate was 79.9 percent after their first year. Among students identified as white, non-Hispanic, the rate was 82.3 percent. However, among all students who identified as non-white, non-Hispanic, the retention rate for first-time, full-time freshmen students entering in the fall of 2012 was 68.8 percent. For “nonresident alien students,” the rate was 81.1 percent. For Hispanics, the rate was 71.5 percent. For American Indian/Alaskan Native, the rate was 90 percent, though this figure conceals their exceedingly small numbers (i.e., 10 students entering in the fall of 2012). The rate just the year before for American Indian/Alaskan Native students was only 52.6 percent, with nearly double the number of students (i.e., 19 students entering in the fall of 2011). For Asian students, the retention rate was 81.5 percent; for Native Hawaiian/Pacific Islander, the rate was 100 percent, though it is important to note that only *one* first-time, full-time freshman was identified in this category. For black first-time, full-time freshmen entering in the fall of 2012, the retention rate was 57.9 percent. The Office of Institutional Research and Planning reports that for the entering 2014 freshman class of full-time, first-time students, the lowest retention rates, after three semesters at KU, occurred among the most racially marginalized, with American Indian/Alaska Native students at 30.0 percent, Native Hawaiian/Pacific Islander students at 33.3 percent, and black students at 50.4 percent, as compared to 74.7 percent for Hispanic students, 79.8 percent for Asian students, 85.2 percent for “nonresident alien” students, and 78.9 percent for white students.

Aside from retention figures, the lack of diversity in the overall composition of KU students has been reason for concern. While the percentage of white students has decreased within the total student population since 1983, white students continue to outnumber other groups by a wide margin. In the fall of 2015, they numbered 17,233 (69.7 percent) of the total student population.

In the same period, “non-resident alien” students numbered 2,363 (9.6 percent) of the total student population. Students identifying as Asian were 4.1 percent of the total population with 1,015 students in the fall of 2015. In the meantime, those identified as Native Hawaiian/Pacific Islander fell to a statistical 0.0 percent of the total student population, with only 8 students. After peaking in 2006 with 354 students, or 1.3 percent of the total student population, the numbers of American Indian students had, by the fall of 2015, declined to 129, or 0.5 percent of the total student population. From a low of 2.4 percent in 1989-1990, the percentage of black students rose to 881, or 3.3 percent, in 2004. By the fall of 2015, however, they were only 4.0 percent, or 976 students. In contrast, Hispanics constituted 6.2 percent of the total student population, or 1,520 students. Notwithstanding the varying percentages and numbers among these domestic racial minority groups, they still remain a significantly small proportion of the KU student body. The steady decline over the last decade in the American Indian/Alaskan Native student population, for example, and the relatively minimal progress in increasing the black student population at KU in recent years, should be a great cause of alarm for the University.

White students benefit from diversity because they typically come to institutions of higher education having interacted less with persons of color; they therefore are enriched as they engage with others who are unlike themselves. Yet, as scholars like Shaun R. Harper have argued, this point often overlooks the emotional costs of such engagement on the few minoritized students who make this interactional diversity possible on campuses. Underrepresented in classrooms, residence halls and other campus spaces at predominantly white universities, racially marginalized students often confront cultural and social isolation, alienation from campus organizations and activities, indifferent or hostile classmates and instructors who question whether they belong at the institution, daily “microaggressions,” and outright hate speech and acts (e.g., racist theme parties, graffiti, and verbal slurs).

Further, being racially marginalized can be intensified for female students by the realities of campus sexual assault; and aggravated for LGBTQIA+ students of color by efforts aimed directly at excluding them. The Kansas legislature recently passed a law enabling university religious groups to restrict membership in the name of “religious liberty” while still retaining public funding. This new legislation follows on the heels of a 2015 executive order by Kansas Governor Sam Brownback that removed discrimination protections for LGBTQIA+ state employees, and it comes at a time when state officials are also moving forward on a policy that would make it more difficult for transgender people to change their gender on their birth certificates. This is consistent, too, with sweeping initiatives in states like North Carolina to deny public accommodations to LGBTQIA+ people more generally. In Kansas, a proposed Student Physical Privacy Act would allow individuals to sue universities for \$2,500 every time they saw a transgender person in a restroom matching their gender. Often finding it difficult to locate safe, “out” spaces within their own racial group or among other racial groups, LGBTQIA+ people of color can be particularly at risk for depression. Embarrassed by the emotional strain that such encounters and exclusions cause, and fearing that sharing them may affirm the fact that they are incapable of academic success, many may not seek professional counseling for their distress.

The overarching challenge to public institutions like KU is that enrollments and student credit hours have declined. This has prompted university partnerships with private enrollment



management firms (i.e., Shorelight Education) to recruit international students from select nations able and willing to pay full tuition. Touted as a means for both diversifying the student body and gaining revenue, this partnership not only has raised questions about academic oversight, but also the possibility of creating a two-tiered educational experience for international students on campus. Further, as suggested above, “internationalizing” the issue of racial/ethnic diversity can skew the conversation away from domestically underrepresented racial minorities historically denied access to U.S. public universities and colleges. The turn toward enrollment management firms also brings concerns about outsourcing and subcontracting core university responsibilities and duties to the private sector.

Indeed, many public universities have adopted corporate-style strategic planning (i.e., KU’s “Bold Aspirations”), outcomes assessment, productivity metrics, and marketing and branding to streamline curriculum (i.e., the KU Core) and quantitatively measure the viability and worth of academic and administrative units. As a result, faculty face a growing range of administrative duties, as well as demands for more detailed reporting and assessment of their teaching, research and service activities. For many faculty of color, this service load can include institutional diversity work, as well as the informal mentoring of students and junior colleagues of color – not to mention “educating” white faculty colleagues about race and inequality in the academy. According to the preliminary results of a 2014 study at Boise State University, faculty today work approximately 61 hours per week, on weekends, on and off campus, and largely alone – unless they are attending meetings, which claims 17 percent of their work week (Thirteen percent of the week is spent on email.)

With tightening budgets, academic units and even individual faculty are increasingly encouraged to think of themselves as private entrepreneurs. This has become the case even with diversity, which has become its own industry of paid consultants and external mentoring agencies like the National Center for Faculty Development and Diversity. As additional evidence of this drift toward outsourcing and a “public-private” university, the numbers of permanent administrative personnel have expanded, with an increasing number of them vetted through the assistance of private search firms. Several institutions have even hired senior leaders from the business world with no background as faculty or executives in higher education. As was the case at the University of Missouri-Columbia, such developments have had disastrous consequences for public higher education.

As a public flagship university, KU has the rare distinction of a black female Chancellor, Bernadette Gray-Little, but this alone does not translate into improved opportunities for minoritized populations – no more than the election of the first black President of the United States of America has brought the nation to post-racial bliss. People of color are nearly absent at KU as department chairs, deans, and associate deans. KU’s first-ever Vice Provost for Diversity and Equity, Fred Rodriguez, was named to the position in June 2011 (He departed in 2013, and E. Nathan Thomas III was named to the position in June 2014.) Nationally, black people constitute only about 10 percent of those falling into the very broad range of executive, administrative and managerial positions. Among the 46 faculty administrators at the KU Lawrence campus in the fall of 2015, 4 were categorized as Asian, 1 was classified as black, 1 was classified as American Indian/Alaskan Native, and 1 was classified as Hispanic.

Further, while the typical public university chief executive earned a little over \$428,000 in the 2014 fiscal year, other forms of academic labor have become more economically and politically vulnerable. Approximately 75 percent of those who teach at U.S. colleges and universities are part-time lecturers, instructors and others who work off the tenure track. The tightening markets for full-time academic appointments also affect considerations of race, “merit,” and faculty hires. The numbers of minority faculty remain persistently low on university campuses, and they are likelier to teach at two-year rather than four-year public institutions. Indeed, KU has much more to do in reaching the goal of “multicultural and intellectual diversity.” At KU in 2014, American Indian/Alaska Native, black, Hispanic, and Native Hawaiian/Pacific Islander faculty members and librarians were collectively 120 (7.5 percent) of 1,600 faculty and librarians, in contrast to white faculty and librarians who comprised 79 percent.

In 2014, the U.S. Department of Education reported that less than 8 percent of all associate-level professors were black and Hispanic. At the level of full professor, they were even less represented, with black and Hispanic faculty comprising 3 and 4 percent, respectively. Of the full professors at KU in 2014, less than 3 percent were black, less than 4 percent were Hispanic, and less than 1 percent was Native American/Alaskan Native. Together, they made up a total of 28 out of 432 faculty at this rank. These patterns also occur across university job classifications: Among the 160 unclassified academic staff, only 5 individuals were reported as American Indian/Alaskan Native, black, or Hispanic. The highest percentage of American Indian, black and Hispanic staff present in a category of staff classification at the KU Lawrence campus was in the category of University support staff, of which 14.6 percent were reported as American Indian/Alaskan Native, black or Hispanic.

Like students of color, racial minority faculty often confront professional and academic challenges of their own from students, colleagues, staff, and administrators. Similar to students of color, racial minority faculty can find themselves being the first and/or only persons of color in their respective departments. Terms such as “qualified,” when used in conversations about faculty diversity in higher education, imply that it is difficult to find people of color competent for scholarly careers in higher education. A related assumption is that those who do exist are in such high demand that they are too expensive and difficult to attract. Both outlooks accept racial underrepresentation as the norm. Even when departments, schools and colleges hire faculty of color, issues of institutional climate can make it difficult to retain them. In a 2001 campus climate study at KU, staff of color reported a perception of greater inequities than whites on several issues, most especially unit climate, promotion, recognition of achievement, the mentoring of unclassified staff, and job responsibilities. In a more recent self-survey conducted by the KU Black Faculty and Staff Council in the spring of 2016 (to which one-half of the membership responded) over 60 percent reported that they disagreed or were unsure about opportunities to be promoted or advance at KU. Sixty-four percent reported not feeling comfortable or being uncertain about going to the Office of Institutional Access if they had a work-related problem or concern. About 70 percent reported that either they or someone they know has had a negative experience at KU because of being black.

Meanwhile, the relative drop in tenured/tenure-track academic employees generally undermines shared faculty-administrative governance, and it potentially weakens the benefits of tenure for those able to earn it, e.g., the ability to decide the content of courses, determine the subjects of

research, exercise freedom of thought and speech, and facilitate the critical learning necessary for students to become lifelong learners and prepared citizens of the world. Post-tenure review has taken root in states like Texas and Kansas, while legislators, public university administrators and regents boards in states like Wisconsin have considered initiatives to altogether dissolve tenure and faculty involvement in university governance. Contemporary legal precedents also have had a chilling effect on faculty speech and autonomy. The U.S. Supreme Court ruling in *Garcetti v. Ceballos*, 547 U.S. 410, 421 (2006) held that public agencies could discipline employees for speech made “pursuant to their official duties.” The Court set aside the issue of whether the decision might apply to faculty at public institutions of higher education, but since then lower court decisions have applied the ruling to cases involving faculty speech.

If anything, more recent social media controversies involving faculty at KU, Michigan State University, and the University of Illinois at Urbana-Champaign have reinforced the impact of the *Garcetti* ruling. Other proposed measures go beyond simply reining in “wayward” faculty and staff. In the wake of recent controversies at the University of Missouri-Columbia (discussed in the following section), a Missouri legislator has sponsored a bill to create a state commission with the authority to review the university and recommend changes about such things as rules and regulations, administrative structure, degree programs, research activities, and diversity programs.

The possibility of public universities becoming “armed campuses” is yet another risk to academic freedom, a robust learning environment, and a meaningful quality of life at institutions of higher education. At a faculty forum at the University of Houston – where a state concealed-firearm law is set to take effect in August 2016 – the president of the Faculty Senate suggested that in order to adapt to the new policy, his colleagues might want to, among other considerations, “be careful discussing sensitive topics,” “drop certain topics from your curriculum,” and “not ‘go there’ if you sense anger.” In Kansas, a concealed-carry gun law is scheduled to take effect at KU and other regents institutions in the fall of 2017, notwithstanding widespread opposition across the ranks of students, staff, faculty and administration. Like the “stand your ground” laws that have cropped up around the nation (providing the backdrop to the shooting deaths of black teenagers Trayvon Martin and Jordan Davis in Florida), state-level concealed-gun policies reflect, among other features, white anxieties about racial “others” imagined as threats to their jobs, property and lives.

In classroom and campus settings, the law could particularly expose to harm minoritized groups across racial, gender and sexual identities, while also suppressing the difficult dialogues and healthy exchanges (especially about race, gender, sexuality, class, religion, nationality, and other categories of social difference) essential to a productive learning environment. The anxiety generated by the increased presence of firearms on campus may also heighten preexisting fears of racial “others.” This carries the possibility of increased profiling and surveillance of people of color, which could add to the difficulty of recruiting and retaining students, staff and faculty across demographics. In short, the concealed-carry on campus goes against KU’s “Bold Aspirations” strategic vision of “prepar[ing] undergraduate students for lifelong learning, leadership and success,” “push[ing] the boundaries of knowledge” and “benefit[ing] society,” and “recruit[ing], develop[ing], and retain[ing] an excellent and diverse faculty and staff.”

### **The Recent Climate of KU Student Unrest**

Many of the problems described above reached a crisis at KU in response to issues that had simmered over the course of several academic years, including contention around Student Senate campaign policies and procedures that students of color argued disadvantaged them in campus elections. During the 2013-2014 Student Senate, substantial revisions were made to the Student Senate Elections Code, notably the codification of a \$1,000 spending cap on campaign expenditures. During this reform endeavor, the coalition system itself (which privileges white Greek-letter organizations, campus residences, and networks) was challenged and criticized as a key reason for the exclusionary and dysfunctional nature of Student Senate elections. Efforts were undertaken to end the coalition system in Student Senate elections, but the Student Senate voted against legislation in October 2013 that would have abolished coalitions. In April 2014, later that academic year, the Student Senate also voted against a measure that would have placed a referendum question on the spring election ballot asking KU students if the coalition system should be abolished.

In response to concerns about KU's changing admissions standards and the impact on historically underrepresented student populations, the Student Senate formed a Task Force on the Status of Minorities in 2013-2014, which created a permanent Status of Minorities Subcommittee to monitor and annually review recruitment, enrollment, retention, and graduation rates. The task force report, published in May 2014, called attention to the lack of diversity among the student body, and the low retention rates of students of color, particularly black students. The report was presented to the offices of Multicultural Affairs, Institutional Opportunity and Access, Undergraduate Admissions, the Vice Provost for Diversity and Equity, the Vice Provost and Dean of Undergraduate Studies, the Dean of Graduate Studies, the Vice Provost for Student Affairs, the Associate Vice Provost for Enrollment Management, the Provost, the Vice Chancellor for Public Affairs, and the Chancellor. These students also began the work of developing a Social Justice Minor through the College of Liberal Arts and Sciences.

In August 2014, sporadic vandalism and looting, peaceful vigils, and mass protests flared in Ferguson, Missouri after a white police officer shot and killed an 18-year-old black youth, Michael Brown, following a pedestrian stop. Violent responses by local law enforcement prompted news coverage by international media, the involvement of nationally known professional activists, the attention of Missouri Governor Jay Nixon and President Barack Obama, and an eventual investigation by the U.S. Department of Justice. Like their counterparts at other colleges and universities around the nation, groups among KU students, staff and faculty – some of whom had family ties to the St. Louis metropolitan area – organized and/or participated in a series of public forums, solidarity gatherings, marches and other activities that happened both on and off campus. Protests continued in Ferguson and St. Louis after a grand jury decided not to indict Darren Wilson in Brown's death.

That April, as the end of the 2014-2015 academic year approached, black civil unrest erupted in Baltimore, Maryland in response to the death of a black resident, 25-year-old Freddie Gray, following a police arrest. Ferguson and Baltimore were only part of a chain of similar incidents happening around the nation. As elsewhere, these events forced difficult conversations among segments of the KU campus about the conflict between communities of color and police, the workings of the criminal justice system, and the persistent nature of racial inequality more

generally. Significantly, these campus conversations also provided an opportunity for students of color to publicly share their own routine experiences with symbolic forms of racial violence at KU, fostering critical awareness about this university's fraught relationship with its minoritized populations. In late January 2015, the Student Senate voted to create and fund the position of Student Senate Director of Diversity and Inclusion. Moreover, these events unfolded at the same time that KU was facing national scrutiny due to disapproval about the University's handling of sexual assault cases. Much of this attention was galvanized by a group of KU student activists known as the September Siblings.

A major point of connection between these domains of race, gender and sexuality was a KU-based women of color collective that served as a safe harbor for consciousness-raising and political development among an engaged cohort of female students. Taking a cue from their peers who used social media to criticize University responses to incidents of sexual violence, a group of students of color took to Twitter and other outlets to publicize their dissatisfaction with the institution's perceived level of commitment to providing an inclusive and safe campus environment for racialized minorities. Reacting to the resignation of the Director of the Office of Multicultural Affairs – who publicly criticized the University's central leadership for a lack of responsiveness to the poor graduation rates of black students – the KU Black Alumni Network organized efforts to examine the status of current black students, and explored ways to advocate for them.

Another turning point occurred in the fall of 2015, though this time the University of Missouri-Columbia (MU) became the focus of national attention. Responding to a chain of racist incidents against black students, and administrative inaction, campus protesters began a prolonged campaign that included rallies, a hunger strike by a graduate student, the building of a tent community that called to mind the anti-apartheid activism of the 1980s, and a potential faculty walkout. When members of the football team signaled their willingness to boycott team-related activities, which could have cost MU \$1 million for a forfeited game, the sitting university president and chancellor both resigned. Beyond registering concerns among black students, the revolt at MU spotlighted a number of other complaints, including faculty objections to hiring of upper-level administrators with backgrounds in business but no experience in higher education; and graduate employee opposition to changes in their health care benefits.

In terms of their demands and base of participants, the MU protests were an extension of the "Ferguson phenomenon" and "Black Lives Matter," a slogan that the Ferguson unrest had helped popularize. Similar to Ferguson, too, developments at MU inspired a wave of protests that spread to other university and college campuses across the nation. The tide reached KU in November 2015, when members of Rock Chalk Invisible Hawk (RCIH), an undergraduate-led group of multiracial demonstrators, "occupied" an open forum on "race, respect and responsibility" moderated by Chancellor Gray-Little. Taking the stage, they unveiled a list of 15 demands that were generally consistent with calls that students were making on other campuses for the recruitment and success of students of color; the recruitment and retention of faculty and staff of color; increased attention to diversity in the University curriculum; and the creation of a safe and supportive campus climate for all students through such measures as hiring culturally competent student services staff.

On the surface, the RCIH demonstration appeared to be a moment of rupture that violated the norms of campus “civility.” Viewed in its full context, however, this episode was a culmination of ongoing grievances among students of color that previously had come to the attention of the Provost’s and Chancellor’s offices. From this standpoint, the name taken by the group – Rock Chalk Invisible Hawk – was a revealing one that recognized how traditions of “Jayhawk pride” can render historical patterns of exclusion invisible in the very process of promoting school spirit. The goal was to force recognition of this “silencing” by inharmoniously “calling out” racism at KU. Coming in the midst of national “Black Lives Matter” activism, the KU protest represented optimism about the prospects for change, though it also reflected these student activists’ frustration with perceived efforts by University leaders to contain and manage expressions of discontent rather than fundamentally address them.

In the immediate aftermath of the “race, respect and responsibility” forum, some University leaders – even those with many years of experience in upper administration – searched for answers as to how to concretely address issues of diversity, equity and inclusion. Yet, the RCIH-led protest was a result of a longstanding pattern of institutional neglect by the University. Many campus citizens professed their innocence, claiming that the RCIH action had opened their eyes to the existence of systemic racism in higher education. Some were compelled to take a position on the issues the students had raised. Several academic units, and campus groups like the Hispanic American Leadership Organization, issued letters of support for the student protesters. Some campus organizations voicing support for the protesters, like the Black Faculty and Staff Council and Graduate Students of Color, were propelled to speak up for their own particular interests as racially minoritized groups at KU. A number of departments and schools sponsored their own “town hall” forums on race and diversity, activated existing committees on the topic, or created new ones. On a closely related note, a newly formed Kansas Coalition for a Gun Free Campus raised awareness about the dangers that the state’s concealed-carry law poses to school safety. This coincided with other public statements of opposition to the law from distinguished professors at both Kansas State University and KU.

There were more ripples in the late fall and early spring 2016 semesters. A white KU professor went on paid leave after she became the subject of a discrimination complaint precipitated by her use of the “n word” during a classroom conversation a day after the “race, respect and responsibility” event. Amid public protests criticizing him for his lack of leadership on diversity issues, the Dean of the School of Social Welfare resigned. RCIH-led activists staged another occupation (this time in the Chancellor’s Suite in Strong Hall) to reiterate their list of demands; the Office of the Provost responded by releasing a wide-ranging Diversity Action Plan in early 2016. A permanent new Director of the Office of Multicultural Affairs was hired, and robust exchanges among faculty continued about the need to “decolonize” Eurocentric curricula in the liberal arts and humanities. Emerging from the College of Liberal Arts and Sciences’ new Diversity, Equity and Inclusion Working Group was a mentorship program to retain academically struggling KU students who otherwise would have been dismissed from a campus that publicly acknowledged that it did not provide an equitable learning environment for all of its students. The context of campus activism also reinforced the significance of conversations about race and immigration through KU’s new Center for Migration Research, and revived a discussion about the possibility of launching a Center on Social Justice.

Elsewhere on campus, students helped organize an Honors Program Equity Think Tank, which has held open discussions not only about Honors outreach and recruitment to prospective students of color, but also admissions criteria. Legislation passed by the Student Senate in Fall 2015 had increased the Student Senate elections expenditure cap to \$2,000 (though higher caps had been discussed). After criticism from RCIH activists, the Student Senate Executive Committee drafted legislation, approved by the Student Senate, that brought the campaign expenditure cap back down to \$1,000. Citing longstanding concerns about being marginalized, suppressed and excluded from genuine power sharing, students of color also led a campaign to impeach the KU Student Body President, Vice President, and Student Senate Chief of Staff. The bid failed, but on March 9 the Student Senate voted to fund, through a Student Required Campus Fee, the newly formed Multicultural Student Government (MSG), which had been an item on the RCIH list of demands. On March 30, the Student Senate also approved two pieces of legislation: one to transfer to the MSG jurisdiction over the Student Senate Multicultural Education Fund; and the other to provide MSG equal representation on the Student Senate Required Campus Fee Review Subcommittee and the Student Senate Educational Opportunity Fund.

It has been evident, too, that KU student activists of color have not spoken with a single voice. Among black students, differences have surfaced regarding appropriate methods of protest, political tone, rhetorical style, preferences for disruption versus conciliation, and the perceived relationship between the Black Student Union and RCIH-led activities. Although black students have been the nucleus of the recent campus unrest, and perhaps the most visible participants, their protests have helped highlight and elevate additional issues, such as being undocumented or facing “Islamophobia.” One recent action that illustrated the continuing possibilities of a multiracial student politics was “Operation Flint.” This week-long series of activities aimed to educate the KU campus about the public-private negligence that created a municipal water crisis in Flint, Michigan due to lead poisoning, as well as collect money and bottled water for national relief efforts. The broad coalition behind “Operation Flint” included the Vietnamese Student Association, the Hispanic-American Leadership Organization, RCIH, the Multicultural Greek Council, and the Social Welfare Student Activist Committee. In addition, because of the work of such campus organizations as the Sexuality and Gender Diversity Consortium, discussions about race on campus have stirred conversations about the simultaneous identities of sexuality and gender, and the multiple meanings of discrimination racial justice for LGBTQIA+ people of color.

Yet, as campus unrest has continued across the nation, critics of student protest have worried that demands for “political correctness” threaten academic free speech. In the first place, this objection presumes that university occupants meet on equal footing as rights-bearing individuals similarly empowered to speak. The reality is that free speech has vastly different meanings for staff employees who can be non-reappointed at will, lecturers who rely on having their contracts renewed on a yearly or semester basis, assistant professors fearful of upsetting senior colleagues who will vote on their tenure, and even mid-career and senior faculty who avoid controversy in the interest of attaining promotion, professional honors, or campus leadership opportunities. The same limits can apply to racial, gender, and sexual minorities who may dread the repercussions of being outspoken on issues of bias or discrimination. Consequently, placing diversity in conflict with freedom of speech overlooks the material, psychological and even physical harm

that minoritized students face at predominately white institutions. This framing subordinates their welfare to the prerogative of dominant groups to dismiss, discriminate and abuse.

To take one recent example: In late March 2016, a KU undergraduate tweeted to the University's official Twitter account photos of unsanctioned chalking in support of Republican presidential hopeful Donald Trump, who has become a symbol of intolerance and reaction through campaign rhetoric targeting Muslims, Hispanics, and immigrants of color more generally. "Is this the post-racial paradise folks pretend exists?" the student asked in her caption accompanying the photos of the pro-Trump chalking. In an official University Twitter response, the KU News Service initially admonished the student for presuming that a fellow Jayhawk was responsible for the chalking, which was not a charge made by the student in the first place. The media coverage that followed focused on KU's defense of free campus speech, which the student's tweet never challenged or even raised. In the meantime, she has become a target of a stream of violent, anti-Muslim, misogynist tweets, which suppressed her own right to free speech and further affirmed the marginalization of students of color at KU.

Pro-Trump messages also appeared on a wall of the Sabatini Multicultural Resource Center, which houses the OMA. It would be a mistake to underestimate the significance of this act, as the OMA is widely considered a safe space by students with underrepresented identities at KU. The phenomenon of pro-Trump chalking on campuses around the nation is a means of intimidating and threatening underrepresented students, as well as challenging their sense of belonging. As summarized by Joe Enriquez Henry, Vice President of the Midwest Region for the League of United Latin Citizens: "People who have racist viewpoints have been able to successfully use 'Trump' as a code-phrase for derogatory, racist statements." Over the long term, such incidents could deter not only domestic racial minorities from coming or staying at KU, but also international students of color.

Indeed, racist and misogynist invectives, and the looming reality of guns on campus, pose greater threats to academic free speech than "political correctness." If universities are relatively more democratic spaces today than they were six decades ago, it is in part because students and other campus citizens claimed the right of free speech in order to democratize higher education. This has been of benefit to all who occupy the university. The combination of free speech and campus engagement changed the composition of faculty, staff and students, enabled the development of support services like the Office of Multicultural Affairs, and transformed the content of traditional disciplines like Sociology, History and English. The democratization of higher education also led to the creation of new fields such as women's, gender and sexuality studies, ethnic studies, cultural studies, disability studies, peace and conflict studies, as well as new scholarly approaches like social constructionism.

At KU, others fear that the proposed new MSG – beyond the possible challenges of structuring and implementing it – poses a retreat from the goal of inclusion toward racial "self-segregation." But the MSG proposal largely just acknowledges that student government does not adequately represent or respond to their interests. In the meantime, campus engagement has exacted a toll on the activists themselves, leaving some emotionally and mentally exhausted. Caught on the one hand between expecting the university to create a safe climate, and on the other, questioning whether the institution possesses the will and/or expertise to do this, student activists at MU, KU,



and elsewhere have found it necessary to take on the burden themselves. This has exposed them to racial harassment and threats via social media (e.g., Twitter and Yik Yak), and even their personal run-ins with the law, occurring outside their political work, have received heightened attention. This also has put a strain on their studies. Some student activists have decreased the amount of time they spend on campus, withdrawn from classroom participation, fallen behind in their assignments, or missed classes altogether. While they may be proud of their campus engagement, their work in many cases has only heightened the feelings of estrangement from the university that propelled them toward activism in the first place.

### **The Creation, Charge, and Organizational Challenges of the DEI Advisory Group**

Because of such estrangement, and an overall deficit of trust that appeared to exist between student protesters and KU senior administrators, University leaders recognized a need for a more unofficial, advisory body to provide “outside” counsel to upper administration. At the behest of Chancellor Gray-Little, the Office of the Provost assembled a Diversity, Equity and Inclusion Advisory Group in November-December 2015. Two co-chairs were appointed, and 11 additional individuals were selected to serve. Further, the Executive Associate to the Provost, and the Executive Assistant to the Vice Provost for Faculty Development, were generously provided as staff support to the Advisory Group.

Collectively, the members of the Advisory Group consisted of the KU Athletics Director; the Dean of the School of Business; the President of the University Senate; a retention specialist in the Office of Multicultural Affairs; the Assistant Director of Student Housing; a department chair; five tenured faculty members; three undergraduate students; two graduate students; a law student; former and current members of the Student Senate (including the former Student Senate Task Force on the Status of Minorities); a member of Rock Chalk Invisible Hawk; a Chancellor’s Doctoral Fellow; the President of the First Nations Student Association; a former President of the National Panhellenic Council; a leader of Graduate Students of Color; an active member of the Black Faculty and Staff Council; a co-founding member of the Asian and Asian American Faculty Staff Council; a Program Director for the Multicultural Scholars Program; two faculty members of a Diversity, Equity and Inclusion Advisory Committee in the College of Liberal Arts and Sciences; two members of the University Honors Program Diversity Think Tank; two members of the Vice Provost for Diversity and Equity’s Faculty Advisory Committee; a former Langston Hughes Visiting Professor and current member of the Hughes Professor Committee; two former members of the University Core Curriculum Committee; and a faculty member of the Diversity Leadership Council Workgroup organized under the Office of Diversity and Equity.

The Advisory Group’s formal charge included providing the Provost’s Office with observations, conclusions, recommendations and timelines for action regarding “curricular design,” “student recruitment, retention, and graduation particularly for underrepresented groups,” “faculty and staff recruitment, retention, and professional advancement particularly for underrepresented groups,” and an overall “institutional culture of awareness through education and training.” Although reporting directly to Interim Provost Sara Rosen, and benefiting from the resources of her staff, the Advisory Group was expected to operate outside the immediate orbit of the Provost’s Office.

From the outset, however, the Advisory Group confronted a number of organizational challenges and questions. Foremost, one of our members, Chris Sowa, passed away suddenly in late January 2016. Second, although the Advisory Group members represented a good diversity of backgrounds, experiences, sensibilities, and University rank, the Advisory Group nonetheless was limited by its omissions, including the underrepresentation of University staff, the absence of black female and Native American faculty, the lack of a Latino student, or a representative from the Academic Achievement and Access Center. This is not to suggest that an ascribed identity determines an individual's perspective and "representativeness," though demographics matter in environments where underrepresented groups have been historically and presently excluded from leadership and decision-making. Still, the point is that no group, whatever its representative character, is without its own absences.

Third, the Advisory Group was created in the middle of the academic year, leaving a few short months to do any substantive work; how broadly or narrowly should the group focus its efforts? Given the existence of the Provost Office's wide-ranging Diversity Action Plan, released in early 2016, did the Advisory Group risk being redundant? What relationship, if any, should the Advisory Group have to the already existing working groups centered in the Office of the Vice Provost for Diversity and Equity, as well as to similar working groups emerging in the College of Liberal Arts and Sciences and elsewhere on campus? Which campus organizations and entities should the Advisory Group consult, and how much time could we realistically give to doing this? What real impact could the Advisory Group have if its role was only to make recommendations, which University leaders could choose to accept or reject? Would the group's existence ultimately be symbolic of institutional good faith and little else?

Underlying these misgivings was the fatigue that members of the Advisory Group have experienced with the shortcomings of campus "diversity" work. For instance, many of us recognized that creating a task force, special committee or advisory group has been a routine response to campus unrest, with uneven and often disappointing results. As several of us have witnessed – and as a body of scholarship documents – universities since the 1960s have grown adept at recognizing diversity, celebrating difference, and even acknowledging institutional inequalities while preserving unequal distributions of resources and opportunities. Expressing awareness of inequality, admitting to "bad" institutional practices, or declaring commitment to equity policies often can be confused with actual actions to bring equity into existence. To quote race and cultural studies scholar Sara Ahmed: "The official desire to institutionalize diversity does not mean the institution is opened up; indeed, the wall might become all the more apparent, all the more a sign of immobility the more the institution presents itself as being opened up." If anything, the goal has been to change the perceptions of those excluded from the institution rather than institutional processes themselves. In this manner, as scholars like Ahmed and Roderick Ferguson have argued, diversity, equity and inclusion in higher education have become largely "non-performative."

As several Advisory Group members were also aware, the tasks of addressing institutional inequalities, and the "realities of power" maintaining them, typically fall to minoritized faculty, staff and students. Because these activities tend to occur through non-institutional spaces and informal means, many individuals experience them as emotionally taxing care work and mentoring, unrewarded service, and uncompensated labor that fill the void of a meaningful

University commitment to diversity, equity and inclusion. However, in publicly criticizing the University, faculty, staff and students from underrepresented groups expose themselves to being characterized as “the problem” for bringing issues to institutional attention, “becoming what ‘gets in the way’ of institutional happiness.”

Staff engaged in diversity work, in particular, can jeopardize their jobs simply by being conscientious advocates in their work. We understand that this risk can be especially acute for chief diversity officers, who represent differing structural arrangements, experience and credentials, and levels of decision-making and budgetary control. Charged with a broad portfolio of responsibilities that may include race and ethnicity, gender and sexuality, ability and class (i.e., first-generation students), individuals occupying the position of chief diversity officer can be limited in their capacity to direct structural changes, especially when they function without tenured faculty appointments. Their role can be confined to performing “diversity management” as an extension of university public relations to promote the appearance of cohesion and protect the institutional brand through messaging and imaging. From this standpoint, touting how much diversity we have, how much we value diversity, and all of the things that we are doing for diversity serve a marketing benefit for institutions of higher education, whether we actually commit ourselves to these goals or not. To again quote Ahmed: “Diversity can thus function as a containment strategy” that emphasizes the auditing of pronouncements, reports, focus groups, and paid consultants rather than the altering of daily practices.

Still despite some members’ previous experiences with campus “diversity” work, the complicated state of diversity, equity and inclusion work at KU, and the structural limits that can come with this type of labor, the Advisory Group embraced its charge and settled into a regular schedule of weekly two-hour meetings and “small-group” deliberations. We decided that the student upsurge, and the climate this created, provided us an important organizational opportunity to make some narrowly tailored, targeted recommendations relative to the University’s Diversity Action Plan, which we view as a beginning point for a more explicit strategic plan for meaningful, long-term change. We also determined that what mattered more than whatever we might accomplish in a single semester were the networks of interest we could consolidate or even create in the process of doing our work.

### **Recommendations**

As narrated above, the circumstances that have brought KU to this moment stem from an absence of diversity, equity, and inclusion. Moreover, the grievances around these issues have come from students, staff and faculty in a variety of venues. Consequently, the members of the DEI Advisory Group were not under the impression that we needed to discover the nature of the problems that confront the KU community. As voiced on our campus and nearly 90 other U.S. institutions of higher education, the prevailing concerns are the recruitment and success of students from historically underrepresented minority groups; the recruitment and retention of staff and faculty from these same groups of historically underrepresented minorities; the expansion and integration of diversity in the University curriculum; and a safe and inclusive campus climate. Nor did we aim to create an exhaustive set of proposals that would duplicate, or compete with, the University’s Diversity Action Plan and similar initiatives emerging from the

Provost's Office. Rather, we offer the following recommendations to lend greater sharpness to specific areas of the existing campus diversity plan. Where possible, we have highlighted efforts to redistribute resources and power that have sprung from the activity of students, staff and faculty outside the purview of upper administration.

*Undergraduate Admissions and Retention:* The absence of diversity, equity and inclusion in our undergraduate student body undermines the broader democratic purpose that higher education can serve in facilitating individual development, self-actualization, and economic and professional mobility. It also deprives students of the benefits of perspective-taking and empathy that can come through interactions with diverse classmates, which in turn can inform democratic decision-making. Following up on the work of the Student Senate Subcommittee on the Status of Minorities, we recommend the close monitoring of the impact of KU's changing admissions standards on historically underrepresented minority populations. We also urge greater transparency in the financial aid process, specifically regarding to the total costs of tuition and fees. Along these lines, we support improvements in the depth and range of Frequently Asked Questions, help sheets and advising that would provide incoming students with critical information before they are at the point of financial crisis. Similarly, we recommend the expansion of "hardship funds" through Endowment for first-generation, low socioeconomic status students across racial categories.

Further, we recommend more visible and intentional academic support for transfer students, who often find themselves at a disadvantage with regard to information streams and exposure to the full range of available student services. Indeed, transfer students may become an important source of future enrollments as KU admissions standards shift for first-time, first-year student applicants. Toward this end, we also recommend that the University establish formal pipelines with minority-serving institutions in the region. The recruitment and retention of Native American students, especially, must be a priority at KU. Possible partnerships include collaborating with the First Nations Student Association (FNSA), supporting the expansion of the FNSA Spring Pow-Wow, working with the Native American Student Services program in the Lawrence community to recruit and support students, and enhancing relations with Haskell Indian Nations University. As a crucial part of this effort, we recommend streamlining the enrollment processes involved in the current exchange program between KU and Haskell, and increasing exposure between KU and Haskell students. These cross-university relations should be promoted by expanding the KU departments and disciplines that partner with Haskell. In particular, we recommend expanding the Indigenous Studies Program at KU to create a more supportive scholarly and social environment for Native American students. Further, we recommend that the University formally recognize Indigenous Peoples Day instead of Columbus Day to honor Native American contributions to the community.

Finally, we strongly recommend more formal, sustained collaborations between staff and faculty around the goal of ensuring the successful recruitment, retention, progression and graduation of racially underrepresented and first-generation students. This could take the form of staff-faculty partnerships like those that characterized the February 2016 "Destination KU" luncheon sponsored by Undergraduate Admissions, the undergraduate mentoring program for academically struggling students piloted in the spring 2016 semester by the College of Liberal Arts and Sciences, and other systematic efforts involving academic units and student services.

We also urge greater acknowledgment of, and support for, other departments, programs and centers that systematically promote difficult conversations about diversity, equity and inclusion through curriculum and campus-community programming initiatives (e.g., the “Diverse Dialogues on Race and Culture” series).

*Honors Program:* Conversations about students from historically underrepresented minority groups too often proceed from the presumption that they are first-generation, academically challenged, and/or from low-income backgrounds. Such needs-based approaches are vital to the work of recruitment and retention, but they also can render invisible academically high-achieving students of color, who remain underrepresented in the Honors Program and similar merit-based opportunities. The very existence of an Honors Program demonstrates the existence of stratification in higher education, calling into question the democratic functions of the public university. Be that as it may, we recognize that the Honors Program confers, among other things, pathways to professional mobility for its participants.

If they are to exist, Honors opportunities should be distributed in a more participatory and forward-looking manner. We commend the ongoing work of the Honors Program Equity Think Tank, and we similarly recommend a robust self-evaluation and evaluation of Honors outreach and recruitment efforts with regard to historically underrepresented minorities. These efforts should include, among other things, greater representation by faculty and staff from racial minority groups. Equally as important, we urge more deliberative, creative dialogue about the meanings of academic achievement and merit that extend beyond any heavy emphasis on standardized test scores.

*Student Governance :* We urge University leadership at the highest levels to actively support efforts to create a Multicultural Student Government. We recognize, however, that the creation of the Multicultural Student Government would not adequately resolve existing concerns about the patterns of exclusivity in the Student Senate regarding campaigning, representation, parliamentary procedures and decision-making. The consequence of these patterns is not only that students of color are effectively shut out of a meaningful presence in campus governance, but also that white students are conditioned to hoard privileges and behave in exclusionary ways. This reflects and perpetuates the polarization and debasement that we witness in our electoral system nationally. It denies some students opportunities to flourish individually and develop professionally, while depriving other students of the democratic possibilities of perspective-taking, empathy, and democratic decision-making that the public university, at its best, can provide. Ultimately, students are left at a distinct disadvantage in a demographically changing U.S. population, and a wider global community, that demand greater levels of skill in multiracial/multinational relations.

Notwithstanding the admirable work of the Status of Minorities Subcommittee, the MSG campaign symbolizes a deep sense of alienation from the Student Senate among KU students of color; it also speaks to a general crisis in the functioning of student governance. For many years, the KU Student Senate has been criticized for its exclusivity and Greek life-centeredness. Although power has shifted in rare instances, it generally has been retained by a small group of students, to the detriment of the larger student body. This crisis in student governance warrants the direct attention and intervention of University leadership at the highest levels. We

recommend that the University place the Student Senate under immediate review and restructure the organization of student governance at KU. Specifically, we urge the University Senate to take special action to review: the structure of student representation in University governance to ensure equitable representation between the MSG and the current Student Senate; Student Senate elections processes to determine if Student Senate elections might be best administered by a University Senate committee comprised of students, staff and faculty; how to disrupt concentrations of power within the Student Senate in order to ensure that the Student Senate is inclusive, representative, and allows for broad participation from the student body; and whether coalitions should be abolished in the Student Senate elections process, thus requiring students running for Senator seats to campaign directly with the constituent students they seek to represent.

*Diversity and Social Justice in the KU Core and Beyond:* As part of KU’s “Bold Aspirations” strategic plan, the University has built the undergraduate Core Curriculum around six general educational goals, each with learning outcomes constructed around a variety of courses and educational experiences. Goal 4 of the KU Core is to “Respect Human Diversity and Expand Cultural Understanding and Global Awareness.” The first learning outcome of this goal focuses on the United States, “considering, for example, age, culture, disability, ethnicity, gender, language, race, religion, sexual orientation, and social class.” The second learning outcome focuses outside the U.S. on “a variety of perspectives in the global community.” We recommend that the KU Core Curriculum Committee review and refine Goal 4 so as to ensure that courses under this goal meaningfully provide substantive exposure to subject matter, themes, literatures and approaches outside the traditional Eurocentric canon.

The submission of courses to the KU Core is voluntary, and courses dealing with categories of minoritized difference do exist across its six goals. Yet, the prevailing understanding among faculty is that such courses would be limited to fulfilling Core requirements under Goal 4. While we affirm that “Respect[ing] Human Diversity” is a vital Core goal in its own right, we recommend active efforts by the KU Core Curriculum Committee and the Provost’s Office to encourage the submission of diversity-oriented courses in categories across the Core’s six learning outcomes – including “Critical Thinking and Quantitative Literacy,” “Breadth of Knowledge,” and “Social Responsibility and Ethics” – and to readily accept their inclusion beyond Goal 4. We further recommend that the Provost’s Office and college/school deans actively collaborate with departments to develop and institutionalize diversity-oriented courses across the entirety of the KU Core. We particularly encourage collaboration with departments whose teaching, research, service, and public programming profiles focus on people of color, women, and LGBTQIA+ communities. This will reinforce the point that exploring the diversity and complexities of the human condition is deeply entangled in the work of fostering a well-rounded, critically thinking citizenry of lifelong learners. Beyond the Core, however, we recommend a more active curricular focus not just on teaching diversity – i.e., recognizing and appreciating forms of social difference – but also on teaching social justice. Consequently, we support ongoing efforts to certify a Social Justice Minor at KU, as well as the possibility of launching a campus-wide Center on Social Justice. We also endorse making social justice a more explicit component of the KU Core goals and/or incorporating it more explicitly into existing Center for Teaching Excellence workshops.

*Graduate Student Recruitment and Retention:* A diverse graduate student body contributes to innovation in the classroom and in scholarship, and strengthens pipelines for diversifying faculty and staff in higher education. It also offers underrepresented groups routes to professional mobility more generally. The “Bold Aspirations” strategic goal of recruiting and retaining “an excellent and diverse faculty” is inseparable from recruiting, retaining and graduating diverse graduate students. Yet, attracting a diverse graduate student body is not articulated explicitly in the “Bold Aspirations” plan as a goal in its own right. If historically underrepresented minorities are to be represented meaningfully in graduate programs, building their presence should be an unambiguous goal.

We support the efforts of the Special Working Group on Recruitment, Funding, and Retention of Underrepresented Minority Graduate Students, located in the Office of Graduate Studies, and we recommend a stronger commitment to targeted fellowships, tuition waivers, and similar support packages to recruit and successfully retain underrepresented groups in graduate programs. We also recommend that such support be furnished not only to doctoral programs but also M.A. programs, which too often are undervalued as entry points to graduate education for first-generation students of color and first-generation students across demographic categories.

*Broader Inclusion of International and Multicultural Students at KU:* International students are an increasingly critical part of the KU community. It is important that we work to more fully include them by providing an adequately resourced office that can meet the unique needs of non-domestic students at the University. We recommend such measures as expanding the International Student Services office to support them, as well as adding an international student member to the University Tuition Advisory Committee.

Our University also must ensure that it is meeting the needs of KU’s LGBTQIA+ community. Limited progress has occurred in providing gender-neutral or all-gender restroom across campus, but the small number of facilities is concerning. This is especially the case in light of recent actions by the Kansas legislature that marginalize transgender members of the KU community. We recommend enhancing efforts to increase the availability of gender-neutral or all-gender restroom facilities campus-wide. Since 2013-2014, the Student Senate has provided funding for the Center for Sexuality and Gender Diversity within the Student Involvement and Leadership Center. We recommend that the University partner with the Student Senate to increase the center’s personnel and resources to better meet the needs of LGBTQIA+ populations on campus.

*Hiring, Developing, and Retaining Faculty:* A diverse faculty contributes to scholarly and pedagogical innovation, and perspective-taking and empathy in the classroom and on campus. It is vital to attracting and retaining a diverse student body, especially at the graduate level, and training and mentoring students at all levels. Rather than aiming to be “color blind,” the point in an increasingly interconnected world is to acknowledge that race is one among many aspects of a person and something valuable in terms of the total range of human physical and cultural diversity that exists. As scholars like Roger Sanjek have argued, to purposefully strive for leadership ranks that are “color-full” is to better achieve representative and proportional inclusiveness. When meaningfully included in deliberations about campus policies and procedures, a diverse faculty offers the potential for better overall university decision-making.

KU promotes the Hiring for Excellence program and the Langston Hughes Visiting Professorship as pathways to a more diverse faculty. Yet, Hiring for Excellence proceeds from the idea that upgrading the hiring process at the front end will result in more diversity, but no mechanisms exist at the back end to ensure this as an outcome. The presumption is that by adding new features to faculty search protocols (i.e., phone interviews), “qualified” candidates from historically underrepresented groups can rise to the top of a search. Diversity becomes an after-effect, the success of which is determined by whether Hiring for Excellence procedures have been followed rather than by concrete results. The Langston Hughes Visiting Professorship, on the other hand, provides semester-long residencies for early or early mid-career scholars of color who have strong research profiles – and who therefore presumably have demonstrated their excellence. However, this residency currently confers no guarantee of a permanent hire, though a number of visiting professors have been hired based on the active interest of select departments. Unfortunately, some departments have declined to even nominate individuals for the Langston Hughes Visiting Professorship out of concern that they would then be obligated to make a diverse hire, which would be used later to deny them a presumably “regular” hire.

Both Hiring for Excellence and the Langston Hughes Visiting Professorship have been important to diversifying KU faculty. At the same time, they can lend themselves to a deficit approach to faculty of color wherein “qualified” applicants will either rise to the top of an amplified search process, or come to the campus already “fully formed” as scholars with emerging national reputations. This overlooks what experts tell us: Like other employers, the white faculty and administrators who predominate at universities prefer to hire those who are most like themselves. Some departments lament the absence of qualified scholars of color in their respective disciplines. Others claim that because scholars of color are so scarce, they are too mobile, expensive and therefore expensive to attract and keep. The frequency of such narratives suggests that departments too often have a wavering commitment to diversifying their faculty, especially when left to their own devices. We maintain that the consistently low numbers of faculty of color ultimately stem from acts of commission and omission. Despite their significance, neither the Hiring for Excellence program nor the Langston Hughes Visiting Professorship constitutes a comprehensive strategy for diversifying KU faculty. Consider the fact that of KU’s twelve Foundation Distinguished Professors, none are domestically underrepresented racial minorities. Setting aside the matter of how we should interpret and value the existence of such professorships, these absences illustrate a lack of intentional decision-making with regard to diversifying faculty, even as KU leaders assert a commitment to diversity.

We contend that if a diverse faculty is of value to KU, we should imagine it not as a potential offshoot of other processes and arrangements, or as an addendum. Nor should we frame it as something that competes with other hiring priorities, or that confers inferiority to individuals of color. Rather, diversifying faculty should be an explicit goal articulated without qualification or apology. We take issue with our former Provost, Jeffrey S. Vitter, who stated in a message to the KU community that targeted hiring “create[s] an unintended second-class perception for minority hires, which in the long term has been damaging” to universities (“Excellence and Diversity Go Hand in Hand,” KU Provost eNews, February 6, 2015). We recommend an aggressive targeted hiring of faculty of color, particularly those from historically underrepresented domestic minority groups. Along these lines, we recommend reviving the



Dean's Scholars Program as a pipeline for developing and hiring faculty of color across rank. We recommend that academic departments and deans be held accountable for making progress toward this goal. As an incentive, academic units with a demonstrated record of faculty diversity should receive preference in University decisions about where to invest hires, resources and growth. As part of quantifying the "diversity" of faculty recruits, we recommend more explicitly and consistently delineating how faculty members of color are counted and where. The trouble with current counting practices is that it can conceal international and domestic group numbers, as well as inflate reported numbers by counting "women" and "people of color" separately.

However, the most effective means of recruitment lay in developing and retaining faculty. We acknowledge the mentoring that already occurs for many faculty of color, especially those at the assistant level. Yet, we urge great care in framing how this should best occur. Programs like those at the National Center for Faculty Development – whose services KU recently purchased – reflect a widespread presumption that faculty of color have difficulty with managing time, balancing work and personal lives, and maintaining the motivation and focus to write. Certainly, *all* faculty should be encouraged to improve their ability to navigate the demands of research, teaching, and service. But any approach that proceeds from the standpoint of individual deficit runs the great risk of concealing the role of institutional racism in the consistently low numbers of faculty of color. That is, white faculty members are more easily accorded respect, authority, access and opportunity than their colleagues of color. Equally important, though, we recommend fostering opportunities for mid-career faculty of color in the areas of professional skills building, advancement (e.g., participation in the Senior Administrative Fellows program coordinated by the Office of the Vice Provost for Faculty Development), pathways to promotion, and opportunities for leadership at the department, school/college, and University levels.

Closely aligned with this point, we strongly recommend that all applicants for positions as chairs, directors, associate deans, and vice provosts on up be required to demonstrate not only a commitment to diversity, equity and inclusion, but also an active record of teaching and service in these areas, particularly with regard to making the University a more inclusive and equitable place for underrepresented domestic minorities. Finally, as an alternative to outsourcing diversity, equity, and inclusion work to paid consultants, we recommend making fuller use of campus expertise among faculty and staff personnel, as well as identifying creative ways to recognize and compensate them for such additional, often hidden forms of service they frequently provide to the University. As a final measure to help better recruit and retain faculty of color, we urge the Provost's Office to institute exit interviews for departing faculty, most especially for those self-identified as domestic racial minorities.

*Diversifying and Supporting Staff:* KU staff are indispensable to implementing and overseeing University policies and procedures; advising, assisting and mentoring students in both academic and life skills; cultivating and maintaining connections between the institution and alumni, prospective students, and the public more generally; assisting faculty, administrators, and other officers and employees in their duties; and managing offices and units. However, as reflected even in the membership of this Advisory Group, their interests and perspectives often can be muted or altogether ignored. Yet, because staff personnel perform the daily, routinized work of running the institution, and because they have the closest and most sustained interactions with students, it is vital that KU staff reflect the diversity envisioned for other areas of University life.

A diverse staff contributes heavily to our students becoming well rounded, critically thinking, lifelong learners and citizens. A diverse staff also brings pedagogical innovation, as well as perspective-taking, empathy and cultural sensitivity in such crucial areas as recruitment and retention, advising, counseling and psychological services, accommodations for disabilities, money management, residential life, human resources procedures and practices, and myriad other care-giving tasks that often spill outside their formal job descriptions. In the case of units like OMA, staff members engage in the necessary yet difficult labor of exposing students, faculty, other staff, and even upper administrators to public programming, agenda-setting, goals, and practices related diversity, equity, inclusion and social justice. These are issues that can generate discomfort and even resentment, which makes this work particularly risky for staff given the responsibility of training mid-career and senior faculty, supervisors and administrators who can wield power over them. University staff positions also provide individuals with opportunities for career advancement. Hence, the composition of our staff is central to making diversity, equity, inclusion, and social justice a reality at KU.

KU is a predominantly white institution across all ranks, including staff. Foremost, then, we recommend targeted policies to diversify locally hired non-professional staff, with particular emphasis on individuals from domestically underrepresented racial minorities. This should apply to both professional and office staff in such areas as the offices of the deans, the Provost and Chancellor, KU Athletics, Counseling and Psychological Services, Student Housing, Undergraduate Admissions, Graduate Studies, Human Resource Management, and Institutional Opportunity and Access. Indeed, deans and other administrators cannot credibly urge units to diversify faculty when their own staffs lack the diversity they claim to value. On this point, we recommend immediate cultural competency training for all staff and administrators with responsibility for official KU social media accounts. We also recommend that the University institute programs to support and retain staff from underrepresented groups. While mentoring is encouraged among faculty and administrators, no such institutional initiatives exist for staff. Consequently, the work of mentoring and integrating staff of color is largely left to staff and faculty councils, which currently have no operating budgets of their own. Meanwhile, declining budgets have reduced or eliminated professional development for staff across the University, making it more difficult to recruit and retain talent.

We are particularly concerned about the effects of budgetary constraints on the staff responsibilities and capacities of OMA. Because of a rising awareness of inequities on campus, many departments have turned to this office to facilitate trainings, forums and workshops on diversity, equity, inclusion and social justice. This high demand has caused OMA staff to become full-time trainers and facilitators, even though this work is not part of the actual job descriptions for some of the current OMA positions. The strain of assuming these additional responsibilities is compounded by an absence of appropriate compensation. We therefore recommend that OMA staff receive resources and compensation, and additional staff, to adequately support the vital work that they campus is asking OMA to perform. As part of alleviating some of the burden on this office, we support University efforts to implement some cultural competency and diversity training at KU through electronic media. Apart from relieving OMA of the additional demands to which they have had to respond, this would also help address the risks that can come with staffers offering training in diversity, equity, inclusion and social justice to upper administrators who have authority over them.

On this point, we recognize that University staffers work with fewer job protections than their faculty counterparts, leaving them relatively more vulnerable to disciplinary action and reprisals. This can be a keenly felt sentiment especially at a moment of state-imposed budget cutting. For people of color, such concerns about job safety can be aggravated by their sense of themselves as a minority among University employees. In predominantly white environments, moreover, grievance procedures can be alienating and isolating. We therefore recommend that the University investigate how to provide a “roadmap” of grievance processes that can make these mechanisms more readily transparent to both staff and faculty. Related to this, we recommend that the University implement a formal advocacy system for staff and faculty proceeding through complaint and grievance procedures. This is pertinent not only for University employees of color, but especially also for LGBTQIA+ employees (and students) across race, who the state has legally deprived of anti-discrimination protections. Finally, as a measure to better learn how to recruit and retain staff, we urge the University to conduct exit interviews with staff, especially those who are members of domestic racial minorities and/or other underrepresented groups on campus.

*Faculty and Staff Councils:* Several faculty and staff councils currently exist under the Office of Diversity and Equity: the Asian and Asian-American Faculty Staff Council, Latino Faculty and Staff Council, Black Faculty and Staff Council, Native Faculty and Staff Council, and the Sexuality and Gender Diversity Consortium. Although they may be uneven in their composition and levels of participation and development, the councils collectively offer a social and professional network for employees from underrepresented and marginalized groups on campus. Second, they provide a potential basis for staff/faculty self-organization around quality-of-life issues, concerns, policies, and practices. Third, they offer a resource to the offices of the Provost and Chancellor on matters of diversity, equity, and inclusion. Finally, the councils offer potential pathways to leadership in other areas of the KU community.

We support the recent work of the Black Faculty and Staff Council, which met with the Chancellor to elevate the councils’ concerns in upper-level University decision-making. We recommend annual financial support to the councils, which will recognize and encourage their work in creating a more welcoming campus environment for underrepresented groups. We also recommend that the Provost and Chancellor hold at least one annual meeting with the councils to hear and discuss their concerns and ideas about making KU a more participatory, inclusive and equitable institution.

*Campus Safety:* In July 2017, KU and other Kansas Regents institutions will lose their exemption from state legislation permitting the carrying of concealed firearms in all public places. Like most students, staff, faculty and administrators at KU, we believe that the presence of firearms on campus is incompatible with the mission and function of higher education, and it threatens academic freedom and the maintenance of a safe, productive learning environment. The expanded presence of guns on campus will likely have a chilling effect on active learning and other forms of pedagogical innovation; curtail scholarly explorations of the human condition in all of its complexities; and undermine the nurturing of a well-rounded, intellectually alert community of lifelong learners. This policy will make it difficult not only to recruit and retain students at a moment of widespread concern about enrollments; but it will also negatively affect the retention and hiring of faculty and staff.

In the current climate of hostility toward people of color and racialized immigrant “others,” antipathy toward LGBTQIA+ communities, and an epidemic of sexual violence against women on university campuses, we are especially concerned that the increased presence of guns at KU will expose these groups to greater threat and harm in classroom and campus encounters. For instance, the Student Physical Privacy Act that has been proposed in the state legislature effectively defines transgender students and employees as a threat to campus order and safety. If passed, the act would enable an individual who spotted a transgender person in a restroom matching their gender to sue the University for \$2,500 each time it occurred. This would not only promote profiling and even harassment, but likely also physical harm to transgender KU students and employees. In a campus environment in which carrying firearms would be permissible, these confrontations could easily turn deadly.

The heightened sense of fear and anxiety created by the expanded presence of firearms on campus may also expose students, staff and faculty of color to forms of racial profiling and surveillance prevalent in the larger society. The implementation of the concealed-carry policy at Kansas Regents institutions should be rescinded. We support the efforts of the Kansas Coalition for a Gun Free Campus, and we urge faculty, administrators, staff, students, parents, and alumni work to collaboratively toward the goal of making our campus gun-free. In the meantime, we recommend that the University establish a comprehensive policy to manage firearms and gun safety on campus, as well as adopt a safety plan for KU students and personnel in the event of an active shooter on campus. As a precaution against possible racial profiling, we also recommend that the Public Safety Office closely monitor and record officers’ interactions with visitors, students and personnel of color stemming from emergency calls.

*Future of the DEI Advisory Group:* We support efforts on the part of University Senate leadership to create an ad hoc diversity committee of the University Senate, which could lend institutional legitimacy and permanence to diversity, equity, inclusion and social justice efforts on a campus-wide basis. At the same time, we note that the Student Senate has had a Multicultural Affairs committee for many years, yet this did not prevent the crisis in student governance that led to the emergence of the MSG. In these changing times, the University Senate may need to rethink the structure of University governance itself.

We believe that diversity, equity and inclusion work is most effective when it occurs simultaneously through formal, institutional and ad hoc and informal means. We contend that it is in the latter spaces – i.e., ad hoc, informal, “unauthorized” areas outside administration and governance – where, according to scholars like Roderick Ferguson, discussions of “critical possibilities” can flourish. This entails not only paying attention to patterns of exclusion, but also raising questions about the very rules of inclusion, recognition and legitimacy.

Toward these ends, we recommend that our current Advisory Group continue to exist beyond this semester as a critical assembly reporting either to the Provost’s or Chancellor’s office yet existing outside its immediate vicinity. With the benefit of a full academic year, the Advisory Group could follow any progress on its recommendations, and in particular engage diverse campus constituencies around diversity, equity and inclusion goals, interests, and timetables. We recommend that this assembly also continue to provide “outside” counsel to upper administration, principally through a written advisory report at the end of every spring semester.

We expect that the leadership and composition of the Advisory Group would change as members either graduate or return to other duties, but we strongly recommend that the co-chairs exercise the prerogative to identify potential members.

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