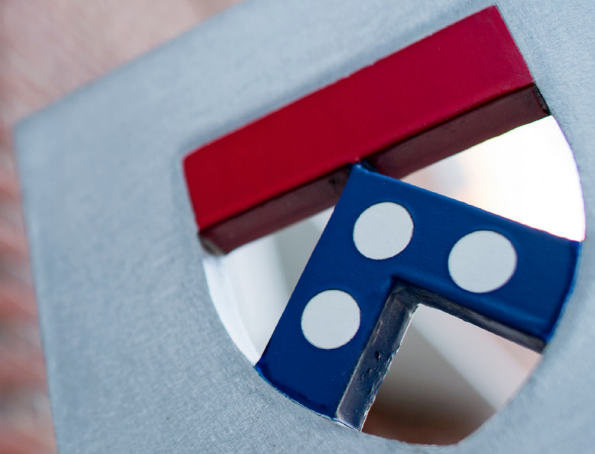


ACTION PLAN FOR FACULTY DIVERSITY AND EXCELLENCE

December 2019



Overview/Introduction

The University of Pennsylvania Carey Law School provides a world-class legal education that values inclusion and engagement across differences as integral to preparing our graduates for legal practice in a diverse and complex world. Here, diversity exists in thought and opinion as well as race, ethnicity, cultural background, religion, gender identity and expression, sexual orientation, socio-economic status, military status, age, physical abilities, political beliefs, and other ideologies. Indeed, for us and our stakeholders, diversity is a multidimensional concept requiring a multifaceted approach.

The Law School's Action Plan for Faculty Diversity and Excellence furthers our commitment to non-discrimination, diversity, inclusion, and access. Specifically, we remain dedicated to: (1) retaining and recruiting a diverse population of faculty, staff and students; (2) increasing and enhancing communications and programmatic efforts around equity, inclusion, and engagement; (3) developing mechanisms for evaluating our ongoing efforts; and (4) designing future strategies that advance our ideals and goals. These objectives serve as the foundation for building inclusive excellence within our community.

Diversity in Faculty

Our commitment to enhanced diversity requires us to assess the composition of our faculty along with our recruitment and retention efforts. The Law School remains continually committed to seeking diversity in the hiring of its full-time faculty at the lateral level as well as in the entry market. In furtherance of this goal, we must identify and attract faculty candidates who exhibit the most promise, talent, and scholarly excellence. Equally important is representation within our part-time faculty from historically underrepresented groups within the profession.

There are many advantages to having a diverse faculty. A diverse faculty cultivates an inclusive community and increases the overall quality of a legal education by generating varied viewpoints and scholarship. Diverse faculty members also impact curricular offerings and course content. For example, in the fall 2019 semester, over 17 courses' concentration can be identified as focusing on discrimination and/or the law's interaction with underrepresented groups. This wide range of offerings includes courses such as: *Diversity and Inclusion in the Legal Profession*, *Women Law and Leadership Lab*, *Federal Indian Law*, *Employment Discrimination*, *Immigration Law*, *Strategic Lawyering for Social Justice*, *Discrimination in Education*, and our *Transnational Legal Clinic*. Beyond the curriculum, diverse faculty members are instrumental in the recruitment of students and are a resource for students and student organizations.

Full-Time Faculty

This plan sets out the gender and racial/ethnic composition of the Law School's full-time faculty, comparing the numbers from 2014-2015 to 2019-2020. The full-time faculty is comprised of four major subgroups: (1) standing faculty consisting of tenured and tenure-track legal scholars; (2) clinical faculty performing a mix of scholarly and legal practice instruction; (3) legal practice skills faculty instructing students on research, writing, and professional skills; and (4) adjunct faculty who are working practitioners who teach specialized courses. Short-term visiting faculty or fellows are not factored into this data.

The data reflects significant overall gains in the number of women and historically underrepresented minorities over the past five years. A summary of the data indicates:

- In the 2019-2020 academic year, our full-time faculty was comprised of 35.7% females, an increase from 34.4% in 2014-2015. Full-time standing female faculty in 2019-2020 was 34.6% as compared to 25.5% in 2014-2015.
- The number of full-time minority faculty by race and ethnicity increased from 17.1% in 2014-2015 to 20% in 2019-2020. The number of minority standing faculty by race and ethnicity increased from 20.5 % in 2014-2015 to 25% in 2019-2020.

Our standing faculty for the 2019-2020 academic year totaled 52. The faculty made both entry-level and lateral offers. Consistent with past practice, the faculty Appointments Committee reviewed the scholarship of potential lateral hires in subject matter areas where the Law School seeks to strengthen its presence. An entry-level offer was extended and accepted by a Black/African American male. Two lateral offers were made to a White woman and an Asian-American woman. Both were accepted.

We are proud of the progress we have made in diversifying our faculty in recent years, but we recognize there is a need to do more in order to meet our overall diversity goals.

Other Appointments

Clinical Supervisor Positions

Our most recent hiring for a clinical supervisory position took place in the 2017-2018 academic year. At that time, a Search Committee was convened and charged with hiring two clinical supervisor positions. The Diversity Search Advisor was a member of the committee. The clinical supervisor positions are for Lecturers in Law, and they are five-year terminal positions. The committee was seeking to hire a supervisor in the Civil Practice Clinic and another in the Entrepreneurship Clinic.

For the Civil Practice Clinic, 65 applications were received of which 57% were from female applicants and 18% were from persons of color. An offer was made to a Black/African American woman. She accepted the offer.

For the Entrepreneurship Legal Clinic, 41 applications were received of which 29% were from female applicants and 20% were from persons of color. An offer was made to a male of Asian descent. That offer was rejected in favor of a permanent offer at another institution. An offer was then made to a White male. That offer was accepted.

Sharswood Fellows

Each year we bring into residence up to two future law teachers as part of our Sharswood Fellows program. This is another opportunity to bring diverse prospective faculty members to the Law School. During this two-year term, the fellow partakes in scholarship, teaching, and interaction with faculty prior to entry into the hiring market. For this upcoming academic year, we will be joined by one Sharswood Fellow. The Sharswood Fellow selected for the 2019-2020 academic year is a Black/African American woman.

Visiting and Distinguished Policy Fellows

In 2014, the Law School created two new fellowships, Visiting Policy Fellows and Distinguished Policy Fellows. The Visiting Policy

Fellowship is designed for accomplished current or former policy makers, government officials, or lawyers or other high-level government staff. The Distinguished Policy Fellowship is designed for current or former senior-level policy makers or government officials, such as former elected officials or top political appointees at the head of government agencies. Diversity outreach is integral to the selection process, as is a fair balance of political party and ideological perspective among the Policy Fellows.

For the 2018-2019 year, the faculty approved three Visiting Policy Fellows of whom one is female and one is a person of color. In addition, the faculty approved three Distinguished Policy Fellows, of whom one is female and two are people of color. For this 2019-2020 academic year, we will have one additional Distinguished Policy Fellow. That fellow is a White male.

Bok Visiting Professors

The Law School recognizes the importance and benefits of global engagement and diversity. In addition to our over 125 international students taking classes, we are fortunate to have up to six well-regarded scholars from foreign countries teach as part of our Bok Distinguished Visiting Professor Program each year. Our Bok Professors teach classes that are between two to eight weeks in length. Not only are these professors engaging with our students, but they also collaborate with our standing faculty on projects of common interest.

In 2018-2019, we extended six invitations to participate in the program in a future academic year. The invitees included one woman, three Asians, and one African. In 2019-2020, we will be joined by two Bok professors in the fall. These professors will join us from Sri Lanka and England.

Faculty Recruitment and Retention

As reflected above, in more recent academic years, the Law School has made significant strides in the hiring process due to continued and collective faculty engagement. Moreover, diversity considerations influenced various phases of the recruitment and retention process. For example, the faculty recruitment process and retention practices involve:

- One of the Law School's Deputy Deans serving as Diversity Search Advisor. In this role, the Diversity Search Advisor works to develop a pool of candidates that are reflective of the diversity in the profession.
- The Deputy Dean and Diversity Search Advisor participating in the initial selection of entry-level resumes for review by the Appointments Committee.
- The Diversity Search Advisor making a special report to the faculty on diversity matters.
- The Diversity Search Advisor serving as an advisor on any clinical faculty or legal skills instructor search committees.
- Building and fostering a diverse academic community that will attract and aid in the recruitment of potential faculty candidates.
- Outreach through our alumni affinity groups, various bar association affinity groups in the Philadelphia area, and through diversity officers at major firms for the hiring of our adjunct faculty.
- Working closely with a potential faculty member to explore the range of employment options and networking opportunities available for their spouse or partner in the Philadelphia area.
- Incoming faculty being assigned an existing faculty liaison.
- Newly hired junior faculty being paired with a member of the senior faculty, who serves in a mentorship capacity.
- We recognize that faculty who come from historically underrepresented populations often receive more requests than their colleagues to partake in projects and participate in various committees or other university related service matters. As a result, consideration is provided to our diverse faculty members' course load, committee assignments, and university commitments to ensure that they are not oversubscribed.

Communication and Programmatic Efforts Involving Equity, Inclusion, and Engagement

Background

In November 2016, the Student Engagement Committee comprised of faculty, students, and staff commenced a two-year project to learn more about the student experience at the Law School. In particular, the project aimed to gain a fuller understanding of the experience of individuals and groups of students at the law school. The Committee also worked with outside consultants and gathered both quantitative and qualitative data. It explored issues of sexuality, religion, race and ethnicity, gender, political ideology, socio-economic class, nationality, and ability status. Although the data was positive overall, it did suggest a need for progress on issues of diversity and inclusion.

In Summer 2018, two appointments were made to further our Diversity and Inclusion Efforts. Tobias Wolff, currently the Jefferson B. Fordham Professor of Law, was appointed as Deputy Dean for Alumni Engagement and Inclusion, and Arlene Rivera Finkelstein, Associate Dean of Justice and Inclusion Initiatives & Executive Director of the Toll Public Interest Center, was tasked with spearheading our programmatic efforts. Rivera Finkelstein developed a plan to engage every part of our community in our Inclusion Initiatives, beginning with the Staff Inclusion Team, which was formed in the 2018-19 academic year, and the Alumni Advisory Board, which launched in the 2019-2020 academic year.

In May 2019, Monica Monroe took a new role as Associate Dean for Inclusion and Engagement, and the Office of Inclusion and Engagement (I&E) was created.

I&E is designed to implement best practices and policies that will create and sustain a climate of inclusion and foster an environment that promotes shared dialogue and respect for our differences. In order to achieve this goal, I&E will collaborate with different offices, groups, and individuals at the law school, university, and community, as well as industry experts, to provide educational and training programs, workshops and counseling services.

Staff

The Staff Inclusion Team will provide ongoing programs that aim to educate and further the professional development of our staff. For example, in the summer of 2019, the Staff Inclusion Team hosted the Perception Institute for two distinct training programs focused on implicit bias and other barriers to inclusion. These training sessions were accompanied by a small group training of staff facilitators, who will then lead small group staff conversations (Diversity Dialogues) about equity and inclusion throughout the coming year.

Alumni

The Alumni Advisory Board will counsel the Dean on matters of diversity, equity, and inclusion at the law school as well as in the profession. It will be comprised of 25 members of our alumni community, including five alumni co-chairs, who will serve a specific term of years. The Alumni Board will convene at least once annually and will have both formal and informal opportunities to engage with current students. To augment our relationship with alumni on these topics, Professor Tobias Wolff as Deputy Dean for Alumni Engagement and Inclusion will work closely with the Dean and Development and Alumni Relations staff on a range of projects and events relating to alumni affairs and the broader law school community. Professor Wolff has also traveled extensively around the United States in his new role, meeting with our alumni to discuss new ways for the law school to foster and strengthen ongoing relationships with alumni outside the realm of fundraising, including an emphasis on connecting interested alumni with the work of student affiliate groups at the law school.

Faculty

I&E will work with faculty and university partners to offer training, resources, and support to further our ongoing goals of increasing diversity among our faculty and promoting inclusive teaching practices. A Faculty and Staff Executive Committee will work to provide recommendations and strategies to further enhance a culture of inclusion at the Law School. This committee will have occasion to engage with the other advisory bodies as well. Faculty will also have the opportunity to participate in University sponsored trainings over the course of the academic year. At this year's faculty retreat, three standing faculty members led a panel discussion on inclusion and pedagogy in the classroom with a focus on disability and accommodation, gender identity, and trauma-informed teaching.

Students

I&E will provide funding and support for student-led initiatives that are designed to promote awareness on issues of diversity, equity, and inclusion. In the fall of 2019, I&E also launched a new Student Advisory Committee. This committee will be an asset to the Law School, providing input and feedback on new initiatives and emergent issues.

Mechanisms for Evaluating Ongoing Efforts

Regarding faculty hires, we will continue to collect quantitative indicators to track progress with respect to recruitment, applicants, hiring, and retention of diverse faculty candidates. A yearly evaluation of these metrics is necessary to examine the effectiveness of our practices.

Our student, staff, and alumni advisory committees serve as a mechanism for feedback, assessment, and evaluation of our efforts on issues of diversity and inclusion. I&E will also utilize surveys to solicit more immediate input on programs and opportunities that are provided to the community. In addition, I&E may at some point seek to undergo another school-wide climate survey for students. A survey shortly after the creation of the I&E will create a baseline measure to help quantify the effectiveness of the office and offer invaluable insight into areas requiring the Law School's attention.

Plans for the Next 5 Years

We are proud of the progress we have made to date. We also recognize that there is more work to do, and we have set the following goals for the next five years.

- Increase our overall visibility in the area of diversity and inclusion within the Law School, University, and local community.
- Broaden our communication strategy to include utilizing our web presence and social media to highlight programming, educational events, speakers, and alumni.
- Examine and expand our hiring and retention efforts for diverse faculty and staff.
- Increase our faculty's engagement with diversity and inclusion programming.
- Develop a student and alumni mentorship program for diverse individuals.
- Expand our current outreach program to identify talented undergraduate students who are underrepresented in the legal profession or from historically disadvantaged backgrounds and have an interest in law school and prepare them for admission into law school.
- Provide an ongoing orientation program and support services for students from historically underrepresented backgrounds in the legal profession.
- Create a more inviting physical space by displaying more inclusive images and symbols within the law school.
- Assess our current facilities to ensure not just compliance but excellent accommodations within the building for all physical abilities.
- Expand our educational offerings on topics of diversity and inclusion, including, but not limited to, microaggressions, unconscious bias, classroom inclusion, and cross-cultural lawyering.

Conclusion

Our faculty, students, and staff are more diverse than ever before. We know that representation of diverse backgrounds and perspectives is essential to providing an exceptional legal education. We will continue to prioritize and expand diversity, equity, and inclusive excellence in all that we do at the University of Pennsylvania Carey Law School.