Office of Affirmative Action and Equal Opportunity
Strategic Diversity Action Plan
Five Year Review, February 2012

OVERVIEW

The mission of the Office of Affirmative Action & Equal Opportunity (OAAEO) is to work with all members of the University of Oregon community to help ensure that the university is meeting the letter and spirit of its legal obligations related to affirmative action and equal opportunity, and to support the university’s commitment to diversity. That mission recognizes the inherent value of diversity – that the different perspectives, experiences, ideas and solutions that come from a diverse workforce and student body are critical to advancing the boundaries of knowledge and contributing to the university’s ability to develop innovative strategies to address challenges facing the institution and the larger community that it serves.

The OAAEO’s primary responsibilities focus on helping to ensure institutional compliance with affirmative action and equal opportunity obligations. However, proactive efforts to build understanding and support of underlying legal obligations contribute significantly to effective compliance. As a result, we value the opportunity to be an active partner in the university’s commitment to diversity.

GOALS AND PROGRESS

The goals established by the OAAEO as part of its initial Strategic Diversity Action Plan, and its progress toward those goals, is organized by the six pillars of the initial Campus Diversity Action Plan.

Developing a Culturally Responsive Community

The OAAEO’s goals in this area were to 1) ensure understanding among staff regarding how each member contributes to meeting our affirmative action and equal opportunity responsibilities, 2) continue ongoing effort to reframe OAAEO’s role as a partner rather than primarily a technical compliance authority, 3) participate in campus training to build campus understanding regarding a culturally responsive community, and 4) support the use of innovative recruitment and search activities.

Goal 1 (ensuring staff understanding) has been met through regular, ongoing discussion at staff meetings of specific areas of responsibility, what is needed from all staff to support those responsibilities, and ongoing staff training specific to ongoing and expanding areas of responsibility.

Since January 2006, when the OAAEO’s first strategic diversity action plan was developed, there has been a significant change in OAAEO staff, with two new positions added and turnover in three positions. Only two of the current staff members participated in developing the current plan. Turnover has provided both the opportunity and the need to evaluate areas of responsibility and to ensure staff understanding and training across all areas of responsibility.

Goal 2 (OAAEO as partner) has been met through a limited use of continuous improvement feedback forms, ongoing conversations with deans, department heads and other administrators, and through a number of collaborative efforts with various campus partners, including Academic Affairs, CoDaC, OIED, Human Resources, and others.
Goal 3 (participate in training) has been met through OAAEO’s ongoing and increasing participation in a wide range of campus-based professional development and training, and through daily consultation with deans, department heads, directors and other managers and supervisors. OAAEO staff members contribute to a number of training opportunities sponsored by Organizational Development and Training in Human Resources. OAAEO has also developed training in response to requests from UO administrators acting proactively or in response to concerns identified as a result of formal or informal discrimination complaints.

Two specific efforts related to goal 4 (innovative recruitment) warrant specific mention. The OAAEO’s Outreach and Recruitment Resource is now online, and provides outreach and recruitment resources relevant to all types of UO positions. Access to the resource will assist hiring authorities in developing outreach and recruitment plans more likely to reach and attract broad and diverse applicant pools for available employment opportunities.

In December 2010, OAAEO began working with Academic Affairs, CoDaC and OIED on developing information and materials to better support faculty diversity. OAAEO staff played a significant role in the following:

- developing an online resource housed on the Academic Affairs webpage,
- creating a professional development module to provide those involved in the faculty search process with best practices related to faculty diversity, and
- developing the manual for that module.

The module was offered in spring and fall 2011. The status of future offerings is uncertain at this time. However, the online resource and training manual are currently available to those involved with faculty searches.

Improving Campus Climate

The OAAEO’s goal in this area was to assist with early and informal complaint resolution whenever possible. In support of that goal, the OAAEO developed a brochure that provides a more comprehensive overview of the role of the office with respect to formal and informal complaint resolution. The brochure is in its second printing, and is regularly distributed as part of various training programs, to departments as requested, and to individuals seeking counsel from the OAAEO. It is available both in hard copy and on the OAAEO webpage.

The OAAEO has expanded its outreach to a number of other UO offices. In addition to those with whom it is collaborating on specific initiatives, outreach has been expanded to the Office of the Dean of Students, (Title IX compliance), Athletics (event accessibility), DPS (parking accessibility) and others. OAAEO has also expanded its outreach to schools and colleges, and academic and administrative departments on an ad hoc basis.

An important new initiative by the VPFA related to campus climate was launched this year – an effort to substantively support the memo regarding a respectful workplace issued annually by Academic Affairs and Human Resources. OAAEO staff played a central role in facilitating a number of focus group conversations about what makes a workplace respectful, in what areas is the UO doing a good job and in what areas is it challenged, and what additional tools are necessary to support a respectful workplace. The focus groups included managers primarily, but not exclusively, in the VPFA portfolio, officers of administration, classified staff, and a presentation at the Executive Leadership Group.
**Building Critical Mass**

The OAAEO set the following goals in support of building critical mass: 1) develop avenues of outreach and recruitment, 2) increase understanding of best practices by hiring authorities, 3) identify and provide data that will better inform administrators regarding current status of our efforts related to workforce diversity, and 4) support the use of innovative recruitment and search strategies.

Goals 1 and 4 (avenues of outreach and recruitment) were met through the completion and launch of the online Outreach and Recruitment Resource. An effort is currently underway to publicize the newly available tool.

Goal 2 is continually addressed through ongoing interaction with hiring authorities and search committees, with an effort to ensure that information is responsive to existing questions or concerns and focuses on practices that impact diversity and excellence in the search process. The collaborative effort with Academic Affairs, CoDaC and OIED has contributed significantly to providing tools that support increased understanding.

There have been a number of efforts to identify and provide data that will better inform administrators regarding areas of success and areas for improvement. The OAAEO routinely sends information regarding the diversity of applicant pools to hiring authorities and search committees for all unclassified searches, with a copy to Academic Affairs for searches for tenure-related and career non-tenure-related positions. That information provides the best information available as to whether outreach has been successful in attracting an applicant pool that is as diverse as we would reasonably expect based on availability, with an opportunity for expanded outreach if appropriate.

*Availability for tenure-related academic job groups has been updated.* That information has been provided to Academic Affairs and OIED, and will be shared with deans and department heads. The new data will be incorporated into the 2012-13 Affirmative Action Plan (AAP). Updating availability for fixed-term faculty job groups is still underway but is expected to be completed for incorporation into the 2013 AAP.

OAAEO has begun generating reports that provide a better overview of overall progress in the diversity of its workforce. One provides a multi-year overview of the representation of women and protected minorities by employee type (executives, tenure-related faculty, fixed-term faculty, OAs and classified staff). We will be expanding that report to provide a multi-year overview of the representation of women and protected minorities by academic department within the schools and colleges. We will continue to work with Academic Affairs, Deans and Vice Presidents to determine what data will help them in better understanding the status of diversity within their areas of oversight.

**Expanding and Filling the Pipeline**

Given its role, the OAAEO has limited opportunity to impact the student pipeline. Our goals in this area have been to be very intentional in our outreach when filling student worker positions, and to foster an inclusive environment within the OAAEO.
Current OAAEO student workers contribute to the race/ethnic diversity of our office. They contribute different perspectives since one is a UO undergraduate and the other a local high school student.

Efforts to foster an inclusive environment include regular staff meetings during which all staff provide input with respect to office issues, and efforts to ensure that the work experience of our student workers contributes to developing their work skills and readiness.

Developing and Strengthening Community Linkages

The OAAEO goal in this area has been to maintain relationships with individuals and organizations within and outside of the University of Oregon. The OAAEO has developed ongoing relationships with many offices and individuals across campus. Those include HR (broad range of issues), Academic Affairs (faculty search process, gender harassment/conflict of interest issues), CoDaC (faculty search process), OIED (broad range of issues), Environment Health and Safety (ADA/Worker’s Comp and environmental health issues), Athletics (primarily event accessibility issues), DPS (parking, ADA animal permit, and Title IX issues), the Office of the Dean of Students (Sexual Harassment Protocols workgroup/Title IX issues), Disabilities Issues Administrative Council (accessibility issues generally), Law School mediation training, OA Policy Review committee, Professional Development committee, Standing Committee for LGBT Concerns, and others. In addition, members of the OAAEO have chaired and/or served on a number of search committees, and have met with representatives of SEIU to provide clarification for stewards and others on issues of interest to SEIU. OAAEO staff members have worked with colleagues at Oregon State University regarding issues of shared interest (faculty search process, affirmative action data), have supported local efforts of Blacks in Government, and provided information and training to local community partners.

Developing and Reinforcing Diversity Infrastructure

Given its role with respect to resolving and/or investigating issues of possible prohibited discrimination, the OAAEO serves a central role with respect to the diversity infrastructure. Specific goals in this area include 1) ensuring that formal investigation reports are comprehensive and clear to those who rely on them, 2) conducting an annual review of formal and informal complaint activity, 3) conducting an annual review of ADA accommodation requests, 4) maintaining up-to-date office policies and procedures that are generally available to OAAEO staff, and 5) working with appropriate UO partners on a developing a single discrimination complaint process.

We have begun seeking input via a continuous improvement feedback form sent to decision-makers to whom our investigative reports are prepared. We have used feedback from that process to improve investigative report materials.

An informal review has been conducted annually regarding formal and informal complaint activity, both to track the volume of activity and areas of concern. Similarly, an informal review has been conducted annually regarding ADA accommodation requests, to track the volume of requests and their outcome.

A thorough review was conducted of all OAAEO office policies and procedures, with procedures updated as necessary. The process resulted in greater consistency and expediency in processing of search and appointment related paperwork.
Discussion of a singled discrimination complaint process has been initiated, but not progressed to completion.

As a result of formal and informal complaint activity over the past year, OAAEO began work with Academic Affairs on development of an **online informational resource to help faculty more fully understand the university’s policies on sexual harassment and conflict of interest and abuses of power with respect to romantic relationships with students.**

**AREAS FOR IMPROVEMENT AND FUTURE DIRECTIONS**

Consistent with goals established in our Strategic Diversity Action Plan, the OAAEO has made significant gains in better supporting the UO commitment to diversity. As part of the comprehensive planning process for our next SDAP, the following need to be considered:

**Developing a Culturally Responsive Community**

The OAAEO webpage is currently being updated. Among other goals, the updated webpage will focus on:

- providing more and better resource materials with respect to best practices in the hiring process;
- extending the effort begun with Academic Affairs, CoDaC and OIED, regarding best practices in the hiring process to be more generally applicable to non-faculty searches.

**Improving Campus Climate**

OAAEO has made progress with respect to publicizing its services in an effort to improve early and informal resolution of issues. Additional attention is needed in the following areas:

- expanded efforts to ensure that students are aware of policies prohibiting discrimination and discriminatory harassment, and where to get assistance;
- expanded efforts to ensure that UO employees are aware of their responsibility to report issues of possible discrimination and discriminatory harassment;
- ongoing coordination between multiple entry points for issues of possible discrimination and discriminatory harassment to ensure consistent and effective institutional response;
- with VPFA and others as appropriate, identifying next steps in connection with the respectful workplace initiative; and
- with appropriate campus partners, developing better understanding among campus managers and administrators of the tools available to address problem employee behavior.

**Building Critical Mass**

In addition to the issues identified above with respect to the OAAEO webpage, OAAEO will continue to work with UO administrators regarding what data are most relevant and useful in supporting their efforts in support of diversity. As guided by input from campus administrators, additional reports may involve:

- 5-year review of workforce representation by academic departments, within school and colleges;
• 5-year review by Vice President area, with breakdown by major organizational units; and
• Others to be determined.

Developing and Reinforcing Diversity Infrastructure

The current bifurcated discrimination complaint process is increasingly problematic. The grievance processes under the collective bargaining agreements are proving insufficient for dealing with employee-on-employee issues of possible discrimination and discriminatory harassment – unions are reluctant to pursue those issues. Increasingly, employees who could use the faculty grievance process are declining to do so, instead putting the institution on notice of their concerns and relying on the institution to investigate the concerns outside of the grievance process. In addition, the different timeframes for filing formal grievances continues to be of concern.

Given the challenges with the bifurcated process, further consideration of a single discrimination available to all faculty, staff and students, with faculty and staff having the option to elect between that process and the existing grievance processes, would provide a more consistent way to respond to issues of possible discrimination and discriminatory harassment. Further exploration of such a process needs to be a priority.

In light of clarification issued by the U.S. Department of Education Office for Civil Rights regarding institutional responsibility for responding to possible Title IX violations, there is a critical need to review options for ensuring effective training related to Title IX obligations.

NOTE: Efforts that are new in this reporting period are noted in Bold Italics.