Fostering Inclusive Learning Environments while Navigating DEI Backlash

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Having attended nearly a dozen schools before graduating from high school, Dr. valerie guerrero williamson has held a lifelong interest in combatting educational inequities across the United States. Dr. v has spent more than 15 years facilitating equity-oriented organizational change in post-secondary institutions. Her academic credentials include a BA in Psychology from the University of California, Santa Cruz; an MEd in Student Affairs with a graduate certificate in social justice education from Iowa State University; and a Ph.D. from the University of Utah where she studied Educational Leadership and Policy and also earned a graduate certificate in gender studies from the School of Social Transformation.

Whether related to research, practice, or teaching, Dr. valerie guerrero williamson has prioritized strategic, research-informed efforts to actualize equity for students, staff, and faculty. Broadly, her research focuses on higher education at the organizational level, including change models and their implementation, campus climates and cultures, cultivating critical praxis, and faculty development and socialization. Dr. v has also developed and led hundreds of educational workshops focused on issues related to power, privilege, social justice, and social identities such as race, ability, class, gender, and sexual orientation.

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Date

Overview

Current Landscape: Recent SCOTUS ruling & State Legislation

Key Areas Targeted and Examples   National, state, institutional, and individual levels

Strategies You Can Control for broadening how we accomplish goals for inclusion.

we will discuss the complex challenges faced by U.S. educators seeking to cultivate successful learning environments for underrepresented populations in engineering and computing.
A primary goal of this session is to investigate and recognize signals of DEI backlash and inclusion, respectively
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Terms I Use

Diversity – Numerical representation of difference (compositional diversity)

Equity – Intentional efforts to reach a goal; does not (need to understand and account for injustice)

Inclusion – Creating spaces where all are an integral part of its future and success (actively included)

Minoritized - Groups of identities systematically disenfranchised over time in the U.S.

URM - Refers to specific NSF definition for "underrepresented minorities"

When I say DEI, This is how we are defining these three terms.

It is important to also understand their relationship. For instance, it is helpful to think of diversity as something that can only happen when both inclusion and equity are going well. Another perspective, emphasizes justice, or what is referred to as JEDI. Through this approach, work for Equity, diversity and inclusion, must first be grounded in justice. For today's session, we will focus on language that mirrors what is happening in the current political or legislative sphere. Most of the content there uses the term DEI

(This slide will need to be Updated right before presentation)
(note – this slide has animations that share visuals of online tracking tools)
The Chronicle of Higher Education has created a DEI Legislation Tracker to help folks stay current and learn about the evolving legislation continuing to be introduced across the united states. The ACLU also tracks a broader group of proposals that limit personal freedoms for particular groups of people. Today we'll be focusing on education, primarily colleges and universities, and the patterns emerging as institutions respond to both imposed restrictions and the fear of future restrictions.

Hot Topics and Influencers

1. SCOTUS Ruling: SFFAA

- Race cannot be considered a factor when admitting students to the institution (+\- 1)
- Race-based employment decisions already were illegal under Title VII, a federal statute. That precludes practices like reserving hiring or promotion slots for people of color and using race as a tiebreaker.
- Office of Civil Rights enforces the ruling; to be sued, they must agree to prosecute and charge

2. Ongoing State Legislation

- By State
- ACLU website & Chronicle "DEI Tracker"
- So far has spanned public education K-16+
- Language derived from Goldwater and Manhattan Institutes; revised as bill writers learn what works

There have been two recent key factors that are shaping the current landscape for supporting diversity, equity, and inclusion.
Many mis interpretations of the SCOTUS ruling have been rampant and adding to the stress of the changes. First, this summer SCOTUS ruled on two cases brought by the SFFA which claimed that admissions requirements and practices at Harvard and UNC, respectively, used race as a factor and harmed Asian American student outcomes. A few things to note about the decision – expand on slide points

State	2023 Legislative Action Targeting Practices in Higher Education	Area of Impact
Florida SB958/HB931	Bans documents perceived as "political loyalty tests" as a condition of employment, admission, or promotion	Diversity Statements & Identity-based preferences
Florida HB 999/SB266	Revises research standards for state R1s, issues hiring requirements for faculty and employment, promotion, and evaluation processes for state employees	DEI Offices, Diversity Statements,& Identity-Based Preferences
N. Carolina SB 364	Bans employee DEI training; bans employers from asking opinions about social action or politics. Dec. 1, 2023	Mandatory DEI training, diversity statements
N. Dakota SB 2247	Bans mandatory non-credit diversity training; Bans asking students or employees opinions on "divisive concepts." DEI must now include "intellectual diversity." Aug. 1, 2023	Diversity Statements & Mandatory DEI training
Tennessee SB 102/HB 158	Bans mandatory implicit bias training; cannot penalize for not participating in implicit bias training	Mandatory DEI training
Texas HB 1	Bans DEI practices or programs, including training, that do not comply with sections of the state constitution re: equality under the law based on protected classes	Mandatory DEI training & DEI Offices
Texas HB 5127/SB 17	Prohibits policies and training based on race, gender, color or ethnicity unless required by state and/or federal law; removes exception to ban on DEI programs for grants; adds auditing and penalties for non-compliance; allows student or employee to sue an institution. June 14, 2023.	Mandatory DEI training, Diversity Statements, Identity-Based Preferences & DEI Offices

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(Slide is a resource and summary, there will not be in depth reading or exploration of the slide)
Our focus today is on the impact of these efforts Here we have a summary of the proposals that target practices and policy in higher education passed in 2023. You ca start to see I the area of impact column that there are some commonalities in what is being targeted. While these only apply to spdcific states and it's easy to shrug it off as extreme and limited to very specific locations, these bills are already impacting other states and areas.

Practices Targeted at National & State Levels

Impact on Goals Supporting DEI

Fewer support/staff who manage recruitment & retention programs for minoritized groups and reorganization

Cannot require "diversity statements" from new hires to explain inclusive practices, etc.

Existence of DEI focused offices and staff

Diversity Statements

Mandatory DEI Training

Identity-Based Preferences for admissions

Can't establish a baseline of skills for inclusion on campus

Cannot use race/ethnicity as a factor to increase URM enrollment

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(This slide has animations – begins with just the circle with targetd areas, then impact in the boxes is added)

There are 4 key areas being impacted by legislation across the U.S.

Institutions, regardless of their state, have been responding in various ways – though where an institution is located is of coutrse a strong factor in these responses. There are some common ways that these considerations are showing up in day to day activities

- In what other ways have you seen these areas changed?

Share: What Are Other Changes or Reactions You Have Heard About?

- Attendees Answer in Poll Everywhere

(open-ended poll everywhere question to audience)
How have these changes impacted you or others? Are you seeing any changes to your monthly, weekly, daily routines?
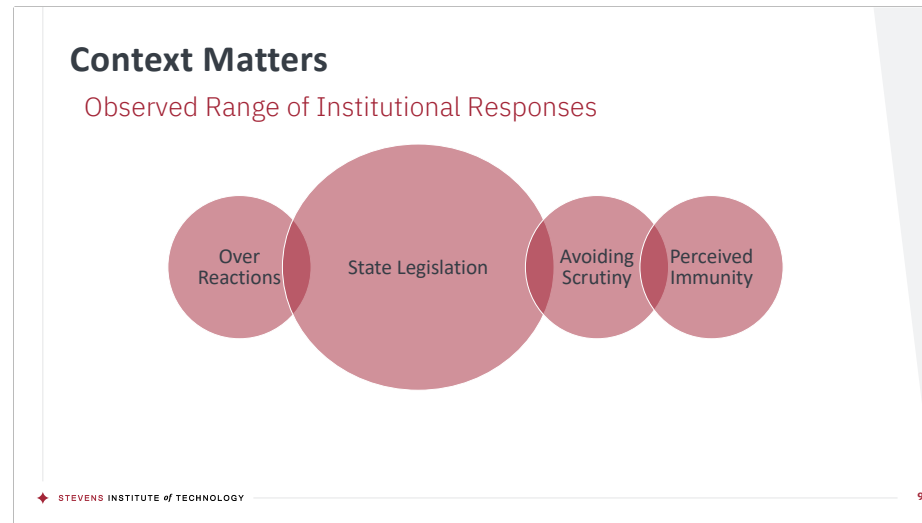
We've seen a range of responses
- They generally begin as a direct response to proposed or passed state legislation.
Often, changes are made to be inline with new or potential laws.

Avoiding Scrutiny

Perceived Immunity

Over Reactions

Contextual Factors & Challenges

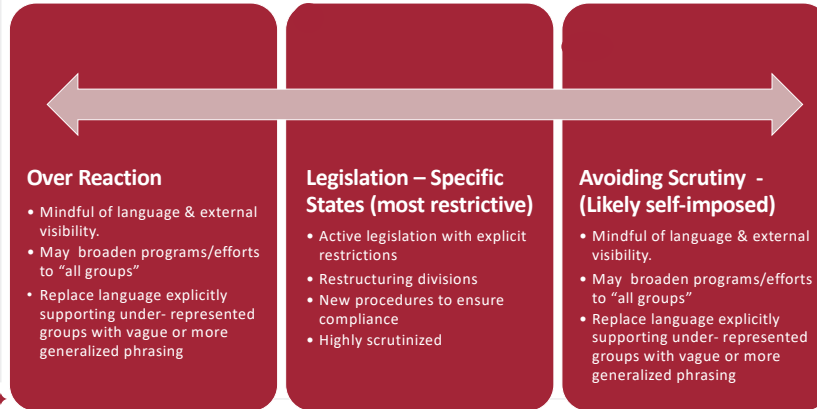Emerging patterns on campuses across the U.S.

Over Reaction	Legislation – Specific States (most restrictive)	Avoiding Scrutiny - (Likely self-imposed)
• Mindful of language & external visibility. • May broaden programs/efforts to "all groups" • Replace language explicitly supporting under- represented groups with vague or more generalized phrasing	• Active legislation with explicit restrictions • Restructuring divisions • New procedures to ensure compliance • Highly scrutinized	• Mindful of language & external visibility. • May broaden programs/efforts to "all groups" • Replace language explicitly supporting under- represented groups with vague or more generalized phrasing

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Contextual Factors & Challenges
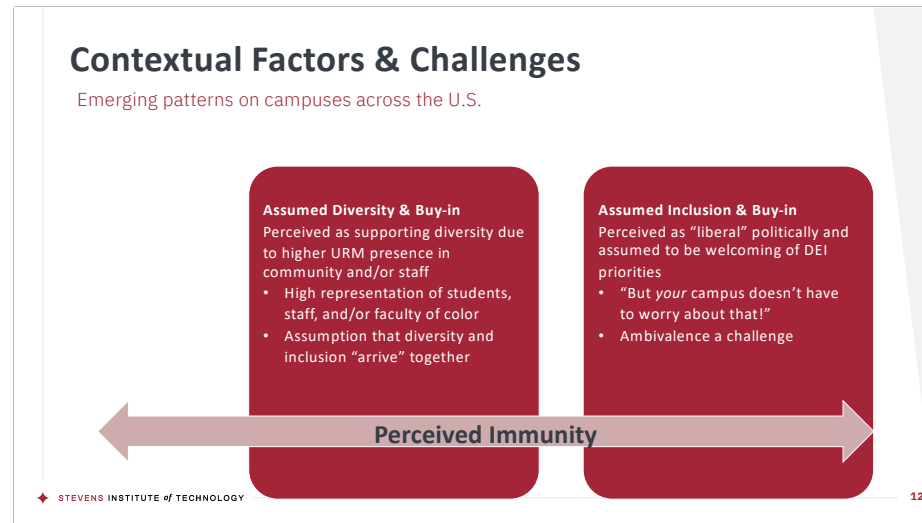
Over Reaction

- Mindful of language & external visibility.
- May broaden programs/efforts to "all groups"
- Replace language explicitly supporting under- represented groups with vague or more generalized phrasing

EDUCATION   NEWS   METRO/STATE

Western Illinois University revokes then reinstates scholarship for students of color

The school's back-and-forth response speaks to the confusion the U.S. Supreme Court's affirmative action ruling is causing and confirms a fear by many that the decision might impact non-admissions programs.

By Lisa Philip | WBEZ | Jul 28, 2023, 1:28pm EDT

Contextual Factors & Challenges

Emerging patterns on campuses across the U.S.

Assumed Diversity & Buy-in
Perceived as supporting diversity due to higher URM presence in community and/or staff
- High representation of students, staff, and/or faculty of color
- Assumption that diversity and inclusion "arrive" together

Assumed Inclusion & Buy-in
Perceived as "liberal" politically and assumed to be welcoming of DEI priorities
- "But *your* campus doesn't have to worry about that!"
- Ambivalence a challenge

Perceived Immunity

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On the other end of the spectrum, we see campuses that are assumed to be immune to these reactions or responses to legislation.

First. We have campuses with higher Urm presence. However, it is important to note that
The presence of diversity does not mean that these individuals have equitable opportunities to succeed and thrive. The presence of diversity doesn't remove discriminatory beliefs or actions nor does it mean that indidivuals or the community have the skills to foster inclusive environments.

Then, we have campuses assumed to be inclusive. for example schools in California or New York, or even my own state New Jersey. In these states, it is unlikely that legislation similar to what we've seen in Texas, tennese, florida, etc. would make any progress. Therefore, people in these areas are often overlooked. But ahain, we cannot assume that poltical beliefs or voting patterns equate to skills of inclusion. These campuses have their own complex issues related to DEI progress and goals, however, because they are not under heightened scrutiny currently, they may be positioned to support institutions in more restrictive states. If you have not already,

consider how you might reach out to others to offer support or ask for it.

In some ways, these campuses have an equally challenging

Share: Which of these categories is most like your current institution or organization?

Attendees answer via multiple choice Poll Everywhere question

- Over Reaction
- A place with legislative restrictions
- Avoiding Scrutiny
- Perceived Immunity

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(This slide will be a multiple choice question asked via poll everywhere)
This slide will help get a sense of the experiences and specific contexts of the session attendees. This will help us as we identify indicators of backlash and challenges specific to their social environments.

Share: What worries you currently?

Open-Ended Poll Everywhere

Common Worries

New College of Florida students and supporters protest ahead of a meeting by the college's board of trustees on Feb. 28. Across the country, protests over cuts to DEI initiatives in colleges have mounted.
Rebecca Blackwell/AP

Being targeted by the public individually for your research, courses you teach

Institutional actions like personnel or budget cuts, reorganizing

Minoritized students feeling increasingly unwelcome, unsafe, etc.

Worsening disparate outcomes when disaggregating groups

Institutional over reactions

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We only need to read the headlines and descriptions to understand some of the common worries across higher education

The best preparation is

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Is that "Allowed"??

Managing Anticipated Scrutiny
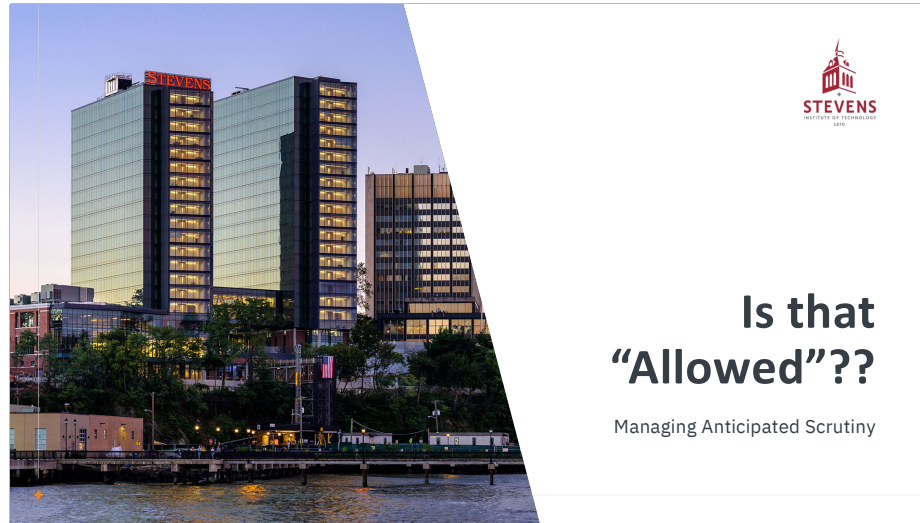
It is important to note that in the following scenarios, similar questions are asked for each case, but the answers will vary widely based on participant context
Attendees will be broken up into groups and each tackle a case then share key points of their discussion.

1. Is Targeted Student Recruitment Allowed?
Recruiting Minoritized Students

Scenario:

Your department has a much lower enrollment of Black and Latine students compared to those at similar institutions and a new strategic goal targets increased enrollment for these groups.

Toward this goal, the department's committee for admissions begins outreach to middle and high school students, visiting schools in the community, and arranging family visit days to campus that focus on the experiences and needs of Black and Latine students.

Challenge:

When the efforts are announced at a dept. meeting, a colleague insists that these practices are not allowed because they give an academic benefit to some students and not to all. Others begin to agree and your chair (or supervisor) chimes in to suggest slowing down the efforts.

Discuss:
- What do you need to know about your context in order to effectively respond?
- What would you do to try to support the goal and remain within the law?
- How would you respond?

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In general, yes a program that exposes k-12 students to college is allowed. You can emphasize participation from Black and Latine families. In some states, there is now increased scrutiny about whether students of any identity are prohibited from participating in programs like this. Typically, these programs are open to all though they target specific groups and their needs

2. Is Coursework Investigating Racism Allowed?
Diversifying Curricula – Course Content

Scenario:

A recent revision of the curricula includes a designation for courses that engage content about systemic and systematic inequities. You are teaching a course that uses case studies to investigate complex examples of structural racism in computing.

Students are assigned case studies in teams and focus on the problem, its impact, and solutions.

A recently assigned case study explored the ways that Airbnb's founders facilitated racial discrimination on the platform via their policies, algorithm, and monocultural hiring practices.

Challenge:

A student contacts your university president and provost to assert that your course materials are biased and do not provide "both sides" of the problems and the responses assigned. They claim your course is indoctrinating students to believe that companies and corporations are racist and they have gathered a group of students who feel the same and have begun a campaign to cancel your class.

Discuss:

- What do you need to know about your context in order to effectively respond?
- What would you do to try to support the course designation and remain within the law?
- How would you respond?

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Florida - restricts how race and gender may be taught by providing that curricula may not be "based on theories that systemic racism, sexism, oppression, or privileges are inherent in the institutions of the United States and were created to maintain social, political, or economic inequities."

Content in your class:
https://docs.google.com/presentation/d/1GADki6yU8OINAbzhOquD67QNwPuKNQ7qbXP207v9WnY/edit#slide=id.g1087c3b92a8_0_157

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3. Is Targeted Recruitment in Hiring Allowed?
Faculty Composition: Increasing Diversity

Scenario:

Despite an institutional strategic goal to increase the racial diversity of the faculty, the number of minoritized U.S. born faculty at your school has remained disproportionately low. The most recent hiring cycle yielded 16 new faculty from 24 positions offered and none of the new hires are women nor members of minoritized racial groups. You are chairing a search committee for a new tenure track position and after an extensive search process, the committee has narrowed the pool to three candidates & is ready to submit final recommendations for hire to the Dean.

Challenge:

Each of the finalists are white men with very similar professional experiences. The goal to diversify was made clear at the outset of the search, however much of the process was replicated from years past. As chair, you propose the committee recommends that the Dean restart the search. Several committee members protest and ultimately file a complaint that your actions amount to bias in the hiring process.

Discuss:

- What do you need to know about your context in order to effectively respond?
- What would you do to try to support the goal and remain within the law?
- How would you respond?

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Hiring – faculty
STARS – first gen college faculty -

16 – faculty all men -
What would you do?
NSF center -

Case study of pushing the envelope – search cmte – 3 finalists -
Someone wants to rank them – what would you do? - don't rank,
Let chairs figure it out

https://www.washington.edu/news/2023/10/31/university-takes-action-after-faculty-hiring-process-inappropriately-used-race-as-a-factor/
Office Eucero

4. Is Targeted Mentoring Allowed?
Supporting Minoritized Students through Mentoring

Scenario:

Your school has run a mentoring program to support racially minoritized engineering graduate students for a decade with high rates of engagement. Many students who identify as minoritized in ways other than race have participated and the mentors represent a wide a range of diversity across gender, race, age, sexual orientation, ability, and other identities. You are currently the co-chair of the mentoring program.

Challenge:

The school paper has recently released an op-ed that asserts the mentoring program is racist and the benefits received by mentees puts white students at a disadvantage. The story was picked up nationally and the program and its participants are now being targeted by protesters in person and virtually.

Discuss:
- What do you need to know about your context in order to effectively respond?
- What would you do to try to support the goal and remain within the law?
- How would you respond?

A mentoring program for students of color – already exists --- how do you respond? What efforts?

5. Is Research About Racism Allowed?
Competitively Funded Research Center

Scenario:

You work at a research center that is funded by numerous sources, including competitive grants. It employs faculty, staff, and students who contribute to many different projects, including social impact. Recently, a local news station spotlighted a study from the center that found evidence of years-long racialized inequities in the region. The story was picked up by several conservative news outlets.

Challenge:

The uptick in attention has drawn threats from donors to withdraw funding and protests. To resolve the issue, a university leader recommends the center dissolves and those within it be reassigned or included in a new research center with more limited aims.

Discuss:
- What do you need to know about your context in order to effectively respond?
- What would you do to try to support the research of the center and remain within the law?
- How would you respond?

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A Balancing Act

Equitable Progress vs.
Institutional and Self-Preservation

Date

Be Prepared

Learn a bit about your context

• Any local trends in your city, county, region
• The "temperature" at your institution - what pressures or tensions are occurring?

Consider your spheres of influence and where they are strongest

What adjustments can you make to your own interactions that support inclusion and help others feel welcome?

What Areas Are In Your Control?

Instruction

- Course policies & planning
- Course content, framing, exposure to critical thinking
- Being friendly & learning about the goals of your students
- How you encourage discussion and critical thinking

Mentorship

- Look for opportunities to support interests and efforts of minoritized students and colleagues
- Consider your own strengths and weaknesses as a mentor
- Differentiate between your skills as a mentor, adviser, and supervisor/manager

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Date

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What Areas Are In Your Control?

Research

- Consider how your work may disparately impact different groups
- Be aware and explicit about epistemological assumptions
- Examine your own citation habits
- Expose students to a diverse set of research examples

Professional Development

- Identify and use your resources!
  - Check HR; your dept.; professional orgs; your school/college/institution; local community
- Create benchmarks for yourself. Set goals for your own learning or for staying current
- Find ways to learn from your students

Cultivating Inclusive, Welcoming Campuses

What you can do to combat backlash or support DEI efforts

- Add a method for updates about this constantly changing info to your routine
- Reach out to colleagues in similar *and* different contexts – what are they doing?
- Take time to touch base with your students – try to increase your own approachability and opportunities for fostering relationships within your classroom, lab, advisees, etc.
- Work with colleagues to design your own departmental plan for fostering inclusion
  - What is within each of your control?
  - What is within your control as a group?

THANK **YOU**

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