

Date of Hearing: April 18, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 856 (Levine) – As Amended April 4, 2017

**SUBJECT:** Public postsecondary education: hiring policy: socioeconomic diversity

**SUMMARY:** Requires the Trustees of the California State University (CSU) and the governing board of each community college district, and requests the Regents of the University of California (UC), when filling faculty or athletic coaching positions, to give consideration to candidates with socioeconomic backgrounds that are underrepresented among existing faculty or coaching staff on the campus where the position is to be filled.

**EXISTING LAW:**

- 1) Prohibits the State from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. This applies to the State itself, any city, county, city and county, public university system, including the UC, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State. (California Constitution, Article 1, Section 31, as added by Proposition 209 (1996).)
- 2) Declares that a work force that is continually responsive to the needs of a diverse student population may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity. (Education Code Sect. 87100.)
- 3) Requires each state agency to be responsible for an effective equal employment opportunity program, including statewide advocacy, coordination, enforcement, and monitoring. (Government Code Sect. 19790 et al.)

**FISCAL EFFECT:** Unknown, but likely significant costs for each UC, CSU, and California Community College (CCC) campus to determine the socioeconomic background of its faculty and coaching staff, in order to assess underrepresentation within these groups.

**COMMENTS:**

*Purpose.* Citing several studies regarding the benefits of having a diverse university faculty, but given the limitations imposed by Proposition 209, the author believes that incorporating socioeconomic background as a consideration in hiring provides a race-neutral means of diversifying the candidate pool for faculty and coaching positions at the state's public postsecondary institutions.

*Recent Oversight Hearing.* In October 2016, this Committee and the Assembly Budget Subcommittee No. 2 on Education Finance held a joint oversight hearing on improving faculty diversity at UC, CSU, and the CCC. Background information provided for the hearing showed that while diversity at each of the three segments increased between 2005 and 2015, the faculty is still predominantly white, as shown in the table below.

Year	Percentage White Faculty		
	UC	CSU	CCC
2005	78	72	71
2015	72	63	60

*Benefits of Faculty Diversity.* A growing body of research indicates the educational benefits of a diverse campus faculty, both in terms of closing achievement gaps, improving campus climate and expanding areas of instruction, research and public service. A 2011 study at DeAnza Community College in the Bay Area found that underrepresented minority students were less likely to drop out of classes and more likely to earn a grade of B or higher in classes with underrepresented instructors, for example. Other studies have shown a strong connection between faculty diversity and academic validation among diverse students and increased faculty diversity providing overall institutional benefits, such as more student-centered approaches to learning and more research focused on issues of race/ethnicity and gender.

*Segment Efforts.* All three public segments in California have ongoing systemwide and campus-based efforts to improve faculty diversity. For example, CSU published a report in April 2016, entitled "Faculty Recruitment and Retention in the CSU" that lists more than 20 best practices for recruiting underrepresented faculty. These practices include mandatory trainings for search committees on effective outreach to women and underrepresented groups, required review of screening documents to ensure equal and fair treatment of candidates, and the creation of cluster hires.

Likewise, in early 2016 the CCC Chancellor's Office held a series of seven "Equal Employment Opportunity [EEO] and Equity in Faculty Hiring" regional training sessions throughout the state. Each regional training session focused on the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices in serving on a selection or screening committee. These regional training sessions were geared toward faculty, classified professionals, students, hiring managers, EEO Advisory Committees, and administrators. Additionally, the community college system has a categorical program that provides funding to help districts implement equal employment opportunity practices.

*Recent Budget Augmentations.* The 2016 Budget Act provided \$2 million in one-time funding to UC and to CSU to support EEO practices and an increase of \$2 million in ongoing funding and \$2.3 million in one-time funds for the CCC's EEO categorical program. The segments are using these funds to enhance a variety of EEO activities.

*Committee Comments.* AB 856 requires consideration of socioeconomic background as an attribute of candidates for faculty or coaching positions, and the extent to which any candidate has a socioeconomic background that is underrepresented among existing campus faculty and coaching staff. In this regard, the bill is similar to the UC's comprehensive review of prospective students, which was implemented in 2002, and considers the socioeconomic background of applicants among criteria for admission to the university. This bill notably does not require that

any preference, with respect to this attribute, be provided when making hiring decisions. Applicants would continue to be assessed based on their qualifications and experience.

A particular challenge in implementing this bill would be determining what constitutes underrepresentation with regard to socioeconomic background of existing campus faculty and coaching staff. Each campus of the three segments presumably would first have to obtain and compile information on the socioeconomic backgrounds of each of their existing faculty members and coaches, which might include variables such as where a person grew up, their family structure and income during childhood/adolescence, and their educational opportunities, among other factors. The campuses would then have to analyze this data to determine how underrepresentation is to be defined and the extent to which it exists. Presumably, the same information on socioeconomic background would also have to be obtained from prospective candidates for faculty and coaching positions.

Faculty headcounts at each segment, which provide an idea of the scope of the above task, are as follows: UC—21,000 (1,900 per campus); CSU—25,000 (1,100 per campus); CCC—60,000 (530 per campus).

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

None on file.

##### **Opposition**

None on file.

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