

Independent Investigative Report on Acts of Bias and Discrimination Involving Faculty at the University of California, Los Angeles

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Presented to:

Executive Vice Chancellor and Provost Scott L. Waugh
UCLA Office of the Chancellor
2147 Murphy Hall, Box 951405
Los Angeles, CA 90095-1405

Investigation and Report by:

Hon. Carlos Moreno (Ret.), Chair
Dr. Maga Jackson-Triche
Professor Gary Nash
Constance Rice, Esq.
Professor Bob Suzuki

EXECUTIVE SUMMARY

Several high-profile incidents of racial and ethnic bias and/or discrimination have roiled the University of California, Los Angeles (UCLA) campus in recent years. In 2012, the UCLA Chancellor and Executive Vice Chancellor and Provost were approached by a group of concerned faculty about perceived racial bias, discrimination and intolerance at the university. In response to these concerns, Chancellor Gene Block authorized Executive Vice Chancellor and Provost Scott L. Waugh¹ to appoint an independent review team to conduct an assessment and present recommendations to address issues that the team discovered. Executive Vice Chancellor Waugh, in cooperation with faculty, formed the External Review Team to undertake this task.

This report is the culmination of several months of investigation regarding the university's policies, procedures, and mechanisms for responding to incidents of perceived bias, discrimination, and intolerance at UCLA involving faculty of color—including in hiring and advancement decisions. The Review Team interviewed twelve university administrators and eighteen faculty members who were willing to share their candid perspectives. We thank these individuals for their time and commitment to this important issue. The Review Team also conducted a town hall meeting and solicited written submissions from concerned faculty. In addition to anecdotal evidence, the Review Team reviewed UCLA's written policies and gathered statistics on recorded incidents of racial bias and discrimination against faculty.

UCLA is an institution that, by its own account, is “firmly rooted in its land-grant mission of teaching, research, and public service.”² It is located in Los Angeles, one of the most ethnically diverse cities and counties in the United States. Despite these facts, we found widespread concern among faculty members that the racial climate at UCLA had deteriorated over time, and that the university's policies and procedures are inadequate to respond to reports of incidents of bias and discrimination. Our investigation found that the relevant university policies were vague, the remedial procedures difficult to access, and from a practical standpoint, essentially nonexistent. Faculty of color at UCLA must rely on a patchwork of diversity resources and the generic Faculty Senate complaint and grievance procedures in order to seek redress. While this ad hoc process has sometimes succeeded, it has failed to adequately record, investigate, or provide for disciplinary sanctions for incidents which, if substantiated, would constitute violations of university nondiscrimination policy.

There was clear consensus among faculty members who reported to the Review Team that the administration has demonstrated a lack of leadership on these issues. Faculty identified two main perceived barriers to implementation of changes. First, the primacy of freedom and autonomy for faculty members that characterizes a major research institution. Second, the competition among elite institutions for talented faculty members, particularly

¹ Hereafter, “Executive Vice Chancellor Waugh.”

² 2009 Chancellor's Advisory Group on Diversity, Draft UCLA Strategic Plan for Diversity 1, *available at* https://diversity.ucla.edu/strategic-plan/20092010_CAGD_Strategic_Plan.pdf.

those adept at procuring grant dollars. While these are legitimate concerns for the administration, they cannot be prioritized to the exclusion of all other issues. UCLA is a workplace like any other, and adequate processes must exist to ensure that the faculty has opportunities and avenues for redress when faced with incidents perpetrated by colleagues and coworkers that create an intimidating, hostile, or offensive work environment.

As detailed below, we conclude that UCLA's policies and procedures for responding to incidents of perceived bias, discrimination and intolerance involving faculty are inadequate. The university administration must work to find solutions to this problem. The formation of the Review Team is an encouraging first step, but the UCLA leadership must take more action to reform and give teeth to its enforcement of existing nondiscrimination policies. Our recommendations for reform include:

- Enhancing procedures to provide a standardized process for investigation of incidents of perceived bias, discrimination, and intolerance, and for referral of the matter, if necessary, to the appropriate local disciplinary regime.
- Implementation of educational and training programs that aim to prevent such incidents from occurring in the first place, and provide for record-keeping in order to monitor the problem moving forward.
- Creation of a single Discrimination Officer who, assuming that the university provides adequate resources, can fulfill these important functions of education and training, informal and formal investigation and fact-finding, and record-keeping.

I. INTRODUCTION

A. Background & Charge

In recent years several incidents of racial bias and/or discrimination have occurred on the UCLA campus and garnered public attention. Subsequent university press releases regarding the incidents, as well as statements by UCLA Chancellor Block, also received attention.

The incidents and the subsequent statements by UCLA officials, caused consternation among certain faculty members of color at the university. On June 15, 2012, roughly thirty such concerned faculty members sent Executive Vice Chancellor Waugh a letter in which they requested a review of the campus racial climate, as well as the appointment of an independent review committee to address the university's policies and procedures for responding to incidents of racial bias on campus.

Executive Vice Chancellor Waugh met with the concerned faculty members regarding their request in summer 2012, and discussions between the parties concerning the scope of the review continued until November 2012, when they reached agreement on the Review Team's charges and the membership. On November 24, 2012, the Review Team received its charge letter from the Executive Vice Chancellor. The charge was to carry out the following tasks:

- Assess the efficacy and appropriateness of existing university mechanisms and procedures for addressing faculty concerns about perceived acts of bias, intolerance, and discrimination at the UCLA campus.
- Review and assess how existing policies and procedures address faculty concerns about perceived acts of bias, intolerance, and discrimination in the hiring and advancement of faculty at the UCLA campus.
- Recommend changes and additional reviews, if appropriate, to improve the University's understanding of faculty concerns about perceived acts of bias, intolerance, and discrimination at the UCLA campus.
- Identify and explore incidents of alleged racial and ethnic bias or discrimination experienced by UCLA faculty since 2007 and assess and review how such claims have been addressed by the university's mechanisms and procedures for resolving such claims.
- Solicit comments from the UCLA community about such incidents and assess the manner in which resolution or redress was achieved.
- Prepare a written report to the university on the Review Team's findings and recommendations with respect to the above matters.

While the results of the Review Team's work are intended to be public, it is important to note that our recommendations are purely advisory and are not binding on the Executive Vice Chancellor or UCLA.

B. Methodology

The Review Team decided on a basic methodology for its work during an initial meeting in November 2012. First, conduct a review of UCLA's written policies, procedures and mechanisms for handling incidents of racial or ethnic bias. Second, gather information about the real-world implementation of those policies from those who filled the relevant administrative positions. Third, solicit input from UCLA faculty about their experiences—both in written form and through interviews or in a town hall meeting. Finally, gather and review any information available from institutional sources about past allegations or reports of incidents of racial bias or discrimination.

We gathered public information about existing policies, procedures and mechanisms for responding to incidents of perceived discrimination from UCLA's web site. Through this process, we also identified some institutional stakeholders to interview. Additional interviewees were identified by the Executive Vice Chancellor's office, and included many of the concerned faculty.

Attorneys from Irell & Manella LLP, which was engaged by the university to conduct this investigation along with the Review Team, interviewed twelve individuals

regarding the implementation and functioning of UCLA’s relevant policies and procedures. These individuals included staff administrators and faculty members in administrative or Academic Senate leadership positions whom had served in their positions during the period of 2007 to the present. Irell & Manella conducted individual interviews with eighteen ladder-rank faculty members, the majority of whom were faculty of color. Three senior faculty members presented their views and experiences directly to the Review Team during an April 2013 meeting. We also conducted a town hall meeting on the UCLA campus that was attended by approximately 50 faculty and administration members, and solicited faculty members to share their thoughts on the university’s racial and ethnic climate and its procedures for addressing incidents of perceived bias, discrimination and intolerance. Ten faculty members submitted written statements.

The Review Team received data from the Office of Ombuds Services at UCLA and the UCLA Academic Senate regarding reports of perceived acts of racial or ethnic bias, discrimination and/or intolerance at UCLA from 2007 to the present. The Review Team is thankful to all—administrators, staff, and faculty—who took time to speak with us.

II. FINDINGS

A. The University of California and UCLA Already Have Policies Regarding Nondiscrimination

Unsurprisingly, the University of California (UC) has an official policy forbidding discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of, among other things, race, color, national origin, ancestry, or religion.³ University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy.⁴

Similarly, the UCLA Faculty Code of Conduct prohibits discrimination by a faculty member against any university employee or another faculty member for reasons of race, color, ethnic origin, national origin, or ancestry.⁵ Violations of the Code of Conduct may result in sanctions after a disciplinary process in accordance with Academic Senate bylaws. The Committee on Privilege and Tenure is charged with investigating grievances arising from incidents of bias, including those based on race.⁶

³ University of California Academic Personnel Manual, Affirmative Action and Nondiscrimination in Employment § 35(a).

⁴ *Id.*

⁵ University of California Academic Personnel Manual, Faculty Code of Conduct § 15, Part II § C(5), D(2).

⁶ UCLA Website, Academic Senate, Committees, Privilege & Tenure, <http://www.senate.ucla.edu/committees/pt/>.

B. Existing University Procedures and Mechanisms for Responding to Incidents of Perceived Bias and Discrimination

1. Introduction

We find that to make a complaint or bring a grievance, faculty members are faced with multiple apparent paths. They may seek to address the issue through campus resources put in place for minority faculty, or alternately through the university's general faculty complaint and grievance process. UCLA has numerous overlapping resources that fill these two spaces. Faculty members most consistently addressed their concerns to the Office of Diversity and Faculty Development and its analog, the David Geffen School of Medicine's Office of Diversity Affairs. Some faculty instead raised their concerns with the Office of the Ombuds Services. These offices have engaged in informal resolution of hiring and advancement issues involving minority faculty, as well as data collection regarding faculty diversity issues.

Our review suggests that UCLA's reaction to a report of a perceived incident of bias or discrimination directed toward a faculty member has consistently been to attempt to remedy the problem by making whole the injured faculty member, without any repercussions to the offending party. We find that a significant reason for this failure is UCLA's lack of a centralized resource for responding to incidents of bias and discrimination experienced by faculty members. Current university procedures tend to treat such reports either as interpersonal conflicts or nascent hiring, advancement, and tenure disputes. Accordingly, current procedures emphasize informal resolution over formal investigation into potential violations of university policy.

Furthermore, all of these offices, and the other campus resources to which we learned that faculty members of color make reports, lack the authority or the resources to investigate and make findings regarding incidents of perceived discrimination as violations of university policy. At most, they can, and on occasion do, refer complainants and grievances to the appropriate formal Academic Senate processes that offer formal investigation and fact-finding. However, since substantial deterrents exist to instituting formal Academic Senate proceedings as discussed below, the university's current procedures focus exclusively on remedies at the expense of investigation, fact-finding and disciplinary sanction.

2. Formal Processes

(a) Governance System

Codified by the UC Regents in 1920, the Academic Senate is the vehicle through which faculty share in the operation and management of the university. The Senate is delegated authority over a range of matters, including degree and enrollment requirements and program establishment, disestablishment, and review. The Senate also has a formal advisory role in academic personnel actions. According to the UCLA website, "[t]he Academic Senate's efforts derive from the premise that the university's excellence cannot be

sustained without faculty, administration, staff, and students all making substantive contributions to the university in an involved, respectful and collaborative fashion.”⁷

(b) Formal Academic Senate Committees

The Academic Senate provides for a faculty grievance process, governed by Academic Senate Bylaw 335.⁸ Grievances are defined as a complaint that any specific administrative act was arbitrary or capricious or violated applicable University rules, regulations, or personnel policies and adversely affected the individual’s rights.⁹ Grievances are handled by the Committee on Privilege and Tenure (also referred to as the Privilege and Tenure Committee). Another committee, the Committee on Charges (also referred to as the Charges Committee), handles disciplinary actions against faculty members.

As part of its duties, the Charges Committee reviews charges of alleged violations of the Faculty Code of Conduct, including the sexual harassment policy, by faculty members. Anyone may bring a complaint to the Charges Committee if the complaint concerns an alleged violation of one or more provisions of the Code. The Committee may require the complainant to exhaust administrative remedies and to determine that no satisfactory resolution can be implemented at the departmental or college level.¹⁰

If, after an informal hearing,¹¹ the Committee makes a finding of ‘probable cause’ of violation of the Code, it transmits the complaint to the Vice Chancellor of Academic Personnel who in turn refers the complaint to the Privilege and Tenure Committee, which holds formal hearings and makes recommendations to the Chancellor on disciplinary sanctions. Some verbal complaints are fielded and resolved informally.¹²

The Privilege and Tenure Committee makes recommendations to the administration in disciplinary, grievance, and early termination matters involving Senate members. Faculty members complaining about UCLA administrative actions file their complaints *directly* with the Privilege and Tenure Committee. Grievances may be concerned with alleged procedural irregularities in the academic personnel process, including prejudicial action based on race,

⁷ UCLA Website, Academic Senate, An Overview, <http://www.senate.ucla.edu/committees/pt/SharedGovernanceOverview.htm>.

⁸ *See generally* Bylaws of the Academic Senate, University of California, Part III, § 335, *available at* <http://www.universityofcalifornia.edu/senate/manual/blpart3.html#bl335>.

⁹ Campus Counsel, Resource Guide: Faculty Grievances and Discipline § 1(A), <http://www.campuscounsel.ucla.edu/documents/OutlineGrievancesversuDiscipline3.pdf>.

¹⁰ UCLA Website, Academic Senate, Committees, Charges, <http://www.senate.ucla.edu/committees/charges/>.

¹¹ *Id.*

¹² UCLA Website, Academic Senate, Committees, Charges, Charges Informational Packet, Charges Committee Bylaws, <http://www.senate.ucla.edu/committees/charges/bylaws.htm>.

religion, or sex.¹³ In the case of alleged violations of the Faculty Code of Conduct, the Committee conducts formal hearings after the Charges Committee has made a ‘probable cause’ determination. After a formal hearing, the Committee delivers a report to the Chancellor, including a recommendation of sanction. The Chancellor then makes a final decision in the matter.¹⁴ The Academic Senate’s role in personnel actions is, ultimately, advisory.

These Academic Senate committees reported receiving few complaints or grievances involving perceived acts of discrimination, bias or intolerance. The Privilege and Tenure Committee reported that it receives three to four grievances of any kind a year, and resolves most matters informally by speaking to the grievant and the other parties separately. Formal proceedings are rare; for instance, the Privilege and Tenure Committee reports that it has held only one formal hearing in the past two-and-a-half years. These committees reported that typically such processes take one to three months to conclude, although other administration officials characterized the process as taking much longer.

The Academic Senate provided statistics to the Review Team regarding complaints filed with its formal committees from the period of 2007 to the present. During this time, two charges of perceived discrimination brought by faculty members were filed with the Charges Committee. One of the formal charges filed by a faculty member, brought in the 2011-2012 academic year, claimed that another ladder-rank faculty member had engaged in discrimination on the basis of race or ethnicity both against the complainant faculty member and a graduate student.¹⁵

From 2007 to the present, the Privilege and Tenure Committee heard one case involving allegations of racial or ethnic discrimination. The case was adjudicated during the 2008-2009 academic year and involved the filing of a formal charge by the Vice Chancellor for Academic Personnel against a ladder-rank faculty member. Among other violations of the Code of Conduct, the subject of the hearing was perceived to have harassed and discriminated against a staff member on the basis of race. The Privilege and Tenure Committee recommended, and the Vice Chancellor found, that the faculty member in question had violated the Code of Conduct.¹⁶

¹³ UCLA Website, Academic Senate, Committees, Privilege & Tenure, <http://www.senate.ucla.edu/committees/pt/>.

¹⁴ UCLA Website, Committees, Grievance Advisory Committee, Grievance Advisory Committee Manual, Appendix XII, §§ 9 (D), 10, <http://www.senate.ucla.edu/FormsDocs/Appendices/appxii.htm>.

¹⁵ Several key administration officials who discussed this case remarked on the fact that the allegedly offending faculty member was in fact also a member of an underrepresented minority group.

¹⁶ Appendix A contains a flowchart illustrating the current process, including the informal processes discussed in the following sections.

(c) UCLA Office of the Campus Counsel

The Office of the Campus Counsel notes on its website that it “supports the diverse and dynamic educational environment of the University of California Los Angeles, by providing legal advice and assistance related to the activities of the UCLA campus and its professional schools.”¹⁷ According to the university, reviewing, investigating, and advising campus leadership on responses to discrimination falls within the purview of the Office.

(d) Sexual Harassment Officer/Title IX Officer

We learned that the university has also begun utilizing UCLA’s Sexual Harassment Officer to investigate charges of acts of racial bias or discrimination that reach the stage of formal Academic Senate processes.¹⁸ The current Sexual Harassment Officer is an attorney and was formerly a lawyer for the Los Angeles district office of the Equal Opportunity Employment Commission. She stated that she has undertaken three such investigations since 2007.

3. Informal Procedures

(a) Vice Provost for Diversity & Faculty Development

We learned that faculty often took reports of incidents of perceived discrimination or bias to the Vice Provost for Diversity & Faculty Development (commonly referred to as the “Vice Provost for Faculty Diversity”) or her medical school analog, the Associate Dean for Diversity Affairs at the David Geffen School of Medicine. The Vice Provost is the chief officer of the Diversity & Faculty Development Office, which states that its mission is to provide “academic leadership for achieving and sustaining faculty diversity,” and that it fulfills this mission by “educating, communicating, and collaborating with the faculty and administrators on campus on all aspects of faculty diversity.” It also seeks to provide resources to promote faculty development and diversity.

On its website, the office provides a link to the Office of Academic Personnel page for complaints and grievances, which informs complainants of the informal and formal grievance resources available. The Diversity & Faculty Development Office also provides links to external compliance agencies which complainants can contact regarding filing a complaint of discrimination, including the Los Angeles district office of the United States Equal Employment Opportunity Commission.

The Vice Provost reported that she receives complaints and grievances from faculty members. She stated that she received six to eight such complaints a year. Most involved tenure matters, and therefore came during the times each year when tenure is granted. Most

¹⁷ UCLA Website, Office of the Campus Counsel (OCC), <http://www.campuscounsel.ucla.edu/mission.html>.

¹⁸ The university’s use of the Title IX Officer in this regard appears to mirror its use of her regarding complaints regarding sexual harassment filed with the Charges Committee. *See* UCLA Procedure 630:1: Responding to Reports of Sexual Harassment § VI.

of these complaints involve gender, with some sexual orientation and some disability-related. A small number are race or ethnicity based. She stated that her offices did not keep official records of complaints, but that she recalled four complaints involving perceived discrimination since her tenure began in 2010. Two of the matters were resolved with tenure grants, one through the Academic Senate processes, and one informally through intervention with a department chair. The other two matters remain unresolved. The Vice Provost said that she refers about two to four complaints a year for further investigation or institution of formal Academic Senate grievance processes. Her predecessor recalled only two complaints regarding incidents of perceived discrimination from 2002 to 2010 that resulted in the filing of formal Academic Senate charges. Any other complaints were resolved informally.

The current Vice Provost characterizes herself as a “fixer” for faculty members. She meets with faculty members to hear their concerns and in some cases seeks input from Executive Vice Chancellor Waugh to “assert moral suasion” on a problem. She often attempts to resolve issues informally by placing a call to a dean or department chair. Unlike the UCLA Ombud, the Vice Provost may be required to report certain activities undertaken by her office to the Executive Vice Chancellor and Chancellor. However, she noted that she initially keeps a matter to herself while she attempts to resolve it informally. If she believes that a matter warrants further investigation, she may refer it to the Executive Vice Chancellor or the Office of Campus Counsel.

The Associate Dean for Diversity Affairs at the David Geffen School of Medicine also reported that her office fields complaints and grievances from minority faculty members in the health sciences. She stated that the vast majority of these complaints did not allege overt instances of racial bias or discrimination—in fact, the office has received only one such complaint since 2009. Normally, the complaints by minority faculty members involve a variety of topics: a desire for mentoring, complaints of lack of support and adequate finances for carrying out work, the feeling that something was promised to the faculty member that was not delivered, interpersonal conflicts, reports of intimidation, misunderstanding and complaints of feeling unappreciated. The Associate Dean emphasized that the majority of the complaints involved either funding or other job status issues. She estimated that she was able to informally resolve about half of the complaints, and referred the rest of the complainants to the Academic Senate processes.

(b) Office of the Ombuds Services

The UCLA Office of Ombuds Services offers informal and confidential services in resolving conflicts, disputes, or complaints. It is independent and neutral, and attempts to facilitate communication and assist parties in reaching their own mutually-acceptable agreements. The Ombud may engage in informal fact-finding, clarify issues, expedite processes or initiate mediation. If the Ombud detects a trend or pattern in conflicts or concerns, it may make recommendations for review or change in policies or procedures.

The Office of the Ombud serves three main constituencies: students (40%), staff (40%) and faculty (11-12%), with the remainder being members of the campus community, such as parents. Clients initiate contact by calling the office or walking in. The Ombud characterized the function of her office as “pointing complainants in the right direction.”

She stated that she may either recommend formal processes or informal ones. She stated that some complainants may either desire to pursue a remedy, or “just want to talk.” She stated that in an effort to resolve matters informally, she may sometimes engage in “shuttle diplomacy.” She has spoken to department chairs or deans on behalf of faculty. The Ombud reported that the number of complaints initiated by faculty members of color has been increasing annually. Although the office did not consistently gather ethnicity data before 2011, the office estimated that from 2007 to 2011, the number of self-reported discrimination cases brought to the office averaged one to two per year, and were most often gender cases brought by Caucasian female faculty.

In 2011-2012, the office reported it received thirty complaints by minority faculty members, seventeen of which came from Academic Senate members. Of these complaints, fifteen (50%) were by Asian or Asian-American faculty members, five (17%) were by Middle Eastern faculty members, four (13%) by Chicano/Latino faculty members, three (10%) by African-American faculty members, and three (10%) other ethnic minorities. Of the thirty complaints in 2011, six involved “general incivility,” four “discrimination,” and three “bullying.” The Ombud noted that the increase in complaints by minority faculty members might be due to the Office’s hiring of an Ombudsperson to directly serve the Center for Health Sciences. The Office stated that all of the self-reported discrimination, incivility and bullying cases were given referral information on how to further address their concerns.

(c) Grievance Advisory Committee

The Grievance Advisory Committee (GAC) is operated by the Academic Senate and provides an informal process for members of the campus community to resolve complaints or grievances. The members of the GAC are all former Privilege and Tenure or Charges Committee members.¹⁹ Academic Senate staff informed us that when an individual has questions about individual rights or privileges or is considering bringing a grievance, he or she may contact the Academic Senate Coordinator for the GAC, who will refer the individual to a GAC member who will advise the complainant on policy and procedure, which standing committee to approach and how to proceed with a case. All advice is confidential. Academic Senate staff stated that while complainants are often advised to exhaust their complaints before their department or school, they are not required to do so if the complaint involves the department chair or a dean.

Because GAC members meet individually with complainants under confidential circumstances, GAC members are not collectively aware of the number or nature of complaints. Academic Senate staff stated that two complaints of incidents of perceived bias and discrimination have been brought to the GAC since 2003. Of these, one resulted in a formal process before the Privilege and Tenure Committee that resulted in disciplinary sanction against a tenured faculty member for discriminatory conduct toward a staff member, and the other involved a charge recently dismissed by the Charges Committee, after an investigation by the university’s Title IX officer, for lack of probable cause. The

¹⁹ UCLA Website, Academic Senate, Committees, Grievance Advisory Committee, <http://www.senate.ucla.edu/committees/gac/>.

charge involved an allegation of discriminatory conduct by a tenured faculty member against another faculty member.

(d) Other Resources

UC has an official whistleblower policy that encourages the reporting of “improper governmental activities.”²⁰ While such activities are normally limited to the “statutory definition” of improper government activities, official UC policy recognizes that “serious or substantial violations of University policy” may constitute improper governmental activities.²¹ The policy protects any person who makes a protected disclosure of an improper governmental activity from retaliation or official interference.²² It provides that a whistleblower may file a retaliation complaint pursuant to the formal grievance processes applicable (for instance, an Academic Senate grievance under Senate Bylaw 335 or a non-Senate academic personnel grievance pursuant to Academic Personnel Manual section 140) or directly with a local official designated to hear retaliation complaints.²³

The UCLA Administrative Policies and Compliance Office, which is responsible for receiving and responding to whistleblowing reports, stated to the Review Team the office’s function is to receive reports and to exercise its discretion to initiate and coordinate formal investigations into possible improper governmental activity. The Office stated that the university had intended the Office’s whistleblowing hotline, which is available 24 hours a day and administered by a third party, to serve as a clearinghouse for any and all complaints of violations of university policy, including allegations of discrimination. Despite this, however, the Office reported that it did not receive many reports solely concerned with incidents of perceived bias or discrimination, and that the Office had not initiated a formal investigation into a claim of bias or discrimination by a faculty member.

C. Specific Incidents of Perceived Bias, Discrimination and Intolerance

Every faculty member of color who we interviewed described incidents of perceived bias, discrimination or intolerance that they had personally experienced while at UCLA. Although nearly every one of these faculty members had achieved tenure and professional success at the university, they were still upset by these incidents. Almost universally, they felt that the offending parties had never been required to face consequences for their actions.

Below, we discuss three notable findings arising from our interviews: (1) intradepartmental conflict with a racial component in two UCLA departments; (2) two

²⁰ University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy), *available at* http://www.ucop.edu/academic-personnel/_files/apm/apm-190-a1.pdf.

²¹ *Id.*

²² University of California Policy for Protection of Whistleblowers From Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy), *available at* http://www.ucop.edu/academic-personnel/_files/apm/apm-190-a2.pdf.

²³ *Id.*

egregious incidents of bias and discrimination experienced by UCLA faculty members; and (3) reports of incidents of perceived bias in hiring, advancement, and retention decisions.

(a) Department A and Department B

Faculty members alleged that certain departments in particular appear to have been, or are currently, flash points of racial conflict between faculty members: one during the 2000s and one at the present time. The conduct complained of included perceived discriminatory statements as well as discriminatory advancement and retention decisions and the creation of a hostile climate. These departments will be referenced only as “Department A” and “Department B” in order to preserve the confidentiality of the reporting faculty members.

(i) Department A

Two members of Department A described it as becoming polarized along gender and racial lines during the 2000s. They alleged that a group of senior Caucasian male professors began to systemically discriminate against the minority and female faculty members in the department. Such treatment ranged from junior faculty members of color being told that they would not make tenure, to the department’s failure to make efforts to retain tenured faculty members of color who had received offers of employment from other universities, to discriminatory remarks leveled at minority faculty members such as “I thought Asian women were supposed to be submissive.” Many of these minority junior faculty members later left the university.

One former faculty member in the department, a formerly fully tenured Caucasian professor, told the Review Team that he had spoken out against this conduct, had been retaliated against by the department’s chair in the form of a recommendation against a merit increase in pay, and had subsequently retired from UCLA rather than continue working in the department. Another faculty member, a female faculty member of color, told the Review Team that she threatened to sue the university after the department voted to deny her promotion to full professor. After receiving a settlement from the university, she retired because she had no further desire to remain in the department.

(ii) Department B.

Two current faculty members in Department B alleged that it was currently divided among racial lines. These faculty members also alleged that they had experienced incidents of bias or discrimination by other faculty members, including senior and/or leadership faculty, within the department. At least one faculty member has filed formal complaints with the appropriate Academic Senate Committees regarding perceived incidents of bias or discrimination. Another faculty member in the Department told the Review Team that he had been passed over for consideration for the department chair position despite his perceived seniority and leadership credentials. The faculty member stated that he believed that this had been due to his ethnicity. The faculty member further perceived that a clique of Caucasian male professors was “in charge” of the department, and that he had personally witnessed faculty in leadership positions within the department use racially or ethnically insensitive language.

(b) Incidents of Racism

Two other UCLA faculty members described egregious incidents of racism. The first involved a Latino faculty member in the health sciences. In 2008, soon after the professor was hired as a fully tenured faculty member at UCLA, a “senior faculty member” in the professor’s department, upon seeing him for the first time in the hallway, asked loudly in front of a group of students, “What is that fucking spic doing here?” Upset, the professor went to his assistant dean, who expressed sympathy but advised him that going to the dean of the school would only cause more trouble. The assistant dean promised that he would talk to the senior faculty member. The professor is not sure whether the assistant dean ever did so. The professor stated that he still feels threatened by the faculty member, who is still at UCLA, and that he believes that the man left a screwdriver in the Latino professor’s faculty mailbox in 2010.

The second incident involved an untenured professor at UCLA. Several years ago, she received an anonymous communication that criticized her work in vitriolic terms, attacked her for focusing on race-related issues, and contained racist statements regarding African-Americans. The professor told us that she contacted the UCLA Police Department but was told that there was nothing that could be done at that point in time. The professor informed her faculty colleagues of the incident, but knows of no official action taken by her department or the university, such as further investigation of the incident.

(c) Hiring, Advancement and Retention Decisions

The majority of incidents of perceived bias and discrimination we learned about involved hiring, advancement, and retention decisions. We spoke to faculty members who perceived that they had been denied advancement due to bias and discrimination, usually in the form of a negative departmental vote or an unfavorable letter from a department chair or dean. At least one faculty member complained that the empirical nature of the research favored by his department disadvantaged minority faculty who specialized in a different sort of scholarship. Several faculty members described incidents of which they knew in which UCLA department heads failed to match offers made by competing institutions to faculty members of color at UCLA. In both cases an informal resolution (i.e., an increase in salary or research funding to retain the professor) was effectuated, in one case by the Vice Provost for Faculty Diversity, and in the other case by the Executive Vice Chancellor and Chancellor. However, the faculty member personally involved in one of these retention events was still upset about the incident, and in the other case a faculty member close to the situation described the solution as a temporary “workaround.”

Several faculty members felt that they had been the subject of adverse employment actions due to discrimination or bias. The two faculty members in “Department A” felt that they had been denied advancement as tenured professors due to discrimination. Two other senior, tenured faculty members perceived that they had been either passed over for leadership positions or treated differently than Caucasian faculty members, events that they perceived as discriminatory. We also learned from minority faculty members that a

department had recently conducted a “waiver of search” for a Caucasian candidate.²⁴ The concerned faculty felt that the candidate did not meet the high standard for a waiver of search, and therefore that the department in question was abusing the waiver process in order to hire a Caucasian candidate favored by certain faculty members. After the concerned faculty objected and called a departmental meeting, the department withdrew a verbal offer of employment to the candidate.

Other interviewees discussed incidents of perceived discrimination in hiring decisions involving minority candidates. In one account from a senior faculty member, an African-American full professor from an Ivy League institution was rejected for a position at UCLA primarily on the basis of a plagiarism accusation involving a single citation in a 300-page manuscript. While the senior faculty member disputed the merit of the plagiarism accusation, he was most upset by the “racist” tenor of the discussion about the candidate, which implied that the candidate was incompetent, a shyster, and a hustler. The senior faculty member reported the racially inappropriate comments and other irregularities in the process to his dean, who agreed that the candidate’s rights had been violated, but asserted that since the candidate was not UCLA faculty, no action could be taken.

D. Findings on Current University Policies, Procedures and Mechanisms

1. Challenges

We acknowledge the elusive and challenging nature of this issue. Our interviews with university stakeholders revealed that the structure of the academic workplace requires both junior and tenured faculty members to participate in hiring, advancement, and retention decisions alongside their fellow faculty members, to undergo periodic reviews by those peers, and to receive supervision by senior faculty members serving in positions such as department chairs or deans. Most of the incidents of perceived bias and discrimination reported by minority faculty members who spoke to the Review Team involved conduct by other faculty members, often senior faculty or faculty serving as deans. Junior faculty members in particular perceive that a wrong step in their early academic career may damage future professional opportunities. Such concerns deter the reporting of incidents of perceived bias or discrimination.

Several university stakeholders told the Review Team that the unique nature of the academic workplace also contributes to the problem. A tenured faculty member of color stated that she believes that the true difficulty lies with the power afforded to tenured faculty members on campus. She noted that the Chancellor has very little direct authority over faculty members, and took issue with the notion that the administration has the power to

²⁴ “Waiver of search” refers to a specific permission granted by the Chancellor’s Office to allow for the targeting of a specific candidate. As such, a waiver of search bypasses some of the normal protocols involved in candidate searches, including consideration of diversity issues. *See* UCLA Diversity & Faculty Development Office, Faculty Search Committee Toolkit, at 4-5, *available at* <https://faculty.diversity.ucla.edu/resources-for/search-committees/search-toolkit/2FacultySearchToolkitPrintVersion.pdf>.

resolve any such problems. “If you want to change the university,” she told the Review Team, “you have to change the faculty.”

We note that several faculty members who spoke to us compared their opportunities for redress unfavorably to those available to staff, where, under the applicable personnel procedures, the administration may directly investigate and discipline university employees who engage in discriminatory conduct. By contrast, the administration may only charge and sanction ladder-rank faculty members in a formal Academic Senate Privilege and Tenure proceeding, an adversarial, litigation-like hearing.

2. Findings

Despite these challenges, the Review Team finds that there is much that current university policies, procedures and mechanisms can do to improve in addressing these issues. Specifically, the Review Team concludes that:

- UCLA’s nondiscrimination policy fails to adequately define discriminatory conduct;
- UCLA has failed to adequately train UCLA employees, including faculty, in what constitutes discriminatory, biased, or intolerant behavior.
- UCLA’s nondiscrimination policy fails to provide for a process for responding to reports of incidents of perceived discrimination that involves investigation and referral to disciplinary proceedings;
- UCLA leadership has failed to convince at least a vocal subset of faculty members of its commitment to diversity in admissions and hiring;
- UCLA has failed to adequately inform faculty members of their reporting options for complaints and grievances;
- The process by which UCLA addresses incidents of perceived bias and discrimination is not clear;
- UCLA lacks a mechanism for the impartial investigation of such incidents; and
- UCLA has failed to clearly communicate that consequences will ensue for those engaging in biased, discriminatory, or intolerant behavior or conduct.

(a) University Policy

Examining the university’s written policies, including official administration procedures and the Faculty Code of Conduct, we find that these policies fail to define what constitutes discriminatory conduct. In contrast, UC’s sexual harassment policy includes a definition of sexual harassment, and a guarantee that the university will respond to any

reports of such conduct.²⁵ UCLA nondiscrimination policies further fail to provide for a centralized resource for fielding, investigating and making findings regarding such incidents. Again, in contrast, we note that the UCLA's sexual harassment policies provide detailed procedures for reporting and investigating reports of sexual harassment.

The lack of a self-executing mechanism by which reports are investigated and findings made constitutes a serious shortcoming in UCLA's policies and procedures for responding to such reports. For instance, this system fails to communicate the consequences of violations of the university's policies on nondiscrimination and therefore fails to act as a deterrent. Faculty members complained that this has contributed to a culture of impunity at UCLA as far as perceived violations of the nondiscrimination policies are concerned.

We further find that UCLA's policy for reacting to incidents of perceived discrimination lacks coherence and credibility. Faculty complained, almost unanimously, that the university's responses to certain high-profile incidents of perceived bias or discrimination were disappointing and unhelpful. Several faculty members noted that the Chancellor's public statements reacting to the well-publicized incidents of alleged racial bias and/or discrimination had essentially asserted that the conduct at issue in the incidents was not reflective of "the university I know."²⁶ Faculty members felt that such statements, far from communicating a commitment to diversity and nondiscrimination, instead communicated that administration was out of touch with the reality of the racial climate at UCLA. As one senior faculty member complained, where nondiscrimination is concerned, the administration of UCLA is administering to a "vision rather than a reality."

University stakeholders described this disconnect as a structural issue within the Chancellor's office itself. One former senior administration official wrote in a letter to us that, "in recent years, it has been clear to me that UCLA's current administrative style is to actually hide 'hot button' issues even from its own executive leadership team, preferring a narrowly construed 'need to know' approach with respect to a range of campus incidents and problems." Several faculty members and administrators noted a belief that that the Chancellor's office does not currently include a senior African American or Latino/Latina administrator; however, this is not presently the case.

Faculty also criticized the university's policies and procedures for meeting diversity goals in admissions and faculty hiring. While these policies, and an overall survey of the

²⁵ "Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects a person's employment or education, unreasonably interferes with a person's work or educational performance, or creates an intimidating, hostile or offensive working or learning environment. In the interest of preventing sexual harassment, the University will respond to reports of any such conduct." University of California Policy on Sexual Harassment, *available at* <http://www.ucop.edu/ucophome/coordrev/policy/PP021006Policy.pdf>.

²⁶ The Chancellor's public statement regarding the so-called "Asians in the Library" video may be seen at <http://www.youtube.com/watch?v=6feGp0GQVJ8> (last visited October 10, 2013).

campus racial climate, are beyond the purview of our charge or the scope of this report, they are relevant to our inquiry. Several faculty members and administrators linked the lack of a perceived “critical mass” of students and faculty of color to the university’s inadequate procedures and mechanisms for responding to incidents of discrimination.²⁷

The university stakeholders who spoke to us on the subject opined that the recent high-profile racial incidents at UCLA were merely the “tip of an iceberg” of a campus racial climate that has deteriorated markedly for students and faculty of color. “It is as if I have stepped into a time machine and been propelled backward 40 years to 1971 when Blacks, Latinos—and yes even Asians—were just beginning to enter prestigious, predominantly white institutions like UCLA in serious numbers,” one faculty member who has taught at UCLA for twenty-five years wrote in a letter.

In particular, university stakeholders criticized UCLA’s reaction to Proposition 209 as “extraordinary” and “beyond what was required by law,” comparing it unfavorably with that of other major UC campuses such as Berkeley. They complained that the university had not taken sufficient steps to develop policies to further diversity on campus within the strictures of Proposition 209, nor communicate to the campus community that it was the university’s policy to do so despite the law. In fact, interviewees describe an administration more concerned with warning the campus community against violation of Proposition 209 in admissions and hiring decisions than suggesting proactive steps to further racial diversity on a campus that the Chancellor publicly touts as diverse.²⁸

(b) University Procedures

As noted above, UCLA’s policies fail to adequately define what constitutes racial or ethnically discriminatory conduct, and fail to provide a procedure for responding to reports of such conduct. Similarly, UCLA’s current procedures fail to rectify this problem. UCLA currently relies on an ad hoc network of resources to respond to complaints regarding incidents of perceived bias or discrimination. However, the university has failed to adequately inform faculty members of these reporting options. For instance, the only comprehensive resource guide for faculty complaints and grievances, apparently created by campus counsel, is available from a relatively hard-to-reach link on the Office of Academic Personnel website.²⁹

²⁷ It is beyond the External Review Team’s charge to determine whether such a lack of “critical mass,” assuming it can be defined, exists at UCLA. Nonetheless, the data suggests that there have been significant demographic shifts at the university. Appendices C, D, and E to this Report provide some historical enrollment data for minority undergraduate, graduate and professional schools, as well as current number of minority faculty at UCLA. We thank UCLA for providing this information.

²⁸ “UCLA represents the very best of what a university can be—a diverse community of talented people who enrich our society through education, research and service.” Statement of Gene D. Block, Chancellor, *available at* <http://chancellor.ucla.edu/welcome>.

²⁹ *See* <http://www.campuscounsel.ucla.edu/documents/OutlineGrievancesversuDiscipline3.pdf>.

We find that faculty, in general, report complaints and grievances regarding incidents of perceived discrimination to the Vice Provost of Faculty Diversity, the Ombud's Office, and the GAC. Faculty members also indicated that they rely on the four ethnic studies research centers on campus for support with such issues. However, with the exception of the GAC, none of these resources are solely devoted to fielding complaints and grievances. Moreover, few faculty members utilize the GAC, perhaps because it is perceived as a gateway to the more formal Senate processes. While faculty use of the Ombuds office appears to be increasing, historically it has not been widely utilized. Nor has the Administrative Policies and Compliance Office (the whistleblowing office).

To some degree, the offices of the Vice Provost for Faculty Diversity and Associate Dean for Academic Diversity present a logical first stop for minority faculty with complaints involving hiring and advancement decisions since both offices carry the official charge of helping the university and medical school meet faculty diversity goals. We find that the Vice Provost has indeed informally resolved complaints by minority faculty members involving advancement and retention decisions. However, the existence of an official who can and does apply, in an unofficial capacity, "moral suasion" to solve problems does not necessarily address faculty concerns regarding the university's overall plan to respond to incidents of bias and discrimination. Moreover, a lack of transparency exists in these resolutions, due in part to the fact that the issues often involve compensation.

While this may be understandable, it contributes to a lack of clarity regarding the resources offered by UCLA where incidents of perceived bias and discrimination are concerned. Additionally, we find that the offices of the Vice Provost for Faculty Diversity, Associate Dean for Academic Diversity, and UCLA Ombud lack important components commonly associated with officials vested with authority to respond to incidents that constitute violations of university policy. They do not have: (1) responsibility for planning and managing education and training programs; (2) responsibility for developing procedures for prompt and effective response to reports of such incidents; or (3) responsibility for maintaining records of complaints of such incidents, or for preparing periodic reports on complaint activity to senior administration officials. Therefore, while we acknowledge that these offices currently play an important role in the university's response to perceived incidents of bias and discrimination, that role is insufficient to address faculty concerns regarding the university's response to such incidents.

We also find that the university lacks a mechanism for impartial investigation of such incidents outside of a formal Academic Senate proceeding. The university currently has no official procedure by which a complaint triggers an informal or formal investigation by a dedicated, impartial official. As noted above, administration officials appear to have instituted the practice of asking the school's Title IX Officer to investigate certain incidents of alleged discrimination, perhaps using as a model the procedure for investigation of sexual harassment complaints brought to the Charges Committee. However, because the Sexual Harassment Officer appears to only investigate discrimination complaints brought to the Charges Committee, there is no mechanism by which the above-mentioned offices or any other campus office that engages in informal dispute resolution regarding such complaints, may directly call upon her services. This compares unfavorably with the university's sexual harassment procedures, which provide for a single office that fields complaints and offers

informal resolution options, but also may launch a formal investigation. High-ranking administration officials involved in academic personnel matters told us that they believed that a more professional process in investigations is needed to address incidents of perceived bias and discrimination. We agree.

Moreover, the Title IX Officer's impartiality remains unclear, as she informed us that she investigated a recent incident of alleged racial bias and/or discrimination in the context of advising the school on a potential settlement. The use, on an ad hoc basis, of an investigator who has at times acted on behalf of campus counsel in anticipation of litigation, is insufficient to address faculty concerns in this area. While key administration personnel praised the Title IX Officer's professional training and ability, her use in this capacity by the administration lacks transparency and credibility.

We find that UCLA's current procedures fail to adequately communicate the consequences that will ensue for those who engage in discriminatory conduct. Many faculty members complained during interviews that administration officials often offered a remedy to faculty of color who had experienced an incident of discrimination, but that the administration rarely if ever meted out punishment to the offending party, even eschewing confrontation of that party altogether. This approach of crafting workarounds and not punishing the individual engaging in discriminatory conduct sends the message that those who violate the university's policies against discrimination will not be punished. Faculty members assert that without an effective deterrent message, a culture of impunity has developed at UCLA.

In short, the university's current ad hoc system of resolving complaints, which relies on a patchwork of resources and unofficial fixing of disputes by key administration officials, focusses on making victims whole, not meting out consequences. This focus on redress, not repercussions, may address the immediate needs of a particular party needing a remedy, but neglects the long-term needs of the campus community. Disciplinary sanctions for conduct that violates university policy deter both the specific offender and campus community from subsequent offenses. It will also encourage those who have experienced discriminatory incidents to report them. It further sends the message that the university values diversity and takes discriminatory conduct seriously.

The formal Academic Senate processes do not offer a viable solution to these issues. Few complaints and grievances regarding incidents of perceived discrimination reach the Charges or Privilege and Tenure Committees. The process for bringing a formal complaint or grievance can be bewildering to faculty members, and can take months to conclude. Some faculty members who considered instituting proceedings told us that they had concluded they could not afford legal fees for counsel. Other university stakeholders said that they considered the Academic Senate processes to be a last resort for individuals who had nothing to lose, such as a professor who has been denied tenure. In short, the prospect of engaging in the quasi-litigation that characterizes a Privilege and Tenure Committee proceeding deters many faculty members from using that process.

We recognize that not all of the incidents of perceived discrimination of which faculty members complain will be actionable. Several faculty members referenced the notion of "microaggressions," which researchers have defined as "subtle verbal and

nonverbal insults directed toward non-Whites, often done automatically and unconsciously. They are layered insults based on one's race, gender, class, sexuality, language, immigration status, phenotype, accent, or surname."³⁰ It is not clear to us whether any workable definition of discriminatory conduct is capable of capturing every such microaggression experienced by a minority faculty member. We also recognize that advancement and tenure decisions are notoriously subjective, and those making the decisions may advance plausible, race-neutral reasons for those decisions. Heightened awareness of the issue of racially insensitive conduct may help to reduce microaggressions or other subtle behaviors that degrade the work environment for faculty of color. Some enhanced recordkeeping would allow the university to monitor the number of complaints regarding such incidents, and therefore to better understand the campus climate for faculty (and students) of color. And finally, investigations might deter those who would engage in such conduct, even if their actions would likely not constitute a violation of university policy.

III. RECOMMENDATIONS

A. Chancellor's Policy Statement

We recommend that the Chancellor issue a statement to the campus community acknowledging faculty concerns regarding the university's policies, procedures, and mechanisms relating to incidents of alleged bias, discrimination, and intolerance on the UCLA campus and in hiring and faculty advancement decisions, and reflecting the university's commitment going forward to "zero tolerance" for such incidents. A link to this report should be included in this statement, and the report should be available online on the UCLA website. Empirical research has confirmed that "no tolerance" statements, along with protocols for disciplinary procedures, are among the most effective means in the sexual harassment context of reducing reports of sexual harassment and assault.³¹

B. Discrimination Officer

We recommend that the university institute a Discrimination Officer to address incidents of alleged bias, discrimination, and intolerance. Although the university does not currently keep official records on the volume of complaints of such incidents, because it is possible that the existence of such an Officer may itself improve reporting practices, we envision that this be a full-time position.³² We recommend that the Officer have the following responsibilities, many of which are analogous to the responsibilities of the university's Sexual Harassment Officer.

³⁰ Daniel Solorzano, Ph.D, Walter R. Allen, Ph.D, and Grace Carroll, Ph.D, *Keeping Race in Place: Microaggressions and Campus Racial Climate at the University of California, Berkeley*, 23 *Chicano-Latino L. Rev.* 15, 17 (2002).

³¹ Working Group at the Yale School of Medicine, *Findings of the Working Group in Examining Sexual Harassment and Sexual Assault Procedures and Processes at the Yale School of Medicine* 3 (Dec. 7, 2007).

³² We also note the possibility that the Discrimination Officer's responsibilities could encompass other types of discrimination, including on the basis of gender, age, and sexual orientation.

First, the Discrimination Officer will review and investigate complaints of incidents of alleged bias, discrimination, or intolerance when a report of such an incident is received. This should include advising complainants of available resolution options, as well as information such as timeframes. However, the Officer should also have the independent authority to conduct fact-finding investigations, to notify individuals accused of violating the university's discrimination policy and to compile reports at the conclusion of each investigation. We must emphasize that this independent authority to conduct investigations constitutes the core responsibility of the office. This authority is vital to giving the position the credibility and authority needed to respond adequately to reports of incidents of bias and discrimination. Without such authority, the administration's processes for responding to such incidents lack credibility and deterrent power. Complainants must feel that they have the ability to request such an investigation directly from the Officer. We envision the Officer's investigations as existing concurrently with the probable cause investigations undertaken by the Academic Senate Committees in the same manner as sexual harassment investigations.³³

Second, the Discrimination Officer will plan and manage education and training programs. This responsibility should involve dissemination of the aforementioned general UC and UCLA policies on nondiscrimination to the campus community, as well as the design and implementation of educational measures to illustrate what conduct would constitute a violation of those policies. It would further involve design and implementation of measures to inform faculty members of reporting procedures for incidents of perceived bias and discrimination.

It is crucial that such training include leadership diversity training for campus leaders, in particular department chairs and deans. Our interviews revealed that many complaints by a minority faculty member involved, in some capacity, the action or inaction of a department chair, dean, or assistant dean. Leadership training on diversity issues for these officials is therefore key to addressing such incidents moving forward.

³³ The Campus Procedures for Implementation of University Policy on Faculty conduct and the Administration of Discipline provides for special grievance procedures in the case of sexual harassment complaints. *See generally* UCLA Website, Academic Senate, Committees, Grievance Advisory Committee, Grievance Advisory Committee Manual, Appendix XII, <http://www.senate.ucla.edu/FormsDocs/Appendices/appxii.htm>. In the case of all complaints against a faculty member other than sexual harassment or scientific misconduct complaints, the Charges Committee has the responsibility to determine whether probable cause of violation exists. *Id.* § 1(F). In contrast, when a sexual harassment complaint is filed against a faculty member, the Chair of the Charges Committee and the Vice Chancellor, Academic Personnel are notified and they jointly appoint a factfinder, which at UCLA is the Sexual Harassment Officer. *Id.* §§ 1(G), 5(B). The factual inquiry is conducted in accordance with the University Sexual Harassment Policies, and the Sexual Harassment Officer functions as an arm both of the Charges Committee and the University administration. *Id.* § 1(G). The Charges Committee then uses the Sexual Harassment Officer's report as a basis for probable cause *vel non*. *Id.* § 5(B).

Third, the Discrimination Officer will maintain records of incidents of perceived bias and discrimination experienced by faculty. As noted above, UCLA currently has no centralized database of incidents of bias and discrimination—at least those involved with faculty hiring and advancement decisions. Such records should include records of investigations, resolutions, and disciplinary action.

Finally, the Discrimination Officer should be the primary referral for all faculty members seeking to report incidents of perceived bias, discrimination or intolerance, as well as for advice regarding pursuing redress through the formal Academic Senate processes.³⁴

C. UCLA Procedure for Responding to Reports of Incidents of Bias or Discrimination

We recommend that UCLA issue a procedure for responding to incidents of perceived bias, discrimination or intolerance that: (1) provides for the creation of the Discrimination Officer and describes the responsibilities of that office; (2) encourages members of the campus community to contact the Discrimination Officer with reports of conduct that might be subject to the university's policy on nondiscrimination; (3) provides for procedures for informal resolution of such reports and more formal investigations; (4) provides for remedies and referral to the appropriate local disciplinary proceedings; and (5) provides for privacy and confidentiality for complainants, and the retention of records.

³⁴ We wish to briefly address the issue of overlap between the duties of the Vice Provost for Faculty Diversity and the envisioned duties of the Discrimination Officer. As noted above, the Office of Diversity & Faculty Development has fielded reports of incidents of perceived discrimination involving faculty, and has engineered informal resolutions to hiring, advancement and retention issues involving minority faculty. Although such actions are unofficial and characterized by a lack of transparency, we acknowledge that the Office fulfills an important function in advocating in this manner. We further acknowledge that at times, it may be difficult to separate a complaint from a minority faculty member regarding an adverse employment decision from a complaint regarding an incident of perceived discrimination.

Thus, some overlap exists between the Vice Provost's current functions and the envisioned function of the Discrimination Officer where faculty members are concerned. However, the fact remains that no official mechanism exists by which the Office of Diversity & Faculty Development may initiate fact-finding that leads either to a recommendation that the complainant seek redress through formal processes, or findings of violations of university policy. We further believe that such investigations should not be undertaken by the Vice Provost. The Vice Provost's position, as currently designed, does not require the training or experience required to carry out such investigations. Moreover a potential conflict of interest exists between any investigatory function and the Vice Provost's mission to advance diversity among UCLA faculty. Appendix B contains a flowchart demonstrating the role of the Discrimination Officer in the formal grievance process.

D. Creation of Gateway

We also recommend that UCLA create a website that clearly communicates UC and UCLA's policies and procedures regarding discrimination, including descriptions of what constitutes discriminatory conduct, policy statements regarding discrimination at the university, and most importantly, a clear statement of the disciplinary procedures that will result from a finding of discriminatory conduct. The site should also provide (1) a step by step resource guide outlining the options that a complainant may pursue at each step of the process, and provide an easy entry points, such as an online form, for submitting a report of an incident of perceived discrimination; (2) information on resources available to complainants both on and off campus, and (3) contact information for the Discrimination Officer. We recommend that prominent links to this website be placed on websites such as the Office for Diversity and Faculty Development, the Office of Academic Personnel, and the website of the Office of Diversity Affairs at the David Geffen School of Medicine, among other appropriate websites.

E. Further Review of Diversity Efforts in Admissions and Hiring

Concerned faculty members described a campus racial climate in near-crisis. As noted above, senior faculty members and former administration officials contended that the recent high-profile racial incidents at UCLA were only the tip of the iceberg, and that the campus racial climate, for a variety of reasons, has regressed since the mid-twentieth century. Several of these experienced faculty and administration officials mentioned that many of the faculty concerns described in this report may be in part due to the lack of a critical mass of minority faculty and undergraduate and graduate students at the UCLA campus.³⁵ Those interviewed further described a university administration that, at its highest levels, had failed to convince the public and the campus community of its commitment to diversity.

Accordingly, we recommend further review of the effectiveness of the university's ongoing efforts to achieve diversity in its student population and faculty.³⁶ This review should include an examination of the efficacy of current university measures in furtherance of diversity goals in the university's admissions policies both for undergraduate and graduate students, as well as campus-wide faculty hiring. The review should explore whether UCLA has adequately communicated these diversity goals both to the general

³⁵ See Footnote 31, *supra*; see also Appendixes C, D, and E to this Report.

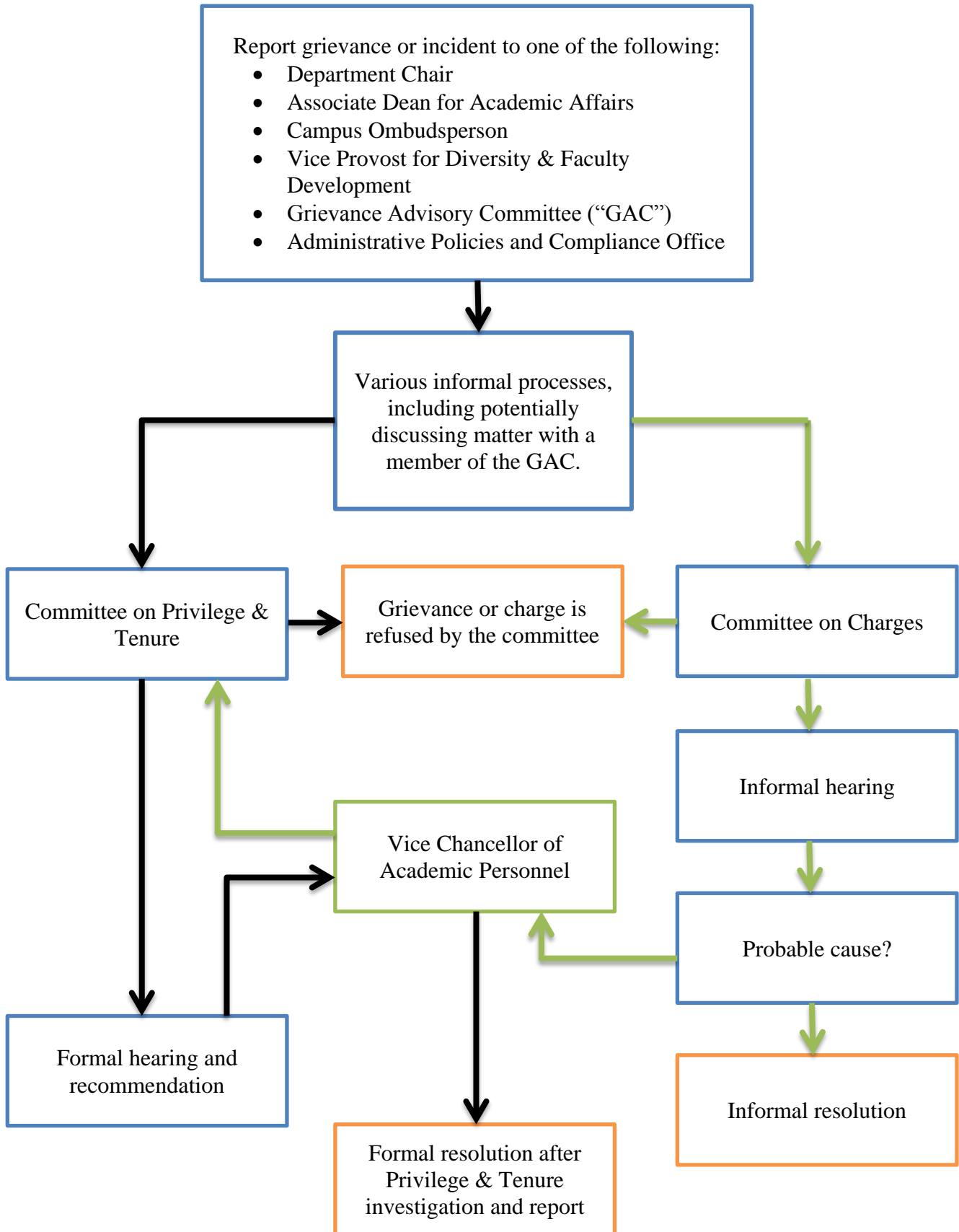
³⁶ See Message from the Chancellor, available at <https://diversity.ucla.edu/chancellors-message> ("Diversity is a core value of UCLA"); see generally 2009 Chancellor's Advisory Group on Diversity, Draft UCLA Strategic Plan for Diversity, available at https://diversity.ucla.edu/strategic-plan/20092010_CAGD_Strategic_Plan.pdf; see also University of California, *Regents' Policy 4400, University of California Diversity Statement* (Sept. 20, 2007), adopted as amended September 15, 2010 ("Because the core mission of the University of California is to serve the interests of the State of California, it must seek to achieve diversity among its student bodies and among its employees."), available at <http://www.ucop.edu/ucophome/coordrev/policy/PP063006DiversityStatement.pdf>.

public and to decision-makers in admissions and faculty hiring within the campus community, and in particular examine whether the administration has adequately explained to those decision makers how to pursue such diversity goals within the legal requirements of Proposition 209. The review should include a written report to the university and recommendations for changes in procedures if appropriate. To ensure that campus decision-makers are adequately reassured that the university is acting within the strictures of 209, the Review Team recommends that Campus Counsel take a proactive and leading role in examining the university's response to 209, designing and implementing new strategies, if needed, to pursue diversity goals within the bounds of 209, and educating campus decision-makers on those strategies and policies.

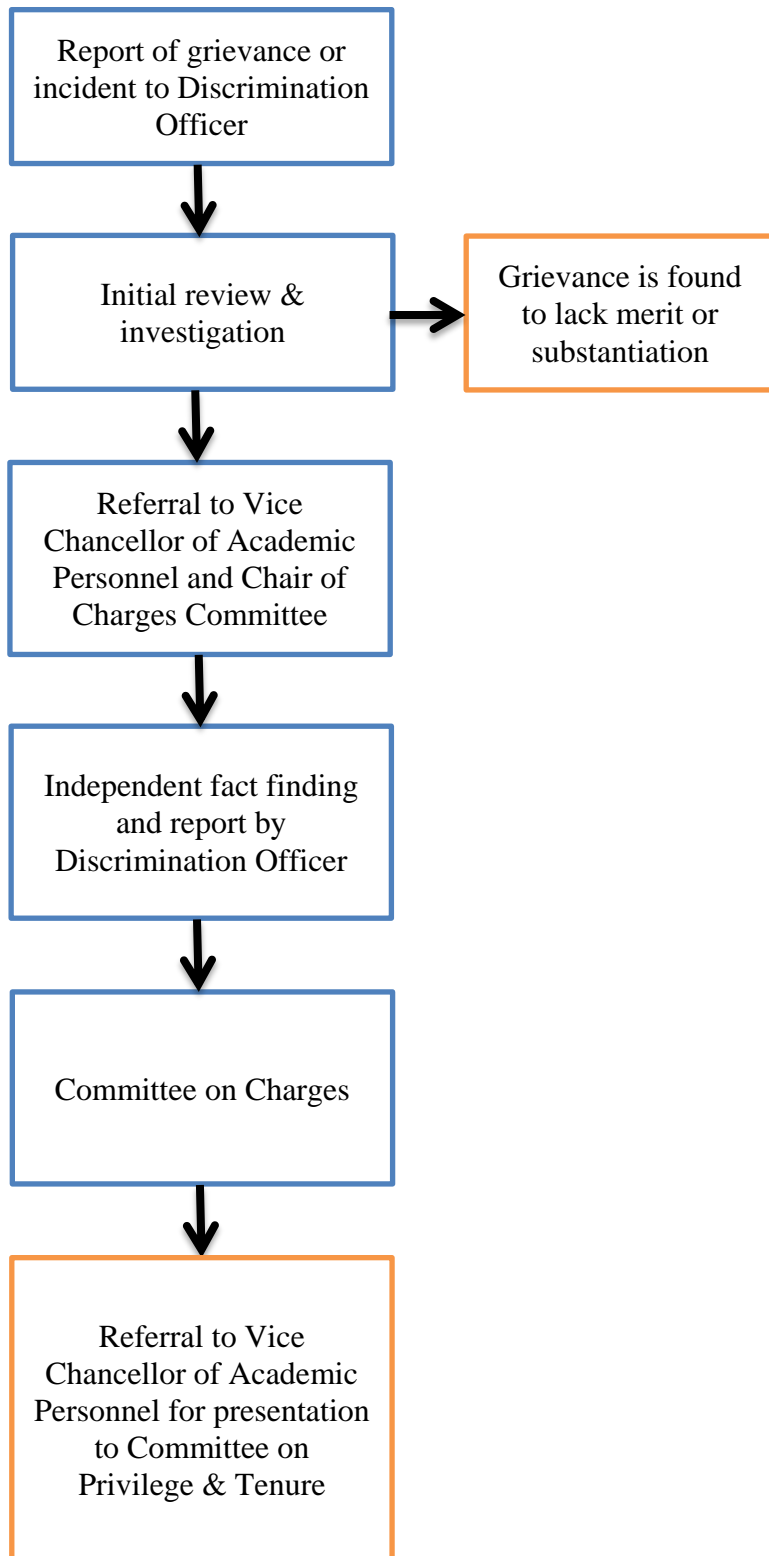
F. Implementation of Recommendations

We recommend the formation of an internal committee to oversee the implementation of our recommendations. All of the recommendations may be acted upon by the administration immediately, and we believe that the recommendations are practical, fiscally responsible, and realistic first steps toward addressing the faculty concerns discussed in this report. The internal committee may therefore set a timetable for implementation of the recommendations. We further recommend that the committee review the implementation of the recommendations themselves, including the drafting of university procedures for responding to incidents of perceived discrimination, and reviewing the reports of the envisioned Discrimination Officer regarding the reports received of such incidents and investigations, outcomes, and disciplinary actions taken.

Appendix A: Current Racial Bias or Discrimination Grievance Process



Appendix B: Proposed Role of Discrimination Officer



Appendix C: UCLA Undergraduate Enrollment by Ethnicity 1973-2012*

UNIVERSITY OF CALIFORNIA LOS ANGELES UNDERGRADUATE FALL HEADCOUNT ENROLLMENT BY ETHNICITY 1973-2012

		1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Los Angeles	African American	1,319	1,144	1,073	1,045	1,111	1,011	998	925	1,101	1,146	1,294	1,303	1,423	1,544	1,580	1,659	1,678
	American Indian	130	136	116	89	98	83	82	73	60	93	106	116	136	155	175	203	232
	Asian/Pacific Islander	2,006	2,144	2,398	2,566	2,736	2,837	3,216	3,370	3,847	4,300	4,657	4,704	4,767	4,892	5,198	5,398	5,849
	Chicano/Latino	1,075	1,040	1,106	1,165	1,228	1,271	1,312	1,226	1,360	1,457	1,725	1,977	2,332	2,699	3,104	3,434	3,715
	International	529	585	599	547	498	570	723	770	889	764	721	716	578	526	529	556	585
	Other/Unknown	1,113	1,753	1,434	1,111	597	545	517	2,299	1,439	1,050	910	837	755	710	759	669	657
	White	13,968	14,104	15,044	14,094	13,925	13,872	14,234	13,341	13,913	14,123	13,721	13,240	12,910	12,225	12,156	11,904	11,568
Los Angeles Total	White Enrollment	20,140	20,906	21,770	20,617	20,193	20,189	21,082	22,004	22,609	22,933	23,134	22,893	22,901	22,751	23,501	23,823	24,284

* Statistics for Appendices C, D, and E provided by the UCLA Office of Diversity & Faculty Development

UNIVERSITY OF CALIFORNIA LOS ANGELES
 UNDERGRADUATE FALL HEADCOUNT ENROLLMENT BY ETHNICITY (CONT'D)
 1973-2012

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
1,587	1,462	1,424	1,369	1,396	1,433	1,437	1,407	1,306	1,167	1,068	948	921	895	829	799	756	865	938	986	1,076	1,099	1,083
244	269	260	252	250	255	231	203	176	147	130	120	115	115	110	112	106	108	104	121	128	144	157
6,610	7,351	7,574	8,078	8,884	9,069	9,016	9,013	8,987	9,138	9,291	9,496	9,454	9,657	9,337	9,448	9,784	9,968	10,126	10,145	9,712	9,941	9,954
3,715	3,862	3,786	3,681	3,807	4,009	4,044	3,946	3,736	3,605	3,499	3,545	3,633	3,956	3,821	3,788	3,824	3,812	3,945	4,103	4,126	4,502	4,799
460	501	470	489	584	601	639	655	625	620	698	726	702	877	968	893	958	1,075	1,189	1,280	1,522	2,014	2,895
630	647	863	652	562	545	644	690	1,378	1,664	1,844	1,928	1,807	1,748	1,600	1,441	1,298	1,239	1,228	1,173	1,131	1,013	938
10,888	10,276	9,272	8,371	8,136	7,857	7,903	8,011	7,895	8,327	8,481	8,565	8,267	8,467	8,281	8,330	8,706	8,861	9,006	8,879	8,467	8,486	8,115
24,207	24,368	23,649	22,892	23,619	23,769	23,914	23,925	24,013	24,668	25,011	25,328	24,899	25,715	24,946	24,811	25,432	25,928	26,536	26,687	26,162	27,199	27,941

Percentage Distribution of UCLA Undergraduate Headcount Enrollment by Declared Ethnicity, Fall 1973 to Fall 2012

	Fall 73	Fall 74	Fall 75	Fall 76	Fall 77	Fall 78	Fall 79	Fall 80	Fall 81	Fall 82	Fall 83	Fall 84	Fall 85	Fall 86	Fall 87	Fall 88	Fall 89	Fall 90	Fall 91	Fall 92
African American	6.5	5.5	4.9	5.1	5.5	5.0	4.7	4.2	4.9	5.0	5.6	5.7	6.2	6.8	6.7	7.0	6.9	6.6	6.0	6.0
American Indian	0.6	0.7	0.5	0.4	0.5	0.4	0.4	0.3	0.3	0.4	0.5	0.5	0.6	0.7	0.7	0.9	1.0	1.0	1.1	1.1
Chicano/Latino	5.3	5.0	5.1	5.7	6.1	6.3	6.2	5.6	6.0	6.4	7.5	8.6	10.2	11.9	13.2	14.4	15.3	15.6	15.8	16.0
Subtotal: URM	12.5	11.1	10.5	11.2	12.1	11.7	11.3	10.1	11.2	11.8	13.5	14.8	17.0	19.3	20.7	22.2	23.2	23.2	23.0	23.1
Asian/Pacific	10.0	10.3	11.0	12.4	13.5	14.1	15.3	15.3	17.0	18.8	20.1	20.5	20.8	21.5	22.1	22.7	24.1	27.3	30.2	32.0
White/Caucasian	69.4	67.5	69.1	68.4	69.0	68.7	67.5	60.6	61.5	61.6	59.3	57.8	56.4	53.7	51.7	50.0	47.6	45.0	42.2	39.2
Other and Unknown	5.5	8.4	6.6	5.4	3.0	2.7	2.5	10.4	6.4	4.6	3.9	3.7	3.3	3.1	3.2	2.8	2.7	2.6	2.7	3.6
International	2.6	2.8	2.8	2.7	2.5	2.8	3.4	3.5	3.9	3.3	3.1	3.1	2.5	2.3	2.3	2.3	2.4	1.9	2.1	2.0
All Undergraduates	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

	Fall 93	Fall 94	Fall 95	Fall 96	Fall 97	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	6.0	5.9	6.0	6.0	5.9	5.4	4.7	4.3	3.7	3.7	3.5	3.3	3.2	3.0	3.3	3.5	3.7	4.1	4.0	3.9
American Indian	1.1	1.1	1.1	1.0	0.8	0.7	0.6	0.5	0.5	0.5	0.4	0.4	0.5	0.4	0.4	0.4	0.5	0.5	0.5	0.6
Chicano/Latino	16.1	16.1	16.9	16.9	16.5	15.5	14.6	14.0	14.0	14.6	15.4	15.3	15.3	15.0	14.7	14.9	15.4	15.8	16.6	17.2
Subtotal: URM	23.2	23.1	24.0	23.9	23.2	21.6	19.9	18.8	18.2	18.8	19.3	19.1	18.9	18.4	18.5	18.8	19.5	20.4	21.1	21.6
Asian/Pacific	35.3	37.6	38.2	37.7	37.7	37.3	37.0	37.1	37.5	38.0	37.6	37.4	38.1	38.5	38.4	38.2	38.0	37.1	36.5	35.6
White/Caucasian	36.6	34.4	33.1	33.0	33.5	32.8	33.8	33.9	33.8	33.2	32.9	33.2	33.6	34.2	34.2	33.9	33.3	32.4	31.2	29.0
Other and Unknown	2.8	2.4	2.3	2.7	2.9	5.7	6.7	7.4	7.6	7.3	6.8	6.4	5.8	5.1	4.8	4.6	4.4	4.3	3.7	3.4
International	2.1	2.5	2.5	2.7	2.7	2.6	2.5	2.8	2.9	2.8	3.4	3.9	3.6	3.8	4.1	4.5	4.8	5.8	7.4	10.4
All Undergraduates	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

**Appendix D: Graduate Students in the College, Professional Schools, Health Sciences and Self-Supporting Programs at UCLA
Headcount Enrollment by Declared Ethnicity, Fall 1998 to Fall 2012**

	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	95	93	88	73	77	86	75	86	84	93	93	91	86	98	100
American Indian	19	15	21	21	19	21	18	20	22	22	21	20	14	13	12
Chicano/Latino	154	165	170	173	203	224	221	215	209	212	221	203	211	210	207
Subtotal: URM	268	273	279	266	298	331	314	320	315	327	334	314	310	320	319
Asian/Pacific	430	402	389	385	408	404	384	381	370	358	366	353	382	394	397
White/Caucasian	1,406	1,342	1,348	1,301	1,345	1,314	1,284	1,299	1,352	1,374	1,351	1,364	1,301	1,279	1,351
Other and Unknown	111	124	154	165	191	199	198	206	222	211	231	225	227	179	159
International	473	491	539	535	543	557	515	482	467	479	475	491	505	496	526
Letters & Science	2,687	2,632	2,708	2,652	2,784	2,804	2,694	2,687	2,725	2,748	2,757	2,746	2,724	2,666	2,751
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	193	164	174	155	169	185	200	193	185	206	195	190	208	215	219
American Indian	30	13	12	17	17	25	24	27	28	28	28	26	25	32	35
Chicano/Latino	405	388	386	417	480	513	499	505	523	529	558	543	519	549	511
Subtotal: URM	627	565	571	588	665	722	723	725	735	762	780	759	751	796	764
Asian/Pacific	818	841	861	895	970	1,062	1,078	1,030	1,078	1,047	1,048	1,052	1,085	1,064	998
White/Caucasian	2,066	1,961	1,887	1,930	2,051	2,111	1,975	1,931	1,958	2,019	1,972	1,967	1,954	1,979	1,840
Other and Unknown	254	360	403	439	440	474	479	468	505	515	522	510	453	351	412
International	691	766	904	1,007	997	998	895	806	875	901	936	1,023	1,133	1,253	1,302
General Campus Schools	4,455	4,491	4,625	4,858	5,123	5,366	5,148	4,959	5,151	5,244	5,258	5,310	5,376	5,442	5,314
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	119	124	116	131	133	119	120	107	104	102	102	82	100	115	133
American Indian	11	10	8	9	9	9	6	8	8	12	13	10	11	12	10
Chicano/Latino	207	212	203	188	189	184	171	159	155	161	154	143	175	198	232
Subtotal: URM	336	346	327	328	330	311	297	274	267	274	268	234	286	325	375
Asian/Pacific	669	658	590	538	514	513	501	470	467	467	381	334	438	580	675
White/Caucasian	844	877	844	854	853	835	847	827	794	787	705	662	663	717	737
Other and Unknown	183	164	209	259	335	411	418	436	545	646	756	879	743	550	357
International	123	121	132	167	179	182	170	166	147	147	156	145	150	148	139
Health Sciences	2,155	2,164	2,100	2,145	2,210	2,251	2,233	2,172	2,218	2,320	2,265	2,252	2,279	2,319	2,282
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	407	380	378	359	378	389	394	386	373	400	389	362	393	428	451
American Indian	59	38	40	46	44	54	48	54	57	62	61	56	49	56	57
Chicano/Latino	765	765	758	777	871	920	891	878	886	901	932	888	904	956	949
Subtotal: URM	1,231	1,183	1,176	1,182	1,293	1,363	1,333	1,318	1,316	1,363	1,382	1,306	1,346	1,440	1,457
Asian/Pacific	1,917	1,900	1,839	1,817	1,891	1,978	1,962	1,880	1,914	1,871	1,794	1,738	1,904	2,037	2,069
White/Caucasian	4,315	4,179	4,078	4,084	4,248	4,259	4,106	4,056	4,104	4,180	4,027	3,992	3,918	3,974	3,927
Other and Unknown	547	647	765	862	965	1,083	1,094	1,109	1,271	1,371	1,509	1,613	1,423	1,079	927
International	1,287	1,378	1,575	1,709	1,719	1,737	1,579	1,454	1,488	1,526	1,567	1,658	1,787	1,896	1,966
State-Supported Programs	9,297	9,287	9,433	9,654	10,116	10,420	10,074	9,817	10,093	10,311	10,279	10,307	10,378	10,426	10,346
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12

African American	32	32	27	26	28	28	29	32	40	38	43	45	44	47	47
American Indian	2	3	5	2	2	2	1	-	3	1	1	1	5	6	7
Chicano/Latino	45	45	47	43	46	44	49	59	65	73	85	103	88	96	101
Subtotal: URM	79	80	79	71	76	74	79	91	108	112	129	149	137	149	155
Asian/Pacific	142	154	171	181	223	253	275	286	328	382	440	473	489	495	491
White/Caucasian	417	407	398	432	451	435	412	389	390	463	511	544	573	581	575
Other and Unknown	49	61	85	100	113	122	122	133	121	110	99	116	142	123	82
International	18	18	33	41	34	36	58	98	139	170	226	274	276	296	355
Self-Supporting Programs	705	720	766	825	897	920	946	997	1,086	1,237	1,405	1,556	1,617	1,644	1,658
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	439	412	405	385	406	417	423	418	413	438	432	407	437	475	498
American Indian	61	41	45	48	46	56	49	54	60	63	62	57	54	62	64
Chicano/Latino	810	810	805	820	917	964	940	937	951	974	1,017	991	992	1,052	1,050
Subtotal: URM	1,310	1,263	1,255	1,253	1,369	1,437	1,412	1,409	1,424	1,475	1,511	1,455	1,483	1,589	1,612
Asian/Pacific	2,059	2,054	2,010	1,998	2,114	2,231	2,237	2,166	2,242	2,253	2,234	2,211	2,393	2,532	2,560
White/Caucasian	4,732	4,586	4,476	4,516	4,699	4,694	4,518	4,445	4,494	4,643	4,538	4,536	4,491	4,555	4,502
Other and Unknown	596	708	850	962	1,078	1,205	1,216	1,242	1,392	1,481	1,608	1,729	1,565	1,202	1,009
International	1,305	1,396	1,608	1,750	1,753	1,773	1,637	1,552	1,627	1,696	1,793	1,932	2,063	2,192	2,321
All Graduate Students	10,002	10,007	10,199	10,479	11,013	11,340	11,020	10,814	11,179	11,548	11,684	11,863	11,995	12,070	12,004

**Graduate Students in the College, Professional Schools, Health Sciences and Self-Supporting Programs at UCLA
Percentage Distribution of Headcount Enrollment by Declared Ethnicity, Fall 1998 to Fall 2012**

	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	3.5	3.5	3.3	2.8	2.8	3.1	2.8	3.2	3.1	3.4	3.4	3.3	3.1	3.7	3.6
American Indian	0.7	0.6	0.8	0.8	0.7	0.7	0.7	0.7	0.8	0.8	0.7	0.7	0.5	0.5	0.4
Chicano/Latino	5.7	6.3	6.3	6.5	7.3	8.0	8.2	8.0	7.7	7.7	8.0	7.4	7.7	7.9	7.5
Subtotal: URM	10.0	10.4	10.3	10.0	10.7	11.8	11.6	11.9	11.5	11.9	12.1	11.4	11.4	12.0	11.6
Asian/Pacific	16.0	15.3	14.4	14.5	14.6	14.4	14.3	14.2	13.6	13.0	13.3	12.8	14.0	14.8	14.4
White/Caucasian	52.3	51.0	49.8	49.1	48.3	46.9	47.7	48.3	49.6	50.0	49.0	49.7	47.8	48.0	49.1
Other and Unknown	4.1	4.7	5.7	6.2	6.9	7.1	7.3	7.7	8.1	7.7	8.4	8.2	8.3	6.7	5.8
International	17.6	18.7	19.9	20.2	19.5	19.9	19.1	18.0	17.1	17.4	17.2	17.9	18.5	18.6	19.1
Letters & Science	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	4.3	3.6	3.8	3.2	3.3	3.4	3.9	3.9	3.6	3.9	3.7	3.6	3.9	4.0	4.1
American Indian	0.7	0.3	0.3	0.3	0.3	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.6	0.7
Chicano/Latino	9.1	8.6	8.3	8.6	9.4	9.6	9.7	10.2	10.1	10.1	10.6	10.2	9.7	10.1	9.6
Subtotal: URM	14.1	12.6	12.4	12.1	13.0	13.5	14.0	14.6	14.3	14.5	14.8	14.3	14.0	14.6	14.4
Asian/Pacific	18.4	18.7	18.6	18.4	18.9	19.8	20.9	20.8	20.9	20.0	19.9	19.8	20.2	19.5	18.8
White/Caucasian	46.4	43.7	40.8	39.7	40.0	39.3	38.4	38.9	38.0	38.5	37.5	37.1	36.4	36.4	34.6
Other and Unknown	5.7	8.0	8.7	9.0	8.6	8.8	9.3	9.4	9.8	9.8	9.9	9.6	8.4	6.4	7.7
International	15.5	17.1	19.5	20.7	19.5	18.6	17.4	16.3	17.0	17.2	17.8	19.3	21.1	23.0	24.5
General Campus Schools	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

African American	5.5	5.7	5.5	6.1	6.0	5.3	5.4	4.9	4.7	4.4	4.5	3.6	4.4	5.0	5.8
American Indian	0.5	0.5	0.4	0.4	0.4	0.4	0.3	0.4	0.4	0.5	0.6	0.4	0.5	0.5	0.4
Chicano/Latino	9.6	9.8	9.6	8.8	8.5	8.2	7.7	7.3	7.0	6.9	6.8	6.3	7.7	8.5	10.2
Subtotal: URM	15.6	16.0	15.6	15.3	14.9	13.8	13.3	12.6	12.0	11.8	11.8	10.4	12.5	14.0	16.4
Asian/Pacific	31.0	30.4	28.1	25.1	23.2	22.8	22.4	21.6	21.0	20.1	16.8	14.8	19.2	25.0	29.6
White/Caucasian	39.2	40.5	40.2	39.8	38.6	37.1	37.9	38.1	35.8	33.9	31.1	29.4	29.1	30.9	32.3
Other and Unknown	8.5	7.6	9.9	12.1	15.1	18.3	18.7	20.1	24.6	27.8	33.4	39.0	32.6	23.7	15.7
International	5.7	5.6	6.3	7.8	8.1	8.1	7.6	7.6	6.6	6.3	6.9	6.4	6.6	6.4	6.1
Health Sciences	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	4.4	4.1	4.0	3.7	3.7	3.7	3.9	3.9	3.7	3.9	3.8	3.5	3.8	4.1	4.4
American Indian	0.6	0.4	0.4	0.5	0.4	0.5	0.5	0.6	0.6	0.6	0.6	0.5	0.5	0.5	0.6
Chicano/Latino	8.2	8.2	8.0	8.1	8.6	8.8	8.8	8.9	8.8	8.7	9.1	8.6	8.7	9.2	9.2
Subtotal: URM	13.2	12.7	12.5	12.2	12.8	13.1	13.2	13.4	13.0	13.2	13.4	12.7	13.0	13.8	14.1
Asian/Pacific	20.6	20.5	19.5	18.8	18.7	19.0	19.5	19.2	19.0	18.2	17.5	16.9	18.4	19.5	20.0
White/Caucasian	46.4	45.0	43.2	42.3	42.0	40.9	40.8	41.3	40.7	40.5	39.2	38.7	37.8	38.1	38.0
Other and Unknown	5.9	7.0	8.1	8.9	9.5	10.4	10.9	11.3	12.6	13.3	14.7	15.7	13.7	10.4	9.0
International	13.9	14.8	16.7	17.7	17.0	16.7	15.7	14.8	14.8	14.8	15.3	16.1	17.2	18.2	19.0
State-Supported Programs	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	0.3	0.4	0.7	0.2	0.2	0.2	0.1	-	0.3	0.1	0.1	0.1	0.3	0.4	0.4
American Indian	6.4	6.3	6.1	5.2	5.1	4.8	5.2	5.9	6.0	5.9	6.0	6.6	5.4	5.8	6.1
Chicano/Latino	6.4	6.3	6.1	5.2	5.1	4.8	5.2	5.9	6.0	5.9	6.0	6.6	5.4	5.8	6.1
Subtotal: URM	11.2	11.1	10.3	8.6	8.5	8.0	8.4	9.1	9.9	9.1	9.2	9.6	8.5	9.1	9.3
Asian/Pacific	20.1	21.4	22.3	21.9	24.9	27.5	29.1	28.7	30.2	30.9	31.3	30.4	30.2	30.1	29.6
White/Caucasian	59.1	56.5	52.0	52.4	50.3	47.3	43.6	39.0	35.9	37.4	36.4	35.0	35.4	35.3	34.7
Other and Unknown	7.0	8.5	11.1	12.1	12.6	13.3	12.9	13.3	11.1	8.9	7.0	7.5	8.8	7.5	4.9
International	2.6	2.5	4.3	5.0	3.8	3.9	6.1	9.8	12.8	13.7	16.1	17.6	17.1	18.0	21.4
Self-Supported Programs	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
	Fall 98	Fall 99	Fall 00	Fall 01	Fall 02	Fall 03	Fall 04	Fall 05	Fall 06	Fall 07	Fall 08	Fall 09	Fall 10	Fall 11	Fall 12
African American	4.4	4.1	4.0	3.7	3.7	3.7	3.8	3.9	3.7	3.8	3.7	3.4	3.6	3.9	4.1
American Indian	0.6	0.4	0.4	0.5	0.4	0.5	0.4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Chicano/Latino	8.1	8.1	7.9	7.8	8.3	8.5	8.5	8.7	8.5	8.4	8.7	8.4	8.3	8.7	8.7
Subtotal: URM	13.1	12.6	12.3	12.0	12.4	12.7	12.8	13.0	12.7	12.8	12.9	12.3	12.4	13.2	13.4
Asian/Pacific	20.6	20.5	19.7	19.1	19.2	19.7	20.3	20.0	20.1	19.5	19.1	18.6	19.9	21.0	21.3
White/Caucasian	47.3	45.8	43.9	43.1	42.7	41.4	41.0	41.1	40.2	40.2	38.8	38.2	37.4	37.7	37.5
Other and Unknown	6.0	7.1	8.3	9.2	9.8	10.6	11.0	11.5	12.5	12.8	13.8	14.6	13.0	10.0	8.4
International	13.0	14.0	15.8	16.7	15.9	15.6	14.9	14.4	14.6	14.7	15.3	16.3	17.2	18.2	19.3
All Graduate Students	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Appendix E: UCLA Faculty by Ethnicity 2006-2012

Number of UCLA Regular/Ladder Rank Faculty FTE as of 10/1: Campuswide

	African American	Asian	Hispanic	Native American	Subtotal Minority	White	Unknown	Total
2006-07	55.5	249.3	97.5	6.0	408.3	1402.7	14.0	1825.0
2007-08	53.5	262.0	100.5	6.0	422.0	1406.2	17.0	1845.2
2008-09	57.5	277.5	107.5	5.0	447.5	1409.3	16.0	1872.8
2009-10	59.5	280.6	112.5	8.0	460.6	1404.0	18.0	1882.6
2010-11	61.5	291.3	111.5	9.0	473.3	1377.8	10.0	1861.1
2011-12	53.5	262.0	100.5	6.0	422.0	1406.2	17.0	1845.2
2012-13	61.5	296.0	112.8	9.0	479.2	1301.8	2.0	1783.0

Percentage of UCLA Regular/Ladder Rank Faculty FTE as of 10/1: Campuswide

	African American	Asian	Hispanic	Native American	Subtotal Minority	White	Unknown	Total
2006-07	3.0%	13.7%	5.3%	0.3%	22.4%	76.9%	0.8%	100.0%
2007-08	2.9%	14.2%	5.4%	0.3%	22.9%	76.2%	0.9%	100.0%
2008-09	3.1%	14.8%	5.7%	0.3%	23.9%	75.3%	0.9%	100.0%
2009-10	3.2%	14.9%	6.0%	0.4%	24.5%	74.6%	1.0%	100.0%
2010-11	3.3%	15.7%	6.0%	0.5%	25.4%	74.0%	0.5%	100.0%
2011-12	2.9%	14.2%	5.4%	0.3%	22.9%	76.2%	0.9%	100.0%
2012-13	3.4%	16.6%	6.3%	0.5%	26.9%	73.0%	0.1%	100.0%

SOURCE: UCLA Office of Faculty Diversity and Development, Diversity Statistics: Regular Rank Faculty, 2006-2012