

Dean's Report on the Campus Climate Report – December, 2020

By Susan Freiwald, Dean and Professor of Law, University of San Francisco School of Law

To Accompany the School of Law Summary Report – October 13, 2020 (revised)

These brief comments accompany the recently revised *Campus Climate Assessment Report – School of Law Summary Report* (October 2020) (“Law Report”). *The University of San Francisco Assessment of Climate for Learning, Living & Working Final Report* (April 2018) (“University Report”) analyzed and presented the responses of 4,486 USF faculty, staff, and students to the survey conducted during the fall of 2017 by Rankin & Associates Consulting (“R&A Survey”). The Law Report provides a detailed view into the subset of responses provided by 256 members of the faculty, staff, and students of the School of Law, comparing the law school-specific responses to those of the entire University population. We are grateful to have the benefit of the insights drawn from the Law Report as well as its use as a baseline for future similar surveys. These comments address both University-wide and law school-specific measures that respond to the findings in the Law Report and also describe some areas that require further consideration and work.

With many of the findings in the Law Report closely matching those in the University Report, several University measures designed to improve the campus climate since publication of the University Report have improved and will continue to improve the climate at the Law School. For example, University personnel continue to improve Title IX procedures and response to bias incidents generally, which benefits students and faculty at the Law School. Since the R&A Survey, the University's Office of Diversity, Equity, and Community Outreach (DECO) has provided an extensive set of interactive discussion sessions in the Centering Equity series. Those sessions raise awareness and counter implicit bias, micro-aggressions, insensitivity, and related practices that degrade the climate inside and outside the classroom. In addition, DECO leadership and staff have held customized sessions on diversity, equity, and inclusion for the University community, including groups of Law School staff, faculty, and students.

While the Law Report provides important feedback about areas of both strength and opportunity, it has some important limitations. First, the R&A Survey was conducted three years ago, with an entirely different student body and considerable differences in the make-up of the senior administration and staff, and, to a lesser extent, the faculty. Since the fall of 2017, the positions of Dean, Associate Dean of Academic Affairs (Associate Dean), Assistant Dean of Student Affairs (Dean of Students), Senior Director of Administration and Finance, Director of Career Services, the Senior Director of Development, and the Director of Alumni Engagement have all been filled by new people, with all of those but the Dean coming from outside the senior administration. Second, unlike the tenured faculty and staff, the great majority of law students (68%) and untenured faculty (77 %) did not respond to the survey. We do not know how well the respondents in those groups represent the views of those who did not respond.

The Law Report is just one of several tools we leverage to assess and maintain a positive climate at the law school. We now conduct mandatory teacher / course evaluations twice a semester and regularly survey our students about programs such as orientation and supplemental support programs. We have a robust system for investigating student concerns that come to the attention of the Associate Dean or Dean of Students. Our Anti-Racism, Diversity, Equity, and Inclusion Committee gathers information about the law school climate, particularly concerning students from traditionally marginalized and under-represented groups. Various media companies such as *The Princeton Review* regularly survey our students and we periodically take part in a comprehensive survey on law school student engagement conducted by a postsecondary research center (LSSSE). We are conducting the LSSSE survey this year and intend to repeat the survey within the next few years. For staff and faculty, we conduct annual reviews and performance evaluations and, for those departing, comprehensive exit interviews. We also hold regular meetings where we ask for feedback. Going forward, we intend to institute 360 degree reviews so as to further monitor climate issues for faculty and staff and to improve our performance evaluation process.

The findings in the Law Report suggest that the climate at the law school compares favorably to that at the University. All respondents generally reported a high level of comfort regarding the climate at the Law School overall and the climate in the classrooms, in particular. Faculty and staff at the Law School were substantially more comfortable in their work units than at the University as a whole. Five percent of law student respondents, or nine out of 178 student respondents, reported being uncomfortable in the classroom; no students reported being very uncomfortable in the classroom.

Regarding sources of discomfort, some student and faculty respondents expressed concerns that their abilities had been prejudged based on perceptions about their identities and/or backgrounds. Any kind of prejudgment is inimical to a flourishing climate and we are working to reduce this number. The Law Report indicates overwhelmingly positive reactions to diversity, equity, and inclusion programming that is designed to counter such biases. In addition to our work with DECO, described above, we have incorporated lectures, videos, readings, and discussions on such topics into professional development activities for faculty and staff. The Law Report findings and qualitative responses suggest the need to maintain efforts to ensure the free and welcome expression of diverse political viewpoints, including those not regarded as liberal / progressive. We continue to explore ways to bring more consideration of race, socio-economic status, sexuality, gender identity and expression, first generation status, disability, and immigration / citizenship status into our classroom discussions and our extracurricular programming. We make concerted efforts to recruit and retain students, staff and faculty who contribute to the Law School's diversity. Continued improvement in these areas is key to our mission of being an inclusive law school that seeks and welcomes the education and cultural richness offered by faculty, students and staff from diverse backgrounds.

The Law Report included three other areas of particular concern for law students. First, a number of students agreed that only "few" of their law classes had been intellectually stimulating. Without further information, we do not know if student respondents were

unsatisfied by the topics in their courses, the methods of instruction, or some combination. We are in the process of revising our course and professor evaluation forms and constantly work to improve the classroom experience of our students. Second, respondents expressed concern about a lack of on-site childcare, which is not a problem the Law School can remedy in the near future. Third, student respondents raised concerns about advising, which we have improved with the greater involvement in advising of our Dean of Students and our Academic and Bar Exam Success team. We continue to refine our program of faculty advising.

The Law Report's findings on the Law School as a workplace was mixed. Employees reported feeling valued, would recommend the Law School as a good place to work, and tend to stay in their jobs. Some faculty and staff at the Law School expressed the concern, however, that the senior administration did not adequately listen to their views. Non-tenured track faculty and staff reported that tenure-track faculty do not value their opinions and a number of staff agreed that a hierarchy of staff positions allowed some voices to be valued more than others. The Law School administration is working hard to increase opportunities for the solicitation and consideration of input from faculty and staff. Along with the University, the Law School is working to make hiring more transparent and inclusive, which we hope addresses faculty and staff concerns about fair hiring practices. We continue to gather input from all stakeholders about concerns and possible solutions.

In the last few years, we have increased the transparency of operations so that our staff and faculty can monitor developments in fundraising, admissions, employment, and other matters of interest. We regularly report to our employees on our finances in the context of our budget and our financial relationship with the University. Those practices, as well as the Law School having improved its financial footing, should temper concerns expressed in the Law Report about the Law School's financial stability. At the same time, the size of the faculty and staff has decreased to reduce overall expenses, which means that faculty and staff perceptions about unfair workloads, non-competitive salaries, and the cost of living in the Bay Area likely persist. While the senior administration recognizes staff and faculty efforts, budgetary constraints will remain until we are no longer impacted by the pandemic and other concerns, and these climate issues may further degrade as a result.

We appreciate the insights of the Law Report in helping us to maintain and improve the climate for working, living, and learning here at the Law School and look forward to continuing this work.

This year, the School of Law community was thrilled to be recognized by The Princeton Review as the #4 law school for resources for minority students. Over the past year, we have invested significantly in Anti-Racism, Diversity, Equity and Inclusion (ADEI) activities and below is a list of recent initiatives, with additional efforts in stages of planning and development:

Law School Community:

- ADEI Taskforce has been formalized into a standing Committee, with faculty, staff, administration, and student
- Welcoming Wednesdays/Thursdays Together weekly community gatherings
- Summer 2020 webinar and community discussion with Professors Magee and Bazelon on Racism and Injustice in the United States
- The Inner and Outer Work of Social Justice, webinar series with Prof. Rhonda Magee, in conversation with leading experts and scholars
- Diversity week community events and support for student affinity group events throughout the year

Student Recruitment:

- Scholarship programs for minority students
- Outreach from faculty, alumni, and current students to minority applicants
- Marketing communications highlighting our commitment and efforts related to ADEI
- Diversity pipeline program, including recruiting events at HBCUs, HHCUs, and colleges and universities with large minority populations as well participation in high school and community college programs with significant minority populations
- Participation in panel discussions focused on recruitment of diverse candidates

Current Students:

- Groundbreaking collaboration between the San Francisco District Attorney's Office and Racial Justice Clinic reviewing potential wrongful conviction and excessive sentencing cases
- First year student micro-aggression and implicit bias training as part of Orientation
- Outreach to all students with Diversity, Equity, and Community Outreach (DECO) learning sessions (optional for all students)
- Revised course evaluation form and process, including early review 1 month after start of semester
- Optimized classroom complaint process
- Mentorship program with Black-identified alums and Black Law Student Association (BLSA) students
- Office of Career Services (OCS) support for students applying for diversity fellowships, clerkships and preparation for job fair attendance
- Staff representation on USF's Public Policing Committee, which includes diverse faculty, staff, and students to ensure students, specifically students of color, build trust with public safety on campus

Faculty and Staff:

- The integration of ADEI activities, led by staff and faculty, into weekly staff meetings and some monthly faculty meetings.
- Hiring practices incorporating best practices for recruiting diverse candidates and have included ADEI committee member involvement
- Several recent hires adding to the diversity of the faculty and staff.

- OCS staff members' participation in professional organizations, including those geared toward networking for students.
- Professor Magee's Racism and Justice class that covers critical race theory
- Faculty consideration of more ways to incorporate ADEI issues into class