

## EXECUTIVE SUMMARY

**Action**

Report of the: Subcommittee on Diversity and Inclusivity to the NACUA Board of Directors

Dated: June 8, 2007

### 1. BACKGROUND

The Subcommittee on Diversity and Inclusivity was appointed in August of 2006 as a subcommittee of the Committee on Strategic Planning. The charge to the Subcommittee was the following:

“The Subcommittee is responsible for monitoring the initiatives and activities that were recommended by the Subcommittee on Diversity and Inclusivity in previous years and to offer suggestions to the Committee on Strategic Planning for encouraging active and meaningful participation of all members in NACUA programs and services.”

### 2. IS THERE A RECOMMENDATION FOR BOARD ACTION?

See attached action steps regarding specific activities on pages 2-3 and recommendations regarding formation of a Board Advisory Group on page 4.

### 3. SIGNIFICANT ISSUES FOR THE BOARD TO CONSIDER

Formation of a Board Advisory Group to provide an annual review of NACUA’s progress on diversity as guided by the diversity chart developed over the years by the Subcommittee on Diversity and Inclusivity.

### 4. BUDGETARY/FINANCIAL IMPLICATIONS

Recommendations can be implemented with existing resources.

### 5. NACUA STAFFING IMPLICATIONS

Continued staff support for Board Advisory Group.

### 6. PROPOSED MOTION BY THE BOARD

To accept the recommendations of the Committee on Strategic Planning as noted above.

Executive Summary Prepared By: Kathleen Curry Santora

TO: Members, NACUA Committee on Strategic Planning  
Members, NACUA Board of Directors

DATE: May 17, 2007

FROM: Gregory Keith Spence, Chair and  
Beverly Ledbetter, Vice Chair

SUBJECT: Final Report of the Subcommittee on Diversity  
and Inclusivity

The Subcommittee on Diversity and Inclusivity was appointed by NACUA President Georgia Yuan in August of 2006 as a subcommittee of the Committee on Strategic Planning. The charge to the Subcommittee was the following:

“The Subcommittee is responsible for monitoring the initiatives and activities that were recommended by the Subcommittee on Diversity and Inclusivity in previous years and to offer suggestions to the Committee on Strategic Planning for encouraging active and meaningful participation of all members in NACUA programs and services.”

The Subcommittee convened by conference call on November 14, 2006; January 9, 2007 and May 2, 2007. It reviewed the work of prior subcommittees and divided the diversity report into sections: Completed Recommendations (one time activities that have been completed); Completed Activities, Annual Updated and Reported (activities that are a regular part of NACUA’s process and are updated each year as a matter of course; and Ongoing Activities that were reviewed and updated by the 2006-07 Subcommittee. The updated chart is attached.

The Subcommittee recommends implementation of the following additional action steps (some of which were implemented during the course of the year) that are consistent with NACUA’s mission and strategic priorities and that focus attention on getting valuable information to NACUA members:

- Increase the Diversity Resources that are part of NACUA’s General Counsel Resources section of the Web site (already implemented and ongoing; several members of the Subcommittee contributed resources or referred the staff to outside resources)

- Include posting of resources regarding law students who work in college and university law offices on the NACUA Website (suggested by a Subcommittee member, materials submitted by that member, already implemented as part of the Diversity Resources section)
- Continue to develop Annual Conference sessions related to diversity and incorporate diversity elements into sessions on other substantive legal topics; continue to focus attention on diversity of conference speakers (With the leadership and advice of the Subcommittee, the 2006-07 Committee on Program developed 8 sessions as part of a Diversity/Civil Rights track and also incorporated diversity elements into sessions in other tracks; General Counsel Roundtables will include a diversity section at the 2007 Annual Conference; Both the Committee on Program and the Committee on Legal Education received written materials and had significant discussions of speaker diversity.)
- Provide NACUA members with information about organizations where they might advertise positions and recruit people of color (e.g. Hispanic National Bar Association, National Bar Association, National Asian Pacific American Bar Association); consider providing such information to members that post positions on the NACUA Position Registry (with the assistance and leadership of the Subcommittee, NACUA has posted a wide variety of organizations' Web sites on its Web page to encourage members to consider posting position announcements with these organizations; several NACUA members have requested such information and found it very helpful.)
- Provide organizations noted above with information about NACUA and the field of higher education law to encourage them to consider this area of practice.
- To elevate the stature of the profession of higher education law, consider contacting the American Association of Law Schools (AALS) to determine whether providing Web-based or other resources about the practice of higher education law to law students would be feasible.
- Continue and actively support the NACUA Colleague program that pairs newer members with veteran members

The Subcommittee also discussed the future of its work. The Chair noted during the May 2 call of the Subcommittee that the actions steps noted above, along with the regular review of the diversity activities as reflected on the updated chart, will allow NACUA to continue to be vigilant with regard to encouraging institutions to provide employment opportunities and offering resources to follow best practices. After discussion of various options for the future work of the Subcommittee, the members agreed that whatever the continuing mechanism for diversity review, it should advance NACUA strategically toward its mission and goals, should allow time for assessment of effectiveness of ideas, should cut across the various areas of NACUA's work so as to integrate diversity fully into the work of the Association and its various programs, and should be accountable at the highest level of the Association.

The Subcommittee agreed that the group does not need to necessarily suggest new or additional items, but should review the numerous activities already underway to assess their effectiveness. Since NACUA works effectively through its member volunteers on committees, the Subcommittee believes that a group comprised of representatives from the relevant committees and that reports to the Board would provide a broader perspective that spans the work of NACUA.

The Subcommittee agreed to recommend to the Committee on Strategic Planning and to the Board of NACUA the formation of a Board Advisory Group on Diversity and Inclusivity,<sup>1</sup> appointed by the President, with a small group of members (6-8) who would use the diversity chart to guide its annual review of NACUA's progress on diversity. The Advisory Group would be comprised of representatives from various NACUA Committees (each year it need not be the same Committees), including but not limited to, the Committees on Legal Education, Program, Membership, Strategic Planning, Nominations & Elections, and Honors & Awards, and other members of the Board or of NACUA, as the President deems appropriate. The Advisory Group would review the progress of the chart's activities relative to each committee on which the individuals serve, review and monitor the Organization's overall progress, and may assist the President and the Board in reviewing and analyzing current or new ideas and activities or additional opportunities to enhance diversity and inclusivity of NACUA and of its constituent institutions.

The Board Advisory Group would provide a written report to the NACUA Board by June of each year. The report should not be written in a way to suggest that success is measured by the number of new activities but instead by the effectiveness of the activities already identified and implemented at the committee level and in the continuation and maintenance by the Organization of participation in keeping with the twin goals of diversity and inclusivity.

Members of the NACUA Subcommittee on Diversity and Inclusivity:

Chair: Gregory Keith Spence, The Cardean Group, New School University  
 Vice Chair: Beverly Ledbetter, Brown University  
 Kathryn Bender, The Catholic University of America  
 Mary Broadwater, South Carolina Technical College System  
 Henry Cuthbert, *ex officio*, Duke University  
 Laverne Lewis Gaskins, Board of Regents of the University System of Georgia  
 Essentino Lewis, Jr., Morgan State University  
 Jose Padilla, DePaul University  
 Kathleen Curry Santora, *ex officio*, NACUA  
 Paul Tanaka, Iowa State University  
 Nancy Tribbensee, Arizona Board of Regents  
 Charlotte Westerhaus, National Collegiate Athletic Association  
 Georgia Yuan, Smith College, *ex officio*

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<sup>1</sup> Note: following Board discussion on this recommendation, it was agreed to add the word, “ongoing” and to change “Group” to “Council” so that it would be known formally as an ongoing Board Advisory Council on Diversity and Inclusivity.