

APPENDIX A

Navigating A Complex Legal Landscape To Foster Greater Faculty and Student Diversity In Higher Education

*The Law Governing Effective Faculty and Student Body Diversity Programs In
STEM ... And Other Disciplines*

American Association for the Advancement of Science
with participation by the
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a) Multi-Cultural Skills As A Criterion. Employment opportunities and benefits for faculty members (e.g. hiring, promotion, retention, community building and mentoring in support of preparation for tenure, supplemental compensation, research funding and facilities, participation in other programs, etc.); selection of students for post-doctoral fellowships and research and teaching assistantships; admission of students; and selection of students to participate in other programs or to receive other education benefits may be based on multi-cultural skills and the ability to foster inclusiveness as an important plus factor or prerequisite, without considering race and gender.

Definition and Use of Multi-cultural Skills Criterion. Multi-cultural skills means an active orientation and ability to include individuals of different cultures, socio-economic backgrounds, races, and genders, as well as to engender an increased understanding of and to explore a broad range of individuals' different perspectives. Multi-cultural skills include the ability to utilize such understanding and broad perspectives in teaching, research and mentoring and to create an inclusive environment in which individuals of a broad range of cultures and perspectives, including different races and genders, can work productively and creatively together. Multi-cultural skills include the ability to break down stereotypes that may lead some to believe that all individuals of a particular race, ethnicity, gender or socio-economic group share the same views, personal qualities, and experiences. This is a race gender-neutral quality.¹

Position and program descriptions, selection criteria, and selection processes for employment, fellowships, assistantships, admissions, funding, participation in mentoring and other programs and their related advertisements may include, as a preferred or required criterion, demonstrated multi-cultural skills as defined above. Performance evaluations, promotion evaluations, program selection and admissions decisions may include multi-cultural skills as an important or required criterion.

An individual's specific life experiences that are valued under this criterion include the following experiences, how the individual has responded to and uses these experiences in—or how these experiences affect the individual's approach to—teaching, research and mentoring and, for students, learning:

- (i) experiences of discrimination or barriers to achievement on any basis;
- (ii) experiences of isolation in residential, educational and/or professional/work settings;
- (iii) experiences removing barriers and creating an inclusive community for others;
- (iv) experiences living, working, teaching or learning with individuals of different cultural or socio-economic backgrounds, races, ethnicities, and/or genders;
- (v) experiences increasing understanding of individuals of different cultural or socio-economic backgrounds, races, ethnicities, and/or genders and different perspectives;

¹ The multi-cultural skills criterion concerns a person's *conduct* of inclusion and non-discrimination on the basis of race, gender, other specified bases, and perspective, *not* a person's viewpoint. See Appendix I, Part I, Diversity Considerations, the First Amendment and Academic Freedom.

- (vi) experiences using understanding of such different backgrounds, attributes, and perspectives to enhance problem-solving, learning, research and/or mentoring;
- (vii) experiences as the first in the individual's family to pursue a STEM field and/or any academic career;
- (viii) experiences enabling collaborative work among individuals whose primary languages are different.

These skills and experiences are race and gender-neutral, as individuals of any race or gender may possess (or lack) multi-cultural skills and experiences, may be able to contribute multi-cultural skills, and may foster an inclusive learning and research environment. For example, a person of African descent who grew up in the Caribbean as a member of the majority race and a Caucasian who grew up in the Caribbean as a member of a minority race; an African American male or female who grew up in an upper middle income family in a primarily Caucasian suburb; a female of any race or person who is from an under-represented minority group who majored in a STEM field in college or graduate school; any individual who grew up in a lower income family in an inner-city; an African American individual who grew up in a primarily Hispanic neighborhood (or vice versa); an African American male or female who grew up in a rural area—where primarily minority or not—who succeeded in navigating college; a U.S. born individual who spent significant years living in another country; and a person of any race or gender with a record of creating an inclusive and productive environment for colleagues of every race, gender, culture, background, perspective, may have these skills and experiences.