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# Diversity, Equity, and Inclusion Criteria for Faculty Evaluation

(OCTOBER 2024)

*The following statement was drafted by a subcommittee of the Association's Committee A on Academic Freedom and Tenure and approved by Committee A at its June 2024 meeting.*

The AAUP has long advocated for diversity in higher education, including a diverse faculty and student body. The Association's recent statement *On Eliminating Discrimination and Achieving Equality in Higher Education* focuses on diversity in faculty employment within an integrated understanding of how to move toward the broader goal of inclusion and equality in higher education. That statement was strongly influenced by the AAUP's 1973 report *Affirmative Action in Higher Education*, which sets forth a vision of faculty diversity to enable colleges and universities "to become the institutions that they purport to be—that is, institutions that serve the public good through the excellence of their faculty and the reliability and integrity of their standards in faculty recruitment, hiring, and promotions."<sup>1</sup> Progress toward diversity goals has resulted in better knowledge production that has started to fill in some of the gaps, expose and correct blind spots, and open entirely new vistas of inquiry that were not possible without it.

The Association's Committee A on Academic Freedom and Tenure views the use of diversity, equity, and inclusion (DEI) criteria in faculty recruitment, promotion, and retention within this broader vision of higher education for the public good. Since the 1990s, many universities and colleges have instituted policies that use DEI criteria in faculty evaluation for appointment, reappointment, tenure, and promotion, including the use of statements that invite or require

faculty members to address their skills, competencies, and achievements regarding DEI in teaching, research, and service.<sup>2</sup> Such criteria are one instrument among many that may contribute to evaluating the full range of faculty skills and achievements within a diverse community of students and scholars.

Some critics contend that such policies run afoul of the principles of academic freedom. Specifically, they have characterized DEI statements as "ideological screening tools" and "political litmus tests." From this perspective, DEI statements are sometimes thought to constitute unconstitutional viewpoint discrimination and a threat to faculty members' academic freedom because they allegedly require candidates to adopt or act upon a set of moral and political views. This committee rejects the notion that the use of DEI criteria for faculty evaluation is categorically incompatible with academic freedom. To the contrary, when implemented appropriately in accordance with sound standards of faculty governance, DEI criteria—including DEI statements—can be a valuable component in the efforts to recruit, hire, and retain a diverse faculty with a breadth of skills needed for excellence in teaching, research, and service.

Diversity goals are closely connected to academic freedom and shared governance. *On Eliminating*

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1. Risa L. Lieberwitz, "AAUP Principles and the Long Struggle for Equality," *Academe* 110, no. 2 (Spring 2024): 62.

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2. See Brian Soucek, "Diversity Statements," *UC Davis Law Review* 55, no. 4 (April 2022): 1989–2062. A 2022 AAUP survey found that 21.5 percent of four-year institutions with a tenure system included DEI criteria in their tenure standards and another 38.9 percent were considering their adoption. See Hans-Joerg Tiede, "The 2022 AAUP Survey of Tenure Practices," *Academe* 108, no. 3 (Summer 2022): 112–20.

*Discrimination* emphasizes that “[b]road representation of faculty members—in terms of gender, race, and ethnicity—is essential to fulfill the promise of academic freedom to deepen existing disciplinary approaches and open new disciplinary paths, including the study of inequality and discrimination, methods for dismantling them, and strategies for reform and fundamental change.”<sup>3</sup> The statement further emphasizes the crucial role of shared governance and collective bargaining for “institutionalizing . . . protections [of academic freedom, job security, and due process] in university policy, strengthened by provisions that address gender and racial equity in employment conditions.” Under the principles articulated in the AAUP’s *Statement on Government of Colleges and Universities*, determining the criteria for faculty recruitment, hiring, and promotion is within the faculty’s area of primary responsibility. This collective faculty responsibility includes deciding whether to adopt the use of DEI statements, what issues faculty members will be asked to address in such statements, and how such statements will be used in faculty evaluation. For example, using DEI statements in appointment, reappointment, tenure, and promotion processes can help foster diversity and its positive outcomes when the criteria ask or require faculty members to consider how their pedagogical practice and research interests might support students from historically underrepresented backgrounds or otherwise contribute to a public prepared to live and work in a globalized world and interact with many kinds of people. Critically, the AAUP’s commitment to open and diverse colleges and universities exists alongside and reinforces its corresponding commitments to academic freedom, shared governance, and scholarly expertise to ensure lively campuses of diverse peoples, academic disciplines, research, and views.

Criticisms of DEI statements and other criteria often conflate social and institutional values with imposed orthodoxies. Sweeping or abstract criticisms of DEI criteria fundamentally—and often deliberately—misunderstand and misrepresent this distinction. A college or university might institutionally value (1) recruiting and retaining a diverse student population, (2) recruiting and retaining a diverse faculty to teach those students, and (3) teaching, research, and service that respond to the needs of a diverse global public. These are legitimate educational

goals—in fact, goals recommended by the AAUP—and institutions may adopt appropriate strategies to achieve them. Such strategies may include requiring faculty members to demonstrate the professional competencies necessary for teaching a diverse student body; developing strategies to recruit, hire, mentor, and retain a diverse faculty; and funding and protecting work that addresses a diversity of audiences and needs. While faculty members have the right to engage in extramural or intramural expression criticizing any such policies—as they do with any other institutional policy—the AAUP does not consider it a violation of academic freedom per se when an appropriate larger group, such as a faculty senate or a department, collectively adopts an educational policy or goal and evaluates individual faculty members’ performance by reference to them even though they dissent.<sup>4</sup>

Debates about the appropriateness of DEI criteria cannot be understood in isolation from the current political context of higher education in the United States. Wholesale opposition to the use of DEI statements has often gone hand in hand with partisan legislative and other efforts to restrict or ban certain subjects of research and teaching—especially in fields and disciplines that expressly address histories of inequity.<sup>5</sup> A recent AAUP joint report with the AFT analyzes more than ninety-nine bills representing direct political interference in higher education that have been introduced in more than thirty state legislatures. The report notes four trends: (1) limiting teaching about race, gender, and sexuality (so-called divisive concepts

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4. These standards must be made clear in advance, in keeping with the recommendation, in the AAUP’s *Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments*, that faculty members “should be advised, early in their appointment, of the substantive and procedural standards generally accepted in decisions affecting renewal and tenure,” including “any special standards adopted by their particular departments or schools.”

5. For examples, see the following AAUP reports and statements: “The History, Uses, and Abuses of Title IX,” *Academe* 102, no. 3 (Summer 2016): 69–99; “Statement on Legislation Restricting Teaching About Race,” August 4, 2021, <https://www.aaup.org/news/statement-legislation-restricting-teaching-about-race>; “Report of a Special Committee: Governance, Academic Freedom, and Institutional Racism in the University of North Carolina System,” *Academe* 108, no. 3 (Summer 2022): 33–69; “Legislative Threats to Academic Freedom: Redefinitions of Antisemitism and Racism,” *Academe* 108, no. 3 (Summer 2022): 70–73; and “Report of a Special Committee: Political Interference and Academic Freedom in Florida’s Public Higher Education System,” *Academe* 110, no. 3 (Summer 2024): 15–46.

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3. “On Eliminating Discrimination and Achieving Equality in Higher Education,” *Academe* 110, no. 3 (Summer 2024): 52.

bills); (2) requiring intellectual and viewpoint diversity statements and surveys; (3) cutting funding for diversity, equity, and inclusion efforts; and (4) eliminating tenure for faculty members.<sup>6</sup> Thus, attacks on DEI have played an integral part in the partisan political playbook to turn back the clock on advances that have been made toward the goal of diversity in the faculty, student body, and areas of study. Furthermore, it is crucial to consider how such attacks can easily reinforce and indeed fuel portrayals of entire fields and disciplines—including ethnic studies, critical race theory, and gender studies—as “political” and “ideological” projects and not serious subjects or research disciplines. When entire fields and subjects related to the study of race and gender, for example, are not considered “intellectual” pursuits, both academic freedom and DEI as social and institutional values are compromised, and the charge of orthodoxy gains purchase. This not only affects the fields and subjects traditionally tarred as ideological but also compromises the progress of knowledge by thwarting interdisciplinary exchange and endangering the very mission of higher education.

### **Recommendations**

1. *Colleges and universities should include the faculty in all stages of DEI policy development, implementation, and revision.* Respect for faculty governance ought to be an incontrovertible tenet of administrative practice. Decisions concerning DEI criteria in the evaluation of faculty members, including decisions regarding their scope, design, and implementation, should be primarily the responsibility of the faculty. Any tensions that arise between academic freedom and DEI efforts on campus should be addressed through shared governance and collective bargaining—with faculty involvement in the form of an elected faculty body or review committee composed of faculty members with expertise in these matters—and not through unilateral administrative action or through partisan political attempts to control or otherwise abridge the independence of colleges and universities.
2. *Colleges and universities can utilize DEI criteria, including DEI statements, that require faculty members to demonstrate the professional competencies necessary for realizing diversity*

*goals, including the recruitment and retention of historically underrepresented students.* Meaningful DEI faculty work should be evaluated as part of the core faculty duties of teaching, research, and professional service rather than tacked on as a separate criterion of evaluation. DEI criteria might consider how faculty teaching and research support students from historically underrepresented or under-resourced backgrounds or otherwise contribute to a common good responsive to the needs and realities of a global public.

3. *Colleges and universities have an educational mission to support teaching and research on inequality.* The AAUP recommends that colleges and universities employ an understanding of diversity that goes beyond the use of DEI statements in faculty appointment, reappointment, tenure, or promotion processes. In *On Eliminating Discrimination and Achieving Equality in Higher Education*, referenced above, the AAUP has reasserted its commitment to a robust understanding of diversity in these processes, recognizing “discrimination not just in narrow, legal terms but also as a systemic problem.”<sup>7</sup> With that understanding, colleges and universities should fund, protect, and publicize research in all fields that contributes to the common good and responds more widely to the needs of a diverse public. This includes teaching and research, currently under threat, that is rooted in humanistic inquiry and activist intellectual traditions such as Black studies, Indigenous studies, ethnic studies, gender and sexuality studies, and allied disciplines. “Promoting such teaching and research,” as the AAUP stated in its 2016 report *The History, Uses, and Abuses of Title IX*, “will provide students and society at large with the tools for understanding inequality, not as a fact of individual motivation and insult but as a structural issue whose analysis requires a wide range of approaches across the disciplines.”<sup>8</sup> Colleges and universities should also mitigate, if not eliminate, financial barriers to higher education to ensure public access to higher education and work closely with local communities—including Indigenous ones—to align priorities and cultivate strong, equitable relationships. ■

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6. *The Right-Wing Attacks on Higher Education: An Analysis of the State Legislative Landscape*, 2023, <https://www.aaup.org/sites/default/files/Higher-Ed-Legislative-Landscape.pdf>.

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7. “On Eliminating Discrimination,” 52.

8. “The History, Uses, and Abuses of Title IX,” 98.