

**Strategic Plan for
Diversity, Inclusion, and Equity
2020-2023**

Diversity is not our problem. It is our promise.

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GOAL 1—AFFIRMING A DIVERSE AND INCLUSIVE COMMUNITY

The University of Mississippi School of Law is committed to creating an educational experience that affirms diversity, inclusion, and equity. We welcome the contributions of a diverse student body, faculty, and staff. Diversity, inclusion, and equity are vital to the education of our students and to the role we play in shaping the legal profession. As the ABA’s 2010 report on diversity in the legal profession noted:

Law schools play a particularly important role in advancing the value of diversity in the legal profession. Law schools identify the faculty talent that educates and produces new scholarship and the student talent that continually renews the profession. Law schools also choose the knowledge, skills, and values that form the legal canon and create an identity for lawyers and other legal professionals by transmitting a set of normative behaviors, ethics, and narratives. In short, law schools occupy a central role in forming and transforming the intellectual capital, the group identity, and culture of the profession. For this reason, law schools are crucial to the project of making the profession more diverse.¹

Achieving greater diversity, inclusion, and equity is a challenging commitment that requires leadership, sustained action, and continual inspiration at all levels of the organization.² We must present a clear message about the importance and priority of this commitment. As the flagship law school in a state where the painful truth of the past continues to impact the daily realities of the present, we commit ourselves anew to creating and nurturing an academic environment where all people are welcome, all voices are heard, and together we undertake the serious pursuit of knowledge and growth.

1.1 Definitions

1.1.1 Diversity

Diversity is the range of human differences among groups of people and individuals based on factors such as race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical or mental ability or attributes, religion, religious or ethical values systems, geographical area, national origin, political beliefs, and life experiences.³

¹ American Bar Association/Presidential Initiative, *Diversity in the Legal Profession, The Next Step, Recommendations for Law Schools and the Academy* 17 (2010), <https://law.lclark.edu/live/files/8835-aba-next-steps>.

² All provisions of this diversity plan are subject to applicable University policies and procedures, and other relevant rules and laws.

³ University of Washington School of Law, *Strategic Plan for Diversity, Inclusion, Equity & Multiculturalism 2* (2017), <https://www.law.uw.edu/media/140870/diversityplan.pdf>; University of Mississippi, *Diversity, Equity and Inclusion Strategic Planning Documents from the University’s Division of Diversity & Community Engagement*;



1.1.2 Inclusion

Inclusion is involvement and empowerment where the inherent worth and dignity of all people are recognized. An inclusive community promotes and sustains a sense of belonging. It values and practices respect for the talents, beliefs, and backgrounds of its members. An inclusive community strives to identify and eliminate barriers that prevent the full participation of diverse and marginalized groups.⁴

1.1.3 Equity

Equity is a commitment to working actively to challenge and respond to bias, harassment, and discrimination. It also means a system of equal opportunity and treatment for all students, staff, and faculty, including equity in pay, workloads and assignments, professional development, promotions, and other terms and conditions of employment, classroom dynamic and resource allocation.⁵

1.1.4 Cultural Competence

Cultural competence is a set of values, behaviors, attitudes, and practices within an organization or among individuals that enables them to honor and respect the beliefs, interpersonal styles, attitudes, language, and behaviors of diverse populations.⁶

GOAL 2—CREATING DIVERSITY IN STUDENTS, FACULTY AND STAFF

“To achieve our mission of educating” lawyers and leaders for the common good, “we must help our students become adept problem solvers across many forms of difference. The diversity of our

Transylvania University, *Project One, Diversity and Inclusion at Transy*, <https://www.transy.edu/campus/diversity-and-inclusion/project-one/>.

⁴ Washington, *supra* note 3, at 2.

⁵ *Id.* at 2-3.

⁶ National Center for Cultural Competence, Georgetown University, Center for Child and Human Development, Curricula Enhancement Module Series, *Definitions of Cultural Competence* (citing Denboba, *MCHB/DSCSHCN Guidance for Competitive Applications, Maternal and Child Health Improvement Projects for Children with Special Health Care Needs* 1993), <https://nccc.georgetown.edu/curricula/culturalcompetence.html>.



community—including students, faculty, librarians, and staff—is essential to achieving that educational goal.”⁷

2.1 Students

2.1.1 Admissions

The Law School shall:

(A). Seek to admit classes that substantially increase the proportion of members of underrepresented and historically excluded groups so that a critical mass of such students will be present at the law school;

(B). “Continue to enhance and deploy scholarship resources in support of diversity . . . so that [the Law School will not lose] “admitted students to [peer schools] based on financial aid award levels”;⁸

(C). Follow the best practices for achieving diversity in the admissions process, including national best practices when they do not conflict with the Law School’s admissions policy;

(D). Ensure that the Admissions and Scholarships Committee submit a yearly report to the Dean, the Faculty, and the Diversity Committee that shows demographic information, including but not limited to the demographics of the applicants and the admitted students;

(E). Ensure that the Assistant Dean for Admissions and the Admissions and Scholarships Committee consult with the Diversity Committee regarding any proposed changes to the admissions and scholarships policies, so that the Diversity Committee may give any recommendations that it has regarding the proposed changes.

Responsible Parties: Admissions and Scholarships Committee, Assistant Dean for Admissions, Diversity Committee, and Dean.

⁷ Washington, *supra* note 3, at 4.

⁸ *Id.* at 5.



2.2 Faculty

The Law School recognizes that “a diverse faculty”—including, but not limited to, doctrinal, legal research and writing, clinical, and adjunct faculty—“is required to achieve academic excellence, [to] serve as role models for our students, and to” ensure the welfare of the Law School’s future.⁹ Therefore, the Law School will be proactive in its recruiting and retaining of a diverse faculty and shall seek to employ faculty members from minority groups and other underrepresented groups. To achieve this goal, the Law School shall follow nationally recognized best practices for the recruitment and retention of a diverse faculty.

2.2.1 Recruitment of Faculty

The Law School shall:

- (A). Seek to increase the diversity of all types of faculty;
- (B). Adopt hiring policies and practices that seek to obtain a diverse group of faculty, including but not limited to, a requirement that a search committee use best efforts to achieve a diverse pool of applicants;¹⁰
- (C). Ensure that all search committees, including the Faculty Appointments Committee, shall include members with diverse backgrounds and experiences, including minorities and other underrepresented groups;¹¹
- (D). Continue to focus on ensuring that individuals from minority and underrepresented communities are aware of employment opportunities;¹²

⁹ *Id.* at 6.

¹⁰ William & Mary Law School, *Diversity Plan 9* (2016-2017), <https://www.wm.edu/offices/diversity/documents/DiversityPlanLaw2016.pdf>

¹¹ Association of American Law Schools, *AALS Handbook: Statement of Good Practices, Recruitment and Retention of Minority Law Faculty Members*, <https://www.aals.org/about/handbook/good-practices/minority-law-faculty-members/>.

¹² William & Mary, *supra* note 10, at 9.



(E). Regularly assess the extent to which students are exposed to faculty of diverse backgrounds and perspectives across all academic endeavors and undertake best efforts to provide such diversity wherever it is found to be lacking, including when racial or gender diversity is found to be lacking;

(F). Follow the AALS’s statement of good practice regarding the Recruitment and Retention of Minority Law Faculty, including but not limited to the following recruitment provisions:

1. The Dean shall lead discussions about faculty searches and the role of diversity, with such discussion occurring before the commencement of a search and subsequently if necessary;
2. The Law School, the Faculty Appointments Committee, and the Dean “[shall] develop diversity goals and [shall] periodically assess at every stage of the search process, including early stages, whether they are meeting these goals.” The Dean shall “be willing to reject non-diverse pools and/or to continue . . . searches if it is determined that the developed pools could have been more racially and ethnically diverse. [The] Dean[] should also assess the performance of the Appointments Committee by its success in attaining these diversity goals.”
3. The Law School shall “seek diverse faculty candidates through both the AALS Faculty Appointments Register (FAR) and non-traditional avenues, including searching state, local, and federal government agencies; working with minority specialty bars to find good candidates; seeking faculty candidates through workshops and programs such as the regional people of color legal scholarship conferences, legal writing institutes, and clinical conferences; and accessing existing academic structures such as teaching fellowships, LL.M. programs, Visiting Assistant Professor programs, and PhD programs.”
4. The Law School shall seek to hire a critical mass of minority faculty, because “[w]hen law schools have only one or very few faculty members of color, a true culture of inclusiveness is difficult to achieve. When a law school has only one or a very small number of faculty members of color, a faculty member of color may be placed on a committee or included in a discussion for the sake of the appearance of having diversity, but his or her opinions may not be valued and respected when they reflect disagreement with majority faculty members. One way to avoid this potential problem is to have a critical mass of faculty of color at one’s law school.”¹³

¹³ For a discussion of provisions contained in subsections 2.2.1 (F)(1)-(4), see AALS Handbook, *supra* note 11.



(G). Review any existing hiring policies and practices or adopt new hiring policies and practices to ensure that they are in compliance with the mission and goals of this diversity plan;

(H). Reduce all hiring policies and practices to writing and submit a copy of them to the Dean and the Diversity Committee;

(I). Ensure that the Faculty Appointments Committee consult with the Diversity Committee regarding any proposed changes to the appointments process, so that the Diversity Committee may give any recommendations that it has regarding the proposed changes.

Responsible Parties: Law faculty, Faculty Appointments Committee, Dean, and Diversity Committee.

2.2.2 Retention, Promotion and Review of Faculty

The Law School shall:

(A). Follow the AALS's statement of good practice regarding the Recruitment and Retention of Minority Law Faculty, including but not limited to the following provisions regarding the retention of faculty:

1. Active mentoring: "Deans and faculty members should consider the successes of their pretenure faculty as their own and of the institution and should invest in and celebrate those achievements Senior faculty members should understand that mentoring involves assisting a pretenure faculty member to develop to his or her fullest potential, and not necessarily to follow the same intellectual path as themselves."
2. Pro-active and Early Responses to Possible Problems: "Deans should have a system in place both to help untenured faculty with their teaching, and to ensure that teaching is evaluated without bias."
3. Clear, Communicated Tenure Expectations: "Faculties should define in writing the promotion and tenure standards applicable to each candidate, whether entry-level or pretenure lateral hires. The standards should be fixed at hiring and remain unaltered during the candidate's progression to tenure. These written standards should be provided to and discussed with the faculty member at hiring. The standards should specify the process for securing tenure and other promotions, the quantity and quality standards for scholarship, the requirements for obtaining peer reviews, and the standards for teaching effectiveness and service expectations The dean, or an appropriate committee designated to provide guidance and/or mentoring to faculty,



should meet annually with each pretenure faculty member to discuss their progress toward tenure, encourage any needed adjustments, and identify the time and resources available for professional development in teaching and scholarship.”

4. Support for Gaining Tenure: “Faculties should work formally and informally with each candidate in a timely and ongoing manner to assist him or her in improving in any areas of concern.” Pretenure faculty “should be encouraged to sit in on other tenured faculty members’ class as well as be visited in their own classrooms by experienced, supportive teachers. Deans should identify the tenured faculty who are most suitable for this role. Finally, deans and associate deans should not tolerate faculty speaking poorly about other faculty with students.”¹⁴

(B). Otherwise provide a strong program of faculty development to retain a diverse faculty;¹⁵

(C). Review any existing retention and promotion policies and practices or adopt new retention and promotion policies and practices to ensure that they are in compliance with the mission and goals of this diversity plan;

(D). Reduce all retention and promotion policies and practices to writing and submit a copy of them to the Dean and the Diversity Committee.

Responsible Parties: Law Faculty, Dean, Associate Dean of Academic Affairs, Associate Dean of Faculty Development.

2.3 Librarians and Librarian Staff

A diverse group of librarians and staff is critical to the Law School’s mission and goals of educating a diverse group of students.¹⁶

Therefore, the Law School shall:

- (A). Ensure the adoption of hiring policies and practices that seek to obtain a diverse group of librarians and staff including, but not limited to, a requirement that a search committee use best

¹⁴ For a discussion of the provisions contained in subsections 2.2.2 (A)(1)-(4), *see Id.*

¹⁵ Washington, *supra* note 3, at 6.

¹⁶ *Id.*



efforts to achieve a diverse pool of applicants, including minorities and other underrepresented groups;¹⁷

(B). Review any existing hiring policies and practices or adopt new hiring policies and practices to ensure that they are in compliance with the mission and goals of this diversity plan;

(C). Reduce all hiring policies and practices to writing and submit a copy of them to the Dean and the Diversity Committee;

(D). Ensure that all search committees for librarians and staff include members with diverse backgrounds and experiences, including, when possible, members of minority and other underrepresented groups;¹⁸

(E). Develop programs, initiatives, and professional development opportunities so that librarians and staff will be an integral part of the Law School and that their backgrounds and experience will enhance the diversity, inclusion, and equity of the Law School.¹⁹

Responsible Parties: Director of the Library and Dean.

2.4 Staff

A diverse group of staff, at all levels, is critical to achieving the Law School's educational mission and goals.

The Law School shall:

(A). Ensure the adoption of hiring policies and practices that seek to obtain a diverse group of staff at all levels including, but not limited to, a requirement that a search committee use best efforts to achieve a diverse pool of applicants, including minorities and other underrepresented groups;²⁰

¹⁷ AALS Handbook, *supra* note 11.

¹⁸ *Id.*

¹⁹ Washington, *supra* note 3, at 6.

²⁰ AALS Handbook, *supra* note 11.



- (B). Review any existing hiring policies and practices or adopt new hiring policies and practices to ensure that they are in compliance with the mission and goals of this diversity plan;
- (C). Reduce all hiring policies and practices to writing and submit a copy of them to the Dean and the Diversity Committee;
- (D). Ensure that all search committees for staff include members with diverse backgrounds and experiences, including, when possible, members of minority and other underrepresented groups;²¹
- (E). Employ policies and procedures that provide for the inclusion, equity and cultural competency of all staff;
- (F). Develop programs, initiatives, and professional development opportunities so that staff at all levels will be an integral part of the Law School and that their backgrounds and experiences will enhance the diversity, inclusion, and equity of the Law School.²²

Responsible Parties: Dean.

2.5 Employees of Law School Units

In the different Law School's units—including, but not limited to, the Mississippi Judicial College, the Mississippi-Alabama Sea Grant Legal Program, the National Sea Grant Law Center, and the Mississippi Law Research Institute—diversity is important to the Law School's mission and goals.

The Law School shall:

- (A). Ensure that these units adopt hiring policies and practices that seek to obtain a diverse group of employees at all levels of these units including, but not limited to, a requirement that a

²¹ *Id.*

²² Washington, *supra* note 3, at 6.



search committee use best efforts to achieve a diverse pool of applicants, including minorities and other underrepresented groups;²³

(B). Review any existing hiring policies and practices or adopt new hiring policies and practices to ensure that they are in compliance with the mission and goals of this diversity plan;

(C). Reduce all hiring policies and practices to writing and submit a copy of them to the Dean and the Diversity Committee;

(D). Ensure that search committees include members from diverse backgrounds and experiences, including, when possible, members of minority and other underrepresented groups;²⁴

(E). Employ policies and procedures that provide for the inclusion, equity, and cultural competency of all employees in these units.

Responsible Parties: Directors of Law School Units and Dean.

2.6 The Dean's Authority to Declare Failed Searches

Strong oversight over the Law School's employment efforts is important to obtain a diverse group of faculty, librarians, employees, and staff at all levels and in all components and units of the Law School.

The Law School shall do the following:

(A). The Dean shall review the results of each search committee to ensure that the results are in compliance with the mission and goals of this diversity plan;

(B). When in the exercise of best judgment, the Dean concludes that a search does not comply with the mission and goals of this diversity plan, including the requirement that search

²³ AALS Handbook, *supra* note 11.

²⁴ *Id.*



committees use best efforts to achieve a diverse pool of applicants, the Dean may declare a failed search and direct that a new search be commenced by the existing search committee or a new search committee. The intent of this provision is (1) to provide another level of enforcement of this diversity plan and (2) to support the Dean's use of this enforcement authority.²⁵

Responsible Parties: The Dean.

2.7 The Diversity Committee

A Diversity Committee, with members of diverse backgrounds and experiences, is necessary for evaluating the impact that programs and initiatives will have on the Law School's diversity plan's overall mission and goals. This Committee shall also have the responsibility of recommending policies and procedures regarding all aspects of the Law School's diversity and inclusion efforts, and it shall be available for consultation on issues involving the Law School's diversity plan.

The following shall apply to the Diversity Committee's role and responsibilities:

- (A). The Law School shall make the Diversity Committee a standing law school committee;
- (B). When faculty approval of a new diversity, inclusion, equity, and cultural competence program or initiative is necessary, the Law School shall submit such program or initiative to the Diversity Committee, for its study and recommendation, before the program or initiative is submitted to the law faculty for its approval;
- (C). The Dean, Chief Diversity Officers, and others may seek the Diversity Committee's opinions and assistance regarding any matter involving diversity, inclusion, equity, and culture competence, including matters involving the establishment of any numerical or other goals that may be desirable;
- (D). The Diversity Committee shall have additional roles and responsibilities as the Dean charges;

²⁵ *Id.*



(E). Nothing in Subsection 2.7 is meant to displace the normal scope of faculty governance, and any issues or initiatives that have historically fallen within the scope of faculty governance shall continue to fall within the scope of faculty governance and require a faculty vote.

Responsible Parties: Diversity Committee and Dean.

GOAL 3—FOSTERING INCLUSIVITY

Our dedication to educating lawyers and leaders necessarily includes a consideration of diverse perspectives and beliefs, in an environment in which all individuals—faculty, students, administration, and staff—are valued and respected. “The Law School will strive to develop a more inclusive, and hence healthier, community and climate by providing the conditions necessary for all law school members to feel welcomed, supported, included, and valued.” The “development of an open, inclusive, and diverse law school community will enhance the educational experience for students, faculty, and staff” and will allow “exchanging ideas and views across differences, challenging stereotypical preconceptions, clarifying unconscious biases, addressing micro-aggressions, encouraging critical thinking,” and respecting others even when there are disagreements.²⁶ To foster inclusivity and diversity, the Law School shall do the following as specified below.

3.1 Employ a Chief Diversity Officer

The ABA’s 2010 Recommendations for Law Schools states, “As law schools enact a diversity agenda, they can strengthen the consensus about the value of diversity. . . through educational and management practices, such as the appointment of a full-time Chief Diversity Officer.”²⁷ The importance of the function and visibility of a Chief Diversity Officer cannot be overstated.

²⁶ Washington, *supra* note 3, at 7.

²⁷ American Bar Association/Presidential Initiative, *supra* note 1, at 17.



The Law School shall:

(A). Employ a full-time Chief Diversity Officer from the existing pool of employees or hire a new person to fill the position.²⁸

Responsible Parties: Dean and Search Committee.

3.1.1 The Chief Diversity Officer's Responsibilities

The Chief Diversity Officer shall:

(A). Be the primary person in charge of coordinating all of the Law School's diversity, inclusion, equity, and cultural competence programs, initiatives, and events to avoid any overlaps, duplications, and other inefficiencies;

(B). Develop initiatives, programs, and events that increase the diversity, inclusion, equity, and cultural competence at the Law School, including initiatives, programs, and events that are consistent with national best practices;

(C). Help create a diverse and inclusive law school community that attracts and retains diverse students, faculty, and staff;²⁹

(D). Support and guide diverse students and historically underrepresented students including, but not limited to, "African Americans, Asian Americans, South Asian Americans, Latinos, Native Americans, and other underrepresented and marginalized students, including first generation students, gay, lesbian and transgender students, students with physical or mental disabilities, veterans, older students, religious students, and students with children."³⁰

²⁸ Full time does not mean that 100% of the officer's time must be dedicated to diversity and inclusion-related matters. Rather, it means that the chief diversity officer's functions are a part of that person's job description; the person is the primary person in charge of the functions; and a substantial portion of the person's work time is dedicated to the functions. The Diversity Committee recommends that at least 50% or more of the person's time be allocated to the functions, if a 100% allocation is not possible.

²⁹ Northwestern Pritzker School of Law, *Diversity and Inclusion, Office of Inclusion & Engagement*, <https://www.law.northwestern.edu/law-school-life/diversity/>.

³⁰ *Id.*



(E). Provide support and guidance for all students regarding issues involving diversity, inclusion, equity, and cultural competence;

(F). Assume other roles and responsibilities as contained in the job description for this position;

(G). Develop institutional assessment instruments, consistent with national standards, and use such instruments to regularly assess and report on the Law School's progress in achieving the mission and goals of this diversity plan, including goals regarding diversity, inclusion, equity, and cultural competence;³¹

(H). Communicate the Law School's commitment to diversity, inclusion, equity, and cultural competence to students, faculty, staff, and the community at large, by using websites, periodic statements in social media, and other information outlets.³²

Responsible Parties: Chief Diversity Officer, Dean or Dean's Designee.

3.1.2 Other Provisions

(A). The Chief Diversity Officer shall have no supervisory authority over faculty or staff, unless a person is hired or assigned to be under the officer's supervision; and the officer shall report to the Dean, or the Dean's designee, who shall have the authority to accept recommendations from the officer and take appropriate actions that further the mission and goals of this diversity plan;

(B). Nothing in Subsection 3.1 and its subsections is meant to displace the normal scope of faculty governance, and any issues or initiatives that have historically fallen within the scope of faculty governance shall continue to fall within the scope of faculty governance and require a faculty vote.

Responsible Parties: Chief Diversity Officer, Dean or Dean's Designee.

³¹ Washington, *supra* note 3, at 4

³² *Id.* at 8.



3.2 Assistant Dean for Student Affairs (ADS)

The Assistant Dean for Student Affairs, because of the functions of the position and because of the opportunities for direct contact with individual students and student organizations, is in an important position to assist with the incorporation of diversity, inclusion, equity, and cultural competence into different programs, activities, and events at the Law School.

The Assistant Dean for Student Affairs shall:

3.2.1 Orientation

- (A) Include diversity, inclusion, equity, and cultural competence programs and activities in the orientation program for first-year students;
- (B) Include mandatory implicit bias training. The orientation program shall include mandatory implicit bias training from a qualified expert in the field;³³

3.2.2 Review and Develop Programs and Activities within ADS's Authority

- (A) Review current programs and activities and make any changes that are necessary to offer the best combination of programs and activities to maximize diversity, inclusion, equity, and cultural competence within the full range of services within the ADS's authority;
- (B) Develop either an on-going program or a yearly program in which a substantial portion of the student body has the opportunity to participate in a non-diversity-related program, project, or event in which students learn to work together to problem solve or otherwise develop and accomplish joint goals;
- (C) Develop programs, initiatives, or events to create team spirit and camaraderie among the student body.

³³ If it is not feasible to have mandatory implicit bias training during the regular orientation program before the start of law classes, then the training shall occur as soon as possible at the beginning of the first semester of the students' first year of law school.



3.2.3 Assist Student Organizations

- (A). Work closely with student organizations to assist them in incorporating diversity, inclusion, equity, and cultural competence into their various activities and events;
- (B). Assist student organizations in planning and executing joint programming, activities, and events to foster cooperation among the organizations;
- (C). Assist the law faculty, the Chief Diversity Officer, the Office of Career Services, and others to achieve the mission and goals of this diversity plan when such assistance falls within the scope of the ADS's job functions;

Responsible Parties: Assistant Dean for Student Affairs.

3.3 Student Organizations and Students

The Law School values the substantial contribution of students and student organizations to the Law School's mission of educating students for the practice of law and for leadership roles. The participation of students and student organizations is vital to the Law School's efforts to increase diversity, inclusion, equity, and cultural competence at the Law School.

The Law School shall:

- (A). Encourage all student organizations to advance diversity, inclusion, equity, and cultural competence in their programs, initiatives, and activities;
- (B). "Recognize, encourage, and support [students' and student organizations'] contributions [that] create and sustain dialogue on issues regarding diversity, inclusion, . . . equity," and cultural competence;³⁴
- (C). Provide funding for student organizations for special programs, initiatives, and events that substantially advance the mission and goals of this diversity plan;

³⁴ Washington, *supra* note 3, at 7.



(D). Law Student Diversity Award: Each year, the Law School shall confer the Student Diversity Award on either the student organization or the individual student who best exemplifies the diversity, inclusion, equity, and cultural competence goals that this diversity plan envisions. The Diversity Committee shall develop criteria for this award;

(E). Encourage “respectful group interactions in . . . study spaces and law school communal spaces when discussing diversity, inclusion, equity,” and cultural competence topics;³⁵

(F). Encourage each student organization to disseminate information to incoming students regarding the organization’s beliefs, how the organization acts on those beliefs, and the organization’s plans for the upcoming year;

Responsible Parties: Dean, Assistant Dean for Student Affairs, the Student Bar Association and Student Organizations.

3.4. Student Journals and Boards

Membership in student journals and boards is important to the education and professional development of students while they are in law school. These memberships may also lead to more job opportunities and leadership roles. Therefore, all students, including diverse students and minority students, must have an equitable opportunity to become members of these journals and boards.

The following principles shall apply to all stages of the membership process for journals and boards:

(A). Membership criteria shall be clearly stated and consistently followed;

(B). Membership criteria, to the greatest extent possible, shall be objective;

(C). Membership criteria, to the greatest extent possible, shall be holistic in that grade point

³⁵ *Id.*



averages should be only one of several factors that journals and boards consider for membership;³⁶

(D). Membership criteria, to the greatest extent possible, shall be based on nationally recognized best practices and standards, including practices and standards regarding the diversity, inclusion, equity, and cultural competence of journals' and boards' memberships;

(E). Journals and boards, to the greatest extent possible, shall seek a membership that has a critical mass of diverse students;

(F). Journals and boards shall include an appeal process in their membership process such that an aggrieved student will have at least one level of appeal from a denial of membership decision.

3.5 Faculty

3.5.1 Curriculum

A curriculum that offers opportunities for the study and discussion of diversity, inclusion, and equity-related topics is important to law students' matriculation at the Law School and to their legal education and future employment opportunities.³⁷

The Law School strongly encourages:

(A). The law faculty to seek opportunities to include discussions regarding diversity, inclusion, equity, and cultural competence in their lectures and classroom discussions as often as possible;³⁸

³⁶ See N.Y. Univ. L. Rev., *Membership Selection*, <https://www.nyulawreview.org/about/membership-selection/>; Nw. L. Rev., *Diversity*, <https://northwesternlawreview.org/about/diversity/>.

³⁷ Washington, *supra* note 3, at 8.

³⁸ *Id.*



(B). The law faculty to seek opportunities to add new courses to the Law School’s curriculum that offer instruction on diversity, inclusion, equity, and cultural competence-related topics;³⁹

(C). The Curriculum and Practices Committee to seek opportunities to add new courses to the Law School’s curriculum that offer instruction on diversity, inclusion, equity, and cultural competence-related topics.⁴⁰

Responsible parties: Law Faculty and Curriculum and Practices Committee

3.5.2 Classroom Dynamics

The Law School values classroom discussions as an important means of fostering an exchange of ideas and opinions on issues involving diversity, inclusion, equity, and cultural competence. These discussions also further the Law School’s mission of educating future attorneys who will practice law and otherwise provide legal services in a complex world that often involves complicated discussions and problem-solving around these same issues.⁴¹

The following principles all relate to the effort to foster this kind of challenging but valuable discussion and shall apply during classroom lectures and other classroom discussions:

(A). The law faculty and other instructors are encouraged to incorporate issues of race, gender and other diversity and inclusion-related topics into their syllabi, lectures, and classroom discussions, including the assignment of course materials covering such issues;

(B). Students are strongly encouraged to ask questions and discuss their opinions regarding the subject matter, including presenting different perspectives that may involve race, gender, and other diversity and inclusion-related topics;

(C). As a complement to the free exchange of ideas and discussions, law faculty and other instructors are encouraged to actively moderate and guide discussions, as well as to participate themselves and offer their opinions;

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*



(D). Encouraging robust participation will typically result in the presentation of an array of opinions, some of which may be critical of established law, doctrine, theories, and the opinions of others in the class. But it is precisely this dynamic that this document encourages because the exchange of ideas in an open, respectful dialogue typically advances students' thinking about the subject matter and often develops new perspectives and approaches to resolving legal issues that may be helpful in the future development of the law. In so doing, however, professors and other discussion leaders and moderators must be mindful that they possess primary responsibility for creating the proper environment for respectful and ordered discussion, one part of which is refraining from dictating the content of speech or opinion during classroom discussions, or allowing others to do the same;

(E). In order to best achieve A-D above, professors and others in charge of classroom discussion shall model appropriate behavior and may give instruction—in a syllabus and/or in pre-discussion instructions—regarding expectations of appropriate conduct during classroom discussions. Students should be reminded that they possess freedom over the content of their speech, opinions, and viewpoints, but that the manner in which they exercise these rights is itself part of this comprehensive process, and that they shall at all times be respectful of others, especially those with whom they may differ, and that these discussions remain subject to applicable standards of conduct;⁴²

(F). The primary function of a law course remains the teaching of the substantive law that students need to possess for professional competence and success, of which the inclusion of diversity and inclusion-related topics and discussion of them are only one relevant factor. The law faculty and other instructors continue to possess discretion in determining the amount of classroom time that shall be allocated to any and all discussions that this section of the diversity plan envisions.⁴³

⁴² For various applicable codes of student conduct, please see University of Mississippi, *University of Mississippi M Book*, https://olemiss.edu/info/MBook_2017-2018.pdf; University of Mississippi School of Law, *University of Mississippi School of Law Honor Code*, <https://law.olemiss.edu/wp-content/uploads/2018/12/Honor-Code-1.pdf> and University of Mississippi School of Law, *University of Mississippi School of Law Student Conduct Code*, http://oldlawschool.devlclients.com/assets/University-of-Mississippi-School-of-Law-Student-Conduct-Code_10_2_2017.pdf. Additionally, state and federal civil and criminal laws may apply depending on the nature of the disorderly conduct.

⁴³ The provisions in subsection 3.5.2 and its subparts are based on and/or inspired by the University of Mississippi, *Statement Concerning Academic Freedom*, https://policies.olemiss.edu/GetPdfActive?pol=10646973&ver=active&file=10646973_active_20130909.pdf&cod=ACA.FG.300.001; the University of Pennsylvania, *Guideline on Open Expression* (2020-21); and on Washington, *supra* note 3, at 8.



3.6 Training

Training is necessary to ensure that members of the law school community have up-to-date knowledge regarding the theories and methods that others have used to address issues of diversity, inclusion, equity, and cultural competence. It will also give faculty, students, and staff a pool of knowledge from which they can identify issues and take preventive or corrective actions to resolve diversity and inclusion-related issues. Training should also increase the Law School community's comfort level and make its members more willing to talk about and address these issues.⁴⁴

3.6.1 Faculty and Staff

(A). At least once a year, the Law School shall provide opportunities for faculty and staff training on diversity, inclusion, equity, and cultural competence-related issues, which may include implicit bias training and training on how to incorporate diversity-related topics into classroom discussions.

Responsible Parties: Law faculty, Dean, Diversity Committee, and Chief Diversity Officer

Time line: commencing during the 2020-21 academic year.

3.6.2 Students

(A). At least once a year, the Law School shall provide opportunities for student training on diversity, inclusion, equity, and cultural competence-related issues, which may include implicit bias training and training on how students can introduce and discuss diversity-related topics during classroom discussions.

Responsible Parties: Chief Diversity Officer, Dean, and Diversity Committee.

⁴⁴ Washington, *supra* note 3, at 8.



3.7 Speakers

Speakers with knowledge about diversity-related issues—including, but not limited to, race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical or mental ability or attributes, religion, religious or ethical values systems, geographical area, national origin, political beliefs, and life experiences—will increase the knowledge of the law school community and allow members of the community to engage with the speakers and each other.⁴⁵

Therefore, the Speakers Committee, other law committees, and law employees shall:

- (A). Invite strong speakers and provide for other extra-curricular programs that advance diversity, inclusion, equity, and cultural competence and that provide opportunities for respectful dialogue on these and related issues;⁴⁶
- (B). Consult with the Chief Diversity Officer and the Diversity Committee regarding speakers and their impact on the mission and goals of this diversity plan.

Responsible Parties: Speakers Committee, Chief Diversity Officer and the Diversity Committee.

GOAL 4—SUPPORTING PROFESSIONAL SUCCESS

The Law School “recogniz[es] that there are often unique barriers to educational and professional success for diverse students,” [and therefore it will continue to] “establish effective academic and career support program[s] that assist[] diverse students with attaining graduation, licensure, and career placement.”⁴⁷

4.1 Graduation

The Law School shall do the following to enhance the success of diverse students:

⁴⁵ *Id.* at 7.

⁴⁶ *Id.*

⁴⁷ *Id.* at 5.



- (A). Expand the Academic Success Program to provide additional workshops, programs, initiatives, and individual counseling, when such is needed;⁴⁸
- (B). Avoid programs, to the greatest extent possible, that stigmatize, track, or otherwise marginalize any group of students;
- (C). Obtain faculty approval of all new Academic Success Programs and initiatives before they become effective;
- (D). Collect relevant data and statistics to determine the effectiveness of all Academic Success Programs and initiatives, and either make necessary changes to improve the effectiveness of the programs and initiatives or terminate ineffective programs—if the law faculty approves such termination.

Responsible Parties: The Director of the Academic Success Programs, the Law Faculty, the Dean.

4.2 Bar Passage

The Law School shall do the following to enhance the success of diverse students:

- (A). Develop additional programming, initiatives, and courses to support bar passage rates;⁴⁹
- (B). Avoid programs, initiatives, and courses, to the greatest extent possible, that stigmatize, track, or otherwise marginalize any group of students;
- (C). Obtain law faculty approval of new bar passage programs, initiatives, and courses before they become effective;
- (D). Create mentorships with recent graduates to support bar passage for at risk students;

⁴⁸ William & Mary, *supra* note 10, at 9.

⁴⁹ *Id.*



(E). Collect relevant data and statistics to determine the effectiveness of all bar passage programs, initiatives, and courses, and make necessary changes to improve them or terminate them—if the law faculty approves such termination;

(F). Provide need-based support for bar courses if such is financially feasible.

Responsible Parties: Director of the Academic Success Programs, Law Faculty, and Dean.

4.3 Employment and the Office of Career Services

The Law School is committed to diversity, inclusion, and equity in all aspects of its Career Services Office (“CSO”). In addition to its obligation to do its best to increase the employment opportunities of all students, the CSO is an integral part in achieving the Law School’s mission and goal of creating a legal profession that is composed of diverse groups of attorneys. To minimize the impact that existing privilege and power structures may have on the employment opportunities of minority students and diverse students, the CSO shall:

(A). Identify any problems, issues, or concerns regarding the successful placement of diverse students and minority students in summer and in permanent employment and develop a plan of action to resolve any such problems, issues, and concerns;

(B). Follow nationally recognized best practices for CSOs regarding diversity and inclusion for diverse students and minority students, including best practices of the National Association of Law Placement (“NALP”) for:

1. Student recruitment and 1L orientation;
2. Working with the Dean of Students;
3. Working with Alumni;
4. Working with faculty;
5. Professional development for CSO professionals;
6. Building external relationships with bar associations and other relevant entities;
7. Marketing;
8. Communication;



9. Being an active participant, to the extent feasible, in student organizations' activities, as reflected in the "Diversity, Equity, and Inclusion Champions" section of the NALP's Law School's best practices.⁵⁰
- (C). Develop relationships with diverse students and minority students, and maintain relationships with diverse alumni and minority alumni, in order to better facilitate students in finding suitable summer and permanent employment;
- (D). Maintain diversity listservs or other means of communicating with diverse students and minority students to better convey information to them about employment opportunities, programs, and initiatives that may lead to employment opportunities;
- (E). Establish and maintain a list of local and national off-campus interviews, conferences, and workshops that contains relevant participation information, including the location of the event, registration requirements, the selection process for interviews and participation, and other relevant information;
- (F). Hold informational sessions to inform diverse students and minority students about any law firm diversity programs or other employers' diversity programs that offer summer or permanent employment opportunities to diverse students and minority students;
- (G). Perform the necessary instructions, workshops, interview coaching, and other relevant things that will increase diverse students' and minority students' successful participation in the Southeastern Minority Job Fair, with a goal of increasing the number of callback interviews and the ultimate obtainment of summer and permanent employment;
- (H). Identify diverse attorneys and minority attorneys to invite to the Law School for speeches, panel participations and other assistance to diverse students and minority students including, but not limited to, mock interviews and information about the interviewing process;
- (I). Develop new programs and initiatives that increase the employment opportunities for all students regardless of their grades, class rank, or residency statuses, including the opportunities for minority students and diverse students;

⁵⁰ National Association for Law Placement, *National Association for Law Placement Diversity Best Practice Guide, 2020 Edition*, www.nalp.org/diversitybestpracticesguide.



(J). Follow nationally recognized best practices for CSOs for assisting all law students in all aspects of their efforts to obtain summer and permanent employment;

(K). Keep data and statistics on the number of students obtaining summer and permanent employment, including demographic statistics regarding, but not limited to, race, gender, national origin, disabilities, sexual orientation, and other demographic factors, so that the Law School can evaluate how successful its efforts are in maximizing its students' employment opportunities;

(L). File a report with the Dean's office and with the Diversity Committee regarding the data and statistics referenced in subsection K above.⁵¹

Responsible Parties: Director of Career Services.

GOAL 5—FOSTERING EQUITY

5.1 Commitment to Equity

Equity means calling attention to disparate outcomes and assuming personal and institutional responsibility for the elimination of inequities. It also includes awareness of the differences in the experiences of members of underrepresented and marginalized groups and of historical discrimination against persons because of, but not limited to, race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical or mental ability or attributes, religion, religious or ethical values systems, geographical area, national origin, political beliefs, and life experiences.⁵²

The Law School is committed to actively challenging and responding to bias, harassment, and discrimination, and to a policy of equal opportunity and treatment of all students, staff, and faculty. For students, it means equality in treatment and in access to resources. For faculty and staff, it means equality in pay, workloads and assignments, professional development, promotions, and other terms and conditions of employment so that those who are similarly situated shall be treated equitably and fairly.⁵³

⁵¹Many of the provisions in subsection 4.3 (C)-(L) are based on the University of North Carolina School of Law *Diversity Initiatives*, <https://law.unc.edu/careers/diversity-initiatives/>.

⁵² University of Mississippi, Division of Diversity and Community Engagement, *Inclusion Excellence Framework 2*.

⁵³ Washington, *supra* note 3, at 2-3.



Responsible Parties: Dean and Law faculty.

6. Other Provisions

6.1 Awards

(A). Law Faculty Diversity Award

Each year, the Law School shall confer the Law Faculty Diversity Award to the law faculty or other instructor who best exemplifies the diversity, inclusion, equity, and cultural competence goals that this diversity plan envisions. The Diversity Committee shall develop criteria for this award.

(B). Law Student Diversity Award

Each year, the Law School shall confer the Law Student Diversity Award to either the student organization or the individual student who best exemplifies the diversity, inclusion, equity, and cultural competence goals that this diversity plan envisions. The Diversity Committee shall develop criteria for this award.

(A). Law Staff Diversity Award

Each year, the Law School shall confer the Law Staff Diversity Award to the law staff member who best exemplifies the diversity, inclusion, equity, and cultural competence goals that this diversity plan envisions. The Diversity Committee shall develop criteria for this award.

Responsible Parties: Law Faculty and Diversity Committee.

6.2 Reports

Accurate and timely data is necessary to assess the success or failure of diversity programs and initiatives. Therefore, the Law School shall require yearly reports to the faculty of designated data—as requested by the Dean and the Diversity Committee—from the following persons:

(A). The Chief Diversity Officer;

(B). The Assistant Dean of Students;



- (C). The Director of Career Services;
- (C). The Admissions Committee;
- (D). The Faculty Appointments Committee;
- (E). All Ad Hoc Search Committees;
- (F). Journals and Boards.

Responsible Parties: Dean and Diversity Committee.



Table of Sources

The Diversity Committee reviewed and relied on some of the following sources to draft various provisions of this diversity plan.

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2. IHL, *System Diversity, Board Policies & Bylaws Diversity Statement*, <http://www.mississippi.edu/diversity/>;
3. The University of Washington School of Law, *Strategic Plan for Diversity, Inclusion, Equity & Multiculturalism*, <https://www.law.uw.edu/media/140870/diversityplan.pdf>;
4. The University of North Carolina School of Law, *Diversity Initiatives*, <https://law.unc.edu/careers/diversity-initiatives/>;
5. National Association for Law Placement, *The National Association for Law Placement Diversity Best Practice Guide, 2020 Edition* www.nalp.org/diversitybestpracticesguide;
6. William & Mary Law School, *William & Mary Law School Diversity Plan 2016-2017*, <https://www.wm.edu/offices/diversity/documents/DiversityPlanLaw2016.pdf>;
7. Elon University School of Law, *Diversity, Equity and Inclusion at Elon University School of Law*, https://www.elon.edu/u/diversity-inclusion/wp-content/uploads/sites/823/2019/04/ElonLaw_DiversityPlan_2019.pdf;
8. American University, *AU's Plan for Inclusive Excellence, Goals & Actions*, <https://www.american.edu/president/diversity/inclusive-excellence/goals.cfm>;
9. Georgetown Law, *Office of Equity & Inclusion*, <https://www.law.georgetown.edu/your-life-career/diversity-inclusion/equity-inclusion-office/>;
10. Yale Law School, *Diversity at YLS*, <https://law.yale.edu/student-life/diversity-inclusion/initiatives>;
11. NYU School of Law, *Diversity and Inclusion*, <https://www.law.nyu.edu/about/strategic-plan-in-action/diversity-inclusion>; <https://www.law.nyu.edu/about/strategic-plan/diversity-inclusion>;
12. Chief Diversity Officer's Job Descriptions and Advertisements from Approximately Sixty Schools;
13. Association of American Law Schools, *AALS Handbook: Statement of Good Practices, Recruitment and Retention of Minority Law Faculty Members*, <https://www.aals.org/about/handbook/good-practices/minority-law-faculty-members/>;
14. Northwestern/Pritzker School of Law, *Diversity and Inclusion, Office of Student Engagement*, <https://www.law.northwestern.edu/law-school-life/diversity/>;
15. Stanford Law School, *Diversity and Inclusion*, <https://law.stanford.edu/community/diversity-and-inclusion/>;
16. The University of Pennsylvania, *Guidelines on Open Expression*, <https://catalog.upenn.edu/pennbook/open-expression/>;



17. Interviews with the Co-Chair of the Diversity Committee at the University of Washington School of Law;
18. Interview with the University's Vice-Chancellor for the Division of Diversity & Community Engagement;
19. The University of Mississippi, *University of Mississippi M Book*, https://olemiss.edu/info/MBook_2017-2018.pdf
20. The University of Mississippi School of Law, *University of Mississippi School of Law Honor Code*, <https://law.olemiss.edu/wp-content/uploads/2018/12/Honor-Code-1.pdf>
21. The University of Mississippi School of Law, *University of Mississippi School of Law Student Conduct Code*, http://oldlawschool.devclients.com/assets/University-of-Mississippi-School-of-Law-Student-Conduct-Code_10_2_2017.pdf;
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23. Transylvania University, *Project One, Diversity and Inclusion at Transy*, <https://www.transy.edu/campus/diversity-and-inclusion/project-one/>;
24. National Center for Cultural Competence, Georgetown University, Center for Child and Human Development, Curricula Enhancement Module Series, *Definitions of Cultural Competence* (citing Denboba, *MCHB/DSCSHCN Guidance for Competitive Applications, Maternal and Child Health Improvement Projects for Children with Special Health Care Needs* 1993), <https://nccc.georgetown.edu/curricula/culturalcompetence.html>.
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