Applying an Equity Lens to Policy Development

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Do your policies have a disparate impact on the affected audiences?

If identified, do you change the policies?

Where we began

- 1993 - centralized, web-based policy library
- Created and applied templates
- 2007 – 14 major program enhancements
- Two-tier formal review and approval structure
- Complete set of tools, templates, and procedures

The start of this path

- Discussion held with the President's Policy Committee (PPC) - December 2016
- Tasked the Policy Advisory Committee (PAC) with exploring this lens
  - Potential for providing tools to the University community
  - Determine how best to prepare individuals
  - Alignment with current stakeholder engagement
  - Cost and ongoing effort

What is an equity lens?

An equity lens is a process for analyzing or diagnosing the impact of the design and implementation of policies on under-served, marginalized, and diverse individuals and groups and to identify and potentially reduce or eliminate barriers.
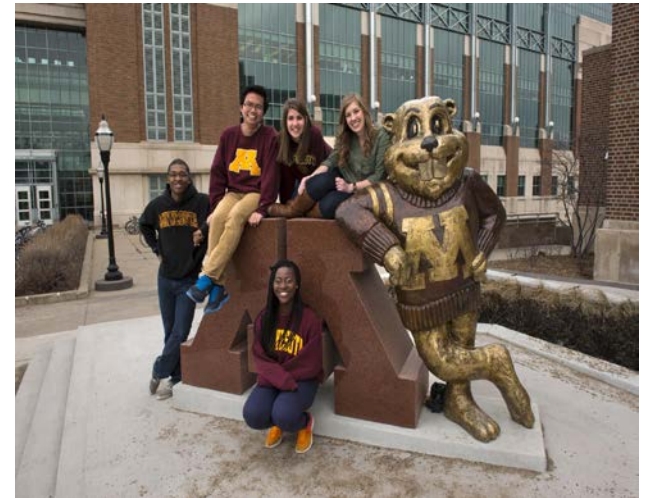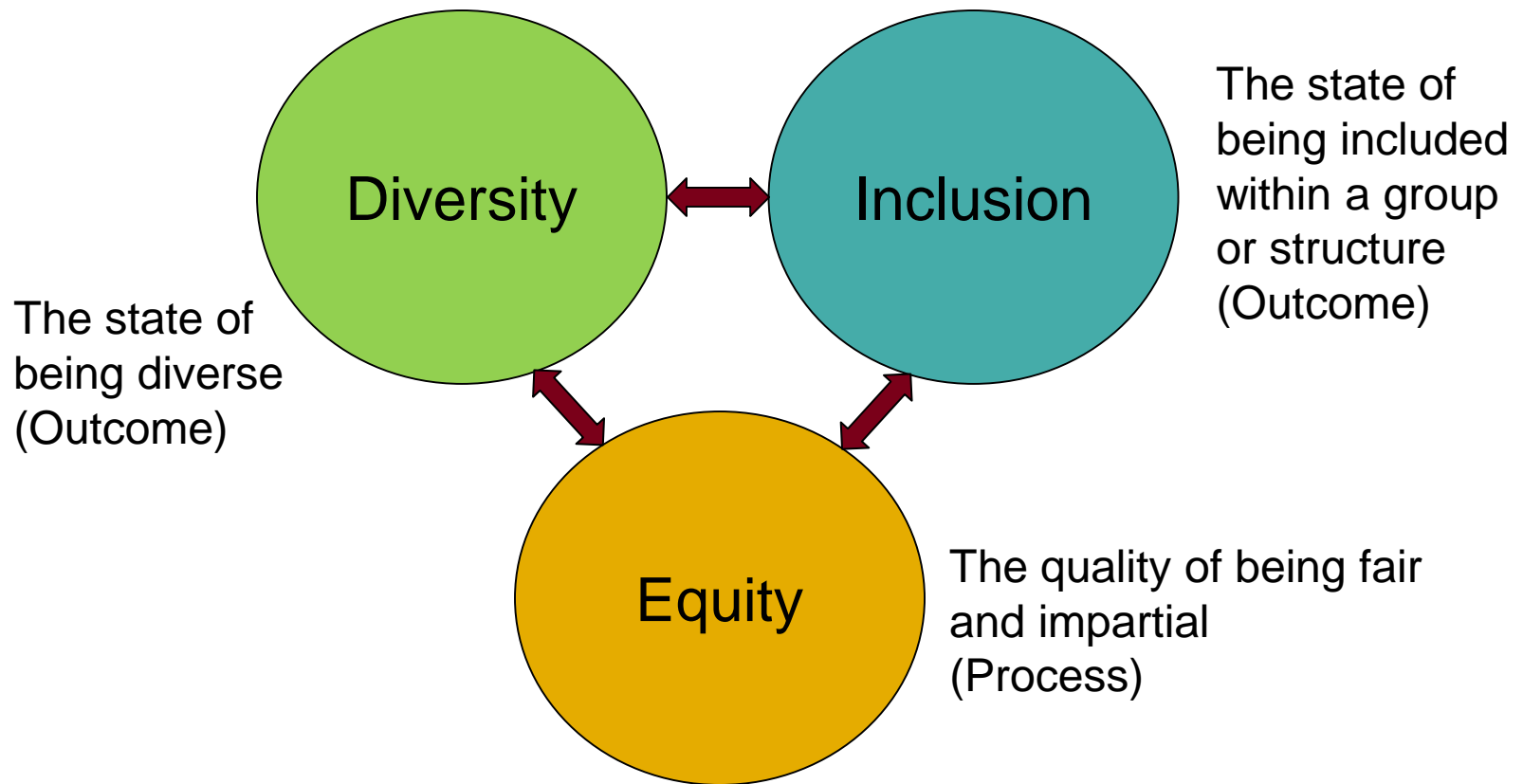
Impetus for applying the lens

General

- Community values fairness and impartiality
- Community desires to counter the influence of implicit bias, if present

Policy specific

- Enhanced policy effectiveness
- Broader engagement and understanding
- Strengthen and broaden policy impact

Distinguishing equity from diversity and inclusion

Diversity

Inclusion

Equity

The state of being diverse (Outcome)

The state of being included within a group or structure (Outcome)

The quality of being fair and impartial (Process)

Influence of implicit bias (also called *unconscious or unexamined*)

- Unexamined bias is a form of stereotyping that is often unintentional, automatic, and outside of our awareness.

- It is often contradictory to our conscious beliefs

- Also called subtle or implicit bias

Exploration phase preparation

- Team attended a training session
  - On implicit bias, led by the Office of Equity and Diversity
- Researched similar efforts
  - No comparable effort in higher education
  - Oregon – social policy
- Began with the mindset that we would adopt an equity lens!

Exploration phase preparation

- Identified four subcommittees
    - Education and community
    - Committee composition
    - Engagement (individuals who might effectively apply the lens)
    - Administrative policy changes (e.g., forms, process)

Outcomes anticipated from *exploration*

- Each subcommittee was tasked with identifying
    - One or more recommendations
    - Labor impacts for each recommendation
    - Potential out-of-pocket costs
    - Impact on the central policy program
    - Proposed implementation date, if accepted

Some challenges with this phase

- Exploration took longer than expected
- Some overlap on proposed outcomes
- Left with unanswered questions
- In several areas, difficult to quantify the cost

Recommendations: education and communications subcommittee

- Develop a course on equity lens policy review
  - Combination of on-demand and group interactive learning
- Create a one-page reference
- Require training (PAC members, policy owners, and primary contacts)
- Create a 'lite' training option for the PPC
- Oversee training administration

Recommendations: PPC and PAC committee composition

- Add a member to PAC who has equity responsibilities as part of their University role

- Bring awareness to the PPC members when there is attrition on the PAC

- Update the criteria for PAC members

Criteria for PAC Membership
- Sufficient domain knowledge to represent their area
- Knowledge of University policy structure and process
- Completion of an equity and diversity training course identified by the University Policy Office
- Ability to communicate directly with PPC member, providing analysis and a summary related to policies on the PPC agenda

Recommendations: engagement

- Request an existing group (representatives) whose focus includes equity, to assist in this effort, long term
- Advisory – to identify potential disparate impacts
- Develop a policy notification process for the committee
- Identify the point(s) at which the group will review the policy language

Recommendations: administrative policy development changes

- Modify the comprehensive review and administrative policy plan forms

- Add new equity questions to the "Conducting a Comprehensive Review" worksheet

- Update PAC procedures with new process

- Add a definition for equity lens in the glossary

- Create a job aid to help policy owners apply an equity lens

Implementation

- Former process review included:
  - Consistency
  - Clarity
  - Completeness
  - Accuracy
  - Burden and risk
  - Alignment with mission and goals
- 5/1/18 - we began applying an equity lens

Equity lens scope

- Race
- Ethnicity
- American Indians and other indigenous populations
- Faith (religious expression)
- Ability - both apparent and non-apparent
- Age

- People who identify as women
- Gender identity and expression
- Veteran status
- Socioeconomic status
- People of color, including underserved groups and new immigrant populations

Questions to ask

- Who does the policy impact?
- What forces are driving this policy?
- Are there individuals and/or communities that will be disproportionately (and negatively) affected by this policy?
- Does this policy perpetuate or help to dismantle historical, legal, or other barriers set in the past?
- If disparities are identified, how can they be mitigated or eliminated?

Current status – education and communication

- Educated more than 130 policy owners and policy contacts
- Held an abbreviated session for the 12 PPC members
- Other units chose to 'opt in' on the training session
- Training will be updated and offered annually
- Proposed a full session at the 2020 ACUPA (Assn of College and University Policy Administrators)
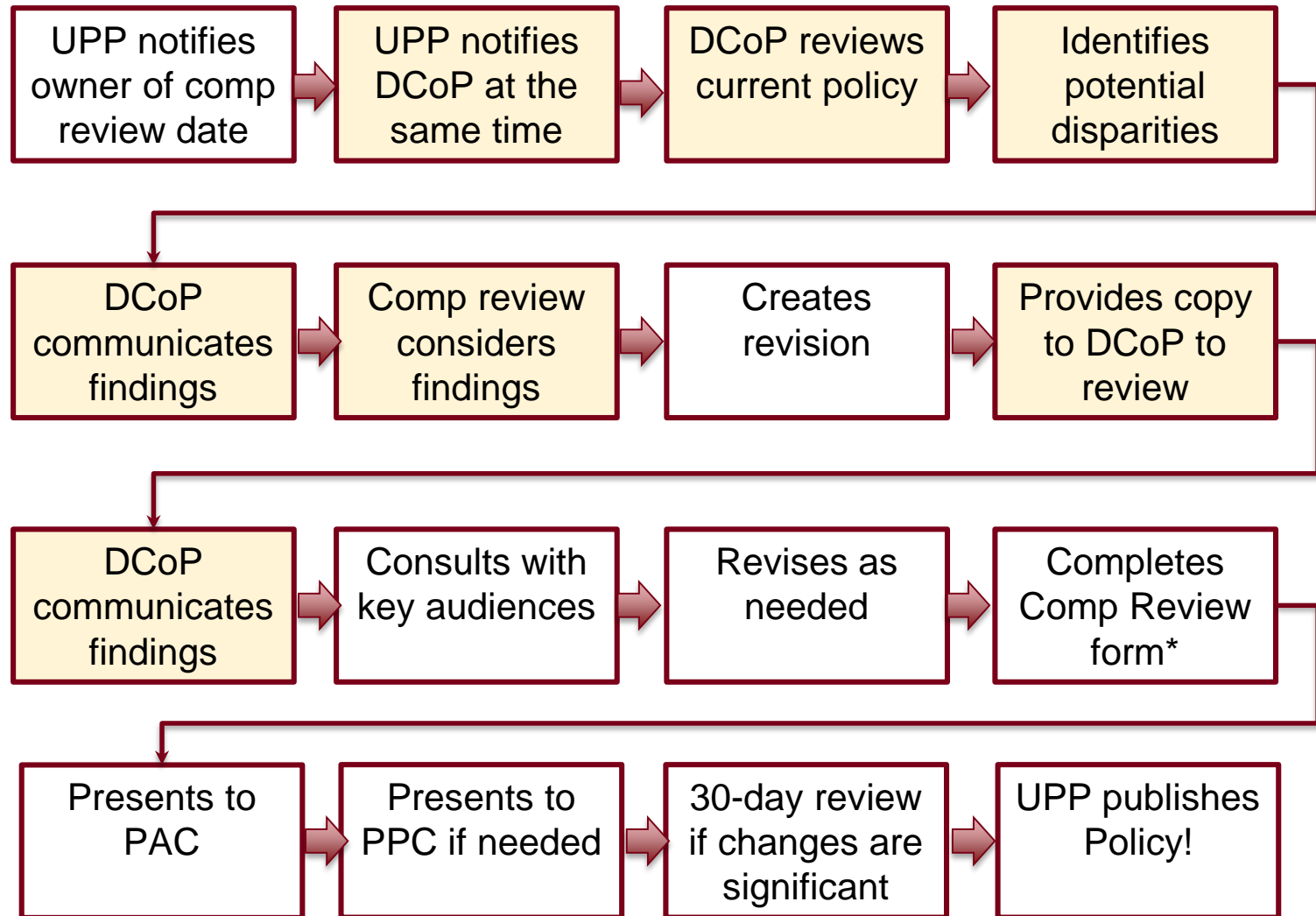
Current status - engagement

- Diversity Community of Practice (DCoP) subcommittee reviews administrative policies
  - New policies – once draft is available
  - Existing policies – at two points
  - Discuss monthly in their committee
  - Policy owners receive email with observations

Current comprehensive review process

UPP notifies owner of comp review date → UPP notifies DCoP at the same time → DCoP reviews current policy → Identifies potential disparities →

DCoP communicates findings → Comp review considers findings → Creates revision → Provides copy to DCoP to review →

DCoP communicates findings → Consults with key audiences → Revises as needed → Completes Comp Review form* →

Presents to PAC → Presents to PPC if needed → 30-day review if changes are significant → UPP publishes Policy!

What was gained from the equity lens course?

- Understanding how I review my own policy may be affected by implicit bias.

- Brought to light implicit biases that I had not realized before the training.

- Understanding of how the equity lens process works and why it is important to have.

- A new perspective on writing and using policy.

Policy: Employee Absences for Religious Holidays

Before

Requests to be away from work to participate in such observances should be submitted *at least two weeks prior* to the proposed absence.

After

Employees must submit requests to be away from work to participate in such observances *within a reasonable time prior* to the proposed absence.

Policy: Parental Leave

Before

- Must hold an appointment of 50% or greater
- Covers birth or adoption
- Benefit available after nine months
- Six weeks paid leave for the female employee; two weeks paid leave for the male employee

After

- Must hold an appointment of 50% or greater
- Covers for birth, adoption, and **gestational surrogacy**
- Benefit available **upon hire**
- **Six weeks** paid leave f**or any employee** with one of this parental leave events

Our experience thus far: DCoP work

- Have had some difficulties keeping members of the DCoP subcommittee
  - Have recruited five more
- Feedback often extends beyond the charge (changes that may be beyond the equity lens)
- Feedback received if solicited by email vs. in-person meeting significantly less robust

Our experience thus far: policy owners

- Most appreciate the observations
- Majority have made adjustments to their policies, even if they don't go as far as DCoP suggested
- Some forget to adjust their planning to include DCoP
- More observations on the human resources and education policies

Human Resources	Financial	Information Technology	Education & Student Life	Research	Admin & Operations

Global issues

- The language may not appear to have a potential disparate impact – implementing the policy may
- Accessibility of required trainings
- Differing application of policy across colleges – some more stringent
- Equity vs. generosity
- Preferred name option on all University forms?

Expanding our efforts

- Campus-specific policies
  - Identifying gendered pronouns and requesting changes
  - Exploring ways to expand a light version of the process at the other campuses

- College-specific policies
  - Identifying gendered pronouns and requesting changes

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Questions?

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