

**COUNCIL ON EQUITY AND INCLUSION
2018 - 2019
ANNUAL REPORT**

To the Irvine Divisional Senate Assembly:

The newly established Council on Equity and Inclusion (CEI) respectfully submits its report of activities for the 2018-19 academic year.

I. COUNCIL OPERATIONS

The Council shall advise the Division on matters related to equity, inclusion, and diversity. Its duties and membership are described in Irvine Bylaw 90. Professor Louis DeSipio, Social Sciences, chaired the Council in 2018-19. The Council met three times during the academic year. Attending regular meetings were the eight appointed members.

II. COUNCIL ISSUES

A. Council Charge and Issues

With the Council on Equity and Inclusion having been recently established and convened for the first time in the 2018-19 academic year, members initiated the process of compiling a list of issues they were interested in discussing in the upcoming year. Considering that the Council charge is quite broad and has oversight over a wide range of items, members found it would be more efficient to identify a couple of areas to focus on. The issues that came out of that discussion include, but are not limited to: undocumented and DACA students, use of diversity statements in hiring, first generation programs, the Equity Advisor Program, underrepresented minority (URM) faculty, underrepresented minority (URM) graduate students, a faculty climate survey, and questions about the University administration's stance/plan relating to issues of equity, inclusion, and diversity.

B. Equity Advisors and Conflict of Interest

(Memo date: 6/28/2019)

The Council discussed whether a conflict of interest exists when a faculty member holds an administrative title and serves as an equity advisor concurrently. Members considered if a conflict of interest is present when the administrative title held also involves an oversight of the recruitment process. Members noted that separation between the equity advisor role and any administrative title involved with recruitment and hiring is necessary to maintain the integrity of the recruitment process. Any faculty currently holding these roles concurrently should immediately step down from one of the two roles as it presents a conflict of interest.

III. SYSTEMWIDE ISSUES

A. Systemwide Review of Proposed Interim Policy on Responding to Immigration Enforcement Involving Patients at UC Health Facilities

(Memo date: 5/14/2019)

The Academic Council requested a review of the Proposed Interim Policy on Responding to Immigration Enforcement Involving Patients at UC Health Facilities. Members voted unanimously to forward the following recommendations.



1. Members expressed a concern with requesting information by telephone due to the possibility of fraudulent callers asking for this sensitive information. Unless these facilities are legally required to accept phone calls, it would be preferred that phone calls not be taken as means for information requests.
2. In regards to the phrase “A federal judicial warrant (either a search-and-seizure warrant or an arrest warrant): Prompt compliance usually is required, but, where feasible, staff should consult with legal counsel before responding,” the use of the word “usually” is not sufficient to provide clarity for the staff interacting with officers. Situations that are “feasible” enough to allow for consultation with legal counsel should be outlined to provide guidance for staff of situations where prompt compliance is not required.
3. It would be helpful if the health facilities could outline what areas qualify as a “Public Area” especially considering that these protections do not apply in those areas.
4. Members noted that the policy asks staff to compile and document various pieces of information in relation to officer requests. Considering that these all then need to be included in this incident report, there should be some form that lists these items for clear reporting on the incident report.
5. The UC System should keep a record of the incident reports, and the interactions with immigration officers. The data from these reports should be made available.
6. For every mention of information that is provided to patients, there needs to be an assurance that these health facilities will be providing the information in a language that allows for comprehension by the patient(s) in question.
7. The policy mentions “legal counsel” and “competent legal counsel.” Members questioned why legal counsel was only characterized as “competent” once in the policy, and not in any other mention of legal counsel. Members noted that the duty of competence is required under the ethical rules of legal professionals, therefore the inclusion of the word “competent” seemed unnecessary. Members commented that perhaps the use of the word “competent” was meant to indicate a legal professional well versed in immigration law. If so, then the policy should be clarified to convey that point.
8. Members noted that it should be mandatory that staff members consult with legal counsel in regards to any documentation provided by the officer. Considering these are legal documents, the legal counsel should attest to the validity of these documents prior to a staff member relinquishing information or access to an immigration officer.
9. The following questions were also posed:
 - a. If the officer does not comply and instead just orders that access be given, should the staff then disregard the other points and just give him/her access?
 - b. Will this policy, which outlines the steps that the staff/health facility will take in relation to these immigration enforcement matters, be circulated to patients?

IV. COUNCIL MEMBERSHIP

Senate Members (voting)

Louis DeSipio, Social Sciences, Chair

Sora Han, Social Ecology

Ian Harris, ICS

Adriana Johnson, Humanities
Annie Ro, Health Sciences (Public Health)
Trilby Robinson-Dorn, Law
Timothy Rupert, Engineering
Nina Scolnik, Arts

Ex Officio (non-voting)

Douglas Haynes, Vice Provost, Academic Equity, Diversity and Inclusion
Judith Stepan-Norris, Vice Provost, Academic Planning

Council Analyst:

Christine Aguilar, CEI Analyst