

**Unit:** School of Law      **Date:** December 17, 2018

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## **1. Introduction:**

The central mission of the School of Law is to educate future lawyers, instilling “knowledge of the law, key professional skills, and core values that set the Aggie Lawyer apart.”<sup>1</sup> Our 67 full-time faculty members are nearly equally divided between men and women; 27% are ethnic minorities. Our 55 staff are 16% minority members. Of our 452 J.D. students, 55% are women, and 30.5% represent ethnic minorities.

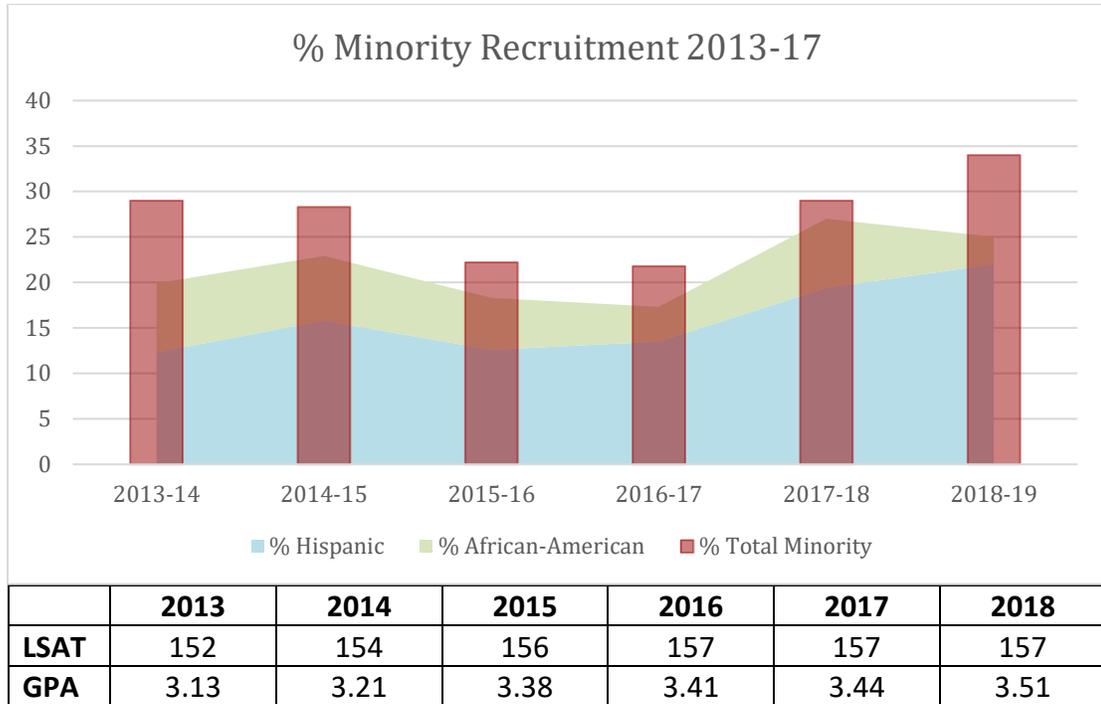
We fill our two-story building overlooking the Water Garden in downtown Fort Worth and spill over into law clinics half a mile away. We have grown beyond the J.D. too, offering two new graduate degrees: Master of Laws (LL.M) and Master of Jurisprudence (M.Jur.), with classes on campus, online, and at our new San Antonio quarters.

This report draws on two 2016 climate surveys: a Human Resources survey of University staff (University Survey) and a consultant’s survey of Law School faculty, staff, and students (Climate Survey). The outgoing chair of the Diversity Council drafted the report with input from the current Council, its Chair, and several administrators. Dean Robert Ahdieh made substantive draft suggestions, and he reviewed and finalized the report.

## **2. Recruitment:**

Our recruitment efforts have one numerical goal: to keep increasing the diversity and the academic and professional caliber of our students, staff, and faculty. We report annually to the American Bar Association (ABA). Although recruitment of faculty and staff nearly halted during the 2017-18 academic year, student recruitment was a bright spot.

*Students:* Our 2018 entering class set a record in academic qualifications and diversity. Our 180 new full-time students are 62% women and 33% ethnic minority. Their median LSAT score was 157; their median GPA, 3.51.

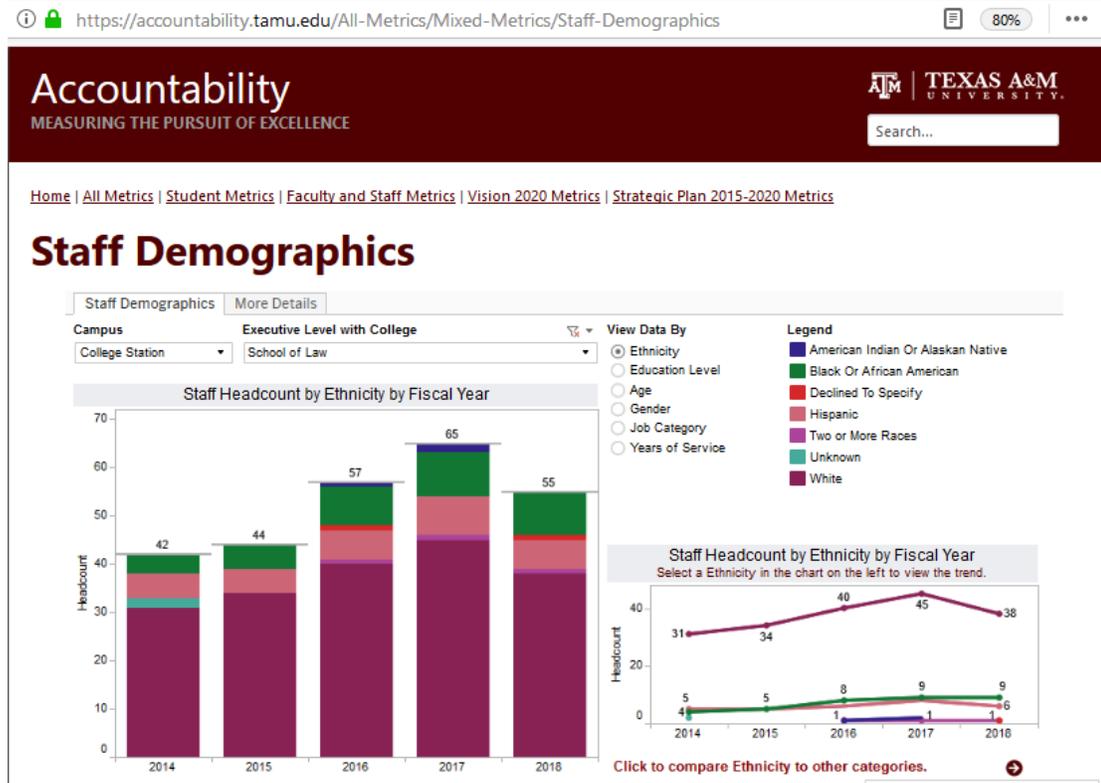


Our Assistant Dean for Admissions aims for diversity as he builds each entering class. He credits the Fall 2018 success to significant investment in scholarships and to the sheer number of contacts that top applicants received from his office and from volunteer administrators, faculty, and students.

As always, we visited colleges with high numbers of minority students. To increase diversity, we have begun accepting students on the basis of the GRE score, rather than LSAT; however, in light of the small number of GRE matriculants to date, we have not yet seen any impact on diversity. We are exploring new ways to expand the “pipeline” to our law school, such as offering a streamlined six-year B.A./J.D. program for Aggie undergraduates and a guided traditional path for Tarrant County Community College students. We have done substantial work on still other initiatives, including conversations with Prairie View A&M University. Our innovative “Borderlands” program, an intensive class combining law students with undergraduates, has generated high-caliber students from Texas A&M International University (TAMU-IU) and the Laredo area. In addition, we have seen modest growth in international students and expect much more going forward.

*Staff:* After several years of expansion, our staff underwent a reduction in force in 2018<sup>2</sup> due to spending cuts. Nevertheless, our new Assistant Dean for Finance and Operations was able to address one recruitment concern raised by the Climate Survey: pay inequity and a mismatch between titles at Texas A&M and those at peer institutions. She reviewed staff salaries and won approval for

twelve equity adjustments and reclassifications, implemented on September 1, 2018.



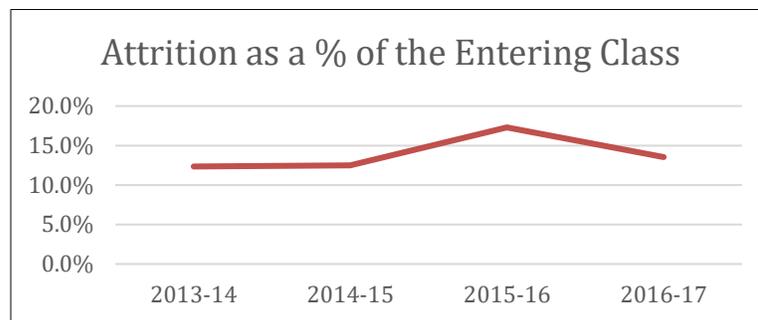
*Faculty and Administration:* Our top recruit in 2018 was our dean, Robert Ahdieh, who, as an Iranian-American, is a member of an underrepresented minority. Diversity Council members interviewed dean finalists. In an independent report to the search committee, the Council expressed enthusiasm about his diversity work at Emory University and his own experience as the son of immigrants. Still, we must note that two dean searches in five years have yielded no female finalists, leading us to ask whether our process, our school, or our external image keeps some women candidates away.

**3. Retention:**

The 2016 Climate Survey found good levels of comfort at the Law School overall. More than 70% of faculty and staff members would endorse the school as a good place to work. Among students, 70% or more felt valued by faculty, staff, administrators, and fellow students. Still, some people leave. We track and report some of their numbers to the ABA, and we offer some observations below.

*Students:* Most student attrition occurs during the first year of law school. The Climate Survey found that 21% of student respondents had seriously considered leaving, with 81% of that group being first-year students. These were more often students of color than white students, and their reason was most often a sense of not belonging, a feeling more common among minorities and women than among white men.

But in the most recent ABA data, for 2016-17, the students who actually did leave were disproportionately men, while minority students left in rough proportion to their presence in the entering class. Overall, 13.5% of the first-year students left. This is lower than the previous year, but also higher than in the law school's first years as part of Texas A&M.



The Law School tries to retain students by helping them succeed. Our Academic Support program assigns all first-year students to groups led by approachable and well-trained teaching assistants. Still, students leave for a host of reasons, including job offers in other fields and changes in academic goals. We should consider tracking their reasons in more detail than we do now.

*Staff:* Despite reporting a high level of comfort on the job, nearly half of the staff respondents in our 2016 Climate Survey had seriously considered leaving in the prior year. Among their reasons were tension with co-workers, low pay, and limited opportunities for advancement. In 2018, several staff members did leave. Two valued members of our academic support team accepted leadership positions in similar programs at other law schools. Some staff left, at least in part, because of uneasiness over spending cuts and the elimination of other positions.

*Faculty:* Faculty retention has been strong, with only two departures in 2018. A senior scholar left for another law school position, and a longtime professor retired. Still, a potential for retention problems looms in the approach of post-tenure reviews. Although 100% of tenured faculty agreed in the Climate Survey that the Law School values scholarship, barely over 50% said that they found the criteria for post-tenure review to be clear, fair, or evenly applied.

#### 4. Climate:

Our Climate Survey found a positive attitude on our campus, but it also found that conduct ranging from exclusionary to hostile occurs and appears aimed at political views, race, gender, or position. We are working to improve this. The *University Diversity Plan* calls for re-assessing climate every three years, but our 2016-19 period has seen fast changes under three different deans against a backdrop of societal polarization. We need to consider what we want to learn from the next survey and what timing will give us the best information.

Besides quantitative data, the *University Diversity Plan* considers the quality of less-measurable things such as dialogues, relationships, and cultural spaces.<sup>3</sup> Thus, we are pleased to report students, staff, and faculty spontaneously initiating diversity-enhancing events during the 2018 calendar year:

- The Southwestern Black Law Student Association (BLSA) met on our campus, invited by our own BLSA chapter.
- The annual conference of Law School Diversity Professionals was held at the law school, invited by a staff member.
- A panel addressed diversity among mediators and arbitrators during a faculty symposium on dispute resolution that we hosted.

Climate issues and initiatives specific to each group follow:

*Students:* Students support each other in groups organized around ethnicity, religion, gender, veteran-status, and political perspective. Student affinity groups host events on campus and connect with parallel groups in the legal community. During 2017-18, students revived “OutLaw,” an organization for LGBTQ students. This may [help to](#) address the relative discomfort that these students expressed in the Climate Survey.

Faculty and administration address student climate as well. The dean holds Town Hall meetings. The Diversity Council web page urges students and other readers to “Talk to Us” by sending an anonymous message to the Council chair. We have begun posting answers to general questions at “You Asked. We answered.”

*Staff:* According to the 2016 Climate Survey, staff members, at a higher rate than the University average, say that the school values people of different backgrounds and perspectives.<sup>4</sup> Yet the Climate Survey found that staff members were less comfortable than faculty and students<sup>5</sup> and had “no faith in the official system for addressing complaints and resolving conflict in the workplace.”<sup>6</sup> Last spring, after two staff members submitted anonymous complaints to the Chancellor’s Office, a law school administrator sent an e-mail to all staff, discouraging such actions by “troublemakers.” This incident indicates a critical need for supervisor training.

*Faculty:* In forums that followed our Climate Survey, some faculty said they felt excluded from circles of information. Others were concerned that visits by outside scholars, although welcome, were taking time and energy from collegial research-talk among colleagues. In response, the Law School has begun sponsoring an annual scholarship retreat for faculty during the winter break.

## **5. Equity:**

*Students:* As noted in last year's report, students experience equity issues when they feel excluded, something more often experienced by students of color, LGBTQ students, and first-generation law students than by white, heterosexual students from professional families. The Council has sometimes initiated its own activities, but student time is scarce. For this reason, the Council is developing incentives to encourage student groups to use some of their own events to build mutual support by co-sponsoring activities with other groups across political, social, and ethnic divisions.

*Faculty:* Equity adjustments to salaries have been gratifying for faculty in recent years, but concerns have been raised that continued high-profile hiring has overlooked our need for faculty to teach basic, required courses.

Adjunct faculty also deserve attention. The faculty adjunct committee is considering how to increase diversity in our hiring process, as we reported last year. The committee should also consider ways to include adjunct faculty more fully in the life of the school. Some adjuncts enthusiastically come to campus events when invited. We should not forget to invite them.

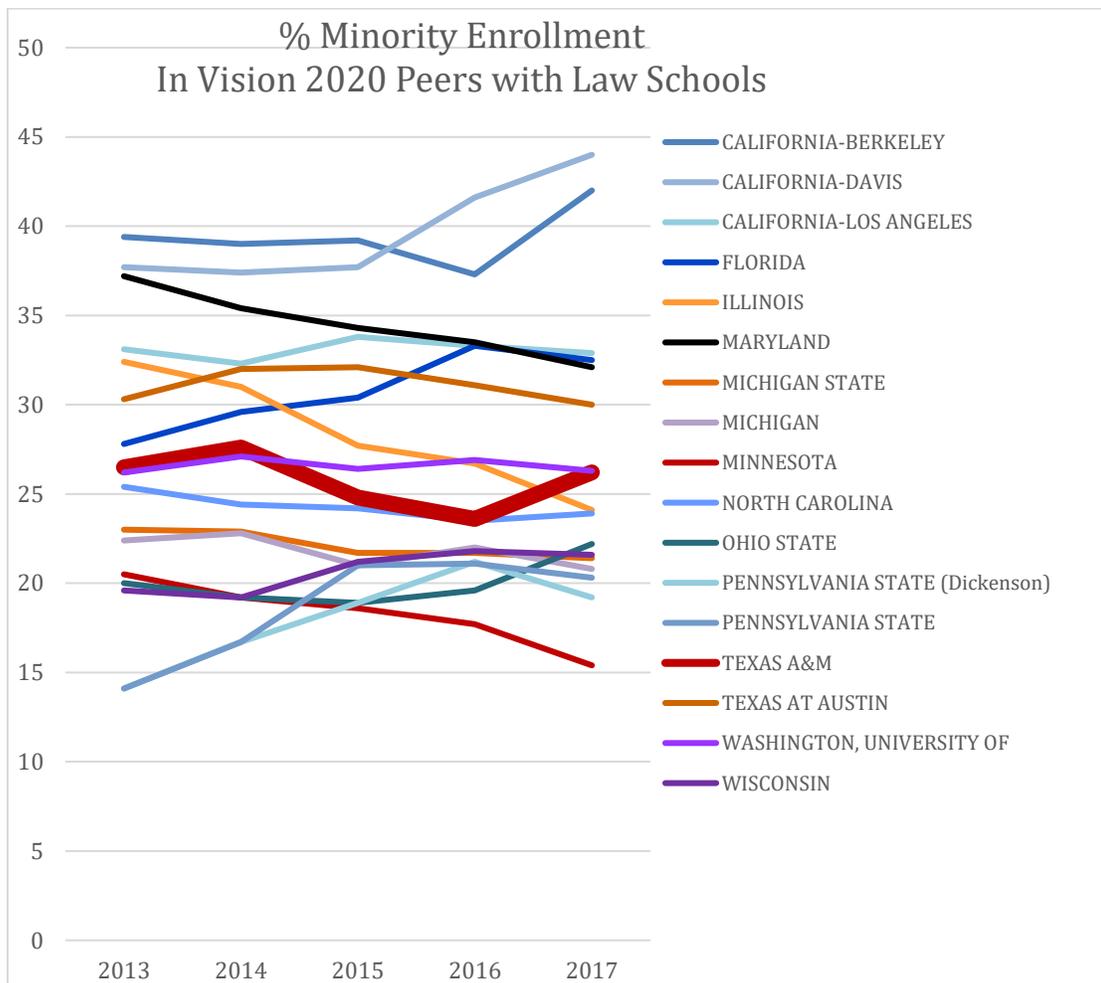
*Staff:* After successfully addressing pay equity by reclassifying a dozen staff members, the Assistant Dean for Finance and Operations has begun a systematic reevaluation of job classifications. Her next focus will be the library staff. In addition, she plans to make equity review an annual event.

Technology may address another concern raised in Climate Survey. Staff members said they wanted clearer evaluation criteria and more transparency in decisions about their performance. That concern also surfaced in the University Survey. Asked about the statement, "I receive timely feedback on how I am doing and my progress," our staff members agreed at a substantially lower rate than the University average.<sup>7</sup> This problem may change with the new Workday platform, which incorporates a system of evaluation. This year, each staff member submitted a self-evaluation and was able to see and comment on his or her manager's evaluation.

**6. Reflection:**

The case for diversity in academia is at its most compelling in the field of law. Law defines the rights, obligations, and everyday expectations of people and institutions at every level. Law school is the door to professional practice, the training ground for judges, and an entry point to political power. In the legal field, diversity increases access to justice and counters unhealthy concentrations of power. In the classroom, diversity improves the quality of legal thought: when rigorous analysis and argument occur across a wide range of life experiences, the exchanges develop greater depth and finer nuance.

Under ABA standards for accreditation, a law school must “demonstrate by concrete action a commitment to diversity and inclusion . . .”<sup>8</sup> ABA data show that, among our Vision 2020 peers,<sup>9</sup> Texas A&M Law ranks in the middle in total minority enrollment. This signifies both a good effort and an opportunity for improvement. Our relative position over the past five years is visible in the bold maroon line in the chart that follows.



- a) Describe how your unit is “moving the needle” (e.g., changing numbers/composition, awards, recognition, grants, funding, etc.).

We have made progress during this current academic year on several fronts, including the following:

- To aid student retention, we are reconfiguring our remedial sessions on legal analysis, moving them from the second year to the first.
- We are highlighting students who serve diverse clients. Among them, several students documented abuses against Somali refugees at a detention facility<sup>10</sup> and won an appeal this fall for one of the refugees.
- We are systematizing our awards process, facilitating more thoughtful, fair, and inclusive nominations.
- The director of our Program for the Advancement of Legal Ethics has received an NSF grant as principal investigator of “The Ethics of Diversity--Fortifying Ethical Infrastructure to Prevent and Address Sexual Harassment in STEM Research & Practice Settings.”

- b) What challenges has your unit faced? What plans are in place to address the challenges?

Financial uncertainties have been a disorienting change from our initial period as part of Texas A&M, when we leapt from being unranked to being a top-100 law school. Spending cuts in 2017-18 stopped some initiatives and discouraged others. Under our new dean, we expect spending to be strategic and sustainable so we can continue to advance.

Another challenge is the distance separating us from expertise, resources, and relationships at College Station. The Center for Teaching Excellence and the Multicultural Services Division have led helpful programs here. Yet some of our requests go unanswered in the busy life of the main campus. We are pursuing stronger ties to College Station, to draw on its resources and build our own expertise.

Finally, when recruiting diverse faculty, staff, and students out of state, we sometimes encounter negative preconceptions about Texas. We are meeting these with proactive outreach.

- c) What innovative strategies have been implemented in your unit that might be useful to other units?

- Our required Academic Support program teaches study and time-management skills to all first-year students.

- During exam week, we bring in emotional support dogs for an afternoon to help reduce student anxiety.
- d) Describe how funding from the Diversity Plan awards has been used (or will be used) to support and advance your unit's recruitment, retention, climate, and/or equity goals.

The Diversity Council has been a frugal steward of funds. Its largest single expense has been a one-time grant of up to \$6,000 to send our Black Law Student Association (BLSA) Moot Court team to a competition. The Council has offered \$5,000 toward hiring a part-time ombuds, a project not yet taken up. The Council plans to use funds as incentives for campus groups to hold joint events exploring their different identities and viewpoints. Funds could also be well used to bring in speakers or take our students to diversity-related events in the legal community.

To plan effectively, the Diversity Council has requested and received a liaison position on our Strategic Priorities Committee. Meanwhile, the school is considering the following actions:

- Arrange face-to-face diversity training for administrators, staff, faculty, and student leaders, with an eye to immediately addressing staff climate concerns and, in the long term, developing our own training expertise;
- Institute the Diversity Council's part-time ombuds proposal;
- Design a diversity assessment plan, building its measurements into evaluations<sup>11</sup> and clarifying the lines of responsibility for diversity and inclusion;
- Resume work on pipeline programs. We can learn from peers who have their own. Two University of Texas programs offer a stipend or credits to college students. U.T. and U.C. Berkeley begin at high school. These are long-term investments that require resolve today.

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<sup>1</sup> *Success: It's at Our Core*, TEXAS A&M UNIVERSITY SCHOOL OF LAW,

<https://law.tamu.edu/prospective/admissions/success-its-at-our-core>

<sup>2</sup> Graphs showing recent fiscal year statistics are from TEXAS A&M UNIVERSITY, ACCOUNTABILITY: MEASURING THE PURSUIT OF EXCELLENCE, <https://accountability.tamu.edu/All-Metrics/Mixed-Metrics/Staff-Demographics> (use drop-down menus to find data for the College Station campus and the School of Law).

<sup>3</sup> OFFICE OF THE VICE PRESIDENT AND ASSOCIATE PROVOST FOR DIVERSITY, TEXAS A&M UNIVERSITY DIVERSITY PLAN 1 (2010), <https://diversity.tamu.edu/getattachment/Diversity-Plan/Diversity-Plan-2010.pdf.aspx>

<sup>4</sup> TEXAS A&M UNIVERSITY DIVISION OF HUMAN RESOURCES AND ORGANIZATIONAL EFFECTIVENESS 12, STAFF CLIMATE SURVEY RESULTS, <https://employees.tamu.edu/media/1225397/LawSchool-SCS2016.pdf> (University Survey).

<sup>5</sup> RANKIN & ASSOCIATES, CAMPUS CLIMATE ASSESSMENT PROJECT, TAMU LAW EXECUTIVE SUMMARY ix, <https://drive.google.com/file/d/0B9momRZYw4DVV2JyXzdNODBJdDQ/view>

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<sup>6</sup> RANKIN & ASSOCIATES, ASSESSMENT OF CLIMATE FOR LEARNING AND WORKING REPORT 126 (2016),

<https://drive.google.com/file/d/0B9momRZYw4DVeVBIamNqMzVUN2M/view>

<sup>7</sup> TEXAS A&M UNIVERSITY DIVISION OF HUMAN RESOURCES, *supra* note 4, at 9.

<sup>8</sup> ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2018-19,

[https://www.americanbar.org/content/dam/aba/publications/misc/legal\\_education/Standards/2018-2019ABAStandardsforApprovalofLawSchools/2018-2019-aba-standards-rules-approval-law-schools-final.pdf](https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2018-2019ABAStandardsforApprovalofLawSchools/2018-2019-aba-standards-rules-approval-law-schools-final.pdf)

<sup>9</sup> The Vision 2020 peer institutions with law schools are University of California—Berkeley, University of California—Davis, University of California—Los Angeles, University of Florida, University of Illinois, University of Maryland, Michigan State University, University of Michigan, University of Minnesota, University of North Carolina, Ohio State University, Penn State University, University of Texas, University of Washington, and University of Wisconsin. Our 2016 report focused specifically on initiatives at U.C. Davis, Maryland, and Texas.

<sup>10</sup> A report is available at [https://law.tamu.edu/docs/default-source/faculty-documents/wtdf\\_report.pdf?sfvrsn=6](https://law.tamu.edu/docs/default-source/faculty-documents/wtdf_report.pdf?sfvrsn=6)

<sup>11</sup> Tyrone A. Holmes, *How to Connect Diversity to Performance*, 55 PERFORMANCE IMPROVEMENT, July 2016, at 32.