

The University of Alabama at Birmingham



Strategic Diversity Plan

March 2007

Prepared by:

The Office for Equity and Diversity



With assistance from:

The UAB Diversity Council
The President's Cabinet
The Academic Programs Council
The UAB Office of Human Resource Management
The UAB African American Faculty Association
The UAB Faculty Senate

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THE UNIVERSITY OF ALABAMA AT BIRMINGHAM STRATEGIC DIVERSITY PLAN

Executive Summary

The University of Alabama at Birmingham (UAB) is committed to diversity and an inclusive campus. At UAB diversity is the full range of human difference and potential that manifests itself in individual members of the campus community. Included in this range are many differences – race, gender, ethnicity, age, culture, national origin, religious belief, physical ability, sexual orientation, socioeconomic class, lifestyle preference, political conviction and many other differences. Such campus diversity enriches the educational experience for students and contributes to a high quality intellectual and cultural educational environment for all members of the UAB community.

The purpose and objectives of the UAB Strategic Diversity Plan are:

- To continue to establish diversity as a core value at UAB;
- To promote diversity in all aspects of university life;
- To create an environment in which its members are diverse, offering perspectives from which all can gain knowledge and skills; and
- To encourage all members of the community to listen to, understand and learn from each other.

In order to continue to achieve diversity as a core value at UAB, important goals and implementation strategies must be identified. The following goals are put forth as a basis for UAB's plan:

- Goal 1: Foster an inviting campus environment that respects differences and encourages inclusiveness.
- Goal 2: Increase the recruitment, retention and representation of diverse students, faculty, administrators and staff to a level that is an appropriate reflection of the pool of availability for the target population.
- Goal 3: Develop and implement a comprehensive system of education and training focused on effectively managing and leveraging diversity for students, faculty and staff.
- Goal 4: Build and enhance partnerships with diverse communities, businesses and civic organizations to support diversity at UAB and the surrounding communities.
- Goal 5: Develop and execute a comprehensive communication plan for diversity.

UAB's Strategic Diversity Plan, with its vision and goals, must be recognized as a fluid document that outlines current challenges, solutions and accountability measures. Revisions, updates and additions will be made as necessary to continue enhancing diversity at UAB. The plan is meant to

be inclusive of all members of the university community, focusing particularly on historically or currently underrepresented and minority groups. It should serve as a structure for the continual creation and nourishment of a culturally diverse learning community at UAB.

These goals are the core of a strategic plan to guide and motivate additional initiatives over time; it encompasses goals and actions. Timetables for action will be determined upon plan implementation. New forms of decision-making, communication, skills development and behaviors of UAB students, faculty, staff and administrators will be the result of the implementation of this strategic diversity plan.

Mission

UAB is a research university and academic health center that discovers, teaches and applies knowledge for the intellectual, cultural, social and economic benefit of Birmingham, the state and beyond.

President's Statement on Diversity

“The University of Alabama at Birmingham (UAB) is committed to a diverse and inclusive campus. This commitment is the most effective means of fulfilling our mission: to provide the very best education to our students, to conduct research that remains on the cutting edge and to render the most beneficial and far-reaching service to this community and state. Success in all these areas depends largely on the depth and breadth of the talent, perspectives and backgrounds represented on this campus.

Although UAB's commitment to diversity and equality as a key means of fulfilling the university's educational mission is long standing, I have appointed Dr. Louis Dale, Vice President for Equity and Diversity, to oversee the continuation of UAB's diversity efforts as well as the implementation of new diversity and equity initiatives. Some of the more noteworthy efforts include the following:

- Senior UAB administrators shall be responsible for providing the leadership to create meaningful progress in diversity.
- A continuing collegial dialogue with African-American faculty and staff to establish a five-year goal for African-American representation in the student body, faculty, and EEO-1 level staff, not as legally or contractually enforceable quotas, but as a standard management technique for assessing effectiveness of ongoing diversity initiatives.
- A commitment to continue to engage in strategic diversity initiatives that UAB deems appropriate in order to recruit, hire and retain African-American faculty and EEO-1 level administrators.
- A requirement that all search committees for presidents and all EEO-1 level administrative positions have African American representation.

- An agreement to send announcements of faculty and EEO-1 administrator level position searches to the UAB African-American Faculty and/or Staff Association with an invitation to identify possible recruits and for the next five years to provide the Southern Regional Education Board (SREB) a list of faculty vacancies in the event that the SREB, if it so chooses, will notify graduates of the SREB Doctoral Scholars Program of those vacancies.
- An agreement that, for the next five years, UAB will distribute annually the SREB doctoral scholars list provided by Alabama Commission on Higher Education (ACHE), to the extent one exists and ACHE distributes it, to vice presidents and deans, with a request that they attempt to contact the SREB Doctoral Fellows within applicable fields of study, and invite them to apply for positions at UAB that may be applicable to the SREB scholars' fields of study.
- An agreement to meet at least twice annually for the next five years with the elected leadership of the UAB African-American Faculty Association and African-American representatives from UAB's staff to receive recommendations on best practices and policies for increasing diversity on the faculty and at the senior administrative levels of the institution and on the retention of such faculty and administrators. The purpose of this meeting will be to review and exchange ideas and information about best practices.
- An agreement to attend, the next five years, a statewide meeting sponsored by the University of Alabama System for representatives of public bachelor degree granting institutions, voluntarily to attend and discuss information about the recruitment and retention of African-American and other underrepresented groups and to continue to identify effective and constitutionally permissible recruitment and retention practices.

UAB is a research university and academic health center that discovers, teaches and applies knowledge for the intellectual, cultural, social and economic benefit of Birmingham, the state and beyond. Diversity is important to the accomplishment of this mission. Accordingly, UAB renews its commitment to diversity to fulfill its educational mission.”

President Carol Z. Garrison

Institutional Commitment to Diversity

As indicated above by President Garrison, UAB is firmly committed to providing an environment that is free from discrimination and where all are respected and recognized for their individual differences. The University values diversity among its students, faculty and staff, recognizing that our differences contribute to our strength as an academic institution. The Board of Trustees of The University of Alabama System passed a resolution in September 2003, confirming the commitment to diversity on behalf of the Board and its three campuses. Consistent with this board resolution, UAB agrees that students who learn from each other in an environment with a variety of backgrounds are more apt to understand and appreciate the world they inhabit than students who are educated in more culturally and racially homogenous institutions. In this context, diversity is not the end in itself, but is aligned with UAB's commitment to prepare all of its students for productive lives in the twenty-first century. Consistent with applicable law, UAB also recognizes that the

educational interest in diversity is conceptually broader than racial and ethnic diversity alone. Further, UAB reaffirms its commitment to diversity as an educational policy and its good faith commitment to operate in a constitutional and non-discriminatory fashion.

Diversity is embedded within the UAB strategic plan and scorecards as a means of reaching all areas of the campus to ensure diversity initiatives achieve high priority in planning and budgeting processes. To this end, diversity is the responsibility of all faculty, staff and students as individuals and as members of various university areas and organizations. In particular, to ensure progress, there must be a demonstrated commitment to diversity at the highest administrative levels. The president, provost, vice presidents and other senior leaders are responsible for providing the leadership needed to create meaningful progress.

Activities will be monitored, measured, evaluated and documented through established procedures, and the implementation of initiatives will be evaluated through the inclusion of these tasks in performance evaluations. Each vice president and dean will be responsible for evaluating and disseminating information about initiatives as part of annual university strategic planning efforts. While the initiatives outlined herein are overarching university initiatives, each vice president, dean and director will maintain and carry out more specific initiatives. Individual status reports will be completed and forwarded to the president for review.

The UAB Strategic Diversity Plan includes some of the recommendations of the Alabama Public Universities Task Force for Recruitment and Retention. The task force, consisting of 21 faculty, staff and administrators from Alabama's public universities, recommended strategies and best practices for minority faculty and student recruitment and retention. These recommendations and best practices were distributed to all Alabama public universities and included in the Knight Case court records.

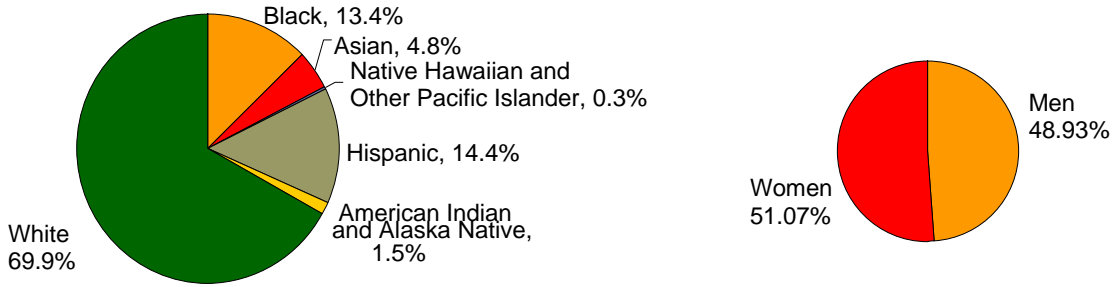
The UAB Strategic Diversity Plan is a consensus document that reflects UAB's obligation and illustrates efforts to achieve its diversity mission.

The Importance of Diversity

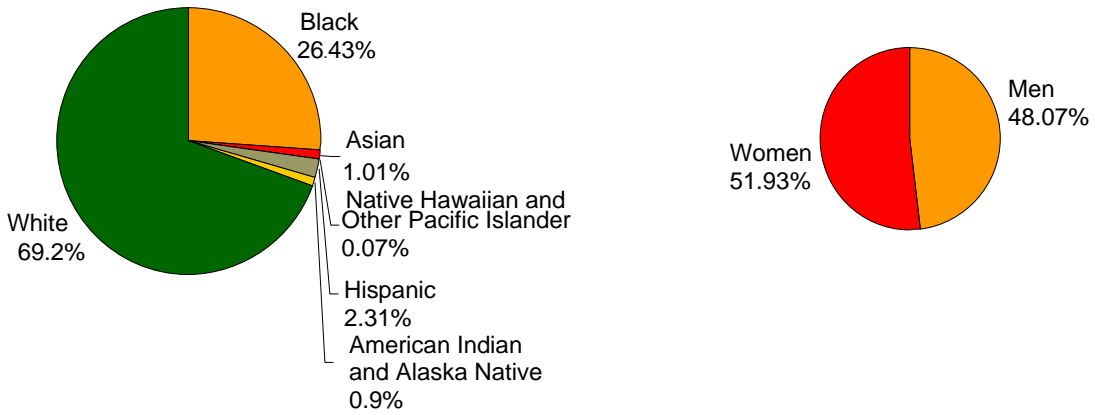
As UAB grows more diverse, creating an environment of inclusiveness and respect is more important than ever. Recognizing and appreciating the value of diversity is critical to UAB's vision of being an internationally known research university – a first choice for education and health care. To support this vision, President Carol Garrison has approved "Diversity Awareness Education" as a requirement for all UAB employees. The diversity education program is in two part class comprised of online and in-classroom learning directed by UAB Human Resource Management (HRM).

The United States is becoming an increasingly multicultural society. The U.S. Census Bureau estimates that within the next 30 to 40 years, whites will no longer make up more than half of the population, as the number of Asians, Hispanic or Latino origin and other immigrants continue to increase. The following graphs provide an overview of the diversity make-up of the external and internal UAB environment:

Diversity in the United States

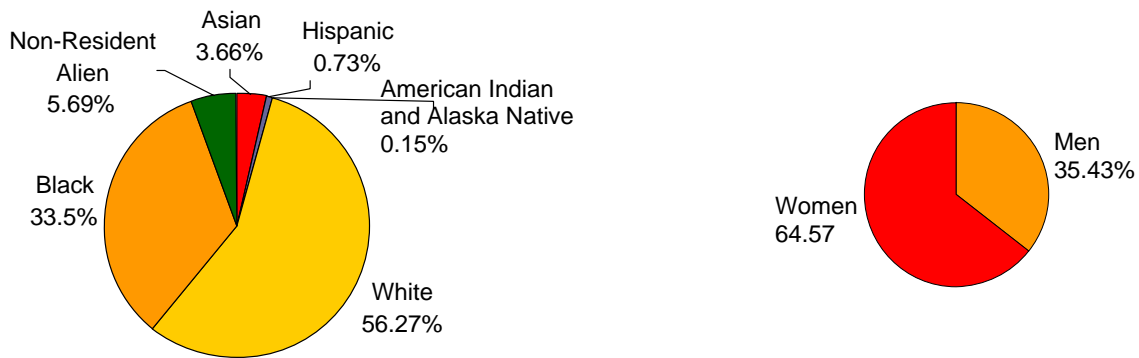


Diversity in Alabama



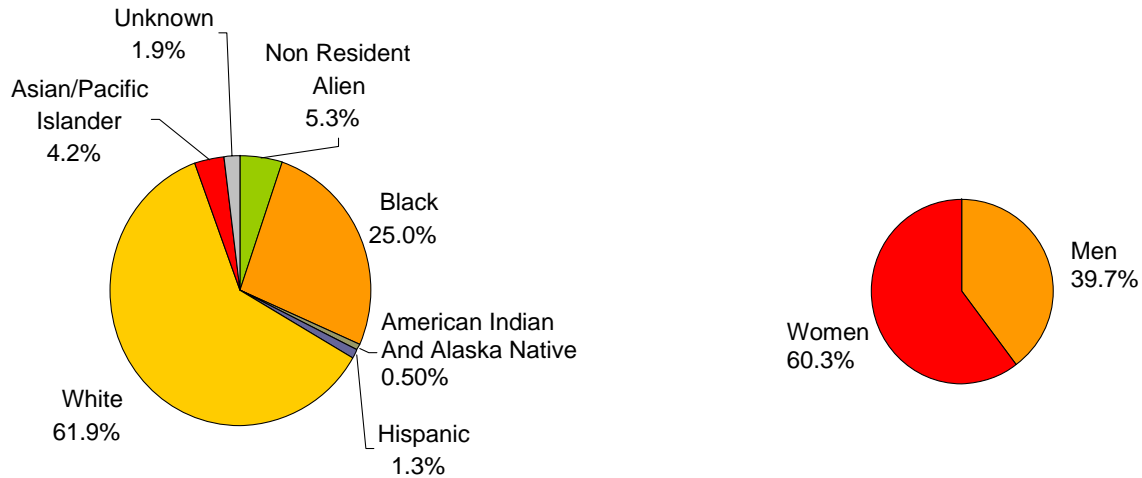
Source: U.S. Census Bureau, July 1, 2005

Diversity at UAB UAB Work Force FY 2005-2006



Source: Office of Human Resource Management Information Systems, October 2005

UAB Student Population - Fall 2005



Source: Institutional Studies and Services, September 2005

With the population of the United States and of Alabama growing more diverse, companies that do business in a global economic system, where products made in Alabama are sold all over the world, will require a more diverse workforce. UAB's goal is to produce graduates equipped to take a prominent place in the world. Such graduates should:

- be exposed to cultural diversity
- learn to be accepting of people and ideas not just their own
- learn to be sensitive to and accepting of people with disabilities
- learn to deal with diversity issues
- learn to be sensitive to cultural differences
- develop personal skills and demonstrate competencies in understanding diversity

The U.S. Census Bureau's current population estimates project that minority students will become the majority in U.S. classrooms by 2050, with an estimated 54% of all students being people of color and ethnic minorities. These shifts in the make-up of the college population will require campus administrators to create campus environments where students can learn and benefit from this increasing diversity. Thus, diversity is a key component for educational excellence in the 21st century.

While diversity is an invaluable source of knowledge for our society, we should not believe that this new learning can be achieved easily. Learning with and from people whose backgrounds and assumptions are different from our own is enriching, but given our national history of separation it is difficult. Diversity on campus and in the curriculum is producing new knowledge, new respect and a new commitment to the community. This is an extraordinary resource for a democracy that is growing more diverse by the minute.

The UAB Strategic Diversity Plan

UAB is committed to meeting the diverse needs of its constituencies: students, faculty, staff and citizens of the world. This commitment was articulated by President Garrison as she began her tenure as President of UAB in 2002 and efforts began to make it a reality. These efforts have continued since that time and are the basis of UAB's Strategic Diversity Plan. The Knight Case Settlement Agreement of 2006 requires that UAB, as well as other state institutions of higher education, have a diversity plan, the content of which is almost entirely discretionary with the administration of each institution, but with a set of particular components identified in the settlement agreement. The court required components are included in the UAB plan.

The Princeton Review describes UAB as a "mecca of multiculturalism. Here you will find students of all ages, from all walks of life, all religions and all ethnic backgrounds. This diversity adds to the classroom and the social experience by broadening the spectrum of discussion and expertise."

Diversity is integral to the stated mission and goals of UAB. The evaluation by the Princeton Review confirms the success of UAB in this mission. The goals and objectives set forth in this document are designed to provide UAB with a framework to continue to meet and exceed its commitments through diversifying the various campus populations, the curricula and student experiences. The UAB Strategic Diversity Plan reflects UAB's commitment to serve the diverse needs of students, faculty, staff and the world community.

Plan Development and Contributors

The commitment by President Garrison in 2002 was the beginning of a strategic diversity plan but the leadership for structuring a written plan summarizing the President's commitment and UAB's supportive initiatives was awarded in 2005 to the Office for Equity and Diversity, an office created two years earlier by the president and led by the university's first black vice president. The development of this document was a collaborative effort put forth by the Office for Equity and Diversity involving faculty, staff, students, administrators and focus groups. As such, it is a consensus document that serves as a blueprint for continual establishment of diversity as a core value at UAB. While broad input was solicited from all segments of the university community, the primary groups responsible for plan development were the UAB Diversity Council, the UAB African American Faculty Association, the UAB Faculty Senate and the UAB President's Cabinet.

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President's Cabinet

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Strategic Diversity Plan Goals and Strategies

The formation of the plan began in 2002 and has been strategically developing since that time. After the formal adoption of the plan, there will be an annual review and assessment. Revisions, updates and additions will be made as necessary to continue embedding diversity into the culture at UAB. The plan is meant to be inclusive of all members of the university community, focusing particularly on historically or currently underrepresented groups.

The five goals of the strategic diversity plan and corresponding action plans are enumerated below.

Goal 1: Foster an inviting campus environment that respects differences and encourages inclusiveness.

- The President shall identify an administrative position at the vice president or other cabinet level to oversee implementation of the strategic diversity plan.
- The President, vice presidents and deans shall be responsible for providing the leadership to create meaningful progress in diversity and, for at least the next five years, performance evaluations of the vice presidents and deans will include an evaluation of that administrator's efforts in achieving diversity at UAB.

Action:

Include diversity in the evaluation of UAB vice presidents and deans.

- Establish the Office for Equity and Diversity at UAB.

Actions:

Appoint a strategic planning committee for the Office for Equity and Diversity to do the following:

1. Review the role and responsibilities of the newly established Office for Equity and Diversity.
2. Develop recommendations relative to the strategic direction and major goals, plans, priorities, specific programs, organizational structure and budget for the office that are consistent with, and supportive of, the overall UAB strategic plan.
3. The Office for Equity and Diversity should provide effective leadership in the development, coordination, implementation and assessment of programs to promote diversity and understanding of differences at UAB. Specifically, the Office for Equity and Diversity should include the following activities and services:
 - Provide a perspective on diversity for the university through participation on institutional committees and councils;
 - Serve as the center of diversity activities on campus;

- Work with institutional leadership to enhance external support for diversity and equity programs, especially undergraduate and graduate scholarships and fellowships;
 - Work with the provost and deans to strengthen faculty search procedures in terms of enhancing diversity;
 - Coordinate with HRM all faculty/staff-related affirmative action matters;
 - Provide institutional reports to monitor progress on diversity goals;
 - Work with institutional leadership to develop strategies and programs to recruit underrepresented minority students; and
 - Build and maintain effective external relations and collaborations in the city, state and nation to enhance equity and diversity programs.
-
4. It should be the mission of the Office for Equity and Diversity to increase, retain and enhance faculty, student and staff diversity at all levels of the university and to promote equity.
- Appoint a high level administrator to actively promote faculty, student and staff diversity at all levels of the university and promote diversity as a criterion for excellence.

Actions:

1. Appoint a vice president to administer the Office for Equity and Diversity and to be responsible for providing effective leadership in the development, coordination, implementation and assessment of a comprehensive array of programs to promote diversity and understanding of differences at UAB.
 2. The Vice President for Equity and Diversity should report directly to the President on matters related to policy and vision and to the Provost on matters related to management of programs.
- Establish, promote and maintain the Chief Human Resources Officer and Human Resource Management (HRM) as key partners in all efforts to promote and embrace diversity in the areas of employment, employee relations, benefits and compensation program design and implementation, organizational development and training, as well as compliance.

Action:

- Appoint the Chief Human Resources Officer to the President's Cabinet and Academic Programs Council (APC).
- Initiate programs and activities which enhance cultural awareness for the entire campus, creating opportunities for campus education, constructive dialogue and honest reflection on diversity.

Actions:

1. Establish “UAB Community Week” to be celebrated annually as a means of celebrating its diverse campus community.
 2. Sponsor a week-long series of events coordinated by the Division of Student Affairs and the Office for Equity and Diversity, focusing on challenging ideas related to diversity and showcasing various campus cultures. These may include lectures, films, art shows and volunteer projects. Highlights of the week may include nationally known speakers or programs such as Free Food for Thought.
 3. Schedule a diversity awards banquet featuring a nationally recognized speaker on diversity issues and make awards to selected students, faculty and staff who have made outstanding accomplishments in diversity at UAB.
- Develop a reward and incentive program for students, faculty and staff who contribute to the advancement of diversity on campus.

Actions:

1. Appoint a selection committee to advertise and solicit student, faculty and staff nominees for the President’s Diversity Award.
 2. The committee should establish criteria for such awards and schedule an awards ceremony during UAB Community Week.
 3. The President should present the awards to selected students, faculty and staff.
 4. When planning programming specific to a particular group, partner with leadership from that group in the planning process.
- Establish a Commission on the Status of Women (CSW).

Actions:

1. Establish a permanent Commission on the Status of Women at UAB.
 2. Appoint a planning committee for the Commission on the Status of Women to recommend the structure of the commission to the President.
 3. Charge the committee, consisting of faculty, staff and students, to review commissions on other campuses and recommend an appropriate structure for UAB that is congruent to its particular structure and environment.
 4. Administratively attach the commission to the Office for Equity and Diversity.
 5. The commission should report regularly, through the Office for Equity and Diversity, to the President and UAB community on the status of women at UAB.
- Include sexual orientation, gender identity and gender expression in UAB’s anti-harassment and non-discrimination policies.

Actions:

1. Include sexual orientation, gender identity and gender expression in UAB’s anti-harassment and non-discrimination policies.

2. Distribute the policy and information about Safe Zone Training widely to students, faculty and staff at UAB.

- Establish a committee to address the issues of bias and hate on campus.

Action:

Appoint a university-wide committee to address issues of bias and hate and provide resources necessary to rid the campus of such issues.

- Partner with HRM supportive services such as the Child Care Development Center, the Resource Center and Organizational Development and Training to meet the needs of a diverse population.

Action:

Review child care and other services to determine needs and meet identified needs by reviewing broad community resources.

- Evaluate annually progress toward creating an inclusive environment, publicizing all data and findings and comparing results to baseline data to make additional recommendations.

Actions:

Evaluation of progress will be a joint effort of the Office for Equity and Diversity and the Office of Human Resource Management.

- Establish and publish a comprehensive annual diversity calendar of events, celebrations, historic dates and holidays.

Action:

Publish the Office for Equity and Diversity's comprehensive annual diversity calendar.

- Make efforts to identify prominent minorities to be considered for ongoing awards of honorary degrees and honorary doctorates.

Actions:

The president should consult with the cabinet to identify prominent minorities for honorary awards.

Goal 2: Increase recruitment, retention and representation of diverse students, faculty, administrators and staff to a level that is an appropriate reflection of the pool of availability for the target population. (UAB is an Affirmative Action Employer and will continue to develop and communicate the Affirmative Action Plan appropriately).

- Appoint a diverse committee to advise the President on recruitment and retention efforts.

Actions:

1. The President should appoint an advisory committee on minority recruitment and retention.
 2. The committee should be diverse and have members recommended by the African American Faculty Association.
- Appoint affirmative action officers in all UAB academic units.

Actions:

1. The Vice President for Equity and Diversity, in consultation with the deans, should appoint a tenured faculty member to serve as faculty affirmative action officer for each academic unit. It is crucial that, where possible, faculty affirmative action officers be tenured faculty members.
 2. Affirmative action officers should receive annual training in their published responsibilities.
 3. Sufficient time to effectively fulfill the duties of this office will be reassigned as needed, as determined by the dean.
- Require affirmative action officers to serve on all search committees to ensure an inclusive process in job searches.

Actions:

1. Where practicable, affirmative action officers should serve on all recruitment, promotion and tenure committees.
 2. Affirmative action officers should be required to sign all recruitment, promotion and tenure packages to certify that school and university guidelines were followed.
 3. Affirmative action officers should make annual recruitment and promotion reports to the deans, directors and Vice President for Equity and Diversity.
- Develop and implement education and training for all search committees so that completion of this training is a pre-requisite for participation on search committees.

Actions:

1. The university should look at online and other training for search committee members as a prerequisite for service on search committees.
 2. The Office of the Provost, the ADVANCE project and the Office for Equity and Diversity should collaborate on this issue.
- Implement an effective career development/succession planning program to allow all university employees, including women and underrepresented groups the opportunity to grow through broad leadership experiences.

Actions:

1. The Office of Human Resources Management should develop a career development/succession program in collaboration with the deans and administrative leaders.
 2. The program should be widely publicized.
 3. Program participants should be recommended by senior administrators.
- Increase the recruitment of African Americans, women and other underrepresented minorities to faculty positions.

Actions:

1. Identify doctoral students who are African Americans, women or other underrepresented minorities for possible recruitment to the UAB faculty.
 2. Identify a leader in each school to focus in part on recruiting, retaining and mentoring African Americans, women and other underrepresented minority students and faculty.
 3. Send announcements of faculty and EEO-1 administrator level position searches to the African faculty and/or staff association inviting them to identify possible recruits.
 4. The university will require, to the extent practicable and educationally sound, African American representation on all search committees for tenured or tenure track faculty.
- Identify Southern Regional Education Board (SREB) doctoral students and graduates for recruitment to UAB faculty.

Actions:

1. Provide to the SREB a list of faculty vacancies in the event that the SREB, if it so chooses, can notify graduates of the SREB Doctoral Scholars Program of those vacancies.
 2. Distribute annually the SREB doctoral scholars list provided by the Alabama Commission on Higher Education (ACHE) (to the extent one exists and ACHE distributes it) to vice presidents and deans, with a request that these officials attempt to contact the SREB doctoral fellows within applicable fields of study and invite them to apply for positions at UAB.
- Enhance faculty mentoring (currently annual and biennial faculty reviews provide a form of mentoring).

Actions:

1. While faculty reviews provide some mentoring, it would be better for a faculty member to have a person available throughout the year to discuss issues and problems.
2. Preferably, the mentor should be a member of the faculty member's department.

3. The mentor should be a person genuinely interested in the faculty member's professional development.
- Increase the retention of African Americans, women and other underrepresented minorities on faculty.

Actions:

1. Continue recruitment and retention programs administered by the Office for Equity and Diversity.
 2. Promote mentoring programs for African Americans, women and other underrepresented minorities on UAB's faculty to aid in retention of faculty, staff and students.
 3. Explore options for assisting employees with child and elder care needs with facilities such as on-site day care and programs to balance demands of work and personal life, as exemplified by peer and competitive institutions.
- Develop a strategy to increase the diversity of the faculty applicant pool.

Actions:

1. Advertise in national magazines and journals read by minority and women faculty.
 2. Ask women and minority faculty to identify potential women and minority faculty for positions at UAB.
- Establish a committee to focus on the recruitment of minority and women students at the graduate and undergraduate levels.

Actions:

1. Appoint a university-wide committee to recommend strategies specifically for recruitment and retention of minority and women faculty.
 2. The committee should be advisory to the Vice President for Equity and Diversity.
- Seek to include all university constituencies including African Americans, women and underrepresented minorities in the pool of applicants for the positions of president, vice president, dean, provost, assistant provost, department head and/or chair, directors of programs and other non-academic departments.

Actions:

1. The university should require African American representation on all search committees for all EEO-1 level administrative positions up to president.
2. Although each member of the search committee will receive training before service on the committee, the committee should include an individual trained to enhance the diversity pool so as to have an inclusive search.

3. Establish search criteria regarding diversity for use as guidelines for external search firms and analyze previous search firms' ability to deliver a diverse slate of candidates.
 4. Establish an administrative mentoring program for future administrators.
- Increase the recruitment, retention and thus representation of women and underrepresented students.

Actions:

1. Establish scholarships, or better promote existing scholarships, to facilitate achieving a diverse student body including women, ethnic minorities and other underrepresented groups, and provide for broad dissemination of the availability of such scholarships, especially to high schools populated by such groups.
 2. Ensure that recruitment for graduate programs includes a focus on African Americans, women and underrepresented minorities.
 3. Support and enhance the program of inviting junior and senior high school students to UAB for a day and provide for broad dissemination of the availability of the program to African American and Hispanic students. This initiative should include analyzing actual applications submitted and projecting goal application rates for future day visits.
 4. Invite guidance counselors from high schools in the southeastern United States, especially those from racially and ethnically diverse schools, to UAB for an orientation.
 5. Establish pre-college programs targeted at recruiting a diverse student population from predominately African American, Hispanic and economically disadvantaged communities.
- Seek grant support for undergraduate and graduate students from the National Science Foundation and other federal agencies to pursue careers in science, technology, engineering and mathematics (STEM).

Action:

Apply for National Science Foundation grant support for both graduate and undergraduate students, including programs such as the Louis Stokes Alliances for Minority Participation (LSAMP) and the Alliances for Graduate Education and the Professoriate (AGEP).

- Seek to increase employee diversity, including African Americans, women and underrepresented groups in higher level staff positions.

Actions:

1. Increase the recruitment of African Americans, women and underrepresented groups in order to maintain diversity in staff positions.

2. Encourage employees to participate in career development programs so as to give them the opportunity to position themselves for advancement within UAB.
- The UAB administration will, in collegial dialogue with its African American faculty and staff, establish a five-year goal for African American representation in the student body, faculty and EEO-1 level staff, not as legally or contractually enforceable quotas, but as a standard management technique for assessing effectiveness of ongoing diversity initiatives.

Action:

The President or Provost will meet with African American faculty and staff groups to discuss five year goals.

- The President, or her designee, will meet at least twice annually for the next five years with either the elected leadership of the UAB African American Faculty Association and African American representatives from UAB's staff to receive recommendations on best practices and policies for increasing the diversity of the faculty and senior administrative levels of UAB as well as the retention of such faculty and administrators. The purpose of this meeting is not to review employment and retention decisions for individual faculty and staff positions, but rather to exchange ideas and information about best practices.

Actions:

The President or designee will meet with African American faculty leadership to discuss best practices for recruitment and retention of African American faculty and students.

- Establish a baseline of current UAB minority and women faculty, staff, students and EEO-1 administrators to be used to measure progress in minority and women recruitment and retention.

Actions:

Establish a baseline as soon as possible

- UAB agrees to prepare for the next five years, a strategic diversity report, the contents of which shall at a minimum contain the following information:
 - a) Racial composition data of student body (total, undergraduate and graduate) from 1991 to the prior Fall Semester;
 - b) Racial composition data of students awarded bachelor, graduate and professional degrees the prior academic year of which data is available;
 - c) Racial composition for full-time faculty from 1991 to the prior Fall Semester;
 - d) Racial composition of presidents, provosts, vice presidents, deans and other EEO-1 level administrators from 1991 to the prior Fall Semester;

- e) Racial analysis of faculty and EEO-1 level administrative searches filled during the past academic year, including the number of African Americans who self-identified as applicants for the position; and
 - f) An assessment of progress by the institution in enhancing diversity and/or moving toward its diversity goals, with an emphasis on the representation of African-American faculty, EEO-1 administrators, and students.
- For the next five years, UAB agrees to attend a statewide meeting for representatives of public bachelor degree granting institutions and discuss information about the recruitment and retention of African-Americans and other underrepresented groups and to continue to identify effective and constitutionally permissible recruitment and retention practices. UAB agrees to send representatives to this meeting who are involved in the recruitment and retention of African-American faculty and EEO-1 level staff.

Goal 3: Develop and implement a comprehensive system of education and training focused on effectively managing and leveraging diversity for students, faculty and staff.

- Enhance collaboration between the Office for Equity and Diversity, the Office of Human Resource Management and the Office of the Vice President for Student Affairs to develop and implement effective education and training focused on diversity for students, faculty and staff.

Actions:

1. Incorporate diversity as a performance dimension within the annual employee performance appraisal process for all faculty, administrative/professional and university staff.
 2. Develop and implement a comprehensive system of education and training focused on effectively managing and leveraging diversity for students, faculty and staff.
 3. Implement a mandatory supervisors' training program for all employees with direct supervision responsibilities to include diversity and affirmative action/equal employment issues.
- Develop and implement a Diversity Awareness Education (DAE) mini-course focusing on the definition of diversity and the presence and value of other ethnicities and cultures at UAB.

Action:

Partner with HRM to develop DAE.

- Require all full-time faculty and staff to complete the DAE mini-course.

Action:

The President will require all full-time faculty and staff to complete DAE.

- Require diversity training for student leadership, i.e. Student Government Association (SGA), Graduate Student Association (GSA), Residence Hall Leaders, Pan-Hellenic Council, etc.

Action:

HRM will make training available.

- The Office of the Vice President for Equity and Diversity and the Office of Human Resource Management will periodically assess DAE and revise as needed.

Action:

Partner with HRM to assess and revise as needed.

- Ensure that the university's academic curriculum creates global awareness and multicultural understanding in its students.

Actions:

1. The eight freshman learning communities (FLC) piloted in fall 2006 included ones entitled Global Communities and Heath without Borders. New FLCs will be added each year, working toward making learning communities the desired starting point for all freshmen. All FLCs are encouraged to include instruction in Understanding Diversity, Intercultural Activities, and Study Abroad opportunities.
 2. Beginning in fall 2007, a new Global and Community Leadership honors program will foster global awareness and multicultural understanding across campus.
- Create an operational definition of diversity and standards to serve as a guide for the training and behavioral assessment of all university employees.

Action:

The Office for Equity and Diversity will lead this effort.

- Provide diversity-oriented professional development opportunities for faculty and staff.

Action:

HRM will provide such opportunities.

Goal 4: Build and enhance partnerships with diverse communities, businesses and civic organizations to support diversity at UAB and the surrounding communities.

- Monitor and track current spending with Minority Women Business Enterprises (MWBE) to identify central and decentralized purchasing activities and discretionary spending.

Actions:

1. Establish current spending with MWBE businesses by implementing a spending tracking mechanism that identifies central and decentralized purchasing activities and discretionary spending.
 2. Identify a list of current and potential MWBE suppliers and disseminate this information campus-wide.
 3. Develop a communications strategy to attract potential MWBE suppliers by hosting a supplier fair.
 4. Join key trade organizations such as the Minority Supplier Development Council to establish collaborative relationships.
 5. Identify and publicize a list of current and potential MWBE suppliers.
- Create and foster a partnership with local community and state organizations that support and value diversity.

Actions:

1. Identify local and state organizations that support and value diversity.
 2. Campus and organizational leadership will meet to determine a course of action.
 3. Establish an annual conference at UAB which will educate legislators and others about research and outreach at UAB, encourage an open forum for broader discussion of statewide issues affecting diversity and update legislators and others on the state of diversity at UAB.
- Support an environment of respect for the diverse groups represented within the university and community.

Action:

Assist in creating awareness of the many diverse groups and their traditions at UAB and in the community.

Goal 5: Develop and execute a comprehensive communication plan for diversity.

- Through multi-media forms, promote diversity as a core value for UAB.

Actions:

1. Campus events and displays should be inclusive of all religions represented on campus.
 2. Publish a semi-annual diversity magazine.
- Develop a campus-wide diversity communication strategy through full and open consultations with faculty, students and staff to coordinate internal and external communications.

Action:

Partner with HRM, the African American Faculty Association, the Commission on the Status of Women, Student Affairs and Faculty Senate to implement this communication.

- Seek and identify other university and community collaborations that highlight diversity as a core value. Publicize these collaborations by featuring articles, editorials and stories on diversity initiatives.

Action:

Partner with Media Relations to identify and publicize these collaborations.

- Disseminate the UAB Strategic Diversity Plan and promote it in all areas on campus.

Action:

Partner with Media Relations to disseminate the UAB Strategic Diversity Plan.

Strategic Diversity Plan Assessment

1. A student/employee satisfaction survey will be administered. The survey will be administered by HRM to faculty, staff and students. It will be designed to keep the university's commitment to Goal No. 6 of the UAB Strategic Plan on Work Environment to "create a positive, supportive and diverse work environment in which faculty and staff can excel." The survey will identify and reinforce the linkage between satisfied and effective staff and faculty and satisfied students and patients as the university's key customers. The survey results will be instrumental in building action plans and teams across UAB at various levels to achieve real change and to enhance staff, faculty and student satisfaction and effectiveness.
2. The Knight Case settlement has a built-in assessment tool. Each year a strategic diversity report will be provided to the federal courts. The contents of the report will be determined by the university with a minimum of diversity data on faculty, staff and students and an assessment of progress by the university in enhancing diversity and/or moving toward its diversity goals, with an emphasis on the representation of African American faculty, EEO-1 administrators and students.
3. A Knight Case Diversity Advisory Committee will be appointed. The committee will be composed of a diverse collection of students, faculty, staff and administrators and will be responsible for the assessment of the strategic diversity plan and the strategic diversity report. On an annual basis, the UAB Strategic Diversity Plan will be reviewed in depth and amended, modified or revised as needed to accomplish the university's diversity mission. Additional research on issues will be conducted after this plan is adopted in order to assess accomplishments, identify new issues and analyze initiatives that did not meet expectations. Some initiatives may be difficult to quantify, i.e. those aimed at improving campus climate, enhancing the curriculum, etc. In these cases, qualitative research will be used to assess information.

The committee will include the following:

Dr. Dennis Boulware, Professor of Medicine
Dr. Charles Calhoun, Assistant Dean, School of Education
Mr. W. John Daniel, University Counsel
Dr. Jose R. Fernandez, Assistant Professor of Nutritional Science
Dr. Robert Holmes, Dean, School of Business
Ms. Cheryl Locke, Chief Human Resources Officer
Ms. Reba Simmons, Executive Director UABHS
Ms. Bettye G. Wilson, Associate Professor of Medical Imaging
Mr. Chris Watson, Student

Diversity Accomplishments 2002 – 2006

- Established the Office for Equity and Diversity
- Appointed a vice president for equity and diversity
- Appointed an ad hoc committee to prevent and respond to issues of hate on campus
- Launched UAB Community Week
- Established a Commission on the Status of Women
- Began Developing a Strategic Diversity Plan

Leadership Commitment

The institutions that best exemplify a campus climate and culture of inclusion and advancing diversity have campus leaders who truly believe diversity is a core value. Many institutions emphasize this element as the single most crucial element of an effective strategic plan. This leadership is described as an active, not passive, involvement particularly by the president, administration, faculty and trustees.

The underlying current of the culture exhibits an open and inclusive culture through attitudes, actions and programs. President Garrison has personally made a commitment to a desired change in UAB's culture towards one of inclusiveness of all elements of diversity. As a core value, diversity is communicated in all of UAB's external and internal documents. Rewards and incentives are provided to those who further the advancement of diversity within UAB as indicated by the President's Diversity Award given annually to students, faculty and staff for leadership in diversity.

Resolution

WHEREAS, as noted by Trustee John H. England, Jr. in comments at the June 2003 Board of Trustees meeting, this year's celebration of the 40th anniversary of the Opening of the Doors of The University of Alabama to all was a moving tribute to the Pioneers involved in overcoming discrimination; and

WHEREAS, more than a decade ago, the Federal court applauded the University for its "affirmative efforts to deal positively with its segregative past," and declared the University to be "in many respects, on the fore of university race relations nationwide"; and

WHEREAS, over the past several years, The University of Alabama System has made progress in increasing representation of blacks in its three campuses' student bodies, faculties, and high-level administrative staffs; and

WHEREAS, over the last ten years, The University of Alabama System Minority Participation Reports have reflected that System-wide black representation, between 1993 and 2002, has increased:

- in the student body from 12.21% to 17.29%
- in the faculty from 2.88% to 4.49%
- in the executive/administrative/managerial staff from 5.43% to 9.73%
- in the faculty and executive/managerial staff combined, from 3.23% to 5.17%; and

WHEREAS, The University of Alabama System 2003 Minority Participation Report, presented by Vice Chancellor for Academic Affairs Dr. Charles R. Nash, reflects continued progress in the representation of minorities in our institutions;

NOW, THEREFORE, BE IT RESOLVED that The Board of Trustees of The University of Alabama accepts The University of Alabama System 2003 Minority Participation Report.

BE IT FURTHER RESOLVED that the Board recognizes that progress in minority representation has occurred due to committed leadership at The University of Alabama, The University of Alabama at Birmingham, and The University of Alabama in Huntsville, working to ensure that students, faculty, and staff at all three institutions are fully able to participate in and learn from the robust exchange of ideas that occurs within a diverse and inclusive campus community.

BE IT FURTHER RESOLVED that the Board embraces the development of a diverse learning environment, which enhances the quality of the educational product, and the Board applauds those individuals on each campus who have shown their dedication to increasing diversity.

BE IT FURTHER RESOLVED that the Board is staunchly committed to promoting diversity in its educational mission, and that it likewise remains committed to increasing African-American and other minority representation within its campus communities.

The foregoing was adopted by The Board of Trustees of The University of Alabama at its meeting held September 19, 2003.

Malcolm Portera, Chancellor
The University of Alabama System

John Bradford Hicks, Secretary
The Board of Trustees of The University of Alabama

Appendix B

Alabama Public Universities Task Force for Recruitment and Retention

Purpose

The state is currently under court order in the Knight Case and by that order, institutions are to recruit and retain Black faculty. At the conclusion of the Knight Case, which may be at anytime, there will be a need to continue the recruitment and retention of minority faculty and students.

The Alabama Public Universities Task Force for Recruitment and Retention was established to (1) review minority faculty and student recruitment and retention efforts, (2) identify current best practices and (3) make recommendations to sustain these efforts.

Institutions and organizations represented: Alabama A&M University, Alabama Commission on Higher Education (ACHE), Alabama State University, Auburn University, Auburn University at Montgomery, The University of Alabama, The University of Alabama at Birmingham, The University of Alabama System, Troy University, University of Alabama in Huntsville, University of Montevallo, University of North Alabama, University of South Alabama, and the University of West Alabama.

Task Force Summary Report

Recent activities surrounding the Knight vs. Alabama litigation prompted the Alabama Public Universities Task Force for Recruitment and Retention to convene to discuss the recruitment and retention of minorities and to identify best recruitment and retention practices. It was determined that all institutions could profit from the knowledge and general discussions of individual institutions' efforts. These discussions also included the recruitment and retention efforts resulting from funds provided by the state at the request of the court, obstacles to minority faculty and student recruitment and to minority faculty and student retention. As a result of these discussions, the task force was asked to provide input for a final report that addresses:

1. Proposed strategies and best practices for minority faculty and student recruitment.
2. Proposed strategies and best practices for minority faculty and student retention.

It is recognized that while some of the best practices noted in this document are specifically aimed at minority faculty and students there are others that could easily apply to all of the constituent populations at Alabama public universities. Therefore, we believe that the ideas and recommendations discussed in this document can positively and broadly impact the academic environment at all of the institutions of higher learning. Moreover, a goal of this task force is to use these best practices to develop innovative methods of recruiting, employing, and retaining minority faculty and recruiting, enrolling, retaining, and graduating minority students within the legal framework.

Strategies and Best Practices for Minority Faculty and Student Recruitment and Retention

Given the progress that has been made by the universities and the willingness of the universities to continue their efforts, the task force determined it appropriate to focus on proposed strategies and best practices for minority faculty and student recruitment and retention.

Faculty

1. Institutions should appoint a campus committee, if one does not already exist, to advise the president through recommendations and monitoring activities regarding programs and services aimed at the successful recruitment, employment and retention of African American and other minority faculty. Funds should be made available to the committee to support these activities.
2. Ensure that all efforts are made to disseminate information about available positions to as broad and diverse a population as possible, although all universities are legally obligated to have open searches for all hires. This should include professional publications specific to the research area of the faculty and other publications generally read by interested minority faculty. Announcements of job openings should be sent to local and area universities and to institutions that have a large number of minority Ph.D. graduates. (Howard University, Florida A&M University, Texas Southern University, North Carolina Central University, Georgia State University, etc.)
3. A consistent message should be sent from central administration to academic units that hiring, retaining and promoting minority faculty are priorities that must be supported by competitive salaries. Institutions should continue to fund programs and services that support African American faculty and other minority recruitment and retention efforts. Both Knight funds and institutional funds should be used to support these efforts.
4. Institutions should get current minority faculty and staff involved in faculty recruitment and retention efforts. One of the best strategies for recruitment is through personal contact with potential candidates. This can often be facilitated by current minority faculty and staffs at the universities since those persons are most likely to know available and qualified candidates.
5. Enhance the hiring and retention practices for minority faculty by providing them with the right tools essential for success: adequate staff, mentor, adequate space and equipment, funds for sabbatical leave and a supportive environment.
6. Continue to employ fair and equitable search and selection practices and to make sincere efforts to hire and retain minority faculty.
7. Make Alabama a more attractive environment for minority and other faculty by raising all faculty salaries to the regional average.
8. Create or continue programs focused on assisting faculty without doctorates to attain such (financial assistance and/or release time). Look to the current graduates as potential faculty at the institution.
9. Recruit Southern Regional Education Board (SREB) students by requesting that Alabama Commission on Higher Education (ACHE) create and maintain a data base for prospective candidates and forward this information to all Alabama public universities and colleges for consideration of open positions.
10. Alabama public universities should provide SREB with a list of all faculty vacancies at the beginning of each school year in order that SREB can make these vacancies available to graduates of the Doctoral Scholars Program.

Note: the SREB/Alabama Doctoral Scholars Program is based on the need to increase minority faculty members at institutions where they are underrepresented; ACHE joined six other state higher education agencies in 1993 to establish the Southern Regional Education Board's Minority Doctoral Scholars Program. Please see Appendix #2 for a description of the program.

Students

1. Develop an institutional function(s) (office, programs, etc.) that promotes the recruitment, enrollment, retention and graduation of African American and other minority students, if not already in place. Funds should be made available to the office or program to support these activities.
2. Visit minority serving high schools and colleges and offer the students support packages that will allow them to overcome the financial hurdles that minority students often face.
3. Create new initiatives (marketing), focused on providing student, parents and counselors awareness of all of the programs available at the institution (this may need to start in the middle school or early high school grades and with the counselors)
4. Implement or expand student recruitment day-type activities within service area school systems.
5. Offer diversity scholarships and increase funding for scholarships, assistantships and fellowships.
6. Establish effective campus visitation programs and minority student summer programs.
7. Provide prospective students the opportunity to ask questions and discuss their concerns with other students. The university can facilitate healthy mentoring relationships by providing appropriate opportunities for students and faculty to interact and address significant concerns.

Recommendations

Data presented to the task force by ACHE shows that there has been some growth in minority faculty hiring and minority student enrollment in Alabama public colleges and universities during the past 14 years. The chart below summarizes this information.

Total and Black Faculty and Students in Alabama Public Colleges and Universities						
	Faculty			Students		
Year	Total	Black	Percent	Total	Black	Percent
1991	6,351	448	7.05	135,698	22,707	16.73
2004	6,994	630	9.01	145,164	35,619	24.54

After giving consideration to the student preparation issues for college, the pool of black applicants for faculty positions and strategies and best practices for minority faculty and student recruitment and retention listed previously, the task force makes the following recommendations:

1. All Alabama public colleges and universities should make diversity an integral part of academic planning, faculty hiring, student enrollment, research agendas, curricular development and program development.
2. Institutions should establish a pipeline of future faculty through the SREB program to tap into the growing pool of minority scholars.
3. Institutions should appoint permanent diversity committees with responsibilities in line with the Knight Case court ordered committees, if not already in existence. Similar committees

should be appointed to address minority student recruitment, enrollment, retention and graduation issues.

4. Academic administrators should be held accountable for promoting a diverse academic climate by providing annual reports at the department, division and campus levels, coupled with monitoring and resource-based incentives for diversity efforts.
5. Each institution should appoint a high-level academic administrator, if not already in existence, to focus specifically on faculty and student diversity and develop resources as well as a web site to address these issues.

Faculty and student diversity is one of the most pressing issues facing higher education today. Alabama is in a position to take a leadership role in developing solutions to this problem.

Task Force Members

Dr. Louis Dale, Chair, Vice President for Equity and Diversity, The University of Alabama at Birmingham

Dr. Carolyn Braswell, Assistant Vice President for Equity and Diversity, The University of Alabama at Birmingham

Ms. Brenda Campbell, Director of Graduate Admissions, Troy University

Dr. LeLon Davidson, Professor of Education and Assistant to the President for Minority Affairs, University of North Alabama

Dr. Ernestine Davis, Professor of Nursing and Coordinator of Presidential Mentors Academy, University of North Alabama

Ms. Barbara Forrest, Acting Director of Personnel, EO and Risk Management, University of Montevallo

Dr. Keith Harrison, Associate Vice President of Academic Affairs, University of South Alabama

Ms. Gwendolyn D. Hood, Director & University Compliance Officer, The University of Alabama

Dr. Lisa M. James, Director of Institutional Development Center and Assistant Professor Mathematics, Alabama State University

Dr. Overtoun Jenda, Associate Provost for Diversity & Multicultural Affairs, Auburn University

Dr. Adriel D. Johnson, Associate Professor, Biological Sciences, University of Alabama in Huntsville

Dr. Judd Katz, Interim Vice Chancellor for Academic/Student Affairs, Auburn University at Montgomery

Dr. Paul Mohr, Director of Special Programs, Alabama Commission on Higher Education (ACHE)

Dr. Charles Ray Nash, Vice Chancellor of Academic Affairs, The University of Alabama System

Ms. Patricia Pratt, Assistant to the Provost and Director of Institutional Effectiveness, University of West Alabama

Dr. Glen E. Ray, Interim Assistant Vice Chancellor, Academic and Graduate Affairs, Auburn University at Montgomery

Dr. Chandra Reddy, Dean School of Graduate Studies, Alabama A&M University

Ms. Cynthia Scott, Director Minority Student Retention, The University of Alabama at Birmingham

Dr. Johnny Scott, Director of Health Affairs, The University of Alabama at Birmingham

Dr. Edward Thomas, Associate Professor, Physics, Auburn University

Ms. Bettye Wilson, Associate Professor, School Health Related Professions, The University of Alabama at Birmingham

Dr. Floyd Woods, Associate Professor of Horticulture, Auburn University

Appendix C

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOHN F. KNIGHT, JR., and	*
ALEASE S. SIMS, et al.,	*
individually and behalf of others	*
similarly situated,	*
Plaintiff and	*
Plaintiffs-Intervenors,	*
	*
UNITED STATES OF	*
AMERICA,	*
Plaintiff-Intervenor,	*
	* Civil Action No.
	* 2:83-cv-1676-HLM
	*
v.	*
	*
	*
THE STATE OF ALABAMA, et al.,	*
Defendants.	*
	*

SETTLEMENT AGREEMENT BETWEEN THE KNIGHT-SIMS
PLAINTIFFS AND THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA AND ITS MEMBER
INSTITUTIONS: THE UNIVERSITY OF ALABAMA, THE
UNIVERSITY OF ALABAMA AT BIRMINGHAM, AND THE
UNIVERSITY OF ALABAMA IN HUNTSVILLE

I. Purpose and Basis of the Agreement

This Settlement Agreement (hereinafter referred to as “Agreement”) is entered into by John F. Knight, Jr., and Alease S. Sims et al., on behalf of themselves and the plaintiff class they have been certified to represent, and by defendant The Board of Trustees of The University of Alabama, and its member Institutions (The University of Alabama, The University of Alabama at Birmingham, and The University of Alabama in Huntsville) (hereinafter “defendant University” or “UAS”). The purpose of this Agreement is to specify the terms on which the Knight-Sims

plaintiff will join defendant University in requesting that the Court enter a judgment finally dismissing any and all claims against defendant University in this action.

A. Agreement That Defendant University Has Satisfied Legal Burden for Termination of Federal Supervision

1. Applicable desegregation law requires the Court to determine whether UAS has complied in good faith with the requirements of the 1991 and 1995 Remedial Decrees and whether through that compliance any remaining vestiges of segregation have been eliminated to the extent practicable and consistent with sound educational practices. The Court must also satisfy itself that the State's system of public higher education will continue to operate in a constitutional and non-discriminatory fashion before it can declare the system to be unitary. To that end, this Agreement's primary focus is on continuing to improve meaningful black participation in Alabama's system of public higher education.
2. By entering into this Agreement, the Plaintiffs acknowledge that the defendant University has satisfied this legal burden to warrant termination of this Decree with respect to defendant University. The parties agree that good faith efforts to enhance diversity should continue, and that continued progress does not depend on continued federal court supervision. The defendant University pledges to continue to make good faith efforts to further the progress that has been achieved over the course of this litigation in redressing historical discrimination in higher education against African-American citizens of this state, and reaffirms its good faith commitment to operate in a constitutional and non-discriminatory fashion.

B. Agreement to Create Strategic Diversity Plan

It is in this spirit that the Board of Trustees of The University of Alabama and its member institutions (The University of Alabama, The University of Alabama at Birmingham, and The University of Alabama in Huntsville) and the Knight Plaintiffs have reached this Agreement to acknowledge the effectiveness of many of the ongoing programs and initiatives at defendant University and for the member institutions to create and implement, with collegial dialogue with and input from representatives of its African-American faculty and staff, a Strategic Diversity Plan at their respective institutions, the content of which is entirely discretionary with the administration of each institution, but with the following components in each of their plans as noted in section II – IV.

II. Board Commitment and Institutional Statements

1. Seeking to secure diversity within higher education institutions is an educational policy that the defendant University freely and enthusiastically endorses as essential to the education of its students and as part of its broader educational mission. The defendant University recognizes that the educational benefits flowing from racial and ethnic diversity are considerable. Consistent with its September 2003 Board Resolution, the defendant University agrees that students who learn from each other in an environment with a variety of backgrounds are more apt to understand and appreciate the world they inhabit than students who are educated in more culturally and racially homogenous institutions. In this context, diversity is not the end in itself but is aligned with the defendant

University's commitment to prepare all its students for productive lives in the twenty-first century. Consistent with applicable law, defendant University also recognizes that the educational interest in diversity is conceptually broader than racial and ethnic diversity alone.

2. The parties acknowledge that in September of 2003, The Board of Trustees to The University of Alabama passed a resolution publicly reaffirming its staunch commitment to promoting diversity in its educational mission, including increasing African-American representation within its campus communities. That resolution applauded individuals on each campus who had shown their dedication to increasing diversity; commended committed leadership at UA, UAB, and UAH for working to ensure that students, faculty and staff at all three institutions are fully able to participate in and learn from the robust exchange of ideas that occurs within a diverse and inclusive campus community; and noted the Board's embracing of the development of a diverse learning environment at each institution, which would enhance the quality of the educational product at each institution. By signing this Agreement, the defendant University once again reaffirms its commitment to diversity as an educational policy, and its good faith commitment to operate in a constitutional and non-discriminatory fashion.
3. To the extent they have not already done so, the member institutions of defendant University will document, using whatever language in whatever document the administration of each institution deems appropriate, that diversity is important to their respective institutions and that their respective educational missions are enhanced and furthered by the existence of a diverse student body, faculty and EEO-1 level administrative staff, which includes the highest leadership levels.
4. The President of each member institution of defendant University will produce a statement that affirms the institutions' good faith commitment to operate in a constitutional and non-discriminatory fashion, and a statement of support for diversity to reinforce the notion that diversity is an important institutional goal that contributes to the institution's educational mission.
5. Each member institution of defendant University shall identify an administrative position at the Vice President or other cabinet level to oversee implementation of its Strategic Diversity Plan.

III. Accountability for Effectuating Diversity Commitment and Annual Assessment of Progress.

1. The member institutions of defendant University agree that the President, Vice Presidents, and Deans shall be responsible for providing the leadership to create meaningful progress in diversity. The member institutions of defendant University agree that for at least the next five years, performance evaluations of the Vice Presidents and Deans will include an evaluation of that administrator's efforts in achieving diversity at their respective institutions.
2. For the next five years, the Chancellor of defendant University will continue to include, as a component of his/her job performance review of each President of

its member institutions, consideration of whether the President has mad progress in promoting diversity objectives.

3. For the next five years, the Chancellor of defendant University will continue to require its member institutions, in collegial dialogue with its African-American faculty and staff, to establish a five-year goal for African-American representation in the student body, faculty, and EEO-1 level staff, not as legally or contractually enforceable quota, but as a standard management technique for assessing effectiveness of ongoing diversity initiatives. For the next five years, each member institution of defendant University will continue to submit to the Chancellor on an annual basis data or performance indicators for each of those areas. Legal liability will not attach to any member institution of defendant University for failure to reach its stated goals.
4. Each member institution of defendant University agrees to prepare for the next five years, a Strategic Diversity Report, the contents of which shall be determined by each respective administration, but which shall, at a minimum, contain the following information:
 - a) Racial composition data of student body (total, undergraduate, and graduate) from 1991 to the prior Fall semester;
 - b) Racial composition data of students awarded bachelor, graduate and professional degrees the prior academic year of which data is available;
 - c) Racial composition for full-time faculty from 1991 to the prior Fall semester;
 - d) Racial composition of presidents, provosts, vice presidents, deans and other EEO-1 level administrators for 1991 to the prior Fall semester;
 - e) Racial analysis of faculty and EEO-1 level administrative searches filled during the past academic year, including the number of blacks who self-identified as applicants for the position; and
 - f) An assessment of progress by the institution in enhancing diversity and/or moving toward its diversity goals, with an emphasis on the representation of black faculty, EEO-1 administrators, and students.

IV. Continued Diversification of Faculty and EEO-1 Staff at Member Institution of Defendant University

1. The member institutions of defendant University recognize that their need to employ African-American faculty and senior-level administrators is essential to their respective overall educational missions and is essential in securing the benefits that diversity adds to these missions. They also recognize that diversity is, and must be, broader than simply the inclusion of blacks in the faculties and EEO-1 level administrative staff and their institutions.
2. The member institutions of defendant University commit to continuing to engage in strategic diversity initiatives that the administration of each institution deems appropriate to recruit, hire, and retain African-American faculty and EEO-1 level administrators. A description of some of the strategic diversity initiatives and

practices employed at each member institution for the past fifteen years can be found in defendant University's Title VI annual reports.

3. A member institution's decision to continue or discontinue a particular strategic diversity program or initiative identified in its annual report or its decision to continue, implement or discontinue other current or new programs/initiatives will not constitute a breach of this Settlement Agreement. It is up to the administration of each institution to decide whether a particular strategic diversity initiative or practice complies with the law regarding institutional diversity initiatives and/or cost effective or otherwise and appropriate program/initiative to continue. Should a court or federal agency disagree with an institution's interpretation and conclude the law has not been complied with, the institution will not be deemed for that reason to have breached this Settlement Agreement.
4. The member institutions of defendant University agree to require that black representation be on all search committees for presidents and all EEO-1 level administrative positions.
5. The member institutions of defendant University agree to require representation of blacks, to the extent practicable and educationally sound, on all search committees for tenured or tenure track faculty. This agreement shall not require any modification of existing institutional policies, practices or procedures regarding academic or other qualifications for service on a faculty search committee.
6. The member institutions of defendant University agree to send announcements of faculty and EEO-1 administrator level position searches to the black faculty and/or staff association on their respective campuses (assuming such group exists) with an invitation to them to identify possible recruits. Member institutions also agree for the next five years to provide to the SREB a list of faculty vacancies in the event that the SREB, if it so chooses, will notify graduates of the SREB Doctoral Scholars Program of those vacancies.
7. The member institutions of defendant University agree for the next five years to distribute annually the SREB doctoral scholars list provided by ACHE (to the extent one exists and ACHE distributes it) to Vice Presidents and Deans at respective institutions, with a request that these officials attempt to contact the SREB Doctoral Fellows within applicable fields of study and invite them to apply for positions at their respective institutions that may be applicable to the SREB scholars' fields of study.
8. The member institutions of defendant University agree for the next five years to identify black doctoral students in the pipeline at other institutions for consideration for faculty or administrative positions at their respective institutions. This obligation does not require the member institutions to hire its own doctoral students for faculty or EEO-1 level administrative positions, although an institution may do so in order to meet its diversity objectives.
9. The member institutions of defendant University agree to implement new initiatives, activities, or programs or to utilize or modify existing initiatives that

encourage black undergraduates to continue with graduate studies at their respective institutions.

10. The Chief Academic Officer of each member institution of defendant University, or his/her designee, agrees to meet at least twice annually for the next five years with either the elected leadership of its black faculty and staff association (if such group exist) or advisory diversity committees (if such committee exists) to receive recommendations on best practices and policies for increasing diversity on the faculty and at the senior administrative levels of the institution and on the retention of such faculty and administrators. The purpose of this meeting is not to review employment and retention decisions for individual faculty or staff positions, but rather is to exchange ideas and information about best practices.
11. For the next five years, the defendant University agrees to continue to sponsor a statewide meeting for representatives of public bachelor degree granting institutions voluntarily to attend and discuss information about the recruitment and retention of African-Americans and other under-represented groups and to continue to identify effective and constitutionally permissible recruitment and retention practices. Member institutions of defendant University agree to send representatives to this meeting who are involved in the recruitment and retention of black faculty and EEO-1 level staff. Representatives of the defendant University's black faculty and staff organizations and the Alabama Black Faculty Association shall be allowed to attend and to participate fully in these meetings. Any reports and/or recommendations emanating from this meeting will be considered by defendant University in its ongoing efforts to improve diversity recruitment and retention.

V. Dismissal of Action and Settlement Implementation

A. Preliminary Court Approval of Agreement

1. Promptly after execution of this Agreement, but in no event later than 10 days after the execution of the Agreement, the parties to this Agreement, by joint motion, shall submit the Agreement to the District Court requesting that the Court enter an order granting preliminary approval of the Agreement. The District Court shall be requested to direct the giving of notice to the plaintiff class and to schedule a fairness hearing. In the event the Court declines to preliminarily approve the Agreement, or the find the Agreement provides an adequate basis for issuing notice and scheduling a fairness hearing, then the entire Agreement shall become null and void unless the parties promptly agree in writing to other mutually satisfactory settlement provisions and agree to proceed with the Agreement, subject to approval by the Court.

B. Final Judgment

At the final hearing on fairness, adequacy, and reasonableness of the settlement as set forth in this Agreement, the defendant University and Knight-Sims Plaintiffs agree to cooperate in good faith to achieve the expeditious approval of the settlement, and shall request the Court to grant final approval of the Agreement and to enter judgment thereon ("Judgment"). In order to satisfy the requirements of the Agreement, the Judgment must

include, by specific statement or by reference to the Agreement to the extent permitted by law and the rules of court, provisions which:

1. Affirm certification of the proceeding as a class action pursuant to Rule 23 of the Fed. R. Civ. P. with the plaintiff class as previously defined by the Court;
2. Find that the notice given to class members satisfied the requirements of both Rule 23, Fed. R. Civ. P., and due process, and that the Court had jurisdiction over the class;
3. Find that the Agreement is fair, adequate, and reasonable in all respects;
4. Find that the class representatives, and all class members, have released all claims against defendant University and its member institutions, all as set forth in the Agreement;
5. Order that the defendant University shall implement the Settlement Agreement;
6. Find that on judicial approval of this Agreement, including the commitments contained herein, the defendant University and its member institutions shall be in full compliance with the law, and that therefore, there are no continuing policies or practices of defendant University, or remnants, traceable to *de jure* segregation, with present discriminatory effects which can be eliminated, altered or replaced with educationally sound, feasible and practical alternatives or remedial measures;
7. Dismiss on the merits and with prejudice (i) all claims against defendant University and its member institutions set forth in the complaint, as amended; (ii) all claims against defendant University and its member institutions set forth in the complaint-in-intervention; and (iii) all claims against defendant University and its member institutions of racial discrimination asserted before the Court throughout the pendency of this action, the trials and appeals, and the entire remedial phase of the action including, without limitation, claims of system or institutional aspects, features, policies and practices alleged to be remnants of the *de jure* system.

C. Finality and Term Agreement

1. This Agreement shall become final upon the occurrence of all the following events: (a) approval of the Agreement in all respects by the District Court as required by Rule 23 (e) of the Fed. R. Civ. P.; and (b) entry of the Judgment as provided for above.
2. The term of the provisions of this Agreement shall be for five (5) years from the date it is finally approved by the Court. The Agreement shall be binding upon the successors and assigns of the parties and shall inure in their benefit.

D. Enforcement

1. The parties to this Agreement, including all class members, agree that litigation regarding enforcement of this Agreement is counterproductive. If there is a claim that any member institution or defendant University has not complied with the terms of this Agreement, then the parties agree that resolution of any such allegation should first and foremost be achieved by informal discussions and negotiations between counsel for the Knight Plaintiffs and counsel for the member institutions and/or defendant University. Counsel for Knight Plaintiff, acting on behalf of the class members, shall notify counsel for defendant University of the specific provision(s) of this Agreement that any member institution has allegedly not complied with. Upon receipt of that notice, counsel for defendant University agrees to work with its member institution client within a reasonable time period to respond to that allegation, and if it concedes non-compliance, to make reasonable efforts to cure any alleged breach. Counsels for both parties agree to use good faith efforts to resolve legitimate disputes regarding differences of interpretation of the settlement agreement. If the parties are unable to resolve the matter, they agree to select a mediator acceptable to all the parties to reach a resolution to the issue. Each party will pay their own fees and expenses associated with any dispute regarding compliance with the terms of this agreement.