Dear Faculty Senate Colleague,

I am writing to provide a few important updates related to DEI and LSA.

LISTS OF UM DEI EMPLOYEES

Earlier last week, four executive officers contacted me to inform me that the Provost and President, on behalf of the Regents, asked the UM academic Deans to create lists of employees who work in DEI-related positions and to estimate what percentage of their work fell into one of four categories: student facing, research/teaching, culture, or non-DEI. The categories are unclear and undefined. For example, what is "culture"? Isn't teaching "student-facing"? Are these various functions not inextricably integrated? My understanding is that the Deans were given a limited time, about 48 hours, to create these lists. They were due Friday, February 14.

My understanding is that this survey of DEI work may have originated as an attempt to create an accurate summary of expenditures to correct widely distributed misinformation, including a recent *New York Times* article.

While that is a laudable goal, the methods are problematic:

- 1. The Deans were asked not just for salary figures and work type percentages, but for employee identification numbers.
- 2. The Chief Diversity Officer, who has the most expertise on this subject, is not leading this process or even consulting.
- 3. It is unclear whether employees being listed have been told about the lists, what the implications of being listed are, how the information will be used and shared, and how the listed names will be protected. Individuals who are named on these lists have a legitimate fear, in the present environment, that their identification will be used to target them for adverse action and even private harassment. Any attempt to compile the DEI work of the University thus should not identify particular individuals.

On Friday, February 14, the <u>Department of Education issued a letter</u> attempting to redefine DEI programs as "overt and covert racial discrimination" illegal under civil rights law and stating that all schools that accept federal funding

have 14 days to comply. The letter relies on a legal analysis that is questionable at best in key respects, according to attorneys who practice in civil rights law. As reported by *Inside Higher Ed*, "Brian Rosenberg, the former president of Macalester College and now a visiting professor of education at the Harvard Graduate School of Education, wrote in an email that the letter was 'truly dystopian' and, if enforced, would upend decades of established programs and initiatives to improve success and access for marginalized students. 'It goes well beyond the Supreme Court ruling on admissions and declares illegal a wide range of common practices,' he wrote. 'In my career I've never seen language of this kind from any government agency in the United States.'"

The list of UM-employees working in DEI may have originated with good intentions, but such lists are easily abused. Under McCarthyism, such lists were requested under the guise of "protecting the nation from subversives or communists." In recent weeks, the new Administration in the federal government has used lists of employees working in DEI to target individuals for adverse employment action—often individuals who had, at most, a tenuous connection with DEI work. Their February 14 Dear Colleague Letter suggests they will demand that universities do the same.

Last Thursday, I asked for more information about these activities:

- Why are names necessary if the goal is to identify work being done in particular areas?
- How will the information be shared with the Board of Regents? (Will line items be shared?)
- How are we taking proactive steps to protect staff and faculty?
- Can you please commit to not sharing names of employees with the regents?

Considering the very real threats of harassment and retaliation, we strongly urge Provost McCauley and President Ono to turn the lists of information into de-identified data and to share only the de-identified data, and not any names or identification numbers of individual employees, with the regents or any outside parties.

If you'd like to join us in this request, please write to provost@umich.edu,

LSA DEI RESOLUTION

At the LS&A Faculty meeting on February 3, 2025, faculty presented a resolution that "reaffirms that the principles of diversity, equity and inclusions as outlined in LSA DEI 2.0 are fundamental to our mission as Faculty." The faculty voted to approve the resolution and it passed by an overwhelming majority.

LS&A NATURAL SCIENCES RESOLUTION

Faculty in LSA are concerned about reports that the administration plans to move the LSA Chemistry, Physics, Astronomy, and Earth and Environmental Sciences departments to new buildings on North Campus, as part of the "Campus Plan 2050" North Campus development plan. Several concerns arise in this context:

- key stakeholders, including faculty in the potentially affected departments, have not been consulted on the potential impact on the research and teaching mission of the affected departments;
- the motivation for such a move is unclear; in particular, no compelling
 intellectual or pedagogical arguments have been put forward for
 relocating important LSA departments to North Campus and, to some, the
 move appears to be driven primarily by a desire to increase the student
 population on North Campus;
- Chemistry, Physics, Astronomy, and Earth and Environmental Sciences
 are highly interdisciplinary departments that collaborate extensively
 across LSA and other units on Central Campus. The proposed move will
 have a major impact on the research environment in the College which
 will need to be carefully balanced against potential collaboration with
 North Campus units;
- LSA students would be adversely affected by increased travel time;
 faculty would have to accommodate students who will arrive late to class or will have to leave early, for no fault of their own; also, those interested in double majors or combining a major with a minor in units on different

campuses would be particularly impacted; and

• the integrity of the liberal arts enterprise as a unified endeavor may itself be at stake when LSA units are relocated.

We ask that the university administration have thorough, open discussions with all LSA units, faculty, and administration to determine the best way to support the research and teaching mission of natural science departments within the College of Literature, Science and the Arts.

On February 3, 2025, a <u>resolution</u> was presented at the LSA Faculty Meeting urging the LSA Dean and LSA Executive Committee "to oppose any and all efforts to move any LSA academic departments off Central Campus." In accordance with LSA Faculty Meeting procedures, this was the first reading of the resolution. It will be voted on at the April LSA Faculty Meeting, along with any proposed amendments. Supporters of the resolution are eager for dialogue with all interested parties in the weeks before the April LSA Faculty Meeting.

Sincerely,

Rebekah Modrak
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