

**The Role of the
Equal Opportunity Planning Committee (EOPC)
in Laying the Foundations for Managing Diversity at Penn State**

**James B. Stewart
Professor of Labor and Industrial Relations and African and African
American Studies**

Below is a manuscript prepared by Dr. Stewart for a talk that he delivered at a library display of materials taken from the EOPC archives in commemoration of the 20th anniversary of EOPC. This talk was presented on October 21, 2003, in the Special Collections Library of the Paterno Library.

My comments focus on what I see as the fundamental role played by the Equal Opportunity Planning Committee (EOPC) in laying a solid foundation for Penn State's current approach to managing diversity. At the personal level, the connection is clear -- obviously my involvement with EOPC was directly linked to my subsequent role as vice provost for educational equity. But beyond the personal connection, what I hope to do in my brief comments today is demonstrate how two decades of engagement with race and ethnic disparities under the auspices of EOPC cultivated the institutional knowledge and skills necessary to under gird the broader transformational project reflected in the institution's cultural diversity plan, i.e. the *Framework to Foster Diversity at Penn State*.

To support this interpretation of the role of EOPC, I will introduce aspects of the Supreme Court decision in the *Grutter v. Bollinger* (University of Michigan Law School Admissions) case decided this past June. Embedding a discussion of EOPC within a legal context is particularly appropriate because, as we are all acutely aware, the judicial system has had a major influence on how Penn State has attempted to reduce inter-group disparities and manage diversity. And, as most of you know, EOPC was created in response to Judge Pratt's 1977 and 1983 rulings in the *Adams v. Richardson* case that declared that Pennsylvania was operating a segregated system of higher education

in violation of constitutional protections against racial discrimination and disparate treatment.

Pennsylvania public institutions were directed to implement race-conscious policies to reduce, and hopefully eliminate, disparities in first-time enrollments, retention rates, and graduation rates between white and African American Pennsylvanians.

This legal directive, coupled with the possible specter of adverse fiscal and political consequences for non-compliance, allowed University leaders to mobilize broad-based support for early desegregation plan implementation efforts. Obtaining the buy-in for undertaking targeted race-specific initiatives was obviously facilitated by the provision of special funding that enabled units to develop new approaches to service delivery without re-allocating funds from other activities. In addition, those who questioned the appropriateness of race/ethnic specific initiatives were repeatedly assured that successful pilot programs would, as resources permitted, be made available to all students. Examples of EOPC initiated programs that were subsequently extended more broadly include mid-semester grade reporting and small section calculus instruction. In addition, EOPC was directly responsible for the expansion of the Developmental Year program to locations other than University Park.

This expanded Developmental Year initiative was only one example of the especially important role played by EOPC in providing more equal access for under-served students at non-UP locations. In a 1985 report entitled, "Away From the Park: An Assessment of Progress in Retaining Black Students at Targeted Commonwealth Campuses and Behrend College," the distinctive factors affecting targeted recruitment and retention at these locations were highlighted. This report led to specific targeting of funds to selected non-UP locations. The processes by which EOPC funds were solicited and managed cultivated important proposal writing and diversity management skills that might not otherwise have been developed as quickly. In addition, EOPC resources provided to locations other

than University Park, primarily through the funding of summer programs, were critical, I would argue, for establishing a foundation enabling the reorganization of what was then the Commonwealth Education System. EOPC funds provided an important safety net for many student programs when regular resources were scarce and enrollments were lackluster.

The intent of my comments so far is to emphasize that no inherent contradiction need exist between initiatives that target traditionally underrepresented groups and efforts to provide high quality educational opportunities for all students. Yet, in the minds of many, there is a perceived disjunction between programs perceived to embody some conception of “affirmative action” and what is presumed to be a more inclusive “diversity management” paradigm, not to mention so-called “color blind” proposals. But I believe that this presumed affirmative action/diversity management disjunction is grossly overstated and that the record of EOPC illustrates (a) that effective diversity management initiatives must necessarily both incorporate and evolve from affirmative action type initiatives and (b) that the evolutionary path from affirmative action policies to diversity management policies is a rocky one that takes a long time to traverse.

Here I want to use the decision in the University of Michigan Law School Admission case to illustrate these points. The majority opinion in the decision rendered by the U.S. Supreme Court in *Grutter v. Bollinger* incorporates both affirmative action and diversity management rationales. Among the myriad of amicus curie briefs filed in the Michigan cases, two were cited prominently in the majority opinion authored by Justice Sandra Day O’Connor. The brief filed by former military leaders makes a strong claim that a demographically diverse officer corps is absolutely necessary to ensure cohesion and readiness of military units (Brief for Julius W. Becton, Jr. et al. as *Amici Curiae* 27) (digress opposed President Bush). Justice O’Connor cites this brief extensively, focusing particular attention on the asserted linkages between officer diversity and national security. The arguments advanced in the brief

rely almost totally on the role-modeling effect of officer diversity. Stated simply, a diverse officer corps is presumed to be necessary for engendering cohesion and faith in the leaders of demographically diverse units. Drawing upon the historical experience of Vietnam War era racial conflicts, the brief insists that contemporary circumstances mandate that “a future officer’s most effective training and education cannot take place at an institution ‘in isolation from the individuals and institutions’ that he or she will command” (*Amici Curiae* 27, 2003, p. 28). And, “because racial diversity in higher education also is necessary to integrate the officer corps and to train and educate white and minority officers, it is essential to ensuring an effective, battle-ready fighting force” (*Amici Curiae* 27, 2003, p. 27).

O’Connor cites specific language from the brief linking diversity in the officer corps to university admissions: “At present, ‘the military cannot achieve an officer corps that is *both* highly qualified *and* racially diverse unless the service academies and the ROTC use limited race-conscious recruiting and admissions policies” (Majority Opinion, 2003, p. 12). She insists, further that “To fulfill its mission, the military ‘must be selective in admissions for training and education for the officer corps, *and* it must train and educate a highly qualified, racially diverse officer corps in a racially diverse setting” and concludes that “We agree that ‘[i]t requires only a small step from this analysis to conclude that our country’s other most selective institutions must remain both diverse and selective” (Majority Opinion, 2003, pp. 12-13). Now, note how a standard affirmative action rationale focusing on proportional representation is used. But it is also interesting to consider whether these arguments could be adapted to make the case for a greater presence of persons of color and women in faculty and administrative roles in institutions of higher education, an issue to which I will later return.

Justice O’Connor also uses a more contemporary diversity management rationale to frame the Michigan ruling. She observes that “numerous studies show that student body diversity promotes learning outcomes” and “better prepares students for an increasingly diverse workforce and society, and

better prepares them as professionals” (Majority Opinion, p. 12). The studies O’Connor refers to here are referenced in the brief filed by 67 major corporations, designated as “Brief for 3-M et al.” (*Amici Curiae 5*). The brief offers the following elaboration: “The students of today are this country’s corporate and community leaders of the next half century. For these students to realize their potential as leaders, it is essential that they be educated in an environment where they are exposed to diverse ideas, perspectives, and interactions” (*Amici Curiae 5*, 2003, p. 4). Skills needed for success include “the ability to understand, learn from, and work and build consensus with individuals from different backgrounds and cultures” (*Amici Curiae 5*, 2003, p. 4). It is noteworthy that these outcomes are seen as being dependent, in part, on opportunities to “learn from . . . individuals from different backgrounds and cultures,” an expectation that clearly has implications for the degree of diversity in the faculty ranks and the enhancement of the skill set of traditional faculty.

The ultimate conclusion reached by the majority in the *Grutter* case is that “today we endorse Justice Powell’s view that student body diversity is a compelling state interest that can justify the use of race in university admissions . . . when race-based action is necessary to further a compelling governmental interest, such action does not violate the constitutional guarantee of equal protection so long as the narrow-tailoring requirement is also satisfied” (Majority Opinion, 2003, p. 10).

Penn State reached a similar conclusion regarding the compelling educational interests associated with student diversity some fifteen years ago. But, at the same time the leadership recognized that efficiency, legal, and political circumstances necessitated movement toward a synthesized affirmative action/diversity management strategy to ameliorating educational inequities. The legal forces that would ultimately culminate in the challenges to admissions policies at the University of Michigan were already well organized and functioning in the late 1980s when Judge Pratt vacated his previous order, in the wake of a Supreme Court decision. Penn State consciously chose at this time to

reorganize and expand the mission of EOPC even though the U.S. Office of Civil Rights, in effect, halted its oversight of Pennsylvania's desegregation efforts, leaving the Pennsylvania Department of Education to monitor the desegregation progress. Although the Pennsylvania Department of Education required each public institution to submit new three to five year desegregation plans, it is not clear what, if any, sanctions could have been imposed on Penn State for non-compliance.

Rather than taking this enforcement lacuna as an opportunity to move backwards toward the pre-1983 policies and practices, President Bryce Jordan decided instead to reorganize EOPC and broaden its focus to include support of initiatives serving Hispanics/Latinos and women. This change was not a haphazard or hasty decision. The status of Hispanics/Latinos had been examined in a 1987 EOPC-sponsored report focusing on the status of Hispanics/Latinos, and the Commission for Women had already established a solid track record of advocacy for women's equity. It was then only a small step to begin the process of creating the foundations for a diversity-management approach to the pursuit of educational equity by consolidating the oversight of initiatives focusing on race/ethnicity and gender under one administrative umbrella.

In many respects, the subsequent success of the Office of the Vice Provost for Educational Equity in spearheading the development of a University-wide diversity strategic plan built upon subtle changes in Penn State's institutional culture that were catalyzed by EOPC. For example, EOPC introduced a philosophy of using systematic planning techniques to address equity issues. Even in the earliest period, decisions regarding which proposed recruitment and retention initiatives would be funded were informed by a systematic inventory of existing recruitment and retention initiatives conducted by Carol Everett for EOPC. In the proposal review process, in many cases opportunities for cross-unit collaboration were identified and cooperation was sometimes a requirement to obtain funding. Moreover, the use of review teams comprised of individuals from different units to review

EOPC proposals increased future prospects for multi-unit initiatives. And, the increasing emphasis on the use of outcomes-based metrics by EOPC to make funding decisions put it in the forefront of strategic decision-making.

These skills, collaborations, and experiences contributed significantly to the diversity strategic planning process initiated in the early 1990s. Recall that the process was focused initially at the level of strategic planning units. Those organizations with staff and faculty who had had extensive involvement with EOPC and chose to make use of those personnel in the planning process were better positioned than others to engage in the type of deliberations and visioning anticipated by the diversity strategic planning process. Not all organizations had access to such resources because involvement in EOPC-funded desegregation initiatives has always been voluntary as opposed to being mandatory. So, those units with a history of involvement in EOPC-funded initiatives had a much stronger base to build on in setting forth a five-year diversity strategic plan those that had chosen to opt out of the desegregation/transformation process.

The culmination of the alignment of the praxis of EOPC with the diversity strategic planning process occurred in 1998 with the re-alignment of EOPC funding categories with the challenges enunciated in the *Framework*.

While, as I have endeavored to show, EOPC has been instrumental in establishing the foundations for Penn State's ongoing diversity management efforts, I would be remiss if I did not address the issue of the extent to which the original EOPC goals have been met and comment on remaining challenges. The initial goal set forth in Penn State's desegregation plan was for Pennsylvania resident African American students to comprise 5% of Penn State's undergraduate enrollment -- out-of-state students did not count. Needless to say, that goal has never been reached -- our growth in African American student enrollment has been largely driven by out-of-state students. This fact suggests

to me that the original affirmative action orientation of EOPC remains salient. We must revisit the temptation to trumpet gains in other demographic categories, accomplished through no structured efforts, rather than owning up to failures in addressing the continuing inequities experienced specifically by African Americans and Latinos.

In the majority opinion in the *Grutter* case, Justice O'Connor writes, "in order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity" (Majority Opinion, p. 13).

In institutions of higher education we need a diverse faculty and a diverse administrative leadership cadre who are as committed as business and military leaders to realizing the benefits of diversity to their organizations. Greater faculty engagement has long been an objective of EOPC, but this has proven to be difficult to achieve. In 1985 Elizabeth Lewis and I authored a report entitled, "Meeting the Needs of Black Students Under Title VI: A Faculty Guide," that evolved into "A Penn State Mind is a Terrible Thing to Waste." Rather than being welcomed as an opportunity for engagement, the notebook was almost immediately sentenced to life imprisonment on faculty bookshelves. In a similar vein, in 1988 EOPC again called for an enlarged role for the faculty in supporting diversity initiatives, with lukewarm response.

While there is widespread agreement in most policy circles that significant demographic changes are on the horizon, these changes are occurring slowly at most institutions of higher education. This slow pace of change has allowed some academics to hold fast to conventional and, increasingly, outmoded views of the academy and its role in shaping the future of American and global society.

One result has been an extremely slow pace of curricular transformation. To some extent this pattern is curious because our external customers, to use the lingo of continuous quality improvement, are signaling increasingly that they want graduates who can function effectively and comfortably in

global, multicultural environments. Potential employers are concerned increasingly not only with the cross-cultural communication skills of new hires, but also those of the existing workforce. Moreover, cross-cultural communication skills are like any other skills, they must be reinforced and updated.

Unfortunately, around the country very few individuals with responsibility for oversight of diversity/multicultural initiatives have direct involvement in curricular matters, and there is little engagement of professional disciplinary bodies in curriculum transformation efforts. These patterns suggest to me that comprehensive multicultural transformation is not occurring rapidly in higher education and, as a consequence, colleges and universities are still not yet positioned to produce the types of graduates prepared to meet the challenges of the 21st century envisioned by military leaders and business leaders in the briefs that were filed in the University of Michigan cases.

Given this pattern, I find it difficult to be as optimistic as Judge O'Connor in predicting the end of the need for affirmative action oriented programs in higher education. She suggested that 25 years from now such programs will no longer be needed. However, I am not sure that she recognizes how difficult it is in higher education to mobilize leaders and influential faculty in academic units to become diversity champions and, as a consequence, academic perspectives on multicultural education are often superficial at best.

The process of creating truly multicultural institutions of higher education requires organizational transformation that reduces the number of reporting channels in both academic and non-academic units. Flattened, non-hierarchical organizational structures can encourage individuals to draw upon their diverse experiences to support a unit's mission.

Institutions of higher education are subject to the same constraints as other complex organizations where layers of bureaucracy make it difficult to engage middle-level managers in change

processes. These managers can inadvertently or deliberately filter-out diverse perspectives when communicating with upper levels, thereby weakening an organization's adaptive capabilities.

To avoid this problem, the top leadership in the organization must first recognize that these communication barriers exist and develop supplementary communication channels that allow diverse perspectives to be heard and factored into the organization's activities. There must also be a clear vision of the organizational objectives and vision.

The successes and unfinished agenda of EOPC and the Office of the Vice Provost for Educational Equity even after 20 years of dedicated effort speak to the difficulty of overly optimistic predictions about how quickly the four-century legacy of racial inequality can be reversed, especially in higher education. Achieving equity requires more than changing terminology – it requires a dedicated group of self-sacrificing people working for a common cause – this is what has made EOPC successful. Penn State owes all who have been involved in the work of EOPC over the last 20 years sincere thanks for their valuable contributions to the enhancement of our University.