

To: Chris Guthrie, Dean and John Wade-Kent Syverud Professor of Law

From: The Vanderbilt Law School Racial Inequities & Injustices Steering Committee
(Samantha Furman, Betsy Key, Esther Lee, Noor Maarfi, Terry Maroney, Karla McKanders, Chris Meyers, Spring Miller, Dominique Millen, Chris Serkin, and Yesha Yadav)

RE: Report to the Dean and Vanderbilt Law School Community

Date: August 7, 2020

Introduction

We at Vanderbilt Law School are deeply saddened and angered by the deaths of Ahmaud Arbery, George Floyd, Breonna Taylor, and so many other Black people whose lives have been unjustly cut short by police brutality and racial violence. We are reminded of our country's long and troubled history whose legacy remains manifest in lost lives and lost opportunities. As a community devoted to the law, we are committed to using our education, knowledge, and skills to do our part to build a society that realizes the promises enshrined by our founding ideals and the Constitution.

In June 2020, Dean Guthrie created three task forces and a steering committee to address one central question: “What concrete actions should we take as a faculty, staff, and student body to address racial inequities and injustices that afflict the school, community, and beyond?”

We have taken that call seriously. Since that time, we have convened student, faculty, and staff task forces to gather information, debate ideas, and develop proposals to build a more inclusive and anti-racist community at Vanderbilt. We have implemented a VLS-wide anonymous survey and analyzed the responses. Based on these processes, each task force has submitted its own report and recommendations to the Dean. Finally, as the Dean has asked of us, we—the steering committee—have prepared this report to be shared with the entire VLS community. In it, we synthesize points of commonality and outline what we believe to be the essential components of the path forward.

Our recommendations are ambitious and span a range of short-to-long term objectives. While some require small tweaks to existing features of VLS, others require a more fundamental investment of time, energy, and community resources. Others still necessitate serious reflection and debate with respect to their content and implementation.

We recognize that we are delivering this report in extraordinary times. The killing of George Floyd has sparked an historic moment of collective outrage and reckoning that has brought us to this conversation. Simultaneously, the COVID-19 pandemic is putting enormous strain on our resources at the Law School and University levels, upending normal VLS operations and requiring immense effort from administrators, staff, and faculty. We also face significant restrictions on hiring in the current environment. These realities make implementation of some of our recommendations more difficult than others, particularly in the short term, pushing us to be creative and resourceful in how we approach our goals. We anticipate that our work will serve

as a standard bearer rather than a strict blueprint, a tool with which to start a community-wide conversation and period of growth, doing the absolute best we can as a community within a fast-changing environment. It is our hope that such growth takes us ever closer to the goal of fully achieving an inclusive, equitable, and more just Law School and society.

We begin this report by outlining the process we followed to arrive at this set of recommendations; we then summarize key data and themes derived from the survey. We then organize our report and recommendations around five guiding concepts that have emerged from this collective inquiry:

- *Diverse VLS Community,*
- *Belonging at VLS,*
- *Diverse Learning at VLS,*
- *VLS as Citizen,* and
- *VLS Commitment.*

Our process

Dean Guthrie established student, faculty, and staff task forces and appointed co-chairs for each.¹ He asked each to identify approximately one dozen promising action items touching on all aspects of the Law School community, to brainstorm without regard to possible constraints, and to include action items that were amenable to implementation.

Our task forces conducted our own investigations and analyses. The student task force gathered suggestions from task force members as well as the student body, particularly from the Black Law Students Association and Vanderbilt Bar Association. It then met to discuss and prioritize those suggestions. The staff task force collected recommendations from colleagues and conducted a simple consensus workshop to gather additional information. The method for simple consensus workshops includes allowance for stakeholders to collectively brainstorm, assess an issue, and find common ground through dialogue to deliver consensus-based input. The faculty task force gathered information on, and analyzed, actions that the top 75 law schools are taking or proposing to address anti-racism and racial justice. It also reviewed the 2016 Report and Recommendations of the Vanderbilt University Committee on Diversity, Inclusion and Community and identified promising action items; further, it gathered information on existing VLS efforts, particularly from the George Barrett Social Justice Program, the Ph.D. Program in Law and Economics, and the Legal Clinic. Finally, all three task forces collaborated on constructing, distributing, and analyzing the results of a community-wide anonymous survey.

¹ Student task force: Co-chairs—Samantha Furman, Esther Lee, Noor Maarfi; Members—Shaylen Braggs, Khalil Bryant, Ryan Feeney, Miles Malbrough, Olisa Onyiuke, Kate Uyeda, Nouha Zaabab. Staff task force: Co-chairs: Betsy Key, Dominique Millen; Members—Grace Chee, Robert Dortch, Victoria Dorward, Brandy Drinnon, Jasmin Felton, Michelle Kovash, Kat Manning, Jennifer Miller, Todd Morton, Clanitra Nejd, Francesca Rutherford, Caroline Sirko, and Felicia Vaden. Faculty task force: Co-chairs: Terry Maroney, Karla McKanders; Members—Margaret Blair, Lisa Bressman, Michael Bressman, Jessica Clarke, Gautam Hans, Joni Hersch, Susan Kay, Spring Miller, Larry Reeves, Ed Rubin, JB Ruhl, Herwig Schlunk, Dan Sharfstein, Ganesh Sitaraman, Ingrid Wuerth. The faculty task force thanks Katie Hanschke and our other colleagues in the Law Library for vital research support.

After taking all of these inputs into account, each task force submitted a report and set of recommendations to the Dean.

Highlights of the survey

The anonymous survey was distributed in late June to all members of the JD classes of 2020, 2021, and 2022; all staff; and all faculty. Its goal was to provide a rigorous yet open-ended mechanism for the VLS community to describe the existing environment and to facilitate honest generation of ideas. 409 persons responded in part, and 153 answered every question. Of those who answered the question asking if they identified as a person of color, 32% so identified.

One of our recommendations in this report is to convene at least one all-VLS town hall this fall semester to discuss the survey more fully. Here we present a few key takeaways.

- As a community we vary significantly in how we understand racism. Many respondents think of racism at the individual, interpersonal level; others also see it as operative at the group and systemic levels. Some include disparate racial impacts, negative feelings or animus, and concrete discriminatory actions, while others disclaim those same elements. While some identify race as a construct, most treat race as a natural or self-defining category. This variance indicates that we have enough shared understandings of race and racism to allow us to start important conversations, but enough diversity to make those conversations difficult and illuminating.
- Faculty, staff, and student respondents demonstrate a very high level of convergence on a coherent body of desired actions, particularly the following: diversification of the faculty; diversification of the curriculum, both by adding course offerings with a focus on race and racism and by enhancing inclusion of those subjects within existing offerings; diversification of student-edited journals; greater investment in preparing students for careers that include a focus on anti-discrimination, particularly in the public and public-interest sectors; greater support for co-curricular offerings such as lectures and workshops on race, racism, and various forms of subordination; and expanding VLS' engagement with inequality in the world outside its walls, particularly in Nashville.
- A great many respondents also called for diversification of the student body; increased programming and supports for Black, Indigenous, and other people of color (BIPOC) students and staff; expansion of targeted scholarship opportunities; provision of high-quality equity, diversity and inclusion learning opportunities for all members of the VLS community; and staff diversification, particularly within key sectors such as Career Services and Admissions.
- Many respondents regard our path forward as a long one requiring long-term commitment and transparency, and many regard creation of a permanent infrastructure—such as creation of an administrative role, such as an Assistant or Associate Dean of Equity, Diversity and Inclusion—as crucial to sustained progress.
- A number of students expressed frustration and disappointment with a small number of specific interactions with faculty members, interactions they experienced as hostile or insensitive, and articulated a desire for community dialogue over how such interactions can be addressed.

- A small minority of respondents, both faculty and students, expressed a view that any VLS focus on race and racism is wrongheaded and divisive.
- The survey asked three questions about VLS today that asked respondents to choose points along a 7-point-scale (1 = worst, 7 = ideal). These quantitative data should be read as general indicators of perception, keeping in mind contextual factors such as the moderate level of survey response and the lack of prior baselines. One important takeaway, though, is that across all three questions respondents who identified as persons of color generally displayed a more negative perception of our present reality than did those who did not so identify.

Table 1: “How would you rate the extent to which VLS today provides our people (faculty, staff, and students) with an inclusive, supportive, and antiracist environment?”

| Respondent characteristic | Mean | Median |
|----------------------------------|-------------|---------------|
| All respondents | 4.44 | 4 |
| All respondents of color | 3.74 | 4 |

On this environment question, the highest mean ratings were from staff who did not identify as persons of color, and the lowest were from faculty of color.

Table 2: “How would you rate the extent to which the educational offerings at VLS today, both curricular and extra-curricular, prepare law students to understand racism and to be active agents in its eradication?”

| Respondent characteristic | Mean | Median |
|----------------------------------|-------------|---------------|
| All respondents | 3.45 | 4 |
| All respondents of color | 2.98 | 3 |

On this education question, the highest mean ratings were from staff of color, and the lowest were from students of color.

Table 3: “How would you rate the extent to which VLS today exhibits institutional antiracist leadership at the local, state, national, and international levels?”

| Respondent characteristic | Mean | Median |
|----------------------------------|-------------|---------------|
| All respondents | 3.93 | 4 |
| All respondents of color | 3.39 | 3.50 |

On this leadership question, the highest mean ratings were from staff who did not identify as persons of color, and the lowest were from faculty of color.

Diverse VLS Community

This concept captures the shared desire to have a student, faculty, and staff community that is fully diverse, inclusive, and respectful of our differences, with particular attention to racial diversity. We believe the following to be important steps for fostering a diverse VLS community.

Faculty recruiting and retention

Cultivating, recruiting, supporting, and retaining a diverse faculty is fundamental to the Law School's mission. Racial diversity—that is, a meaningful presence of Black faculty and other faculty of color—is a particularly crucial aspect of faculty diversity. A broadly diverse faculty with strength in racial diversity is better positioned to generate dynamic scholarship; mentor future generations of attorneys, leaders, and scholars; and deliver a high-quality legal education. Further, the diversity that characterizes a great law school includes strength in scholarship and teaching that critically examine the many ways in which race and law interact. Creating and maintaining both forms of diversity is an ongoing process. Just as one never stands in the same river twice, our faculty and the scholarship and teaching it generates constantly change as individuals and generational cohorts join, leave, and take on new roles over the course of their careers. Commitment to diversity therefore requires consistent and concrete action over time, with no expiration date.

We recommend that VLS take immediate steps to develop and implement an action plan to: significantly diversify the faculty within the next several years; bring on additional faculty whose scholarship and teaching focus on race; and establish permanent mechanisms to ensure that both faculty and scholarly diversity receive the consistent attention and resourcing they merit. In developing and implementing this action plan, we encourage VLS to take a broad view of diversity, including persons whose life experiences and scholarly interests touch on various forms of subordination, but to keep race and racism firmly in focus.

The following items should be considered in developing this action plan:

- In the next several hiring seasons, strongly prioritize hiring of tenured or tenure-track scholars whose lived experience would meaningfully enrich our faculty's diversity.
- In the next several hiring seasons, strongly prioritize hiring at least one tenured or tenure-track scholar whose scholarship and teaching focus centrally on an intersection between race and the law, including Critical Race Theory.
- Continue to prioritize multiple other forms of faculty diversity (e.g., gender, LGBTQ) in faculty recruitment and hiring, including an awareness and understanding of intersectionality.
- Seek creative opportunities to better identify and attract diverse scholars outside of, as well as within, the ordinary processes (e.g., AALS) for hiring both entry-level and lateral faculty. Such efforts could include creating, supporting, or participating in pipeline programs for diverse legal scholars.
- Increase inclusion of diverse perspectives, including those of BIPOC students and faculty, in faculty recruitment and hiring processes.
- Invest in mechanisms to ensure that all diverse faculty are given the mentorship, resources, and other forms of support needed to thrive at the Law School.
- Consider expanded use of visitors, short courses, adjuncts, and post-doctoral scholars to expand the diversity of both faculty and scholarship, particularly in the short term.

Staff recruiting and retention

The imperative to create a fully diverse VLS community applies to non-academic staff, including administrators, as well. Student interactions with staff are both frequent and important. Students are better prepared for leadership, citizenship, and professional competitiveness when they are exposed to diverse perspectives. Shortcomings in staff diversity—particularly the underrepresentation of BIPOC staff, and the clustering of such staff in lower-authority roles—create barriers to connection and success for BIPOC students. These students are less likely to seek, value, and benefit from services provided primarily by staff who do not reflect their lived experience. Such shortcomings are compounded by diversity gaps among the faculty, as these students may lack mentors and role models in both domains. Low diversity in high-visibility and high-authority staff roles also impact BIPOC staff, in part because it sends a negative message about opportunities for growth.

We recommend that VLS take immediate steps to develop and implement an action plan to enhance recruitment, hiring, and retention of diverse non-academic staff, including administrators. In developing and implementing this action plan, we encourage VLS to take a broad view of diversity, including persons whose life experiences and scholarly interests touch on various forms of subordination, but to keep race and racism firmly in focus.

The following items should be considered in developing this action plan:

- Develop and publish a diversity statement that speaks to diversity within the student, faculty, and staff populations, building on the statement that currently speaks only to students (available [here](#)).
- Prioritize recruitment efforts that will address the acute underrepresentation of BIPOC staff in the Academic Affairs, Student Affairs, Admissions, and Career Services offices.
- Seek creative opportunities to better identify and attract diverse staff outside of, as well as within, ordinary hiring processes. Place particular priority on creative efforts to enhance diversity in student-interaction and high-authority roles, including administrative roles.

Student recruiting and retention

Cultivating, recruiting, supporting, and retaining a diverse student body, in both the JD and LLM tracks and with particular strength in racial diversity, also is fundamental to the Law School's mission. A diverse student body allows all students to benefit from a diversity of perspectives, understanding and negotiation of which is critical to personal growth, intellectual rigor, and leadership in a diverse profession and world. It also creates the conditions in which Black students, other students of color, and other students whose experience includes identity-based subordination can feel free to pursue their own personal, intellectual, and leadership paths. Graduating diverse classes of students also serves the legal profession as a whole, in which patterns of underrepresentation and inequality stubbornly persist.

We recommend that VLS take immediate steps to develop and implement an action plan to more effectively cultivate, recruit, support, and retain a diverse student body. In developing and implementing this action plan, we encourage VLS to take a broad view of diversity, including students whose life experiences and scholarly interests touch on various forms of subordination, but to keep race and racism firmly in focus.

The following items should be considered in developing this action plan:

- Undertake a comprehensive evaluation of Admissions strategies, practices, and outcomes in order to identify both areas of strength and opportunities for growth in building and sustaining a diverse student body.
- Enhance the direct involvement of VLS student affinity groups in the identification and recruitment of diverse prospective students.
- Strengthen connections between VLS and Historically Black Colleges and Universities (HBCUs), including those in Nashville and elsewhere in Tennessee, in order to cultivate new generations of Black lawyers and legal scholars who may choose to pursue their studies at VLS.
- Explore the option of creating, supporting, or participating in a pre-law pipeline program to encourage college students from historically underrepresented backgrounds to pursue a law degree; provide them with the tools to gain law school admission, including at VLS; and equip them with the tools to start their legal studies with a solid foundation for success. The entire VLS community could have a role to play in such a pipeline program.
- Actively seek donor opportunities to meaningfully expand scholarships for students from underrepresented groups and formulate strategies to use such scholarships to enhance the diversity of each incoming class.
- Actively seek donor opportunities to endow at least one new scholarship named for a victim of racial injustice, to be awarded to prospective students who have demonstrated commitment to combatting racial injustice and advancing civil rights.
- Meaningfully expand concrete mechanisms to prepare incoming BIPOC students, many of whom face additional challenges given the historic imposition of socioeconomic disadvantage on persons of color, for law school success. Special consideration should be given to establishing a Summer Bridge program for underrepresented incoming JD students.
- Meaningfully expand concrete mechanisms to retain BIPOC students, many of whom face additional challenges given the historic imposition of socioeconomic disadvantage on persons of color. Special consideration should be given to expanding academic support programs; expanding diversity within programs like the Vanderbilt Legal Academy Scholars Program; creating a food pantry and a professional dress closet program (akin to the Commodore Closet, available to certain undergraduates); and establishing hardship funds for students facing economic difficulty, including in access to technology and other learning tools.

Belonging at VLS

This concept captures the strong shared desire to have a student, faculty, and staff community in which every member, including those who are Black or other persons of color, knows and feels that they are valued and fully belong. In such a community, all are called to examine our own biases, provided room to grow and the tools with which to grow, and entrusted with building the collective and individual success of all. A VLS community of belonging models and helps create the inclusive, equitable legal community needed to create a fairer and more equal society.

We believe that the following are important steps toward fostering such belonging.

Learning opportunities to enhance equity, diversity, and inclusion within VLS

- Develop a comprehensive program of intentional, high-quality, regular learning opportunities to ensure that all members of the VLS community—faculty, staff, and students—know of the VLS commitment to equity, diversity and inclusion, and are equipped with the knowledge, insight, and tools to enact that commitment on the personal and institutional levels. In developing such a program, we encourage VLS to take a broad view of diversity but to keep race and racism firmly in focus. We also encourage VLS to carefully consider which elements of such a program should be mandatory, which incentivized (and by what mechanisms), and which discretionary. Further, some elements may be short-term and relatively resource-light, such as those that are a component of initial student orientations and faculty and staff onboarding, while others may require higher-resource investments over time, such as multi-session courses, workshops, or discussion groups to examine biases and how to work against them. Finally, we encourage VLS to consider which aspects of such a program can and should be developed internally, and which would benefit from collaboration with outside organizations and content providers.

Such a program should, at a minimum, include the following:

- Inclusion of equity, diversity, and inclusion content in 1L and LLM orientation, delivered in a manner that adequately conveys the importance of that content. Some such content will be provided to the incoming classes of Fall 2020. Going forward, such content should include both implicit bias awareness and a strong communication of community norms.
- Creation of similar learning opportunities for all leaders of student organizations, members of the 2L and 3L classes, staff, and faculty, starting in the 2020-21 academic year.

Connection with mentors and peers

- Meaningfully expand mentorship mechanisms for BIPOC faculty, staff, and students. Such mechanisms, which can overcome a sense of isolation and foster personal and professional growth, might productively include the following:

- Developing community- and alumni-based mentorship opportunities to connect students of color with successful role models outside of VLS.
- Connecting incoming 1Ls of color with VLS student and faculty mentors, preferably as soon as they commit to attend.
- Providing staff of color with opportunities to connect with peers and mentors in the broader University community, to overcome a sense of isolation.
- Investing in mechanisms for faculty of color to connect with peers and mentors in the broader University community and beyond.
- Continue to invest in mechanisms to better integrate students in the JD and LLM programs, both academically and socially.
- Explore and concretely support creative ways in which to foster connection, learning, and support across student organizations and affinity groups.

Awards and compensation

- Review the available roster of staff awards and the processes by which awardees are selected. Such a review, which should include those awarded both by the administration and by student groups such as VBA, should take into account the fact that awards that rely on voting may systematically favor staff members with highly visible, student-interactive jobs. Achievement-based awards may systematically favor staff who have positions with production-oriented jobs with clear outcome metrics. The review should also include consideration of creating an award for a staff member who embodies and promotes the values of equity, diversity, and inclusion at VLS.
- Review the available roster of faculty awards (including Chairs) and the processes by which awardees are selected, within which similar considerations may be at play, including the potential of biases reflected in student voting. Consider creating awards and other forms of recognition for faculty members who embody and promote the values of equity, diversity, and inclusion at VLS.
- Review faculty and staff compensation to identify any racial and gender disparities and develop a plan to remedy any such disparities.

Honoring persons of color

- Evaluate the visual environment of VLS, and especially the art on the walls, to reinforce our commitment to a diverse community. We acknowledge the new permanent exhibition of Vanderbilt Pioneers as one step in that direction, but far more diversity in the visual environment—particularly artistic and documentary depictions of persons of color—is called for.
- Evaluate the extent to which VLS naming practices reflect our institutional commitments to diversity and racial justice and develop a plan to bring those practices and commitments closer together.
- Take steps to ensure that Martin Luther King, Jr. Day is appropriately honored, starting in the 2020-21 academic year. Various options should be considered, taking into account the

ABA accreditation rules that set fixed minima of instructional hours, and considering the option of encouraging faculty to focus on issues of race and racial justice in any make-up classes that might be required by those accreditation rules. At a minimum, an appropriate honoring of MLK Day includes clearer messaging of VLS policies around classes whose normal schedule falls on MLK Day. Further, events celebrating MLK Day should, if possible, occur before that day to highlight its prominence.

- Dialogue with University leaders about the option of adding additional paid, no-classes holidays to the University year, including Juneteenth and Election Day. VLS may also explore the option of allowing staff to take off those days without loss of pay or reprisal.

Building diverse career awareness and pathways

- Because we are a professional school, the ways in which VLS shapes students' concepts of career possibilities and how to achieve them send powerful messages about belonging—belonging at VLS, but also in the legal profession. We therefore recommend that VLS comprehensively evaluate its practices and outcomes with regard to career education and support in order to identify areas of strength and opportunities for growth in helping all students, particularly BIPOC students, imagine and achieve their career goals. We further recommend that this evaluation be used as the basis for the development of an action plan to meaningfully enhance the capacity of VLS to better achieve that goal.
 - This evaluative and planning process should be informed by the reality that the marginalization of law students and attorneys of color is a persistent feature of the legal profession, including its recruitment and hiring markets. The action plan should identify concrete steps VLS will take to ensure we do not inadvertently perpetuate these inequalities but instead are helping students overcome systemic barriers to pursuing careers of their choice.
 - The action plan should also identify concrete steps VLS will take to enhance the information and support all students receive regarding legal careers that include an anti-discriminatory or racial justice focus, particularly in the public and public-interest sectors.
 - The following issues and options should be considered in conducting the evaluation and developing the corresponding action plan:
 - Communicating with BIPOC alumni to learn of their perspectives on how VLS prepared them to imagine and achieve their career goals.
 - Messaging around legal recruiters' obligations to abide by VLS' diversity, inclusion, and anti-discrimination policies.
 - Ensuring that all students are aware of mechanisms for reporting and responding to inappropriate actions, particularly those that reflect racial or cultural insensitivity, by legal recruiters.

- Expanding legal recruiting opportunities to Black or minority owned or operated law firms and firms with a strong record of commitment to diversity.
- Strengthening VLS' institutional supports for student participation in diversity-oriented job fairs, programs, and events.
- Enhancing the frequency and prominence with which career programming (particularly in the first year) addresses issues of race in the legal profession; highlights opportunities for pursuing anti-discriminatory and racial justice work through one's legal career; and presents positive examples of attorneys of color and attorneys who use their careers to pursue justice.
- Examining the relationship between, institutional charges of, and levels of funding and support for, Career Services and the Public Interest Office, with the objective of better ensuring that the full range of possible legal careers receives appropriate visibility and institutional backing.
- Cultivating donors to underwrite expanded opportunities for all students to gain experience in public sector and public interest legal work, both while they are at VLS and after graduation.

Diverse Learning at VLS

This concept captures the strong shared desire that the VLS curriculum and co-curricular activities reflect a dynamic and diverse range of learning opportunities, with particular strength in the many intersections between race and law. The teaching and scholarly excellence on which VLS prides itself requires that we embrace the profound significance of law to the lived experience of race and racial injustice—both historical and in the present day—as part of our core educational mission. That mission includes the doctrinal and clinical classes we offer and how we teach them, as well as the co-curricular offerings that form such an important part of our learning community.

We believe the following are important steps toward fostering that diverse learning environment.

Creation of new curricular offerings

- Offer a Race and the Law class in every academic year, preferably taught by resident VLS faculty. This class should be considered for inclusion on the roster of 1L electives, preferably starting in the Spring 2021 semester.
- Significantly expand the range of other courses exploring intersections between law, race, and other sites of subordination, as well as the frequency with which these courses are taught. While resident VLS faculty should be encouraged and supported in developing such courses, VLS should also seek to bring in a diverse range of others—for example, visitors and professors of the practice, particularly persons of color—to build that curricular vibrancy.

- Consider a “one book”-style program for incoming 1Ls, and potentially LLMS and upper-class JD students as well. Students and faculty would read a book of high relevance to the intersection of law and race or other sites of subordination and meet in at least one small discussion group at the start of the academic year. This program could also include an ongoing discussion component for those who want it.

Integration of race into existing curricular offerings

- Integrate substantive issues of race and the law into the first educational experiences of incoming JD and LLM students, perhaps in Life of the Law, preferably starting in the Fall 2020 semester.
- Invite the Legal Writing program to work toward inclusion of one assignment that teaches JD and LLM students to research and write about an issue at the intersection of race and the law.
- Actively encourage and support all faculty in integrating issues of race into their existing courses, particularly those in the 1L curriculum. Faculty who already achieve such integration should be incentivized and rewarded for helping their colleagues do the same, preferably beginning in the 2020-21 academic year.
- Create syllabus banks, training modules, working groups, and other resources to continually equip all faculty to weave race into their teachings.

Strengthening and championing existing structures that promote diverse learning

- Highlight current clinical offerings in which students are engaged in direct client representation, policy efforts, systemic litigation and action directed towards combatting racism and other forms of discrimination in Nashville, nationwide, and globally.
- Engage with the Legal Clinic and the Vanderbilt public relations team to engage in targeted outreach to reach a wide variety of audiences, including BIPOC students.
- Seek creative ways in which to champion and reward clinical faculty whose teaching and scholarship advance racial justice.
- Assertively highlight the efforts of the George Barrett Social Justice Program, such as its relevant short courses, invited scholarly workshops and lectures (including the annual Barrett lecture), Social Justice Fellow program, reading group, and Practicing Public Interest Law in the South conference. Increase institutional support for such efforts, such that the Barrett Program can grow both its leadership in racial justice and the prestige and visibility of that leadership.
- Encourage faculty and administrators who administer all existing lecture series to ensure that lawyers and scholars of color, and substantive issues of race and subordination, are robustly represented in these events.
- Encourage or facilitate collaboration of the George Barrett Social Justice Program, the Public Interest Office, and the Legal Clinic to highlight synergistic programming.

Structural investments in diverse learning, teaching, and scholarship

- Convene a group to examine the feasibility and desirability of certain significant alterations to our academic environment. That group would explore:
 - Instituting a VLS graduation requirement that students take at least one class that is focused on some intersection of the law and race, and/or other sites of subordination such as gender, sexual orientation, or immigration status.
 - Creating a permanent center to focus and champion this diversity of learning, perhaps along the lines of a Center for Race and Social Justice in the South. Such exploration should include review of the centers housed at various of our peer law schools; focusing on what would distinguish such a center at VLS, as a premiere legal institution in the South with our own legacy of both racism and resistance; and cultivating donors to establish and endow such a center.
 - Establishing an annual endowed lecture or residency on race and law, or that is otherwise intended to advance diversity. Such a lecture or residency could be housed within the newly formed Center for Race and Social Justice in the South or made part of the Barrett Social Justice Program or Legal Clinic.
 - Creating a Chair to honor the late Professor Robert Belton, to be awarded to a faculty member whose work honors his legacy of fighting racism and its effects, and cultivation of donors to endow that Chair.
 - Establishing a graduation Certificate program akin to that of the Law and Business program, and cultivation of donors to endow that program.

Journal diversity

- Support all journals in instituting a diversity plan for their membership, preferably in the 2020-21 academic year, with the goal of meaningfully addressing the notable underrepresentation of BIPOC students in our academic journals.
- Support all journals in instituting a plan to foster, publish, and highlight excellent scholarship speaking to issues of law, race, and other sites of subordination. One element of such a plan, for example, could be a regular Law Review symposium on race in the law, and/or journals' commitment to regularly devote a portion of their publications to issues of race.
- Convene, in the 2020-21 academic year, a stakeholder group to evaluate the feasibility and desirability of creating a new journal with a substantive focus on race and law, perhaps within a broader social justice frame.
- Seek creative mechanisms for encouraging BIPOC students to consider whether journal membership advances their goals, and if so, to participate in the write-on competition. One such effort, for example, could be to provide a collective space for students to work during write-on.

VLS as Citizen

This concept captures the strong shared desire that the Law School as an institution, and all of its community members, use their power to be a positive force in the communities outside our walls. Such citizenship can operate at the local, state, national, and international levels. We believe the following are important steps toward fostering strong VLS citizenship on issues of race, racial justice, and inequality more broadly.

Community engagement and service

- Demonstrate administrative support for, and continue to strongly promote, the existing VLS day of service for faculty, staff, and students to work together on projects around Nashville (or virtually) in support of distressed communities, particularly those comprised primarily of Black or other persons of color. Particular efforts should be made to increase participation by the faculty.
- Explore a mechanism by which staff can take one paid administrative day per quarter to perform community-building or community service work.
- Identify institutional mechanisms and resources to facilitate, promote, encourage, and incentivize faculty and student participation in pro bono projects, particularly local projects, including in partnership with the Legal Aid Society, Law Students for Social Justice, the Legal Clinic, the Public Interest Office, and community legal services providers.
- Consider, and seek funding to support, expansion of clinical offerings to include more learning opportunities through direct service to indigent Black and other persons of color.
- Strengthen bonds with local and state government. For example, VLS community members could partner with local officials to engage in organized learning about the governmental processes always underway here in Nashville, and could develop projects such as tutoring and early-legal-education programs for Metro Nashville Public Schools students.
- Encourage, fund, and otherwise incentivize faculty, student, and administrator participation in local, state, and national bar groups and the Inns of Court.
- Take a leadership role, particularly at the local level, in providing voter education, coordinating voter registration, and mobilizing get-out-the-vote efforts, starting in Fall 2020.
- Establish a process for asking that VLS take an institutional policy stand on issues of public importance, as well as criteria by which such decisions will be made.

Leveraging our market power

- Explore the option of enacting a policy of blocking VLS funds from going to vendors who promote or exhibit discriminatory policies and practices.
- Cultivate and champion vendor relationships that promote equity and inclusion, particularly with businesses headed by people of color.
- Evaluate VLS' financial holdings to determine their level of harmony with our values.

VLS Commitment

This concept captures the strong shared desire that the Law School treat our commitment to racial inclusion and justice as an ongoing one, and invest in permanent, transparent mechanisms to guide our growth toward the goal of creating a fully inclusive, equitable, and just Law School and world. We believe the following are important steps toward fostering that ongoing commitment.

New administrator to lead diversity efforts

- Create a new, high-level, high-authority administrative position to take the lead on guiding, coordinating, and championing the range of work reflected in this report. This position should likely be at the Assistant Dean or Associate Dean level. The person who is chosen for this role should be both passionate and qualified, and preferably bring to bear a perspective forged through the lived experience of race and/or other forms of subordination. This position should be adequately resourced with the administrative personnel and funding to achieve its objectives.

We envision this position and its administrative supports to be crucial to successful implementation of many of the recommendations in this report. We also envision that the position would pursue activities along the lines of the following:

- Creating a three-to-five-year plan to make meaningful progress toward our recommendations.
- Consistently messaging our VLS values and highlighting the work we are doing to advance equity, diversity, and inclusion.
- Creating publications, and contributing significant content to existing publications, not only for the above purposes but also to establish a culture of transparency by providing information on our progress toward these goals.
- Working with existing EDI mechanisms within VLS and the broader University to leverage resources and harmonize efforts.
- Working with leaders of the existing VLS EDI Council to enhance that Council's reach and functioning.
- Directing execution of an internal climate study, follow-up surveys, periodic community audits, focus groups, and regular evaluation of our curricular and co-curricular offerings to measure progress toward our diversity goals.

Building on this learning moment

This summer has been an extraordinary time of self-examination and reflection. We should build on the processes all of us have undertaken over these months, by both sharing our findings with the remainder of the VLS community and inviting other faculty, staff, and students to engage in a similar journey. To further those objectives, we propose the following short-term steps:

- Host at least one virtual or semi-virtual Town Hall in Fall 2020 to describe our process, synopsize and answer questions about this report, and share core findings from the all-VLS survey.

- Consider revision of the survey for purposes of distribution to other VLS stakeholders, such as recent LLM classes, the Board of Advisors, and alumni beyond the class of 2020. The survey could also serve as a mechanism to invite these stakeholders to participate in implementation of some of our identified goals.
- Immediately establish a standing committee of faculty, staff, and students to ensure continuity between the work of this summer’s task forces and steering committee and the eventual creation of the administrative position we envision. This standing committee can also assist in the onboarding of that position.
- Incorporate information about our processes, both those undertaken thus far and those to come, into the VLS website, social media accounts, and publications.

Declaration of VLS community values

Finally, we believe that it would serve an important community-building function to engage faculty, staff, and students in a dialogue on our shared mission, goals, and values. Such a dialogue could center on the Vanderbilt University Community Creed (available [here](#)) and the VLS statement of Mission, Goals and Values (available [here](#)). That dialogue could include discussion of how each element of these statements operates, or should operate, at VLS. Looking specifically to the VLS statement, we might also consider expanding or refining our articulation of the values of “equality” and educating “leaders who contribute to the advancement of justice.” Such a dialogue on what we at VLS require of and offer one another—including with regard to issues of equity, diversity and inclusion—could help us forge common ground that then translates into a stronger public statement of shared mission.

Conclusion

It has been a privilege for all of us to participate in the journey that has led to this report. We look forward in working further to make continual progress towards its goals and to participating in the principled evolution of both those goals and our concepts of how best to reach them.