



**MINNESOTA STATE**  
Office of Equity and Inclusion

# **APPLYING AN EQUITY LENS TO POLICY REVIEW**

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# Equity Lens to Policy Review

“The only path to significantly improving higher education completion rates in most states is by increasing the success of all racial, ethnic, and indigenous populations”

Bensimon, 2017

## Introduction

An equity focus in policy recognizes the need to eliminate disparities in educational outcomes of students from underserved and underrepresented populations. Such lens is color conscious and seeks specifically to eliminate widening postsecondary gaps for American Indian, African American, and LatinX students. Furthermore, it seeks to shift accountability to the institution rather than to the students and allows the organization to see when policies and practices that appear to be beneficial actually are creating a worsening inequality.





An equity lens is a process for analyzing or diagnosing the impact of the design and implementation of policies on under-served and marginalized individuals and groups, and to identify and potentially eliminate barriers. Such groups may include: race/ethnicity, religious expression, veteran status, nationality, including underrepresented groups and new immigrant populations, people who identify as women, age, socio-economic, people with both apparent and non-apparent disabilities, people of various gender and sexual identities and expressions, American Indians and other indigenous populations.

A protocol for policy review provides a structure for institutionalizing the considering of equity in the process of making, implementing, and assessing policy.

## Purpose

This protocol is a tool for capacity building, education, and establishing common language in the context of policy review. Furthermore, it can act as a filter that prompts a policy to be reviewed.

## Section I. How to Utilize this Tool

-  Assess policy purpose and inclusiveness: What does the policy aim to do?  
Does the policy indicate who is to benefit? Who is left out?
-  Uncover policy assumptions: What are the taken-for-granted assumptions made about students and institutions within the policy? In what ways might the taken-for-granted assumptions impact equity?
-  Make equity intentional rather than accidental.
-  Invite reflection on the ways that college or university policies can advance equity.

## Section II. Forming the Policy Review Team

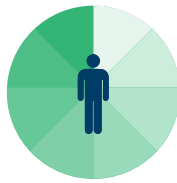
The policy review team acts as an advisory body to the college or university leadership on policy decisions. In doing so, this team may do the following:

- Seek out information to determine a timeline for an equity lens review.
- Initiate a review of policy with an equity lens.
- Provide input to college or university leadership on recommended changes to policy after the review process has been completed.

The policy review team may include representation from the following groups on campus:

### Standing committee Members

- Academic Affairs
- Student Affairs
- Campus Diversity Officer
- Students
- Faculty
- Institutional Research or Effectiveness
- Human Resources
- Finance
- Registrar



### Possible subject matter experts

- Facilities and Planning
- Faculty (expertise in particular field)
- Information Technology
- Advancement

\*Please note that representation on the policy review team may shift depending on the policy being reviewed and the need for advanced engagement of other campus stakeholders. This includes subject matter experts, department faculty, specialized student-facing staff and administrators and others who might be able to offer more in-depth and targeted insight.

## Section III. Outlining a Timeline

In order to avoid being overwhelmed and to create a sustainable pace to the application of an equity lens, it is important that the team considers a timeline and plan for action for policy review. A question often raised is, “Which policy do we start with?” or, “How do we prioritize the policies that will be reviewed?”

The following criteria can be considered in terms of focus and priority for the work.

More importantly, these criteria can be used as prompts for applying an equity lens to the policy review process:

- Evidence of policy unintended consequence or disparate impact.
- Student/s bring forward a concern (formally or informally) about the impact of a college or university policy.
- Proactive effort on part of the policy custodian or steward to apply an equity lens to the policy review process.
- A change occurs in the underlying driver of the policy (System policy change, Civil Rights changes, change in state or federal statute, etc.)
- The policy review team creates a targeting plan for implementing the equity lens review and the policy is up for review.

## Section IV. Determining Policy Purpose and Impact

### Applying an Equity Lens to Policy Review

### Guiding Considerations

#### Policy Purpose and Design

- What is the purpose of the policy?
- What is the policy designed to do?
- What is the policy NOT designed to do?
- How is an equity lens incorporated within the development of policy?
- If a time requirement or clause is included within the policy language, examine the reason as to WHY it's included.

#### Impact, Outcome, Design

- What is the intended or desired impact of the policy?
- What is the intended or desired outcome of the policy?
- How does the policy reflect key drivers (socio-cultural, technological, environmental, economic, political, legal and ethical)?
- What policy features have the biggest impact on the desired outcome?

#### Disparate Impact

- Does the policy explicitly account for potential disparate outcomes, especially disaggregated by race, ethnicity, gender, socio-economic status, etc.? If so, how? If not, how can it be incorporated?
- In what ways does the policy account for focused disparate outcomes (race, ethnicity, gender, socio-economic status, etc)? Are there other area of disparity to consider?
- How is an equity lens incorporated in tracking policy outcomes?

#### Equity and Inclusion

- Will the policy increase access and opportunity for under-represented communities? How?
- Will the policy have a positive impact on racial / ethnic equity, inclusion and full participation of all people (in the process, in implementation, in breadth of outreach and participation, in decision-making and culture of decision-making, etc.)?
- Will the policy protect against racial violence, racial profiling, gender inequities, and discrimination? How?
- Are there changes that could be made to make the policy more equitable and inclusive?

#### Responsibility and Accountability

- What are the mechanisms in place to ensure accountability (such as equity-focused benchmarks or indicators)? (Define and provide examples of equity-focused benchmarks/indicators).
- What are the mechanisms in place to ensure accountability?
- Do the lens and tools for accountability incorporate an equity framework? How?

## Defining Underrepresented/underserved/marginalized

The team will determine which groups may be considered underrepresented, under served, or marginalized within the context of a policy and its intended purpose and impact.

Consider the following categories as groups to be considered underrepresented, underserved or marginalized:

- First generation students
- Diverse students/faculty/staff by ethnicity, race, age or sexual orientation
- Members of the LGBTQIA+ (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual) community
- Non-traditional students (homeless, single parents, etc.)
- Culturally/Linguistically Diverse
- Low socio-economic status
- Persons with disabilities
- Veterans

\*Quick Tip: Ensuring gender balance and gender neutrality within policy language is a good place to start. In doing so, make sure that you edit the language of the policy/definitions/procedures to be inclusive.

### Gendered

- Chairman/Chairwoman
- The student must contact his adviser before making the change.
- He/She pronouns
- Freshman
- Father/Mother/Brother/Sister

### Gender Neutral

- Chair/Chairperson
- Students should contact their adviser before making the change.
- They/them pronouns
- First year student
- Parent/Sibling

## Section V. Common Challenges

Common challenges to addressing equity in policy review and implementation include:

### Section V a. Leading conversations about equity and inclusion.

Critical conversations: Leaders are naturally sensitive to the political cultures and traditions in their state, and make assumptions about what topics are preferred, acceptable or taboo. Political sensitivities surrounding discussions on race, gender identity, accessibility, and discrimination often stem from the tendency to understand racism and other “isms” as personal bias rather than structural inequities entrenched in social structures that circumscribe educational and economic opportunities. Therefore, policy leaders need to find ways to intentionally and strategically reframe discussions of race, gender identity, accessibility, and discrimination in terms of these inequitable structures and based on a shared vision for the organization’s future.



**To Do:** Prepare talking points to help lead discussions about equity and inclusion.

- Before beginning the discussion about the need to focus on equity in policy, clearly define equity to clarify how it is different from equality and diversity and contextualize it within the organization's history and demographic trends.
- Defuse concerns about quotas by defining equity as distinct from policy and legal debates about diversity and affirmative action in higher education admissions.
- Identify precedents in existing policy for targeting groups based on unequal resources.
- Moderate discussion regarding race vs. income by highlighting data to illustrate that both disparities exist and both matter, but have different causes and different solutions.
- Draw on the resources of scholars who study race and income inequality, gender inclusion, etc. to develop talking points that are supported by the historical facts.

### Section V b. Overcoming data paralysis.

Data paralysis: Equity-focused policy must begin with an understanding of how much and for whom higher education access and success must improve. The entire process must be supported by continuous data analysis. The challenge is harnessing the right data at the right time and even more importantly, having a clear sense of what questions to ask.

- Understand the difference between competing data sources.
- Don't let perfect be the enemy of the good.
- Avoid the weeds: Balance accuracy, clarity, and immediate relevance.

Important questions to ask:

- What populations have the lowest rates of post-secondary attainment historically? How does this information compare to our institutional metrics?
- Which populations are the fastest growing in the state? What are the racial/ethnic and gender patterns of attainment across different disciplinary and certificate pathways? Do pathways differ for the different groups?
- At current rates of educational attainment, will some populations in the state be disproportionately excluded from opportunities in high-wage, high-demand jobs? How does this contribute to existing disparities at the state level?



**To Do:** Create organizational post-secondary vital signs.

## Section V c. Engaging institutions of higher education.

Engaging institutions of higher education: For policy goals to be met, and for policy measures to be effective, institutional leaders must be given authentic, meaningful opportunities to engage in dialogue and planning to achieve the desired outcomes. A main component of this work is to build capacity among equity practitioners to move the institution from commitment to equity-focused action.



**To Do:** Design policy that focuses on student impact and empowers institutions to address inequality locally.

Step #1: Proposal and Desired Outcomes

Step #2: Data Collection and Analysis

Step #3: Stakeholder Engagement: Ensure that this step includes a comment period provided to the Diversity and Equity Committee/Council of the local campus. The purpose of this steps is to provide a stronger equity-lens to the review.

Step #4: Benefit and Burden

Step #5: Implementation

Step #6: Accountability, Communication and Evaluation

Adapted from Improving Postsecondary Attainment: Overcoming Common Challenges to an Equity Agenda in State Policy. Center for Urban Education, University of Southern California, (Bensimon, 2017).

## Appendix A: Examples of Re-Written Policies

### Policy **BEFORE** an equity lens is incorporated

#### Parental leave

- Must be employed 9 months
- 50% appointment or greater
- Female employees – up to 6 weeks paid leave upon birth
- Female employees – up to 2 weeks paid leave for adoption
- Male employee – up to 2 weeks paid leave

### Policy **AFTER** an equity lens is incorporated

#### Parental leave

- 50% appointment or greater
- Up to six weeks paid leave for birth, adoption, or gestational surrogacy for any employee
- Benefit available upon hire

### Policy that **INCORPORATES** an **EQUITY LENS**

#### Tobacco Free Policy

As of July 1, 2013, smoking, tobacco use, and tobacco sales (including the use or sales of smokeless tobacco products and electronic cigarettes) are prohibited on college owned, operated, or leased property. The policy is applicable to all campus persons, including students, faculty, staff, administrators, outside contractors and the general public.

This policy does not apply to specific activities used in connection with the practice of cultural activities including those of American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a as permitted by Minnesota Statutes 2012, 144.4165. For the purpose of this section, a Native American is a person who is a member of a Native American Tribe as defined in section 260.755 subdivision 12. Arrangements for such ceremonies must conform to local fire code requirements and be approved by the College President or their designee in advance.

(Hennepin Technical College, Tobacco Free Policy 5HTC.6  
<https://www.hennepintech.edu/policy/pdfs/5HTC6POL.pdf>)



## Appendix B: Glossary of Terms

<b>Discrimination</b>	Behavior that treats people unequally because of their identify protected memberships.
<b>Disparate Impact</b>	Disparate impact occurs when policies, practices, rules or other systems that appear to be neutral result in a disproportionate impact on a protected group.
<b>Equity</b>	The proactive reinforcement of policies, practices, attitudes and actions that produce equitable power, access, opportunities, treatment, impacts and outcomes for all.
<b>Equity (campus context)</b>	The creation of opportunities for historically underrepresented populations to have equitable access to and participate in educational programs that are capable of closing the achievement gaps in student success and completion.
<b>Ethnicity</b>	A dynamic set of historically derived and institutionalized ideas and practices that (1) allows people to identify or to be identified with groupings of people on the basis of presumed (and usually claimed) commonalities including language, history, nation or region of origin, customs, ways of being, religion, names, physical appearance and/or genealogy or ancestry; (2) can be a source of meaning, action and identity; and (3) confers a sense of belonging, pride and motivation.
<b>Gender non-conforming</b>	An adjective and umbrella term to describe individuals whose gender expression, gender identity or gender role differs from gender norms associated with that assigned at birth.
<b>Implicit bias</b>	Also known as unconscious or hidden bias, implicit biases are negative associations that people unknowingly hold. They are expressed automatically, without conscious awareness.
<b>LGBTQIA+</b>	LGBT, LGBTQ, LGBTQIAA are acronyms referring to lesbian, gay, bisexual, transgender, queer, asexual, intersex and questioning.
<b>Policy</b>	A course or principle of action adopted or proposed by a government, party, business, or individual.

Please visit <https://www.minnstate.edu/system/equity/glossary.html> for a more in-depth glossary of terms.

## Additional Resources

Bensimon, S. (2017). Improving Postsecondary Attainment: Overcoming Common Challenges to an Equity Agenda in State Policy. Center for Urban Education, University of Southern California.

Penn State Policies. <https://policy.psu.edu/>

Policy Link is a national research and action institute advancing racial and economic equity. [www.policylink.org](http://www.policylink.org)

Race Forward. Racial Equity Impact Assessment Toolkit. <https://www.raceforward.org/practice/tools/racial-equity-impact-assessment-toolkit>

Templeton, E., Love, B., Davis, B., Davis, M. (2016). The Illusion of Inclusion: University Policies that Perpetuate the Exclusion of Students of Color. Journal Committed to Social Change on Race and Equity, (2), Issue 1.

The Annie E. Casey Foundation. (2014). Race for Results: Building a Path to Opportunity for All Children. Baltimore, MD: Author.

The Institute for Higher Education Policy. <http://www.ihep.org/>