

DIVERSITY+INCLUSION CHECKLIST AND ASSESSMENT TOOL

For Practice Groups (and their associated Affinity Groups) and Task Forces¹

While AHLA actively encourages diversity² throughout the Association, AHLA's volunteer pool and leadership do not yet parallel the rich diversity represented in AHLA's membership, or even the diversity in the legal profession. This means that achieving diversity and inclusion goals will require conscious attention and effort. Practice Groups (PGs), Affinity Groups (AGs), and Task Forces (TFs) produce a large amount of substantive content for AHLA's members. PG/AG/TFs therefore play a crucial role in AHLA's commitment to diversity and inclusion and are taking important steps to further these goals.

In June 2017, AHLA's Board of Directors adopted an updated Diversity+Inclusion mission statement, as follows: "In principle and in practice, the American Health Law Association values and seeks to advance and promote diverse and inclusive participation within the Association regardless of gender, race, ethnicity, religion, age, sexual orientation, gender identity and expression, national origin, or disability. Guided by these values, the Association strongly encourages and embraces participation of diverse individuals as it leads health law to excellence through education, information, and dialogue."

In furtherance of this enhanced mission, the Board of Directors adopted several goals to measure progress on diversity and inclusion, including:

- 1) Including at least one diverse leader in each PG during each AHLA program year (similar efforts to be made for AGs and TFs);
- 2) 10-15% diverse faculty for distance learning programs in the aggregate for each program year, and
- 3) 40-50% female faculty members for distance learning programs in the aggregate for each program year.

Although the Board has not set any specific goals for other PG/AG/TF offerings, the best practice is to mirror the above goals for all PG/AG/TF activities such as authors for bulletins, briefings, toolkits, and the like.

None of these goals is intended to be construed as a quota or cap. The target ranges set by the Board approximate the current percentages of diverse individuals and females, respectively, in the legal profession. AHLA believes diversity and inclusion enhance quality and will enable the Association to continue to provide top-notch programming and networking opportunities. AHLA believes that many more qualified, diverse individuals who meet the Association's high standards for faculty and leadership are available but are not yet involved in AHLA PG/AG/TF activities. This creates an opportunity for PG/AG/TFs to actively and intentionally improve the diversity, and therefore the quality, of all PG/AG/TF offerings.

To accomplish these goals, the Board is requiring PG/AG/TFs to implement a modified version of the "Rooney Rule" in selecting PG/AG/TF leadership and faculty for its distance learning programs, and are strongly encouraged to use the Rooney Rule to identify and enlist volunteers for other PG/AG/TF activities.

The Rooney Rule was named after the Pittsburgh Steelers ownership family and initially adopted in the NFL to increase the number of diverse head coaches of professional football teams. The Rooney Rule requires that anyone making a hiring

¹ A similar checklist has been developed for and is used by Program Planning Committees for purposes of identifying diverse faculty for in-person programs. These two checklists are intended to work similarly for both distance learning and in-person programs. Changes or improvements to either should be considered for both.

² While AHLA's current efforts focus upon inclusion of underrepresented groups – racial/ethnic minorities, members of the LGBTQ community, and individuals with disabilities – AHLA values and encourages broader diversity, to include gender, religion, geographic practice settings, practice areas, age, veteran status and other characteristics.

decision ensure that at least one diverse individual is included in the applicant pool and interviewed in good faith.³ The individuals included in the pool are not guaranteed of selection, but they must be seriously and fairly considered.

This Checklist was created as a tool for implementing a modified version of the Rooney Rule that fits AHLA and provides concrete steps that can be taken to further the Association's overarching Diversity+Inclusion goals. PG/AG/TFs are expected to use the Checklist to the maximum extent practicable to support identification and consideration of diverse candidates for leadership positions and speaking opportunities for distance learning programs.

The Assessment Tool – found on pages 4-6 – is used at the conclusion of the fiscal year. Each Practice Group (with its associated Affinity Groups, if applicable) and Task Force is required to complete and submit the Assessment Tool by June 1 each year to Teshia Birts, AHLA Director of Membership and Component Relations, at tbirts@healthlawyers.org.

Diversity+Inclusion Checklist for PG/AG AND TF ACTIVITIES

Identifying diverse candidates with an interest in and qualifications to serve as faculty for distance learning programs may in some cases be challenging, especially within certain areas of narrow expertise that may not be well-represented within AHLA membership. This Checklist offers practical tips and action items to assist PG/AG/TFs in the various phases of planning for their distance learning programs and for their leadership selection. **We strongly encourage PG/AG/TFs to implement as many of the items on the Checklist as may be reasonably practicable, depending on time, availability and resources and as appropriate for each activity. PG/AG/TFs have the freedom and are encouraged to implement other initiatives beyond those listed in this Checklist.**

Year-Round (Building the Pipeline)

- Attend Celebrate Diversity+Inclusion networking receptions at AHLA in-person programs and network with diverse attendees. Share information about your PG/AG/TF and its various volunteer opportunities. Encourage reception attendees to submit a volunteer application if they are interested.
- Ask diverse and non-diverse prior PG/AG/TF volunteers to canvas their professional networks and identify diverse individuals who might be a good fit for a PG/AG/TF volunteer opportunity. Encourage those individuals to submit a volunteer application or instead provide the names of those interested individuals to the appropriate PG/AG/TF leader involved with the opportunity. The networking activities that prior volunteers are asked to do might include reviewing the suitability and availability of other attorneys in their law firm or organization; other AHLA members; or colleagues in State Bar Associations, specialty bar associations, or other legal organizations.
- Similarly, ask PG/AG/TF leaders to canvas their professional networks and to personally reach out to known diverse contacts to encourage them to either submit a volunteer application himself/herself or to recommend others.
- Coordinate with AHLA'S Membership, Diversity+Inclusion (MDI) Committee for recommendations of diverse candidates from its relationships with specialty bar associations. This might also include a review (by the MDI Committee or your PG) of recent programming by specialty bar associations to identify potential volunteers who are diverse who might be a good fit to serve as faculty for your distance learning program or participate in other activities.

³ The concept of good faith here includes elimination of as much unconscious bias as possible. Because it is "unconscious," such bias is often insidious and difficult to eliminate. AHLA is committed to providing ongoing diversity and inclusion education and training to its leaders, and PG/AG/TF leaders are encouraged to participate in any such opportunities.

- Reach out to or consider past members of the former Diversity+Inclusion Council or current MDI Committee to help identify potential volunteers who are diverse.
- Ask AHLA staff who work with programs or distance learning if they are aware of diverse individuals who have expressed an interest in PG activities. Where you think there may be interest, contact these individuals to encourage submission of a volunteer application or a distance learning proposal.
- Encourage diverse candidates identified through this process who are not interested in volunteering for distance learning and/or PG/AG/TF activities or leadership to consider submitting a speaking proposal for one or more of AHLA's in-person programs.

Comments:

Volunteer Review Phase

- Review information identified on the Call for Volunteers forms relating to diversity and demographic information of the candidate. Self-disclosure is the most reliable indication of diversity.
- Examine demographic information provided with the Call for Leaders responses that is compiled based on members' self-reported demographic profile.
- Research the demographics of proposed volunteers for whom you do not have diversity information. Sometimes the professional resume, online bio or LinkedIn profile will indicate if an individual is diverse. Alternatively, AHLA staff or leaders may know if the individual is diverse. This is challenging because we should not make assumptions or stereotype people based on physical features or assume they have certain characteristics of ethnicity based on their last name.
- Look for opportunities to select new volunteers for your activity. Consider pairing a diverse new/unknown volunteer, especially a proposed author or speaker, with a familiar/known author or speaker. Consider the speaking or writing or relevant experience of the new/unknown author or speaker outside of AHLA.

Comments:

Post- Activity Phase

- Review the demographic data surrounding the pool of volunteers who participated in the distance learning program or other PG/AG/TF activity and assess progress and results. Assess which methods aimed at identifying and encouraging participation of diverse individuals were and were not successful.
- Complete and return the Assessment Tool by June 1.

This Checklist is not exhaustive, and the MDI Committee will periodically add items that PG/AG/TFs have tried and found to be successful. PG/AG and TFs leadership should document steps taken throughout the year on the Checklist. In addition, each PG/AG and TF Chair will be asked to complete the Assessment Tool (found on pages 5-7) with their leadership group and submit it by June 1 to Teshia Birts, AHLA Director of Membership and Component Relations, at tbirts@healthlawyers.org.

Diversity+Inclusion Assessment Tool for Practice Groups (and their associated Affinity Groups) and Task Forces

This form serves as a standardized tool for Practice Groups (PGs), Affinity Groups (AGs), and Task Forces (TFs) to assess implementation of the Rooney Rule to achieve AHLA’s Diversity+Inclusion (D+I) goals in connection with PG/AG/TF activities, including selecting individuals to serve as PG/AG/TF leaders or to participate in other PG/AG/TF volunteer opportunities, including distance learning programs. It should be completed and submitted to Teshia Birts at tbirts@healthlawyers.org by June 1 each year to reflect the year’s activities. The AHLA Board and the Membership, Diversity+Inclusion (MDI) Committee will use this information to assess the success of the Association’s current D+I strategies, and to consider other ways to promote diversity and inclusion in PG/AG/TF activities.

NOTE: AHLA staff provides an annual dashboard to the leadership that highlights demographic data of volunteers that is self-reported by members. The dashboard will include the number and percentage of members who answer questions related to their racial or ethnic diversity, disability and veteran status, gender, and sexual orientation.

Our Leadership Group:

_____ PG and associated AGs or _____ TF

1. Please indicate which of the following steps the PG/AG or TF took to implement the Rooney Rule:

Action	Yes	No	N/A
The PG/AG/TF carefully reviewed information identified on the Call for Volunteers forms relating to diversity and demographic information of the candidates.			
The PG/AG/TF sought to obtain through separate means demographics of volunteer candidates who did not self-identify as diverse.			
The PG/AG/TF used demographic data from AHLA surveys to identify diverse individuals who were potentially strong candidates for consideration for volunteer opportunities.			
The PG/AG/TF leaders personally reached out to known diverse contacts to encourage them to either submit a volunteer application or to recommend other candidates.			
The PG/AG/TF obtained input from other PG/AG/TFs and Program Planning Committees about diverse individuals who have volunteered to participate in other activities (e.g., speak at other programs or webinars), whether or not they were selected, and carefully considered these individuals for the volunteer opportunity.			
The PG/AG/TF asked previous volunteers if they are aware of any diverse individuals in the same area of expertise, to help develop a volunteer pool around that topic area.			

The PG/AG/TF asked diverse individuals who have previously volunteered for PG/AG/TF activities if they knew of other diverse individuals who would be a good fit for and interested in the volunteer opportunity.			
The PG/AG/TF asked the D+I Council for recommendations of diverse candidates.			
The PG/AG/TF reached out to or considered past members of the D+I Council who are diverse to help identify potential diverse volunteer candidates.			
The PG/AG/TF leaders attended D+I receptions at AHLA in-person programs and networked with and encouraged diverse individuals to submit volunteer applications.			
The PG/AG/TF was creative and flexible in selecting volunteers for the activity, including being open to offering opportunities to previously unknown individuals who met the criteria for the task.			
The PG/AG/TF asked AHLA staff if they were aware of diverse individuals who have expressed an interest in volunteering.			

2. Please indicate any other steps that the PG/AG or TF took to build the pipeline and/or to enhance diversity of PG/AG/TF volunteers:

3. With respect to the steps undertaken, please explain which were the most helpful and why:

4. Please provide any other comments regarding the Checklist, this Assessment Tool, and/or any suggestions for enhancing the diversity of PG/AG or TF volunteers:

Please submit to Teshia Birts at tbirts@healthlawyers.org by June 1.